

# PUTNAM COUNTY BOARD OF COMMISSIONERS



117 Putnam Drive, Suite A ♦ Eatonton, GA 31024

## Agenda

Friday, March 01, 2024 ♦ 10:00 AM

*Putnam County Administration Building – Room 203*

### Opening

1. Welcome - Call to Order
2. Approval of Agenda
3. Invocation - James Smith, Wesley Chapel United Methodist Church
4. Pledge of Allegiance (DB)
5. Special Presentation - Putnam Development Authority Quarterly Update (staff-PDA)
6. Special Presentation - Proclamation for Matt and Keith Housworth (staff-Animal Services)
7. Special Presentation - Senate Bill 518 - Proclamation supporting the changing of the State Flower (Virginia Linch)

### Regular Business Meeting

8. Consent Agenda
  - a. Approval of Minutes - February 20, 2024 Regular Meeting (staff-CC)
  - b. Approval of Minutes - February 20, 2024 Executive Session (staff-CC)
9. 2025 Budget and 2024 Mill Rate Schedule (staff-Finance)

### Reports/Announcements

10. County Manager Report
11. County Attorney Report
12. Commissioner Announcements

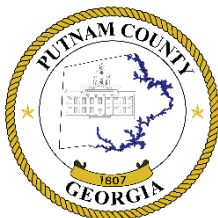
### Closing

13. Adjournment
14. Work Session to Follow Regular Meeting to Discuss the Following:
  - a. Chapter 66 and Chapter 28 Amendments
  - b. Chapter 32 Changes and Revisions

The Board of Commissioners reserves the right to continue the meeting to another time and place in the event the number of people in attendance at the meeting, including the Board of Commissioners, staff, and members of the public exceeds the legal limits. The meeting cannot be closed to the public except by a majority vote of a quorum present for the meeting. The board can vote to go into an executive session on a legally exempt matter during a public meeting even if not advertised or listed on the agenda. Individuals with disabilities who require certain accommodations in order to allow them to observe and/or participate in this meeting, or who have questions regarding the accessibility of the meeting or the facilities are required to contact the ADA Compliance Officer, at least three business days in advance of the meeting at 706-485-2776 to allow the County to make reasonable accommodations for those persons.

**File Attachments for Item:**

6. Special Presentation - Proclamation for Matt and Keith Housworth (staff-Animal Services)



# Proclamation

**Whereas**, Matt and Keith Housworth celebrate Southeastern Portable Buildings’ 30 years in business; and

**Whereas**, Matt and Keith Housworth have given back to the communities that have supported them; and

**Whereas**, Matt and Keith Housworth have chosen pet adoption specifically through local County Animal Services in Putnam, Morgan, Baldwin, Greene, and Oconee Counties; and

**Whereas**, Matt and Keith Housworth recognized the need for the animal shelter facilities in the aforementioned counties to stay below capacity.

**Now, therefore** be it proclaimed that the Board of Commissioners of Putnam County extend our heartfelt thanks to Matt and Keith Housworth of Southeastern Portable Buildings for their for their generous donation of \$6000 to Putnam County Animal Services.

Proclaimed this 1<sup>st</sup> day of March 2024

Chairman B.W. “Bill” Sharp

Commissioner Gary P. McElhenney

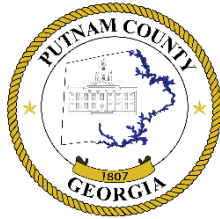
Commissioner Stephen Hersey

Commissioner Daniel W. Brown

Commissioner Jeffrey G. Wooten

**File Attachments for Item:**

7. Special Presentation - Senate Bill 518 - Proclamation supporting the changing of the State Flower (Virginia Linch)



# Proclamation

**Whereas**, the Georgia Native Plant Society suggests the Sweetbay Magnolia has a rich history in Georgia’s botanical heritage; and

**Whereas**, the Sweetbay Magnolia is indigenous to Georgia and is a host plant for Georgia’s State Butterfly, the Eastern Tiger Swallowtail; and

**Whereas**, Governor Kemp has designated April as National Native Plant Month and September as Georgia’s Native Plant month; and

**Whereas**, the Cherokee Rose, Georgia’s current State Flower, is native to Asia and is a Category 4 invasive plant.

**Now, therefore** be it proclaimed that the Board of Commissioners of Putnam County does fully support the adoption of the Sweetbay Magnolia as the State Flower of Georgia due to its contributions to our state’s rich biodiversity.

Proclaimed this 1<sup>st</sup> day of March 2024

Chairman B.W. “Bill” Sharp

Commissioner Gary P. McElhenney

Commissioner Daniel W. Brown

Commissioner Stephen Hersey

Commissioner Jeffrey G. Wooten

**File Attachments for Item:**

- 8. Consent Agenda
  - a. Approval of Minutes - February 20, 2024 Regular Meeting (staff-CC)
  - b. Approval of Minutes - February 20, 2024 Executive Session (staff-CC)

# PUTNAM COUNTY BOARD OF COMMISSIONERS



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Office of the County Clerk

117 Putnam Drive, Suite A ♦ Eatonton, GA 31024

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The draft minutes of the February 20, 2024 Executive Session are available for Commissioner review in the Clerk's office.

# PUTNAM COUNTY BOARD OF COMMISSIONERS



117 Putnam Drive, Suite A ♦ Eatonton, GA 31024

## Minutes

Tuesday, February 20, 2024 ♦ 6:00 PM

Putnam County Administration Building – Room 203

The Putnam County Board of Commissioners met on Tuesday, February 20, 2024, at approximately 6:00 p.m. in the Putnam County Administration Building, 117 Putnam Drive, Room 203, Eatonton, Georgia.

### *PRESENT*

- Chairman Bill Sharp
- Commissioner Gary McElhenney
- Commissioner Daniel Brown
- Commissioner Steve Hersey
- Commissioner Jeff Wooten

### *STAFF PRESENT*

- County Attorney Adam Nelson
- County Manager Paul Van Haute
- Deputy County Clerk Donna Todd

### *STAFF ABSENT*

- County Clerk Lynn Butterworth

### **Opening**

1. Welcome - Call to Order

Chairman Sharp called the meeting to order at approximately 6:00 p.m.  
 (Copy of agenda made a part of the minutes on minute book page \_\_\_\_\_.)

2. Approval of Agenda

Motion to Approve the Agenda

**Motion made by Commissioner Brown, Seconded by Commissioner Wooten.**

**Voting Yea: Commissioner McElhenney, Commissioner Brown, Commissioner Hersey, Commissioner Wooten**

3. Invocation

Dr. Craig Williamson from the First Baptist Church of Eatonton gave the invocation.

4. Pledge of Allegiance (GM)

Commissioner McElhenney led the pledge of allegiance.

Draft Minutes	Page 1 of 7	



5. Special Presentation - Findings from 2023 Audit Report (McNair, McLemore, Middlebrooks & Co, LLC)

Mr. Pat Muse gave the report on the results of the 2023 Audit. He provided the Commissioners with a book of findings from the 2023 Audit. Mr. Muse also presented a PowerPoint presentation, highlighting the main points and findings of the audit.

(Copy of audit findings made a part of the minutes on minute book pages \_\_\_\_\_ to \_\_\_\_\_.)

**Ordinance Public Hearing**

6. Proposed adoption of changes to the Putnam County Code of Ordinances Section 2-54 - Compensation (CA)

County Attorney Nelson presented information on an amendment to create an ordinance setting compensation for the members of the Board of Commissioners. The ordinance brings compensation to the local level but does not change the amount. County Attorney Nelson clarified that SWA and EPWSA were included for clarity purposes only and that the intent is not to increase the amount of compensation but to maintain the same level of compensation they receive presently. The reason for the change is due to the legislature meeting, which is the only time we have to make changes to the compensation.

Mr. Billy Webster opposed the changes to the code of ordinances stating the Board would be taking action to enrich themselves in their current office.

**Commissioner Hersey made a motion to amend the motion to strike the references to EPWSA and SWA from section B of the ordinance.**

**Commissioner Brown objected to the amendment. Commissioner Wooten seconded.**

**Motion to amend the original motion to adopt the changes to the Putnam County Code of Ordinances Section 2-54 – Compensation by striking EPWSA and SWA from the ordinance.**

**Voting Nay: Commissioner McElhenney, Commissioner Brown, Commissioner Wooten**

**Voting Yea: Commissioner Hersey.**

Commissioner Wooten commented that he wanted it recorded that he does not receive payment from Putnam County and Sinclair Water Authority. He stated he is separate from the County when he serves on that board. They provide compensation for his time on their board.

**Motion to adopt the changes to the Putnam County Code of Ordinances Section 2-54 – Compensation.**

**Motion made by Commissioner Brown, Seconded by Commissioner Wooten.**

**Voting Yea: Commissioner McElhenney, Commissioner Brown, Commissioner Wooten**

**Voting Nay: Commissioner Hersey**

(Copy of ordinance made a part of the minutes on minute book page \_\_\_\_\_.)

**Regular Business Meeting**

7. Public Comments

Mr. Miller Edwards – Asked the board for help with a neighbor who has a very loud sound system that shakes the windows in his house. He stated there are also bright and flashing lights coming from the house, which also disturb him and other surrounding neighbors. He also stated the neighbor has fish lights that, when they're on, no one can see anything when entering the cove. The use of blackout curtains does not remedy the problem. Mr. Edwards stated that he had met with the Sheriff about this problem.

- 8. Consent Agenda
  - a. Approval of Minutes - February 2, 2024 Regular Meeting (staff-CC)
  - b. Approval of Minutes - February 2, 2024 Executive Session (staff-CC)

**Motion to approve the Consent Agenda.**

**Motion made by Commissioner McElhenney, Seconded by Commissioner Wooten.**

**Voting Yea: Commissioner McElhenney, Commissioner Brown, Commissioner Hersey, Commissioner Wooten**

- 9. Requests for Waiver of Late Fees and Interest from Mr. and Mrs. Raghu Kakarala and Ms. Dolores Walker (Tax Commissioner)

Tax Commissioner Terrell Abernathy presented information about Mr. and Mrs. Raghu Kakarala and Ms. Dolores Walker, who attempted to pay their property taxes on time, by U.S. Mail, and had their property tax payments stolen. In both cases, both checks were intercepted between the post office and the Tax Commissioner’s office.

**Motion to waive the late fees and interest from Mr. and Mrs. Raghu Kakarala and Ms. Dolores Walker.**

**Motion made by Commissioner Hersey, Seconded by Commissioner McElhenney.**

**Voting Yea: Commissioner McElhenney, Commissioner Brown, Commissioner Hersey, Commissioner Wooten**

- 10. Discussion and possible action regarding the purchase of playground equipment for Jimmy Davis Park (staff-CM)

Mr. Billy Webster signed in to speak on this item but passed on his opportunity to speak when called.

County Manager Van Haute spoke about the equipment and how the people voted almost unanimously for the set selected. The cost of the playground equipment is \$50,534.90 and will be purchased with SPLOST 9 funds. The swing set will be kept but moved.

**Motion to approve the purchase of the playground equipment for Jimmy Davis Park.**

**Motion made by Commissioner Brown, Seconded by Commissioner McElhenney.**

**Voting Yea: Commissioner McElhenney, Commissioner Brown, Commissioner Hersey, Commissioner Wooten**

(Copy of playground equipment photo and cost estimate made a part of the minutes on minute book pages \_\_\_\_\_ to \_\_\_\_\_.)

Draft Minutes	Page 3 of 7	

11. Authorization to allow staff to advertise for Jimmy Davis Park Partnership Advisory Council (DB)

Commissioner Brown asked if he had to advertise or if he could choose the people on the council since it is not a board. County Attorney Nelson looked up the requirements for starting the council. County Attorney Nelson asked Chairman Sharp to table this matter for the time being and continue with other agenda items.

**Motion to table the agenda item temporarily (addressing agenda item 12 in the interim, per County Attorney Nelson’s request) authorizing staff to advertise for Jimmy Davis Partnership Advisory Council.**

**Motion made by Commissioner Brown, Seconded by Commissioner Wooten**

**Voting Yea: Commissioner McElhenney, Commissioner Brown, Commissioner Hersey, Commissioner Wooten.**

12. Discussion and possible action allowing the City of Eatonton gas department to operate in the county right-of-way (staff-CM)

County Manager Van Haute reported that this item represented the City of Eatonton’s project to provide gas to Georgia Power and they will be operating in the county right-of-way.

**Motion to allow the City of Eatonton gas department to operate in the county right-of-way as specified in the drawings provided.**

**Motion made by Commissioner Hersey, Seconded by Commissioner Wooten.**

**Voting Yea: Commissioner McElhenney, Commissioner Brown, Commissioner Hersey, Commissioner Wooten**

(Copy of plat documents made a part of the minutes on minute book pages \_\_\_\_\_ to \_\_\_\_\_.)

Draft Minutes	Page 4 of 7	

11. Authorization to allow staff to advertise for Jimmy Davis Park Partnership Advisory Council (DB) – Continued...

Upon returning to the item, County Attorney Nelson advised that under Putnam County Ordinances, section 2-51, the Chairman is allowed, with concurrence of the board to create committees to study any issue. The membership can include staff, elected officials, or citizens at large. There is no requirement to advertise for the positions prior to the appointment. Appointments to boards, authorities, require advertisement. He advised that Commissioner Brown can make appointments prior to advertisement. It is likely the council would be required by state law to follow the open meetings act.

**Motion to create a Jimmy Davis Park Partnership Advisory Committee.**

**Motion made by Commissioner Brown, Seconded by Commissioner Wooten.**

**Commissioner Wooten amended the motion for the authorization to appoint an advisory committee in accordance with the stipulations provided on the page in the agenda packet document.**

County Attorney Nelson advised Chairman Sharp that when an issue comes up regarding interpretation of procedures, the final decision lies with the Board. The question the Board needs to consider is whether the action of creating the Council was included in the agenda item.

**Commissioner Brown amended his motion to not advertise to create a committee but to appoint an advisory committee for Jimmy Davis Park.**

**Motion made by Commissioner Brown, Seconded by Commissioner Wooten.**

**Voting Yea: Commissioner McElhenney, Commissioner Brown, Commissioner Hersey, Commissioner Wooten**

13. Discussion of road projects approved under TSPLOST #2 (SH)

Commissioner Hersey presented information on how the board might split the solicitations to avoid borrowing money against money we already have.

(SPLOST comparison spreadsheet and proposed calculations made a part of the minute book on minute book pages \_\_\_\_\_ to \_\_\_\_\_.)

**Reports/Announcements**

14. County Manager Report

County Manager Van Haute offered congratulations to Finance Director Linda Cook and her team for another successful audit. The Short-Term Rental Vehicles are parked outside the building and ready to go. Deputy County Clerk Donna Todd and other staff attended training for the STR software. The new software can determine how many homes are being rented as short term rentals.

15. County Attorney Report

County Attorney Nelson requested an Executive Session to discuss a litigation matter.

16. Commissioner Announcements  
Commissioner McElhenney: none.

Commissioner Brown: none.

Commissioner Hersey: Reminded everyone that early voting began yesterday (February 19). On the ballot are the Presidential primary choices and the \$22 million General Obligation bonds.

Commissioner Wooten: none.

Chairman Sharp: Thanked everyone for coming.

17. Enter Executive Session as allowed by O.C.G.A. 50-14-4 for Personnel, Litigation, or Real Estate

**Motion to enter Executive Session as allowed by O.C.G.A. 50-14-4 for Litigation.**

**Motion made by Commissioner McElhenney, Seconded by Commissioner Wooten.**

**Voting Yea: Commissioner McElhenney, Commissioner Brown, Commissioner Hersey, Commissioner Wooten**

Meeting closed at approximately 7:59 p.m.

18. Reopen meeting following Executive Session

**Motion to reopen the meeting following Executive Session.**

**Motion made by Commissioner Brown, Seconded by Commissioner Wooten**

**Voting Yea: Commissioner McElhenney, Commissioner Brown, Commissioner Hersey, Commissioner Wooten.**

Meeting reconvened at approximately 8:18 p.m.

19. Authorize Chairman to sign affidavit concerning the subject matter of the closed portion of the meeting

**Motion to authorize the Chairman to sign the Affidavit concerning the subject matter of the closed portion of the meeting.**

**Motion made by Commissioner Wooten, Seconded by Commissioner Brown**

**Voting Yea: Commissioner McElhenney, Commissioner Brown, Commissioner Hersey, Commissioner Wooten**

(Copy of affidavit made a part of the minutes on minute book page \_\_\_\_\_.)

20. Action, if any, resulting from the Executive Session

No action taken.

Draft Minutes	Page 6 of 7	

**Closing**

17. Adjournment

**Motion to adjourn the meeting.**

**Motion made by Commissioner McElhenney, Seconded by Commissioner Brown.**

**Voting Yea: Commissioner McElhenney, Commissioner Brown, Commissioner Hersey, Commissioner Wooten**

Meeting adjourned at approximately 8:20 p.m.

ATTEST:

Donna Todd  
Deputy County Clerk

B. W. "Bill" Sharp  
Chairman

Draft Minutes	Page 7 of 7	

**File Attachments for Item:**

9. 2025 Budget and 2024 Mill Rate Schedule (staff-Finance)

**2025 Budget & 2024 Mill Rate Schedule (Fiscal Year Oct. 2024 – Sept. 2025)**

**May**

S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

**June**

S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23 30	24	25	26	27	28	29

**July**

S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

**August**

S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

Meetings dates are in green, other major dates are in yellow.

May 10 - Assessment notices mailed by Tax Assessor’s Office

May 27 - Distribute budget packages

June 24- Last day to appeal assessments (45 days after estimated mailing date)

June 24 - Budget packages due to the Finance Department

June 27- Advertise budget work sessions

June 28 - Preliminary digest submitted to Finance Department

July 5 - Budget requests submitted to the Board of Commissioners

July 8 - First budget work session

July 9 - First budget work session continued and guidance to staff on proposed budget

July 24 - Proposed budget submitted to the Board of Commissioners

July 25 - Advertise proposed budget, public hearing on budget, meeting to adopt budget, and advertise first mill rate public hearing

August 2 - Second budget work session (for comments from departments on proposed budget) and first mill rate public hearing

August 8 - Advertise second mill rate public hearing

August 20 - Public Hearing on budget (with regular meeting) and Second mill rate public hearing

August 22 - Advertise final public hearing on mill rate, 5 Year History of Mill Rate, and meeting to adopt budget

August 30 - Adopt budget, Final (third) public hearing on mill rate & Adopt mill rate.



**File Attachments for Item:**

- 14. Work Session to Follow Regular Meeting to Discuss the Following:
  - a. Chapter 66 and Chapter 28 Amendments
  - b. Chapter 32 Changes and Revisions

Work

**Sec. 66-20. Definitions.**

*Animal care, general* means animal care **uses used** with either an outdo or facility or an overnight component, or both. Examples may include animal day cares, animal shelters, overnight boarding facilities, veterinary clinics with boarding or nightttime emergency services, and pet stores that sell cats, dogs, and/or birds larger than 12 inches.

*Automobile retail* means an establishment that primarily sells auto parts, supplies, and accessories for automobiles, light and medium trucks, motorcycles, recreational vehicles, and related equipment. This definition includes businesses that may provide minor services **s** such as diagnostic checks and battery installation.

*Automobile sales and rentals, general* are an establishment that offers automobiles on-site for sale or long-term lease to the general public, whether at retail or through an auction. The automobiles must include only those customarily used for personal use, such as automobiles, light and medium trucks, motorcycles, recreational vehicles, as well as vehicles that are smaller than automobiles, such as all-terrain vehicles, golf carts, and similar. Manufactured home sales are included in this definition. This excludes commercial trucks or equipment and agricultural equipment. Motorized vehicles for sale will typically be stored outside. All other activities must be in an enclosed building.

***Automobile sales and rentals, limited* are an establishment that offers no more than three automobiles on-site for sale or long-term lease to the general public, whether at retail or through an auction. The automobiles must include only those customarily used for personal use, such as automobiles, light and medium trucks, motorcycles, recreational vehicles, as well as vehicles that are smaller than automobiles, such as all-terrain vehicles, golf carts, and similar. This excludes commercial trucks or equipment and agricultural equipment. Motorized vehicles for sale will typically be stored outside. All other activities must be in an enclosed building.**

***Barndominium* means a steel frame and sheet metal building, originally designed as a storage building or barn structure that has been repurposed or designed to include living areas in previously open space.**

*Bedroom* means that room within a dwelling unit, which is normally used to provide sleeping accommodations **s** for the residents of the unit, regardless of its daytime use.

*Brewery/distillery/winery* means an industrial facility where malt, brewed or distilled beverages are produced (in spaces in excess of the micro-producer limits) on the premises and then sold or distributed for off premises consumption and must **be** licensed by the Alcohol and Tobacco Division of the Georgia Department of Revenue.

*Convenience store* means a use primarily engaged in the provision of frequently or recurrently needed goods for household consumption, such as prepackaged food and beverages, newspapers, and limited household supplies, to customers who generally purchase only a few items. **This use shall be less than 2,000 square feet of gross floor area.** This may include limited food preparation. Only fuel pumps for the selling of fuel for motor vehicles are permitted.

*Dwelling unit* means one or more rooms connected together and constituting a separate, independent housekeeping establishment, **with only one internally contained kitchen,** physically set apart from any other dwelling unit in the same structure.

*Dwelling, duplex* **meansa means a** single building designed, constructed, and used for two (2) dwelling units which are separated by common walls between the individual dwelling units.

*Extractive industry* means any activity constituting all or part of a process for the extraction or basic processing of minerals, ores, liquids, gases, or other natural resources **s** for consumption in the regular operation of

a business. Such uses also include quarrying, well operation, mining, and other procedures done at an extraction site.

*Junkyard* means any use on public or private property involving the parking, storage or disassembly of junked vehicles, or wrecked or ~~nonoperable~~ **inoperable** automobiles, trucks or other automotive devices; storage, bailing or otherwise dealing in bones, animal hides, scrap iron and other metals; used paper, used cloth, used plumbing fixtures, old stoves, old refrigerators and old household appliances; and used brick, wood or other building materials. These uses shall be considered junkyards whether or not all or part of these operations are conducted inside a building or in conjunction with, in addition to or accessory to other uses of the premises.

***Kitchen* means any room principally used, intended, or designed to be used for cooking or the preparation of food. The presence of a range or oven, or utility connections suitable for servicing a range or oven, shall be considered as establishing a kitchen. The meaning of kitchen shall exclude a bar or butler’s pantry.**

*Micro-producer* means a **manufacturer** of alcoholic beverages including malt beverages, wine, and distilled spirits. A limit of 15,000 barrels per year is established for the production of malt beverages, while production for wine and distilled spirits is limited to no more than 5,000 barrels per year. The maximum allowable space for this facility is 20,000 square feet. And where 25 percent or more of the facility's production is sold directly to the consumer on-site, within a retail shop, bar, tasting room, tap-room, restaurant or other similar facility.

*Riding stable, commercial* means a lot with the **principle principal** use of a riding stable which may be private or open to the general public; boarding of livestock not involved with current breeding or training; training involving large groups of eight or more students; polo fields or arenas used for scheduled, public, or club events; and those uses permitted on a ranch.

***Shipping container* means a intermodal, steel-reinforced reusable container primary used for shipping cargo and storage.**

***Technical review process* may be initiated for certain large scale developments and involves potentially affected federal, state, and county agencies and departments performing an impact analysis pertaining to their area of responsibility and/or expertise. The technical review process is initiated at the discretion of the director of planning and development and a list of participating agencies/departments will be maintained in the planning and development department.**

**Sec. 66-32. Designation ~~on~~ **of the** official zoning map.**

The boundaries of the various zoning districts are shown upon the official zoning maps of Putnam County, as they may be amended from time to time and which are hereby made a part of this chapter and which shall be maintained in the office of the clerk to the board of commissioners as a public document available for public inspection and examination. The official zoning maps shall be those tax parcel maps entitled, "The Official Zoning Maps of Putnam County, Georgia, July 17, 2007," signed by the chairman of the board of commissioners, which contain land lot, district, parcel and street boundaries located in the county; and the "Aerial Photo-Sheet Index" map. All such official zoning maps and all notations, references and information shown thereon shall be as much a part of this chapter as if all the matter and information set forth by the maps were fully described in this section.

(Res. of 7-17-2007(4))

**Sec. 66-34. General requirements.**

Statements in this section apply to the entirety of this chapter. The specific applications are dependent on the extent of the dissimilarity between the existing zoning district and the new one the following shall apply:

- (a) *Nuisance.* The use may not create noise, dust, vibration, smell, excessive traffic, smoke, glare or electrical interference so as to arise to the level of a nuisance.
- (b) *Outside merchandise.* No outside display of merchandise shall create traffic or other safety hazard. No retail items shall be parked or sold within a street right-of way. No external display of merchandise shall interfere with sight lines in a way to create traffic or safety hazards.
- (c) *Allowed uses.* Within the various zoning districts, as described in this article and shown on the official zoning map, no land, building or structure shall be used as a matter of right except in accordance with the uses and standards of this chapter.
- (d) *Buffers and berms.*
  - (1) A buffer or berm, which provides visual screening, shall at the director's discretion, unless the board of commissioners has mandated otherwise, exist between any C-PUD, R-PUD, C, or I-M district and any R, RM, or MHP district or existing use. The dimensions of the buffer between adjoining uses are in Table A.

Table A

Proposed Use	Adjoining Use									
	AG	R-1R	R-1, R-2	RM-1	RM-3	MHP	C-1 & C-2	I-M	C-PUD	R-PUD
AG	None	50	50	50	None 50	50	50	50	50	50
R-1R	None	None	None	None	None	None	None	None	None	None
R-1, R-2	None	None	None	None	None	None	None	None	None	None
RM-1	None	20	20	None	None	None	None	None	None	None
RM-3*	50	50	50	50	50	50	50	50	50	50
MHP	25	50	50	50	None 50	25	25	25	25	50
C-1 and C-2	None	50	50	50	None 50	50	None	100	None	50
I-M	50	<del>50</del> 100	<del>50</del> 100	<del>50</del> 100	<del>50</del> 100	<del>50</del> 100	50	50	50	<del>50</del> 100
C-PUD†	50	50	50	50	None 50	50	50	50	None	50
R-PUD†	50	50	50	50	50	50	50	50	50	None

- (2) Required buffers must be separated by at least a five-foot setback from a parking area or a structure.
- (3) All buffers shall be replanted, where sparsely vegetated, with evergreen trees of at least two inches measured at diameter breast height (DBH) and with evergreen shrubs to create an understory among the trees. An evergreen ground cover shall exist throughout the buffer.
- (4) The spacing of trees when creating a buffer shall be approximately ten feet between each tree at time of planting. In order to create a solid appearance, another row of trees shall be planted ten feet behind the first row, also spaced ten feet apart so that the trees in one row visually fill the gaps in the next row (as depicted in the following diagram).
- (5) Where the use to be protected exists (or will exist) above or below the new one, the slope of the cut/fill shall constitute the buffer, provided the angular length of the slope is at least equal (in feet) to the width of the required buffer. The densest plantings of trees and understory occurs at

the top of the slope diminishing as the slope proceeds downward. An evergreen ground cover shall be planted on the slope. A six-foot high fence constructed of opaque material shall be placed at the top of the cut slope.

- (6) A berm shall be no flatter than a three to one slope achieving a height above the ground throughout its entire length of not less than six feet. It may exist throughout the length of a buffer or as a separate entity within a setback.
  - (7) A berm shall be planted with evergreen trees, shrubs, and ground cover in the same fashion as a buffer. If natural vegetation does not exist along a buffer area, a berm must be installed.
  - (8) Unless certifiable low water consumption plantings are used, an irrigation system shall exist through the buffer or berm to ensure the continued vitality of the vegetation.
  - (9) When the ground between the new and the existing uses is relatively flat, either a buffer or a berm, at the discretion of the director, shall be used. A berm may be located within a setback but a buffer may not.
- (e) *Double frontage and corner lots.* Lots that adjoin a public street on any side shall provide the minimum required front setback on each street.
- (f) *Pre-owned manufactured home.* Pre-owned manufactured homes must meet the minimum requirements as outlined in sections 18-83(b)(5), (9), (10), (11), and (12) of this Code prior to the issuance of a building permit. The building inspector shall inspect all pre-owned manufactured homes at the expense of the applicant to include, but not limited to, inspection fees and travel expenses when located outside of Putnam County. Travel expenses shall be calculated based on current mileage rate used by county.
- (g) *Vision clearance.*
- (1) No plant, structure, fence, wall, sign, or other element between the heights of four feet and ten feet from the ground shall be placed within 20 feet of or maintained in a manner that obstructs vision at the intersection of:
    - The right-of-way lines of two public streets;
    - Any vehicular access drive with a right-of-way on a public street;
    - Any vehicular access drive with another vehicular access drive;
    - A public street's right-of-way line and a railroad;
    - Two railroad lines.
  - (2) Notwithstanding other provisions of this chapter, fences, walls, hedges, driveways and buffer areas may be permitted in any required yard or along the edge of any yard, provided that fences, walls or hedges on a corner lot in a residential district shall not exceed four feet in height. See performance standards for specific requirements on fences and walls.
- (h) *Other regulations.* The property owner should be aware of and consult the other ordinances that may apply to the development or use of any property, including, but not limited to, any conditions applied by the Board of Commissioners at the time the property was rezoned, the International Building Code; chapter 18, Buildings and Building Regulations; chapter 22, Businesses; chapter 28, Development Regulations; chapter 30, Environment; chapter 32, Fire Code; chapter 46, Roads and Bridges; chapter 48, Signs; and chapter 50, Solid Waste and Scrap Tires.
- (i) *Parking requirements.* See development standards in each district for residential requirements. For commercial and industrial/manufacturing see chapter 28, development regulations.

- (j) *Projections into setbacks.* Every part of a required setback shall be open to the sky and unobstructed except for the ordinary projections of sills, belt courses, cornices, eaves, chimneys, buttresses and other ornamental and architectural features, provided that these features do not project more than three feet into any required setback. Decks, porches, patios, carports, and similar structures (including steps to access the foregoing) are not permitted to project into the setback area. Setbacks for accessory uses are defined in each district's requirements.
- (k) *Street access.* Except as provided in this chapter, each building shall be located on a lot or parcel that abuts a public paved street. However, should an owner of a **n agriculture zoned tract of** property subdivide it so as to provide smaller parcels only to other family members for their residential use, then the new parcels so created may be accessed by recorded, permanent and private easements between the original owner (grantor) and his grantees, upon approval of the director.
- (l) *Storage and parking of recreational vehicles, trailers, and other vehicles.* Commercial vehicles with more than four wheels, recreational vehicles, travel trailers, campers, buses, motorized homes, boat trailers and haulers, and boats shall not be stored in the front yard in any residential district. Travel trailers, recreational vehicles, campers, motorized homes, boat trailers and haulers, and boats may be parked or stored in an enclosed garage or carport or in rear or side yards, provided that they remain more than 20 feet from the rear property line and ten feet from the side property line. No such vehicle shall be occupied for sleeping or as a residence, either permanently or temporarily, when so parked.
- (m) *Lighting.* All exterior lighting shall be deflected away from adjacent properties and the public right-of-way.
- (n) *One principal building per lot.* Only one principal building and its customary accessory buildings may hereafter be erected on any lot, unless this chapter specifically provides otherwise; further provided that more than one multi-family dwelling, office, institutional, commercial or industrial building may be located on a lot or tract.

**Sec. 66-35. Exceptions to general development standards.**

- ~~(a) *Double buffer.* When a required buffer area would abut and be continuous to an established buffer area, which meets all requirements of this chapter, then this additional required buffer area need not be established.~~
- (b) *Height requirements.* The height limitations as stated in this chapter shall not apply to:
  - (1) Barns, silos or other farm structures when located on farms, belfries, cupolas and domes, monuments, water towers, windmills, chimneys, smokestacks, flagpoles, radio or television towers, masts and aerials; and
  - (2) Bulkheads, elevators, penthouses, water tanks and scenery lofts and similar structures, provided that these structures shall not cover more than 25 percent of the total roof area of the building on which these structures are located.
- ~~(c) *Special building height restrictions.* Where a new Village, C, or I M, R PUD, or C PUD district is adjacent to an R, RM, or MHP district or to an existing residential use, the building height of the nonresidential structures shall not exceed 25 feet along the property line(s) adjacent to the herein listed residential districts.~~
- (d) *Combining of acreage between lake lots and Georgia Power property.* The owner of a lot who has exclusive use of property owned by Georgia Power by written lease, license, or other document may combine the acreage of said lot with the acreage of the property owned by Georgia Power in order to meet the requirements of the development standards of the zoning district in which said lot is located provided that both the lot and property are depicted as a single lot filed in the land records of Putnam County.

DIVISION 3. DISTRICTS

**AG AG-1 AGRICULTURE DISTRICT**

**Sec. 66-72. Uses allowed.**

The uses allowed in the AG-1 zoning district as a matter of right are subject to section 66-34, general requirements of this article, to performance standards of article III, and to the requirements and development standards of this district. Uses not listed herein are not permitted in this district, except as provided in section 66-36, undefined uses, of this article. Consult article III, performance standards, or the other zoning districts if the use you seek is not listed in this district.

(a) Allowed uses.

- ~~Adult day care center.~~
- Fairgrounds and amusement parks.
- Hangar (airplane)
- Helipad
- Personal care home, family
- Private landing strip (airplane)
- Riding stable, private
- Sawmill, temporary/portable
- Workshop
- ~~Hospice care facility, general.~~
- ~~Hospice care facility, limited.~~
- Helipad recreational vehicle park.

(b) Accessory uses that may be contained within the principal use structure or shall exist on the same property as the principal structure are as follows:

Commercial:

~~Barbershop.~~

~~Beauty salon.~~

~~Workshop, limited.~~

Home Occupation Business

~~Home occupation.~~

~~Helipad.~~

~~Riding stable, private.~~

~~Animal care, limited.~~

~~Sawmill, temporary/portable.~~

Dwellings: In addition to the primary residence on a parcel consisting of five acres or greater, the owner may subdivide three additional parcels for family use only, with a minimum of 1.25 acres each without rezoning as long as there is a deeded and platted easement from a public road to these parcels. Nonconforming parcels must be rezoned prior to subdividing any additional lots.

~~Personal care home, family.~~

~~Hospice care facility, limited dock, private.~~

~~Swimming pool, private.~~

~~Tennis court, private.~~

**Sec. 66-73. Development standards.**

- (a) Minimum lot size: Five acres.
- (b) Minimum road frontage: 50 feet. On a cul-de-sac: 40 feet.
- (c) Minimum lot width at the building setback line: 100 feet.
- (d) Minimum setback requirements for the residential principal structure are as follows:
  - (1) Front setback: 30 feet.
  - (2) Side setback: 20 feet.
  - (3) Rear setback: 20 feet.
  - (4) Setback from Lake Sinclair, Lake Oconee, creek, or river: 65 feet.
  - (5) State highway/main arterial road setback: 50 feet.
- (e) Minimum set requirements for commercial structures are as follows:
  - (1) Front setback: 100 feet.
  - (2) Side setback: 50 feet.



(3) Rear setback: 50 feet.

(4) Setback from Lake Sinclair, Lake Oconee, creek, or river: 65 feet.

(5) State highway/main arterial road setback: 100 feet.

- (e) Minimum setback requirements for allowed accessory uses, including accessory buildings, decks, porches, carports, garages, swimming pools and other allowed accessory buildings are as follows:
  - (1) Front setback: 30 feet.
  - (2) Side setback: 20 feet.
  - (3) Rear setback: 20 feet.
  - (4) State highway/main arterial road setback: 50 feet.
- (f) Maximum height of all structures: 35 feet from highest point grade for any residential structures, 45 feet from highest point of grade for any nonresidential structures (except silos or water towers).
- (g) Minimum residential heated floor area:
  - (1) Dwelling, single-family detached: 1000 square feet.
  - (2) Dwelling, manufactured home: 600 square feet.
  - (3) Cabin or Hunting Lodge: 600 square feet.
- (h) Minimum off-street parking spaces is two spaces for the principal use and one additional off-street space for each 1,000 square feet of accessory use.
- (i) Up to one family accessory dwelling unit is permitted per lot.
- (j) A maximum of three tenant dwellings.
- (k) Slaughterhouses are only allowed on a minimum of ~~20~~ 5 acres; not allowed on existing nonconforming lots of record.
- (l) Racetracks are not allowed on existing nonconforming lots of record.
- (m) Maximum lot coverage by impervious surface: 35 percent.

(Res. of 7-17-2007(4); Amend. of 4-17-2012(2); Amend. of 9-17-2013(2) ; Ord. of 12-4-2020(1) ; Ord. of 2-16-2021(3) ; Ord. of 12-3-2021(1) )

***R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT***

**Sec. 66-81. Uses allowed.**

The uses allowed in the R-1 zoning district as a matter of right are subject to section 66-34, general requirements of this article, to performance standards of article III, and to the requirements and development standards of this district. Uses not listed herein are not permitted in this district, except as provided in section 66-36, undefined uses, of this article. Consult article III, performance standards, or the other zoning districts if the use you seek is not listed in this district.

- (d) Accessory uses that shall be on the same property as the principal use are as follows:

Hospice care facility, limited.

**Sec. 66-82. Development standards.**

- (a) Minimum lot size:
  - (1) Individual well and septic system:
    - a. Off-lake lot: 47,916 square feet (1.1 acre).
    - b. On-lake lot: 65,340 square feet (1.5 acre).
  - (2) Public well and septic system:
    - a. Off-lake lot: 30,000 square feet (.69 acre).
    - b. On-lake lot: 36,250 square feet (.83 acre).
  - (3) Individual well and sewer:
    - a. Off-lake lot: 30,000 square feet (.69 acre).
    - b. On-lake lot: 36,250 square feet (.83 acre).
  - (4) Public well and sewer: 20,000 square feet (.46 acre).
- (b) Minimum road frontage: 50 feet. On a cul-de-sac: 40 feet.
- (c) Minimum lot width at the building setback line: 100 feet.
- (d) Maximum lot coverage by impervious surface: 35 percent.
- (e) Minimum setback requirements for principal structures are as follows:
  - (1) Front setback: 30 feet or where minimum lot width is achieved, whichever is greater.
  - (2) Side setback: 20 feet.
  - (3) Rear setback: 20 feet.
  - (4) Setback from Lake Sinclair, Lake Oconee, creek or river: 65 feet.
  - (5) State highway/main arterial road: 50 feet.
- (f) Minimum setback requirements for allowed accessory uses, including accessory buildings, decks, porches, carports, garages, swimming pools and other allowed accessory uses are as follows:
  - (1) Front setback: 30 feet.
  - (2) Side setback: 15 feet.
  - (3) Rear setback: 15 feet.
  - (4) Setback from Lake Sinclair, Lake Oconee, creek or river: 65 feet.
  - (5) State highway/main arterial road setback: 50 feet.
- (g) Maximum height of structures: 35 feet from the highest point of the grade.
- (h) Minimum heated floor area:
  - (1) 1,200 square feet: site-built, modular.
  - (2) 1,000 square feet: **minimum width of 24 ft.** manufactured.

- (i) Minimum off-street parking: Two spaces per dwelling unit. The director shall determine the number of off-street parking spaces necessary for a subdivision recreational facility, depending on the number of people the health department determines can be in the pool areas and the fire marshal determines the occupancy rating for any building.
  - (j) Only one principal dwelling unit is permitted per lot, except for one family accessory dwelling unit, which may be enclosed as part of principal structure or detached from principal structure. This building shall not be a manufactured home.
  - (k) Accessory buildings: Maximum of two per lot, excluding one garage, or carport and one well house.
- (Res. of 7-17-2007(4); Amend. of 4-17-2012(2); Amend. of 9-17-2013(2) ; Ord. of 12-4-2020(1) ; Ord. of 12-3-2021(1) )

**R-2 SINGLE-FAMILY RESIDENTIAL DISTRICT**

**Sec. 66-84. Uses allowed.**

The uses allowed in the R-2 zoning district as a matter of right are subject to section 66-34, general requirements of this article, to performance standards of article III, and to the requirements and development standards of this district. Uses not listed herein are not permitted in this district, except as provided in section 66-36, undefined uses, of this article. Consult article III, performance standards, or the other zoning districts if the use you seek is not listed in this district.

- (d) Accessory uses that shall be on the same property as the principal use are as follows:

~~Hospice care facility, limited.~~

**MHP MANUFACTURED HOME PARK DISTRICT**

**Sec. 66-87. Uses allowed.**

The uses allowed in the MHP zoning district as a matter of right are subject to section 66-34, general requirements of this article, to performance standards of article III, and to the requirements and development standards of this district. Uses not listed herein are not permitted in this district, except as provided in section 66-36, undefined uses, of this article. Consult article III, performance standards, or the other zoning districts if the use you seek is not listed in this district.

- (a) Allowed uses.

Dwelling, tiny homes.

- (b) Accessory uses and structures incidental to any permitted use within the park.

~~Tiny house.~~

**Sec. 66-88. Development standards.**

- (a) Development standards for total MHP area.
  - (1) Minimum MHP lot area: Ten acres.
  - (2) Maximum density: Five **manufactured homes residential unit** per acre.
  - (3) Minimum MHP setback requirements (before individual lots are established):
    - From state/federal highway: 150 feet.
    - From county roadway: 100 feet.
    - Front: 50 feet.
    - Sides: 25 feet, 100 feet if the side abuts other R districts.
    - Rear: 40 feet, 100 feet if the side abuts other R districts.
    - Setback from Lake Sinclair, Lake Oconee, creek or river: 100 feet.
  - (4) Minimum open space requirement: 15 percent, which may include recreational uses.
  - (5) Internal street requirements: Streets within MHPs shall be privately owned, constructed and maintained. Streets shall be constructed in accordance with chapter 28, development regulations, for local streets and shall provide direct accessibility to each lot and residential unit. No lot or unit shall be accessible except by way of an internal street. Internal streets shall have a minimum of a 40-foot right-of-way and a minimum of 20 feet of paved surface.
  - (6) Parking and traffic requirements:
    - a. Minimum width of the entrance to the manufactured home park shall be 50 feet.
    - b. Parking spaces: Two per **manufactured home residential unit** space.
    - c. Internal driveways must be paved and have a minimum width of 12 feet.
  - (7) Buffer or berm: 25 feet (or 50 feet when adjacent to other R or RM districts) densely planted with evergreen and hedge-type shrubs designed to provide full screening on the park.
  - (8) Illumination: Street lighting shall be provided not less than every 250 feet to ensure the safe movement of pedestrians and vehicles at night. Such lighting shall not create a direct glare into surrounding residential areas.
  - (9) Unit requirements: See chapter 18, buildings and building regulations.
  - (10) Recreational vehicles: See RV park guidelines in article III, performance standards.
  - (11) Commercial uses: If permitted accessory commercial uses are developed on the site, those uses must comply with the setback, buffer, minimum lot size and minimum lot width of the C-1 district in this article. Any portion of a manufactured home park tract used for such purposes cannot be counted as available acreage for purposes of calculating **dwelling residential** unit density. No more than ten percent of the park may be used for commercial purposes.
  - (12) Maximum lot coverage by impervious surface: 35 percent.
- (b) Minimum development standards for each **manufactured home residential unit** lot: Each **home residential unit** shall be located on an individual lot. Each lot shall have all corners clearly marked. Each lot shall have the parking areas required in this section and, in addition, shall have a concrete patio of at least 100 square feet,

which shall be convenient to the entrance of the home. In no event shall the home and parking areas cover more than one-third of the space of the individual lot.

- (1) Minimum lot area: 8,600 square feet.
- (2) Minimum lot width at building setback line: 50 feet.
- (3) Minimum lot depth: 80 feet.
- (4) Minimum required setbacks/yards:
  - a. From right-of-way of interior streets: 25 feet.
  - b. From adjacent units: 20 feet end-to-end, and **40 20** feet side-to-side.
- (c) Accessory buildings: Maximum of two per lot, **excluding one garage, or carport and one well house.**

### **RM-1 MULTI-FAMILY RESIDENTIAL DISTRICT**

#### **Sec. 66-90. Uses allowed.**

The uses allowed in the RM-1 zoning district as a matter of right are subject to section 66-34, general requirements, of this article, to performance standards of article III, and to the requirements and development standards of this district. Uses not listed herein are not permitted in this district, except as provided in section 66-36, undefined uses, of this article. Consult article III, performance standards, or the other zoning districts if the use you seek is not listed in this district.

- (a) Allowed uses.
  - Hospice care facility, general.**
- (c) Accessory uses.
  - Hospice care facility, limited.**

#### **Sec. 66-91. Development standards.**

- (a) Minimum parcel size: 20,000 square feet.
- (b) Minimum road frontage: 50 feet. On a cul-de-sac: 40 feet.
- (c) Minimum lot width at the building setback line: 125 feet.
- (d) Maximum lot coverage by impervious surface: 35 percent.
- (e) Minimum setback requirements are as follows:
  - (1) Front setback: 30 feet.
  - (2) Side setback: 20 feet.
  - (3) Rear setback: 20 feet.
  - (4) Setback from Lake Sinclair, Lake Oconee, creek or river: 65 feet.

PART II - CODE OF ORDINANCES  
Chapter 66 - ZONING  
C-1 COMMERCIAL DISTRICT

- (5) State highway/main arterial road: 50 feet.
  - (6) All buildings must be separated on all sizes by a minimum of ten feet from any other building.
  - (7) For lots that abut a single-family residential district (R-1R, R-1, R-2), the buildings must be set back at least 50 feet from adjoining property lines
  - (f) Buffer requirements.
    - ~~(1) 20-foot wide nonaccess buffer along the entire length of the property where abutting an arterial or collector street.~~
    - (2) 20-foot wide natural undisturbed buffer or a berm, replanted where sparsely vegetated, for developments adjacent to all R1-R, R-1, R-2 zoning districts.
  - (g) Multi-family residential developments with at least four dwelling units shall dedicate a minimum of 15 percent to open space. This may include community recreation uses.
  - (h) Maximum height of structures: 35 feet from the highest point of the grade.
  - (i) Minimum heated floor area:
    - (1) One bedroom unit: 700 square feet.
    - (2) Two bedroom unit: 900 square feet.
    - (3) Three bedroom unit: 1,100 square feet.
  - (j) Minimum off-street parking: Two spaces per dwelling unit. The director shall determine the number of off-street parking spaces necessary for a community recreation facility, depending on the number of people the health department determines can be in the community recreation areas and the fire marshal determines the occupancy rating for any building. Parking shall be provided on the same lot as the use it serves.
  - (k) Density: Six dwelling units per acre.
  - (l) Accessory buildings: Maximum of one per dwelling unit, excluding one garage, or carport and one well house.
  - (m) Community water and an approved septic system or sewer.
- (Res. of 7-17-2007(4); Amend. of 3-18-2008; Amend. of 4-17-2012(2); Amend. of 9-17-2013(2); Ord. of 12-3-2021(1))

**C-1 COMMERCIAL DISTRICT<sup>1</sup>**

<sup>1</sup>Cross reference(s)—Businesses, Ch. 22.

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**Sec. 66-103. Uses allowed.**

The uses allowed in the C-1 zoning district as a matter of right are subject to section 66-34, general requirements, of this article, to performance standards of article III, and to the requirements and development standards of this district. Uses not listed herein are not permitted in this district, except as provided in section 66-36, undefined uses, of this article. Consult article III, performance standards, or the other zoning districts if the use you seek is not listed in this district.

(a) Allowed uses:

Automobile sales and rental, limited

Recreation, outdoor religious facilities

Religious facilities.

Retail package sale of distilled spirits

Hospice care facility, general

(b) Accessory uses and structures: Accessory uses and structures customarily incidental to any permitted use.

(Res. of 7-17-2007(4); Amend. of 3-18-2008; Amend. of 4-17-2012(2); Amend. of 9-17-2013(2) ; Ord. of 12-4-2020(1) ; Ord. of 12-3-2021(1) )

**Sec. 66-104. Development standards.**

(a) Minimum lot size: 20,000 square feet.

(b) Minimum lot width at the building setback line: 100 feet.

(c) Minimum setbacks requirements are as follows:

(1) Front setback: 30 feet.

(2) Side setback: 15 feet.

(3) Rear setback: 20 feet.

(4) Setback from Lake Sinclair, Lake Oconee, creek or river: 65 feet.

(5) A 50-foot setback is required when any commercial use or district adjoins any residential use or district.

(6) State highway/main arterial road: 50 feet.

(d) Maximum height of structures: 45 feet from the highest point of the grade.

(e) Basic parking requirement: One space per each 200 square feet of space designated for retail sales. See chapter 28, development regulations, for other commercial uses.

(f) Maximum lot coverage by buildings: 35 percent.

(g) Buffer requirements:

(1) A berm or a 50-foot buffer is required when any commercial use or district adjoins any residential use or district and shall be included within the required setback.

- (2) Additional buffer and screening requirements may be required based on use in accordance with article III, performance standards.
- (h) Maximum commercial floor area is computed at 15,000 square feet per acre.
- (i) Maximum of three outside displays of goods or services specifically related to the C-1 business on premises.
  - (1) The outside display shall not be allowed in the front yard at anytime.
  - (2) A screened privacy fence shall be erected and maintained along the property where it abuts R-zoned or residential-used property.
- (i) Outside seating in approved designated area**
  - (1) No seating shall be located on designated sidewalks or parking lots**

**Sec. 66-105. Purpose.**

The uses in this district are those most commonly expected to be present in a commercial environment serving a large consumer area. Very large floor area commercial uses, multiplex theaters, large hardware and indoor **or outdoor** building supply stores, existing as anchors in a mall or on a single-user site are encouraged.

(Res. of 7-17-2007(4))

**ARTICLE III. PERFORMANCE STANDARDS**

**Sec. 66-132. List of uses and performance standards.**

- (a) *Accessory uses and structures.*
  - (1) *Accessory uses and structures customarily incidental to any allowed use.*
    - a. An accessory structure shall be located on the same lot and within the same zoning boundary as the principal building/use to which it is accessory.
    - b. No accessory structure shall be constructed upon a lot until construction of the principal building has commenced. If the principal building has not been completed within 12 months of the issuance of a building permit, then the accessory use shall be continued only with express permission of the director of the planning and development department based upon unusual circumstances or hardship. Under no circumstances shall the accessory structure or use continue for more than 24 months if the principal structure/use has not been completed.
    - c. An accessory structure, with the exception of garages and carports, shall be permitted in the side or rear yard of any R, RM or R-PUD district.
    - d. Setback use for waterfront lots on Lakes Oconee and Sinclair. A detached accessory structure may be located in the portion of the setback between the house on the property and the street. Setbacks for the district must be followed.
    - e. No accessory structure in a nonresidential district shall be used by other than employees or relatives of the owner unless otherwise allowed by provisions of this chapter.



- f. Accessory structures shall not exceed two stories in height and may not cover more than 30 percent of the rear yard.
- g. Where a corner lot in a residential district adjoins another lot, no accessory structure shall be located closer to the side street right-of-way line than the principal building or closer than 25 feet to the rear property line. The setback of 25 feet will not be required when the adjoining yard is a rear yard.
- h. When an accessory structure is attached to the principal building by a breezeway, passageway or similar means, the accessory structure shall comply with the setback requirements of the principal building to which it is accessory.
- i. Private accessory structures such as swimming pools in a residential district shall comply with the minimum side and rear setback requirements of that district. Setback minimums shall be measured from the decking or closest part of the pool structure to the applicable property line. Accessory swimming pools shall be permitted only upon written approval by the director of planning and development department.
- j. Accessory uses in a multi-family development or manufactured home park may include laundry facilities and must be housed in a separate area for the convenience of residents.
- k. The square footage of an accessory building or structure shall not exceed 75 percent of the square footage of the principal building or structure to which it is accessory, except in the AG districts.
- l. Accessory structures shall be constructed in conjunction with or after a building permit for the principal building is lawfully approved.
- m. There shall be no less than five feet of distance between a principal and accessory building unless they are connected by a common wall, passageway, or other similar means.
- n. All docks shall meet Georgia Power Company regulations pertaining to docks.
- o. No private riding stable, private shall be located within 50 feet of any property line.
- p. Family accessory dwelling units.
- q. Dwelling, tenant.
  - 1. A dwelling, tenant is subject to the dimensional standards of the AG district.
  - 2. No more than ten persons, unrelated or related by family, may occupy a tenant dwelling at any one time.
  - 3. Buildings associated with this use must have a residential or agricultural façade.
- (2) The following commercial businesses use are allowed in AG and do not conform to the standards specified for the businesses as a as home occupation businesses. Requirements for these commercial home occupation businesses are as follows:
  - a. Barbershop or beauty salon.
    - 1. The front setback shall be no less than 30 feet. The side and rear setbacks shall be no less than 20 feet.
    - 2. Outside storage shall be in the rear of the building and must be screened from view.
    - 3. Building must be frame construction with a residential or agriculture façade.
    - 4. Driveway must be paved at least five feet into the property.

- 5. The maximum number of employees is five.
  - b. Animal care, limited or general.
    - 1. The front setback shall be no less than 50 feet.
    - 2. If the property abuts a residential use, the side and rear setbacks shall be no less than 100 feet. If the property abuts a nonresidential use, the side and rear setbacks shall be no less than 50 feet.
    - 3. Outside storage shall be in the rear of the building and must be screened from view.
    - 4. If the property abuts a residential use there shall be a 50-foot buffer that screens use from view.
    - 5. Driveway to business must be paved at least five feet into the property.
    - 6. All structures must have adequate soundproofing and odor-proofing so the use does not create a nuisance.
    - 7. Any facility with an outdoor component such as an exercise area shall require a fence surrounding the outdoor area that is at least six feet tall and located more than 100 feet from a residential property or building. This fence shall be completed prior to occupancy of the primary structure.
  - c. Workshop.
    - 1. The front setback shall be no less than 30 feet.
    - 2. If the property abuts a residential use, the side and rear setbacks shall be no less than 100 feet. If the property abuts a nonresidential use, the side and rear setbacks shall be no less than 50 feet.
    - 3. Outside storage shall be in the rear of the building and must be screened from view.
    - 4. If the property abuts a residential district there shall be a 50-foot buffer that screens use from view.
    - 5. The use must be within an enclosed structure that has frame construction with a residential or agriculture façade.
    - 6. Driveway to business must be paved at least five feet into the property.
    - 7. All structures must have adequate soundproofing, so the use does not create a nuisance.
- (3) *Specific accessory use restrictions.*
- a. Automobile, truck and trailer lease and rentals, as an accessory use to an automobile service station.
    - 1. This use shall not occupy more than ten percent of the lot area.
    - 2. No more than four trailers, trucks or cars shall be permitted outdoors on the lot at any one time.
    - 3. Parking areas for the permitted trailers shall be located only in portions of the lot where off-street parking is permitted, but no area or space shall occupy spaces set aside for required off-street parking or use by cars awaiting service. No trailer shall be parked in any way that interferes with normal traffic flow to, within, or out of the lot.
    - 4. All parking areas shall be clearly marked and no trailer, truck or car shall be parked outdoors other than within these boundaries except when being serviced.

- b. Accessory retail sales and services. Retail sales and services accessory to the operation of an office building or institutional use, motel or hotel, conducted wholly within the building housing the use to which these activities are accessory, provided that the floor space used or to be used for these secondary uses shall be limited to a total of 25 square feet per room in a hotel or motel, or ten percent of the net floor area in an office building or institutional use, and provided that:
  - 1. Every public entrance to this use shall be from a lobby, hallway or other interior portion of the primary use structure.
  - 2. No show window, advertising or display shall be visible from the exterior of the primary use structure.
  - 3. No merchandise shall be stored or displayed outside of the primary use structure. However, the requirements of this section shall not apply to restaurants and cafeterias secondary to a hotel or motel and office building or institutional use; these secondary uses may be located in a structure other than the primary use structure.
  - 4. The following accessory uses are permitted: barbershops, beauty shops, laundry and dry cleaning pickup and distribution stations and other similar personal service establishments; drugstores; bookstores; florists; convenience food stores; gift shops; cafeterias and restaurants; private clubs; laundry facilities for the convenience of residents; newsstands; and shoe repair shops.
- (b) *Adult entertainment.* The following applies to any type of adult entertainment (see article I, definitions):
  - (1) Minimum yard requirements:
    - a. Front yard: 500 feet.
    - b. Side yard: 500 feet.
    - c. Rear yard: 500 feet.
  - (2) Maximum height of structures: 25 feet.
  - (3) Basic parking requirements: One space per 200 square feet of building space.
  - (4) Setback requirements: The boundaries of this use shall be 1,000 feet from the boundaries of all residential uses or districts. The boundaries of this use shall be 1,000 feet from any historic district or structure defined or created pursuant to this chapter or by applicable state or federal law.
  - (5) Distance requirements for alcoholic beverage sales: No bar, tavern, saloon, nightclub, or restaurant serving alcohol or any place where alcohol is sold for consumption on the premises shall be established, operated or maintained within 2,000 feet of an adult entertainment establishment. In addition, an adult entertainment establishment shall not be established, operated or maintained within 2,000 feet of a bar, tavern, saloon, nightclub, or restaurant serving alcohol or any place where alcohol is sold for consumption on the premises. The distance established by this section shall be radial distances determined by a straight line and not street distance, measured from property line to property line. Adult entertainment establishments are prohibited from serving or selling any alcoholic beverages. Alcoholic beverages may not be consumed on the property.
  - (6) Distances from existing structures: This use shall not be established, operated or maintained within 1,000 feet of a property line of a dwelling unit, a church or other place of worship, park or recreation area, a school, a day care facility, kindergarten or play school, colleges and universities, group homes, orphanages, halfway houses and existing structures. This use shall not be established, operated or maintained within 2,000 feet of another adult entertainment establishment.
- (c) *Agriculture and forestry.*

- (1) *Animal production.*
  - a. No structure used for housing poultry, livestock, or hogs shall be located within 200 feet of any property line or within 300 feet of a residential dwelling unit located on another parcel.
  - b. No area where manure is stored shall be located within 200 feet of any property line or within 300 feet of a residential dwelling unit located on another parcel.
  - c. No machinery or functions that produce odor or dust shall be located or occur within 200 feet of any property line or within 300 feet of a residential dwelling unit located on another parcel.
- (2) *Confined animal feeding operations.*
  - a. Livestock quarters associated with this use must be located at least 200 feet from all property lines.
  - b. This cannot be located within the 100-year floodplain.
  - c. This use must comply with all regulations and permitting requirements of the Georgia Department of Natural Resources, Environmental Protection District.
  - d. This use must be located at least 1,500 feet from the nearest residentially zoned district, or any building used as a residents, 2,500 feet from the nearest potable water well, and 2,500 feet from the nearest school or recreation area.
- (3) *Produce stands.* Produce stands shall be temporary or seasonal stands for the sale of produce. There shall be a minimum of four off-street parking spaces. Such stands shall have access to at least a collector street and shall not be operated so as to create a traffic hazard. Entrances to and exits from produce stand shall be clearly delineated and located so as to provide safe ingress and egress from roads. Entrances and exits shall be channeled to prevent unrestricted access to and from premises. A permit from the director of planning and development department is required prior to the establishment of the stand.
- (4) *Riding stables, commercial.*
  - a. Barns, stables arenas, and other event facilities must be at least 200 feet from all property lines and at least 200 feet of a residential dwelling unit, unless it is the owner's dwelling.
  - b. The use shall comply with the Putnam County Health Department regulations.
  - c. A site plan for any proposed commercial equine development shall be submitted to the Putnam County Director of Planning and Development with the application for a conditional use permit.
  - d. Parking requirements will be evaluated based on a review by the director of planning and development. Approval shall be subject to consideration of seating capacity, size of designated parking area, ingress and egress, erosion control, adequate parking areas for animal trailers, and other issues specific to the site and proposed use.
- (5) *Riding stables, private.* No structure shall be located within 50 feet from any property line, except in AG-1 district.
- (6) *Sawmill, permanent/temporary.*
  - a. This use must be set back at least 500 feet from any property zoned or used for residential purposes or a school, park, church, playground or hospital.
  - b. A minimum buffer of 100 feet shall be required.
  - c. This use is subject to hours of operation from 7:00 a.m. to 7:00 p.m.
  - d. All vehicular access shall be from an arterial street.

- (7) *Exotic animals.* (Conditional use only in AG District)
  - a. All structures associated with the keeping and raising of exotic animals shall be at least 100 feet from any property from any property or building zoned or uses for residential purposes.
  - b. This minimum lot size shall be determined by the director of planning and development.
  - c. All facilities shall be constructed and activities conducted so as not to create a nuisance.
  - d. All exotic animals shall be kept in an enclosure that is appropriate for the size of the exotic animal. The height and type of enclosure are subject to approval by the director of planning and development.
  
- (d) *Animal services.*
  - (1) *Animal care, limited.*
    - a. All structures shall be located and activities conducted at least 100 feet from any property or building zoned or used for residential purposes.
    - b. All structures shall have adequate soundproofing and odor-proofing shall be provided so the use does not create a nuisance.
    - c. No boarding shall be allowed unless required in connection with medical treatment.
  - (2) *Animal care, general.*
    - a. All structures shall be located and activities conducted at least 100 feet from any property or building zoned or used for residential purposes.
    - b. All structures shall have adequate soundproofing and odor-proofing shall be provided so the use does not create a nuisance.
    - c. Any facility with an outdoor component such as an exercise area shall require a fence surrounding the outdoor area that is at least six feet in height and located more than 100 feet from a residential property or building.
    - d. Animals are prohibited from being in the outdoor area between 9:00 p.m. and 7:00 a.m.
  - (3) *Boarding or breeding kennels.*
    - a. All structures used for boarding or breeding kennels shall be at least 100 feet from any property or building zoned or used for residential purposes.
  - (4) *Noncommercial kennels/shelters.*
    - a. All structures must be set back at least 100 feet from any property zoned or used for residential purposes
    - b. All facilities shall be constructed and activities conducted so as not to create a nuisance.
    - c. A six-foot fence shall enclose all property on which such shelters are operated.
    - d. All structures shall have adequate soundproofing, and odor-proofing shall be provided so the use does not create a nuisance.
    - e. No more than 20 small animals are allowed in noncommercial kennels. However additional animals may be allowed by determination by planning and development upon determination of factors including, but not limited to, parcels sizes and characteristic of adjoining land owners.
  
- (e) *Automobile sales and rental and Commercial truck or equipment rental sales.*
  - (1) *Automobile sales.*

- a. All vehicles shall be set back at least 15 feet from the street right-of-way lines.
  - b. No external display of merchandise shall interfere with sight lines so as to create traffic or other safety hazards.
  - c. All parking areas shall be clearly marked, and no trailer, truck or car shall be parked outdoors other than within these boundaries, except when being serviced.
- (2) *Boat sales.*
- a. All vehicles shall be set back at least 15 feet from the street right-of-way lines.
  - b. No external display of merchandise shall interfere with sight lines so as to create traffic or other safety hazards
- (3) *Commercial truck or equipment rental or sales.*
- a. All vehicles shall be set back at least 15 feet from the street right-of-way lines.
  - b. No external display of merchandise shall interfere with sight lines so as to create traffic or other safety hazards
- (f) *Vehicle service.*
- (1) *Automobile maintenance.*
- a. There shall be no body and fender repair, painting or related dismantling of vehicles on the premises.
  - b. All minor auto repair, maintenance, service, storage of materials or similar activities connected with this use shall be carried on entirely within an enclosed building, which shall be located at least 100 feet away from any residential district or use.
  - c. For uses with a *wash service*, a paved area shall be located on the same lot as the principal use for the storage of vehicles awaiting service equal to one-third of the practical hourly capacity of the wash machines.
  - d. All activities associated with this use in a C-1 district must be in an enclosed structure.
- (2) *Automobile service.*
- a. Property on which such service is to be located shall not be within 100 feet of any residential district or any property containing a school, public playground, church, hospital or public library.
  - b. Property shall have minimum frontage on public street of 100 feet. All buildings shall be set back 40 feet from the right-of-way lines, and all canopies shall be set back 15 feet from the same.
- (3) *Automobile service station.*
- a. Property on which such service station is to be located shall not be within 100 feet of any residential district or any property containing a school, public playground, church, hospital or public library.
  - b. Property shall have minimum frontage on public street of 100 feet. All buildings shall be set back 40 feet from the right-of-way lines, and all canopies shall be set back 15 feet from the same.
  - c. Gasoline pumps and other service facilities shall be set back not less than 15 feet from the right-of-way line and also shall not be located less than 60 feet from the centerline of the arterials or collectors or 45 feet from the centerline of local streets.
- (4) *Automobile repair.*

- a. All auto repair, maintenance, service, storage of materials or similar activities connected with this use shall be carried on entirely within an enclosed building, which shall be located at least 100 feet away from any residential district or use.
  - b. Property on which such service station is to be located shall not be within 100 feet of any residential district or any property containing a school, public playground, church, hospital or public library.
  - c. Property shall have minimum frontage on public street of 100 feet. All buildings shall be set back 40 feet from the right-of-way lines, and all canopies shall be set back 15 feet from the same.
- (5) *Automobile retail.*
- a. There shall be no dismantling of vehicles on the premises to obtain auto parts.
  - b. Auto part installation shall only include the installation of tires and the installation of minor maintenance or accessory parts.
  - c. Major auto repair shall not be permitted. Minor auto repair and maintenance may be permitted, provided this repair and maintenance shall be incidental to the normal upkeep of an automobile.
- (6) *Scrap and salvage yards.*
- a. This use shall not be established on a lot which is either adjacent to or directly across the street from any R, RM, MHP or R-PUD district.
  - b. This use shall not be permitted within 500 feet of the boundary of any R, RM, or R-PUD district.
  - c. A solid fence or wall at least six feet in height shall be erected along all property lines.
  - d. This use may be subject to limitation upon hours of operation or noise levels.
  - e. This use shall be permitted only if located on property with frontage on an arterial or collector with access limited to the same.
- (7) *Boat yard.*
- a. All boat repair, maintenance, service, storage of materials or similar activities connected with this use shall be carried on entirely within an enclosed building, which shall be located at least 100 feet away from any residential district or use.
  - b. Property on which such service is to be located shall not be within 100 feet of any residential district or any property containing a school, public playground, church, hospital or public library.
  - c. Property shall have minimum frontage on public street of 100 feet. All buildings shall be set back 40 feet from the right-of-way lines, and all canopies shall be set back 15 feet from the same.
- (8) *Commercial truck or equipment service or repair.*
- a. All commercial truck or equipment repair, maintenance, service, storage of materials or similar activities connected with this use shall be carried on entirely within an enclosed building, which shall be located at least 100 feet away from any residential district or use.
  - b. Property on which such service is to be located shall not be within 100 feet of any residential district or any property containing a school, public playground, church, hospital or public library.
  - c. Property shall have minimum frontage on public street of 100 feet. All buildings shall be set back 40 feet from the right-of-way lines, and all canopies shall be set back 15 feet from the same.
- (9) *Truck stop.*

- a. This use shall not be permitted within 1,000 feet of any property used for a residence, school, park, church, playground or hospital.
  - b. This use shall not be permitted within 1,000 feet of the boundary of any R, RM, MHP or R-PUD district.
  - c. The principal structure associated with this use shall be set back at least 200 feet from all property lines.
  - d. A minimum buffer of 100 feet or a berm shall be required.
  - e. All uses other than the dispensing of fuel must be contained within a single principal structure. Such building may contain convenience shopping space, a restaurant, TV viewing and recreation lounges, restroom facilities, showers, and laundry spaces.
  - f. Facilities may include a service center to provide minor repairs or service such as oil changes, tire replacement or repair, brakes and minor engine and transmission work. No major repairs such as engine and transmission overhaul, differential repairs, body and fender work or other repairs of a similar nature shall be performed on site.
  - g. No outside storage of parts or non-operable vehicles is permitted.
- (f) *Commercial recreation and entertainment.*
- (1) *Carnival, rodeos and sporting events (temporary).*
    - a. The user must apply for a permit from the county clerk.
    - b. All buildings or other structures must be set back a minimum of 500 feet from all property lines.
    - c. Exterior lighting shall be deflected away from adjacent properties and the public right-of-way.
    - d. This use may be subject to limitation upon hours of operation or noise levels.
    - e. This use may be restricted to property with frontage on a county arterial or county collector with access limited to the same, if deemed appropriate.
    - f. Permittee must provide evidence that suitable parking is available/present.
    - g. Additional conditions may be required as deemed necessary to protect public health, human life and the environment.
  - (2) *Fairgrounds and amusement parks (permanent).*
    - a. A conditional use permit shall be required for this use.
    - b. All buildings and structures associated with this use shall be set back not less than 500 feet from any property line.
    - c. This use shall not be permitted within 500 feet of an R, RM, MHP, or R-PUD district.
    - d. Vehicular access shall be derived only and directly from an arterial street and never through an R, RM, MHP, or R-PUD district.
    - e. If within 1,000 feet of residential districts or uses, hours of operation shall be limited to 8:00 a.m. to 11:00 p.m.; and a maximum average sound level of 60 dBa (maximum peak sound level of 75 dBa) shall be maintained at all property lines.
    - f. The facility shall be enclosed by a security wall or fence not less than six feet in height.
  - (3) *Shooting range, indoor or outdoor, commercial.*



- a. This use shall not be permitted adjacent to or across the right-of-way from an R, RM, MHP or R-PUD district. In the case of an outdoor range, it shall not be permitted adjacent to or across the right-of-way from a dwelling unless there is a 2,000-foot setback from the property line adjacent to the dwelling or consent is obtained from any affected owner(s) of the dwelling(s) for a lesser distance.
  - b. Any outdoor range shall be designed, constructed, and maintained in accordance with the guidelines and regulations contained in The Range Source Book, Section II Chapter 2, Outdoor Range Design Criteria published by the National Rifle Association in 2012, with the exception that any regulation established by this chapter that stands in contradiction to the NRA guidelines shall control.
  - c. The outdoor range shall have at least a 300-foot planted or naturally forested buffer or berm from any property line.
  - d. The downrange direction of an outdoor range shall be in a direction that is the least likely to cause any harm or damage in the case of a gross accident but in no case shall bear directly upon a street, dwelling or place of business.
  - e. A berm of at least 20 feet in height shall run downrange and to the outside of the outdoor range and encompass the shooters' booth/bench or discharge point. At the end of the range (indoor or outdoor) there shall be some type of bullet trap whether earthen or of a manufactured/constructed nature and shall be of a suitable height but no less than 20 feet in the case of an outdoor range.
  - f. There shall be some means of protection between each shooter bench or position in the case of a lateral discharge.
  - g. Any exterior lighting shall be directed away from adjacent properties.
  - h. A six-foot minimum fence shall completely encompass at least the physical outdoor shooting range.
  - i. Adequate ventilation shall be provided for indoor facilities.
  - j. Operational hours may be established and/or restricted by the director, as he deems appropriate.
  - k. In the case of compound bows, recurved bows, long guns, or other forms of weapon ranges, as well as the above, the director may waive certain conditions or place additional conditions as the director deems necessary.
- (4) *Racetrack, auto.*
- a. This use shall not be permitted within 500 feet of any property used for a residence, school, park, church, playground or hospital.
  - b. This use shall not be permitted within 500 feet of the boundary of an R, RM, MHP or R-PUD district.
  - c. A solid fence or wall at least six feet in height shall be erected along all property lines.
  - d. A minimum buffer of 100 feet or a berm shall be required.
  - e. This use may be subject to limitation upon hours of operation or noise levels.
  - f. This use shall be permitted only if located on property with frontage on an arterial or collector with access limited to the same.
- (5) *Racetrack, horse.*

- a. This use shall not be permitted within 500 feet of any property used for a residence, school, park, church, playground or hospital.
  - b. This use shall not be permitted within 500 feet of the boundary of an R, RM, MHP or R-PUD district.
  - c. A fence or wall at least six feet in height shall be erected along all property lines.
  - d. A minimum buffer of 100 feet or a berm shall be required.
  - e. This use may be subject to limitation upon hours of operation or noise levels.
- (6) *Community recreation (public, neighborhood).*
- a. Site plans of the community recreation facility(ies) shall be approved by the director to ensure compatibility of the facility with the neighborhood in which it is to be located. If the facility is part of a residential subdivision or multifamily development, the site plan shall be submitted to the director at the time of the application for a development permit.
  - b. Buildings and structures established in connection with this use shall be set back not less than 100 feet from any property line except that the front setback of the zoning district shall apply along all property lines adjacent to the public rights-of-way.
  - c. A swimming pool or other water feature, public or private, shall be enclosed by a fence having a height of not less than four feet.
  - d. Outdoor activity shall cease by 12:00 midnight.
  - e. Exterior lighting shall be deflected away from adjacent properties and the public right-of-way.
  - f. Central loudspeakers shall be prohibited
  - g. A swimming pool use shall be permitted only upon written approval of the Putnam County Health Department to indicate compliance with the health department swimming pool regulations prior to the issuance of a permit by the director.
  - h. Adequate off-street parking must be provided. The director shall determine the number of off-street parking spaces necessary for a community recreation facility based on the health department's determination about the number of people that can use the facility and the fire marshal's determination of the facility's occupancy rating.
- (7) *Golf course, tennis center, swimming center, or country club (private).*
- a. All buildings and structures associated with such use shall be set back not less than 50 feet from property zoned for R, RM, MHP or R-PUD district.
  - b. Central loudspeakers shall be prohibited.
  - c. Exterior lighting shall be deflected away from adjacent properties and the public right-of-way.
  - d. Outdoor activity shall cease by 12:00 midnight.
- (8) *Zoos.*
- a. This use shall not be permitted within 1,000 feet of any property used for a residence, school, park, church, playground or hospital.
  - b. A solid fence or wall at least six feet in height shall be erected along all property lines.
  - c. A minimum buffer of 100 feet shall be required.
  - d. This use may be subject to limitation upon hours of operation or noise levels.

- e. Parking shall be provided per recommendations of the director of the planning and development department.
- (g) *Communication.*
- (1) *Radio, television and other communication transmission towers.*
    - a. All towers in excess of 100 feet must be set back from any lot used or zoned for a residential structure a distance equal to one-half the height of the tower.
    - b. All towers in excess of 100 feet must be set back from any off-site structure a distance of one-third the height of the tower or 100 feet, whichever is greater.
    - c. All towers less than 100 feet must be set back from all property lines a distance of one-third the height of the tower.
    - d. Refer to chapter 27 of this Code for additional regulations regarding communication towers.
- (h) *Community facilities.*
- (1) *Assembly halls.*
    - a. Any building or structure established in connection with these uses shall be set back not less than 75 feet from any property line, except where this adjoining property is zoned for nonresidential use, in which case the setback shall be the same as required for the adjoining nonresidential district. Where this property line is a street line, the front yard setback established for the district shall apply.
    - b. These uses shall be permitted only on a lot that has direct access to an arterial or collector street.
  - (2) *Cemetery, public.*
    - a. All graves or burial lots and structures must be set back no less than 25 feet from any property line or local street right-of-way lines, and no less than 50 feet from any collector, arterial, expressway, or freeway right-of-way line.
    - b. The entire cemetery property must be landscaped and maintained.
  - (3) *Cemetery, family burial plot.*
    - a. The minimum size of the tract or parcel of contiguous land on which a family burial plot shall be five acres.
    - b. All graves or burial lots and structures must be set back no less than 25 feet from any property line or local street right-of-way lines, and no less than 50 feet from any collector, arterial, expressway, or freeway right-of-way line.
    - c. The landowner is required to provide a survey, by a registered surveyor, containing a registration point and the boundaries of the family burial plot.
    - d. The owner shall provide perpetual access to the county and immediate family and descendants of those persons interred in the burial plot. A minimum five-foot ingress-egress pedestrian access path shall be provided. The access path shall be delineated on the survey of the burial plot. The property owner shall provide a pedestrian access easement for the path.
    - e. The family burial plot must be approved by the Putnam County Health Department.
    - f. The family burial plot must be landscaped and maintained.
  - (4) *Crematorium.* All buildings used for a crematorium shall be set back not less than 200 feet from all property lines and not less than 1,000 feet from any property zoned or used for residential purposes.

- (5) *Landfills, sanitary.* This use is prohibited by the zoning ordinance.
- (i) *Personal care homes and assisted living facilities.*
  - (1) The minimum lot size shall be the minimum required by the zoning district within which the home is located.
  - (2) No personal care home shall be established or erected within 1,000 feet of the nearest property line of an existing personal care home.
  - (3) All personal care homes or assisted living facilities shall be set back from the road right-of-way and from all property lines as required by the zoning district within which the group home is located except:
    - a. Where adjacent to properties zoned for residential use, the minimum side or rear setbacks shall be 50 feet.
    - b. When adjacent to a state highway the minimum set back shall be 50 feet.
  - (4) No certificate of occupancy shall be issued prior to the issuance of required permits and certificates by federal, state, and local agencies.
  - (5) Personal care homes or assisted living facilities shall provide linkages with hospitals and community services and provide access to transportation for residents.
  - (6) Personal care homes or assisted living facilities shall provide timely assistance to residents for response to urgent or emergency needs, including, but not limited to, timely response to the home by emergency medical services (EMS).
  - (7) Personal care homes serving as halfway houses, drug rehabilitation centers and centers for treatment of drug dependency are allowed by conditional use permit only and follow special public hearing requirements in accordance with O.C.G.A. § 36-66-4(f).
  - (8) Prior to application for a conditional use permit, the applicant shall obtain a qualified inspection from the county building official to determine if any existing building proposed for use as any type of personal care home will be satisfactory for the requested use.
- (j) *EMS services.*
  - (1) *Ambulance and emergency medical services (private).*
    - a. These uses shall be permitted only on property with frontage on an arterial or collector with access limited to that arterial or collector.
    - b. The proposed development shall be reviewed and written approval granted by the director of emergency services and the director of planning and development prior to the issuance of any permit or license.
    - c. The owner of the business shall bear all costs for traffic signs and signals necessary to advise the motoring public of emergency vehicle access. The requirement for, and location of, these warning signs and signal devices shall be determined by the director and shall not be located within the public rights-of-way.
- (k) *Lodging (temporary).*
  - (1) Reserved.
  - (2) *Recreational vehicle (RV) park.*
    - a. No travel trailer/RV park shall be located except with direct access to a county, state or federal highway, with a minimum lot width of not less than 50 feet for access points. No entrance or exit

shall be through a residential district, or shall require movement of traffic from the park through a residential district.

- b. The minimum lot area per park shall be ten acres with a maximum density of ten spaces per acre.
- c. Spaces in travel trailer/RV parks may be used by travel trailers/RVs, provided that they meet any additional laws or ordinances and shall be rented by the day or week only, and an occupant of such space shall remain in the same trailer park for a period of not more than 30 days per six-month period.
- d. Management headquarters, recreational facilities, toilets, showers, laundry facilities and other uses and structures customarily incidental to operation of a trailer park are permitted as accessory uses in any district in which trailer parks are allowed, provided that:
  - 1. No space shall be so located so that any part intended for occupancy for sleeping purposes shall be within 50 feet of the right-of-way line of any freeway, expressway, arterial or collector streets.
  - 2. In addition to meeting the above requirements, the RV park site plan shall be accompanied by a certificate of approval from the Putnam County Health Department.
  - 3. A minimum 50-foot buffer or a berm is required when adjacent to any residential use, 25 feet for other districts, densely planted with evergreen and hedge-type shrubs designed to provide full screening for the park.
  - 4. Setbacks, open space requirement, parking, refuse collection and illumination shall meet the standards of MHP district regulations.

(3) *Bed and breakfast.*

- a. Bed and breakfasts must be owner-occupied with the owner-operator residing on the premises.
- b. No more than ten guestrooms may be rented for overnight use.
- c. The only uses permitted shall be the renting of rooms and the serving of food to guests renting said rooms.
- d. Accessory uses commonly associated with hotels and motels, i.e., laundry services banquet halls, barber and beauty shops, shall not be permitted.
- e. All parking shall be off-street and in accordance with regulations in chapter 28.
- f. One sign, not exceeding six square feet in area, shall be permitted.

(l) *Manufacturing and industrial uses.* No plant shall be designed to operate in a manner that will emit smoke, odor or objectionable waste materials or produce noise or vibration so as to create a nuisance.

(1) *Manufacturing, heavy*

- a. The use may not create noise, dust, vibration, smell, excessive traffic, smoke, glare or electrical interference so as to arise to the level of a nuisance.
- b. This use shall not be permitted within 500 feet of any property used for a residence, school, park, church, playground or hospital.

(2) *Extractive industry.*

- a. General requirements.

1. This use, exclusive of office and administrative space, shall not be permitted within 1,000 feet of any property used for a residence, school, park, church, playground, hospital and any property zoned for residential or commercial use.
  2. The boundary of the property shall not be within two miles of Lake Sinclair or Lake Oconee.
  3. A solid fence or wall at least six feet in height shall be erected no less than 300 feet from the excavated area.
  4. A minimum buffer of 200 feet shall be required along all property lines.
    - i. Access through properties used for or zoned for residential uses is prohibited.
    - ii. The use shall have direct access to a state highway or an arterial road having a minimum of six inches graded, aggregate base.
  5. A minimum of 100 acres is required.
    - i. The operators or owners of the quarry/mine must present to the director of planning and development and to the board of commissioners an acceptable comprehensive plan for the re-use of the property at the cessation of the quarry/mining operation. The plan shall include:
      - Plans for the property after the operation has ceased;
      - Re-vegetation plans;
      - Maintenance of the site during the operation;
      - Return water turbidity levels.
  6. All blasting shall be done in accordance to O.C.G.A. §§ 25-8-1 through 25-8-12.
  7. At the time of application for the building permit, the owners or operators shall present to the administrative officer documentation and permit number which confirms that a permit has been issued in accordance with the Georgia Surface Mining Act of 1968, as amended O.C.G.A. § 12-4-75.
  8. The board of commissioners may require a performance bond in an amount satisfactory to cover any exposure to the citizens that is not required by EPA.
- b. Removal or extraction of dirt, sand, soil and other natural materials. The removal area shall be completely enclosed with a fence not less than six feet in height.
1. Drainage plans and a plan for the development of the site when the removal is completed shall be submitted with the application for a development permit.
  2. This section shall not prohibit the removal of earth and rock and filling and grading in any district for land development purposes, upon issuance of a development permit in accordance with the provisions of this chapter.
- c. Removal or extraction of rock and other natural materials for the production and processing of crushed stone.
1. Blasting shall coincide with the period between 8:00 a.m. and 5:30 p.m., Monday—Friday, except when on-site hazards to safety dictate otherwise.
  2. This use shall be permitted only if located on property with frontage on an arterial or collector with access limited to the same.
- (m) *Sewage treatment plants (private).*

- (1) The design and operation of a sewage treatment plant facility shall be approved by the directors of the county health, water and sewer departments, and the state department of natural resources.
  - (2) Any building or structure comprising the facility shall be set back not less than 100 feet from any property line and 500 feet from the nearest property zoned for or used for residential purposes.
- (n) *Storage.*
- (1) *Fuel oil/gas distribution.*
    - a. This use shall not be permitted within 500 feet of the boundary of an R, RM, MHP, or R-PUD district.
    - b. There shall not be outside storage of materials, supplies, equipment or vehicles.
  - (2) *Junkyards.*
    - a. Minimum area: Five acres.
    - b. Minimum lot width: 300 feet.
    - c. Access shall be limited to arterial or collectors.
    - d. Setbacks: 500 feet from any residential use other than residence of the property owner; 100 feet from all property lines.
    - e. Fence: A solid fence at least eight feet high shall be erected around the entire perimeter of the property with a gate to be opened only to access the site. The gate shall contain a lock to prevent unauthorized entry.
    - f. Minimum buffer: 100 feet.
    - g. Approval is subject to the provision of a plan for rodent/pest control by the Putnam County Health Department.
  - (3) *Mini-warehouse.*
    - a. All structures must be set back 100 feet from the front property line.
    - b. The property line must be fenced with a minimum six-foot security barrier.
  - (4) *Automobile and other storage.*
    - a. This use shall not be permitted within 300 feet of any property used for a residence, school, park, church, playground or hospital.
    - b. This use shall not be permitted within 300 feet of the boundary of an R, RM, MHP, or R-PUD district.
    - c. A solid fence or wall at least six feet in height shall be erected along all property lines.
    - d. The maximum lot coverage is 50 percent.
    - e. A minimum buffer of 100 feet or berm shall be required.
- (o) *Temporary uses associated with construction activity.*
- (1) *Mobile office/temporary sales center.* Mobile office and temporary sales centers may be permitted as long as such use shall cease at such time as 80 percent of the lots are sold or occupied.
  - (2) *Storage or occupancy during construction.* Temporary structures may be used during construction for storage or security; provided, however, that they shall be removed within ten days after the sale of the last structure or issuance of a building permit to construct the last structure, whichever first occurs.

(3) *Recreational vehicle.* RVs may be used by permit but not to exceed 14 days in any one consecutive month period. No permit is required when a valid building permit has been issued.

(p) *Home occupations.*

- (1) There shall be no exterior evidence of the home occupation, other than a non-illuminated identification sign having an area of not more than six square feet, which shall be attached to the dwelling below the roof line, or, if not attached to the dwelling, may be placed in the front yard between the dwelling and the right-of-way, the height of which shall not be more than four feet above the ground.
- (2) No use shall create noise, dust, vibration, smell, excessive traffic, smoke, glare or electrical interference that would be detected beyond the dwelling unit.
- (3) This use shall be conducted entirely within the dwelling unit and only persons living in the dwelling unit shall be employed at the location of the home occupation. Non-owner applicants for home occupations must have expressed authorization from the property owner.
- (4) No more than 25 percent of the heated floor area of the dwelling unit may be used for the conduct of the home occupation.
- (5) Any use involving the sale of products or services, or public contact on the property, shall require the obtaining of a "home occupation registration" permit.
- (6) Other than the personal vehicles of the legal residents, no more than two business visitor vehicles may be parked on the property at any one time. In addition, any material or equipment must be stored out of public view within the premises or within an enclosed garage or storage shed. One business vehicle, the carrying capacity of which shall not exceed one and one-half tons, may be kept on the premises. There shall be no storage of any mechanical earthmoving or similar equipment unless the property is five acres or more and the equipment is screened from public view.
- (7) A permit for a home occupation shall expire every year or whenever its holder ceases to occupy the premises for which it was granted, whichever shall first occur; provided, however, that this provision should not prevent reapplication for a new permit. This permit must be renewed and a fee paid by January 1 of each year.

(q) *Child home day care.*

- (1) Child home day care may serve no more than six children.
- (2) A child home day care means a private residence operated by any person who receives therein pay for the supervision and care for children less than 24 hours per day, without transfer of legal custody, who are not related to such persons, and whose parents are not residents in the same private residence.
- (3) No more than 25 percent of the heated floor area of the residence may be used for a home occupation day care service, and an outdoor play or exercise area must be provided.
- (4) A child home day care may not be established and operated in the county until a permit to do so has been obtained in accordance with the Georgia Department of Human Services (DHS) to issue final permits to operate, and the county does not enforce or supervise such permits. Said permit shall be presented to the director prior to initiation of use.
- (5) A permit for a home occupation day care service shall expire every year or whenever its holder ceases to occupy the premises for which it was granted, whichever shall first occur; provided, however, that this provision shall not prevent reapplication for a new permit. This permit must be renewed by January 1 of each year.



- (r) *Fences and walls.* No fences or freestanding wall in a required yard, other than a retaining wall, shall be more than eight feet in height, or be constructed in a public right-of-way or future street or right-of-way. Any fence in a required front yard in a residential district shall not exceed four feet in height. No fence, wall or shrubbery, which creates an obstruction to vision or traffic safety hazard, shall be erected, permitted or maintained. When this chapter requires a fence to be constructed, such fence shall be completed prior to occupancy of the primary use structure.
- (s) *Family accessory dwelling unit.* Any accessory dwelling structure may serve as a family accessory dwelling unit on condition that:
  - (1) The square footage of the additional dwelling unit shall not be less than 600 square feet and no greater than 1,000 square feet.
  - (2) The accessory dwelling is not a manufactured home;
  - (3) The accessory dwelling may not be rented or leased separately from the principal residence; however, this provision shall not restrict the rental or lease of the accessory structure to family of the occupants of the primary structure. Family, as used in this subsection, shall mean one or more persons related by blood, adoption, or marriage.
  - (4) An ADU may be accessory only to a single-family detached dwelling (site build or modular).
  - (5) The ADU must be a complete living space, with kitchen and bathroom facilities separated from the principal unit.
  - (6) The ADU shall meet all setback requirements of the principal dwelling. When detached from the principal dwelling, the ADU shall be back not less than 20 feet from the principal dwelling.
  - (7) Two additional off-street parking spaces shall be required for the ADU.
  - (8) ADUs in the R-1R district must be enclosed as part of the principal dwelling unit.

**(t) Campgrounds.**

- (1) Campgrounds are subject to the standards of this code, the rules of the Department of Human Resources Chapter 290-5-18, Tourist Accommodations, and the plan submittal process described herein.
- (2) The submittal plan pack shall include: Site layout meeting specifications below prepared by a design professional, written certification from EPD accepting the well system design, written certification from the county health officer accepting the septic sewage system design, and the appropriate fee as set forth in the fee schedule. The following common use facilities shall be required to be included in the site plan:
  - a. solid waste collection area and facilities, permanently dedicated to service the development, with a minimum of one 6 cubic yard dumpster per 15 campsites;
  - b. designation for postal appurtenances/equipment;
  - c. dedicated ingress and egress for the development;
  - d. any required detention/retention facilities;
  - e. common bathhouses or community shower facilities; and
  - f. common laundry facilities, to include details concerning grey water disposal.
- (3) All construction activities must comply with state licensing regulations.
- (4) Site design standards for campgrounds are as follows:

Development Features	Standard
Minimum setbacks for camper sites on lots adjoining public roads	150 feet from the right-of-way and shall include an undisturbed vegetive buffer within such setback
Minimum camper site setbacks from side and rear property lines	50 feet and shall include an undisturbed vegetive buffer within such setback
Minimum lot size	45 feet by 50 feet
Water & Sanitary Sewage (for each camper site)	Individual connection to a central water supply system. Written certification must be obtained from the county health officer that the proposed location can satisfactorily accommodate the central water system and on-site sewage disposal.
Electricity (for each camper site)	Individual electric power connection.

(u) Hunting clubs

(1) Site design standards for hunting clubs are as follows:

Development Features	Standard
Minimum setbacks for camper sites on lots adjoining public roads	150 feet from the right-of-way and shall include an undisturbed vegetive buffer within such setback
Minimum camper site setbacks from side and rear property lines	50 feet from the right-of-way and shall include an undisturbed vegetive buffer within such setback

Development Features	Standard
Minimum lot size	45 feet by 50 feet
Sewage	In the event the development has electrical power, on-site sewage disposal shall be required and approved in the same fashion as recreational campgrounds.

(v) Slaughterhouses.

- a. All activities connected with this use shall be carried on entirely within an enclosed building, which shall be located at least 500 feet away from any residential district or use.
- b. Property shall have minimum frontage on public street of 100 feet. All buildings shall be set back 100 feet from the right-of-way lines.

(w) Bandominiums. All barndominium single-family detached dwelling units shall meet or exceed the requirements of this section.

- a. Minimum floor area. The dwelling portion of the unit shall provide a heated gross floor area of at least 1,400 square feet.
- b. Roof composition. All roof surfaces exposed to view from the fronting street shall be covered with asphalt or fiberglass shingles, wood shakes or shingles, standing seam (noncorrugated) metal, clay tiles, slate or similar approved materials.
- c. Roof pitch. All roof surfaces shall have a minimum pitch of 3:12 (three inches of rise for every 12 inches of run), except that mansard and gambrel roofs must meet this requirement only for those surfaces that rise from the eaves.
- d. Exterior siding. Exterior siding materials shall consist of any combination of wood, brick, stone, stucco or similar material, vinyl or fiber cement lap siding, or similar materials. Noncorrugated metal siding is also allowed.
- e. Foundation. The structure shall be attached to a permanent foundation constructed in accordance with applicable requirements for the type of dwelling constructed or installed. The area beneath the ground floor of the structure shall either be a slab foundation or shall be enclosed around the exterior of the structure with a foundation wall or a nonload bearing curtain wall constructed of masonry (stone or brick), cast in place concrete or concrete block finished with stucco or similar approved material, at least four inches thick, penetrated by openings only for installed vents and access doors.
- f. Landings, etc. For any door elevated above the ground, there must be a landing that is a minimum of 36 inches by 36 inches. All exterior landings, stairways, decks, porches and balconies, and all appurtenances attached thereto, shall be maintained so that they are

structurally sound, in good repair with proper anchorage and capable of supporting the imposed loads.

g. Compliance with codes. The dwelling shall be constructed in accordance with all applicable requirements of the building code as applicable in the county, or in accordance with state law and regulations, whichever apply.

## ARTICLE IV. ADMINISTRATION AND ENFORCEMENT

### DIVISION 2. SCOPES OF AUTHORITY AND GENERAL PROCEDURES

#### Sec. 66-157. Planning and zoning commission, scope of authority.

- (a) *Initiation.* All planning and zoning issues, including those relative to the official zoning maps, shall be reviewed by the planning and zoning commission. Amendments to the official zoning maps may only be made by the board of commissioners.
- (b) *Conditional use permits.* If a use is not permitted in any zoning district, the planning and zoning commission may hear and recommend a conditional use permit approval application as submitted according to the rezoning process. In granting recommending such a conditional use permit, the planning and zoning commission may attach thereto such conditions regarding the location, character and other features of the proposed building, structure or use as it may deem advisable so that the purpose of this chapter will be served, public safety and welfare secured, and substantial justice done. ~~Conditional use permits shall be issued to the applicant solely, are not transferrable, and shall extinguish upon cessation of such activity for a period of 12 months. Conditional uses permits may be renewed by application by successive owners or operators.~~
- (c) *Variations.* The planning and zoning commission shall hear applications for variances from the development standards and performance standards of this chapter. All variance approval shall be contiguous with the property. Such variances may be granted only:
  - (1) Where by reason of exceptional narrowness, shallowness or shape of a specific piece of property, which at the time of adoption of this chapter, was a lot or plat of record; or
  - (2) Where by reason of exceptional topographic conditions to include floodplains or other extraordinary or exceptional conditions of a piece of property, strict application of the development requirements of this chapter would result in practical difficulties to, and undue hardship upon the owner of this property, which difficulty or hardship is not the result of acts of the applicant; and further provided that this relief may be granted without substantially impairing the intent and purpose of this chapter and is not contrary to the public welfare.
  - (3) In granting a variance, the planning and zoning commission may attach thereto such conditions regarding the location, character and other features of the proposed building, structure or use as it may deem advisable so that the purpose of this chapter will be served, public safety and welfare secured, and substantial justice done. ~~However, the planning and zoning commission shall not be authorized to grant a density variance or a use variance to permit a density or use in a district in which the density or use is otherwise prohibited.~~ The planning and zoning commission shall not be authorized

to grant a variance to development standards set forth in a statement of zoning conditions accompanying a conditional zoning.

(4) No variance may be granted for a reduction in minimum lot size.

(d) *Appeals of administrative decision.*

(1) *Who may seek an appeal.* Any person, firm or officer, department, board or agency directly affected by the decision of the planning and development department director may bring an appeal before the planning and zoning commissioners. Such request shall be made within ten days following notification of the decision from which an appeal is taken by filing with the director a notice of appeal and specifying the grounds thereof. The director shall forthwith transmit to the planning and zoning commission all papers constituting the record upon which the action appealed from was taken.

(2) *Extent of commission power.* The planning and zoning commission may, in conformity with this chapter, reverse or affirm, wholly or partly, or may modify the order, requirement, decision or determination appealed.

(3) *Effect of appeal.* An appeal waiting for a hearing shall not stay the effectiveness of the permit or decision being challenged. However, if the owner of property who has received the permit, variance or favorable interpretation proceeds with development at the property owner's own risk that such development may be halted if the appeal is successful.

(Amend. of 1-12-2010; Ord. of 12-4-2020(1) ; Ord. of 12-3-2021(1) )

**Sec. 66-158. Board of commissioners, scope of authority.**

(a) *Initiation.* This chapter, including the official zoning maps, may be amended by the board of commissioners on its own motion or by private petition or on recommendation of the planning and zoning commission.

(b) *Conditional use permits.* If a use is not permitted in any zoning district, the board of commissioners may grant a conditional use permit according to the rezoning process. In granting such a conditional use permit, the board of commissioners may attach thereto such conditions regarding the location, character and other features of the proposed building, structure or use as it may deem advisable so that the purpose of this chapter will be served, public safety and welfare secured, and substantial justice done. Conditional use permits shall be issued to the applicant solely, are not transferrable, and shall extinguish upon cessation of such activity for a period of 12 months. Conditional uses permits may be renewed by application by successive owners or operators.

(b) *Variances.* The board of commissioners shall hear and decide on applications for variances from the development standards or performance standards of this chapter only on appeal of the decision of the planning and zoning commission. Such variances may be granted only:

(1) Where by reason of exceptional narrowness, shallowness or shape of a specific piece of property, which at the time of adoption of this chapter, was a lot or plat of record; or

(2) Where, by reason of exceptional topographic conditions or other extraordinary or exceptional conditions of a piece of property, the strict application of the development requirements of this chapter would result in practical difficulties to, and undue hardship upon, the owner of this property, which difficulty or hardship is not the result of acts of the applicant; and further provided that this relief may be granted without substantially impairing the intent and purpose of this chapter and is not contrary to the public welfare.

(3) In granting a variance, the board of commissioners may attach thereto such conditions regarding the location, character and other features of the proposed building, structure or use as it may deem

advisable so that the purpose of this chapter will be served, public safety and welfare secured, and substantial justice done. ~~The board of commissioners is authorized to grant a density variance or a use variance to permit a density or use in a district where otherwise prohibited.~~

- (4) No variance may be granted for a reduction in minimum lot size.
- (c) *Appeals of administrative decision.*
  - (1) *Who may seek an appeal.* Any person, firm or officer, department, board or agency directly affected by the decision of the planning and zoning commission may bring an appeal before the board of commissioners. Such request shall be made within ten days following notification of the decision from which an appeal is taken by filing with the director a notice of appeal and specifying the grounds thereof. The director shall forthwith transmit to the board of commissioners all papers constituting the record upon which the action appealed from was taken.
  - (2) *Decisions subject to appeal.* Actions of the planning and zoning commission subject to appeal are limited to the following administrative decisions:
    - a. Grant or denial of variance requests; and/or
    - b. Interpretation of the provisions of chapter 66 as appealed to the planning and zoning commission pursuant to section 66-157(d).
  - (3) *Extent of commission power.* The board of commissioners may, in conformity with this chapter, reverse or affirm, wholly or partly, or may modify the order, requirement, decision or determination appealed.
  - (4) *Effect of appeal.* An appeal waiting for a hearing shall not stay the effectiveness of the permit or decision being challenged. However, if the owner of property who has received the permit, variance or favorable interpretation proceeds with development at the property owner's own risk that such development may be halted if the appeal is successful.

(Res. Of 7-17-2007(4); Amend of 3-18-2008; Amend. of 1-12-2010; Ord. of 9-15-2020(1) ; Ord. of 12-4-2020(1) ; Ord. of 12-3-2021(1) )

### DIVISION 3. ZONING CHANGES

#### Sec. 66-161. Application for a zoning change.

- (a) *Authority to initiate amendments.* Applications to amend this chapter may be in the form of proposals to amend the text, or proposals to amend part or all of the official zoning maps (a rezoning) or by actions initiated by the board of commissioners. An application for an amendment to the official zoning map, affecting the same property, shall not be submitted more than once every 12 months. Such interval begins with the date of the final decision by the board of commissioners. The board of commissioners, in its discretion and by unanimous vote, may reduce or waive the final six-month time interval to amend the official zoning map affecting the same property. However, an application to alter conditions of rezoning as contemplated in subsection 66-166(b) of this division may be submitted at any time. Applications shall be the same as for a rezoning and shall comply with the requirements of this section, excluding subsections (b) and (c) hereof.
- (b) *Application: receipt and acceptance.* Whenever an application is initiated by a person or persons other than the board of commissioners, the following requirements shall be met. Prior to processing any such application, the applicant shall be required to file the necessary documentation and follow the procedures as set forth in this section:

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- (1) ~~Whenever an application is initiated by a person or persons other than the board of commissioners, the following requirements shall be met. Prior to processing any such application, the applicant shall be required to file the necessary documentation and follow the procedures as set forth in this section.~~
- (2) An application shall be made in writing to the planning and development department on forms provided by the department. Each application shall include the signatures of the applicant and property owner. It shall affirm the owner is in fact the current owner of record. The letter of agency form shall be notarized.
- (3) No application will be considered to have been made until such form(s) as described in subsection 66-161(c) herein have been completed and submitted to the planning and development department with the application fees as established by the board of commissioners and supporting materials as required under this article. Materials, documents, or evidence presented in favor of an application for zoning change must be submitted no later than the immediate Friday preceding the planning and zoning commission's consideration of the request.
- (4) Any communication relative to an application for a zoning change will be regarded as informational only until a proper and complete application is accepted by the director of the planning and development department or designee. The planning and development department shall review the application for completeness within five workdays following the submission deadline. Incomplete or improper applications will be returned to the applicant with a written list of deficiencies and signed by the director. The application submittal deadline shall be the ~~first~~ ~~last~~ Thursday of every month, unless said day is a holiday, as may be established by the board of commissioners, then the deadline shall be the day before.
- (c) *Application contents.* An application is to be submitted in one signed original copy and in a number of copies as established by the planning and development department. The following is required for all residential and commercial subdivision rezoning requests. All other requests must include subsections (c)(1)–(13).
- (1) Properly executed application form supplied by the planning and development department, including the owner's signature and a letter of agency form or a specific notarized written authorization by the owner delegating the applicant to act on behalf of the owner and that the applicant may agree to any conditions and stipulations on the behalf of the owner that may be attached to the application by the approval of the application by the board of commissioners.
  - (2) The location of the subject property, including street number, if any;
  - (3) Copy of warranty deed;
  - (4) Legal description and recorded plat of the property to be rezoned;
  - (5) Existing zoning district classification of the property and adjacent properties; and the proposed zoning district desired;
  - (6) The comprehensive plan future land use map category in which the property is located. If more than one category applies, the areas in each category are to be illustrated on the concept plan;
  - (7) A detailed description of existing land uses;
  - (8) The area of land proposed to be rezoned, stated in square feet if less than one acre and in acres if one acre or more;
  - (9) A statement as to the source of domestic water supply;

- (10) A statement as to the provision for sanitary sewage disposal;
- (11) Statement of political contributions by the applicant and the applicant's attorney as required by the Georgia Conflict of Interest in Zoning Act (O.C.G.A. § 36-67A);
- (12) The application designation, date of application and action taken on all prior applications filed for rezoning for all or part of the subject property;
- (13) Proof that property taxes for the parcel(s) in question have been paid;
- (14) Concept plan. (If the application is for less than 25 single-family residential lots, a concept plan need not be submitted.)
  - a. An application shall be accompanied by a concept plan. A concept plan may be prepared by a professional engineer, a registered land surveyor, a landscape architect, a land planner or any other person professionally involved in and familiar with land development activities.
  - b. The concept plan shall be drawn on a boundary survey of the property. The boundary survey shall have been prepared by a currently registered Georgia Registered Land Surveyor and meet the requirements of the State of Georgia for such a map or plat under O.C.G.A. § 15-6-67(b).
  - c. The concept plan shall show the following:
    - 1. Proposed use of the property.
    - 2. The proposed project layout including:
      - i. For residential subdivisions, commercial, or industrial applications, approximate lot lines and street right-of-way lines, along with the front building setback line on each lot.
      - ii. For multifamily and nonresidential development projects, the approximate outline and location of all buildings, and the location of all minimum building setback lines, outdoor storage areas, dumpsters, zoning buffers, parking areas, loading stations, stormwater detention facilities, and driveways, entrances and exits.
    - 3. Name, address, and telephone number of the applicant, if different than the owner.
    - 4. The approximate location of proposed stormwater detention facilities and the location shown.
    - 5. Such additional information as may be useful to permit an understanding of the proposed use and development of the property particularly with respect to the compatibility of the proposed use with adjacent properties.
- (15) Impact analysis. An impact analysis is required for all applications unless the application will result in fewer than 25 single-family residential lots. The impact analysis shall be prepared by a professional engineer, a registered land surveyor, a landscape architect, a land planner or any other person professionally involved in and familiar with land development activities.
  - a. The application must be accompanied by a written, documented analysis of the proposed zoning change with regard to each of the standards governing consideration, which are enumerated under subsection 66-165(d).
  - b. A traffic impact analysis is to include the existing average daily traffic on road/streets leading to the nearest intersection and the projected average daily traffic. Additional requirements of the analysis may be provided by the planning and development department and included with the application.



- c. The estimated number of dwelling units and total floor area of nonresidential uses (if applicable) of the proposed development.
  - d. Effect on the environment surrounding the area to be rezoned including the effect on all natural and historic resources. (State source of the information.)
  - e. Impact on fire protection with respect to the need for additional firefighting equipment or personnel. (State source of the information.)
  - f. What are the physical characteristics of the site with respect to topography and drainage courses?
  - g. Adjacent and nearby zoning and land use.
- (d) *Processing of zoning change applications by staff.*
- (1) Prior to a public hearing for any zoning change pursuant to section 66-161, the director shall send a copy of the agenda to each member of the planning and zoning commission and the board of commissioners.
  - (2) Conflict of interest. Following receipt of the agenda and prior to the first public hearing, the individual officials shall file a conflict of interest disclosure report as may be required by O.C.G.A. § 36-67A.
  - (3) Staff review and recommendation. The planning and development department director shall prepare, with the assistance of the technical review process when applicable, a written recommendation and zoning analysis that shall include: The items listed in subsection (c)(14)c.1—5 as appropriate, and the items listed in subsection (c)(15)a—g as appropriate, and the following:
    - a. Comments on a site review of the property and surrounding area, as well as an analysis of any previous zoning history relative to the tract; and
    - b. Statement as to the conformity with Putnam County's Comprehensive Plan; and
    - c. The opinions and findings resulting from the technical review process.
- (e) *Recommendation distribution.* In advance of the public hearing by the planning and zoning commission, copies of the written recommendations and the attachments shall be provided to each member of the planning and zoning commission and the board of commissioners. A copy of the recommendation shall be provided to the applicant within a reasonable time after distribution has been made. A reasonable number of copies will be available to the public on a first-come basis.
- (Res. of 7-17-2007(4); Amend. of 1-12-2010; Amend. of 4-17-2012(2); Ord. of 9-15-2020(1) ; Ord. of 12-4-2020(1) )

**Sec. 66-163. Public notification of zoning hearings.**

- (a) *Legal notice.* Due notice of the public hearings before the planning and zoning commission and the board of commissioners shall be published in the newspaper of general circulation in the county in which are carried the legal advertisements of the county by advertising the nature of the application and the date, time, place and purpose of the public hearings at least **15 30** days and not more than 45 days prior to the date of the first hearing conducted by the planning and zoning commission, and not more than 45 nor less than 15 days prior to the date of any deferred public hearing as contemplated in subsection 66-165(f)(3). If the application is for amendment to the official zoning maps, then the notice shall also include the location of the property, the present zoning district of the property, and the proposed zoning district of the property.

**Sec. 66-165. Action on rezoning application or text amendment.**

- (a) *Hearing.* The planning and zoning commission and the board of commissioners shall hold public hearings on each application or text amendment as provided in section 66-162.
- (b) *Director's reports.*
  - (1) The director of the planning and development department at the public hearings shall state staff's recommendation for each application or text amendment after hearing proponents and opponents issues.
  - (2) For the BOC hearing, the director will also state the planning and zoning recommendation.
- (c) *Considerations.* In addition, the planning and zoning commission and the board of commissioners shall, with respect to each application or text amendment, consider each of the matters set forth in subsection (d) of this section, **the opinions and findings of the technical review process** and the recommendation of the director of the planning and development department.
- (d) *Standards governing consideration of a zoning change.* All amendments to the zoning map shall be viewed by the planning and zoning commission and the board of commissioners in light of the following standards used to determine the balance between an individual's unrestricted right to the use of his or her property and the public's right to the protection of its health, safety, morality, or general welfare of the community. These standards shall be printed and copies thereof shall be available to the general public during regular business hours. Emphasis may be placed on those criteria most applicable to the specific use proposed:
  - (1) Is the proposed use consistent with the stated purpose of the zoning district that is being requested?
  - (2) Is the proposed use suitable in view of the zoning and development of adjacent and nearby property?
  - (3) Will the proposed use adversely affect the existing use, value or usability of adjacent or nearby property?
  - (4) Is the proposed use compatible with the purpose and intent of the comprehensive plan?
  - (5) Are there substantial reasons why the property cannot or should not be used as currently zoned?
  - (6) Will the proposed use cause an excessive or burdensome use of public facilities or services or exceed the present or funded capabilities, including, but not limited to, streets, water or sewer utilities, and police or fire protection?
  - (7) Is the proposed use supported by new or changing conditions not anticipated by the comprehensive plan or reflected in the existing zoning on the property or surrounding properties?
  - (8) Does the proposed use reflect a reasonable balance between the promotion of the public health, safety, and a reasonable private use of the subject property?
  - (9) In addition to the standards enumerated in items (1)—(8) of this section, the planning and zoning commission and the board of commissioners may consider the following standards in a rezoning application if applicable:
    - a. Duration for which the property has been vacant;
    - b. Development patterns and trends in the community; and
    - c. Potential air, water, noise and light pollution.
- (e) *Amendments to the application or to text amendments.*
  - (1) The planning and zoning commission may recommend amendments to an applicant's request which would: reduce the land area, change the district requested, number of dwelling units, locations of

ingress and egress, and building height. The planning and zoning commission may also apply buffers, increase setbacks and hours of operation and impose conditions of rezoning, which may be deemed advisable so that the purpose of this chapter will be served, and the health, public safety and general welfare are secured.

- (2) The board of commissioners is hereby authorized also to enter into a development agreement setting forth the conditions placed on the approval of a zoning application. The development agreement will be referred to the planning and zoning commission to draft the conditions and terms before resubmitting to the board of commissioners for approval.
- (3) If the request is for a rezoning of a portion of a parcel or shall result in the combination of multiple parcels or a portion of multiple parcels, the approval of such rezoning shall be conditioned upon the resurveying and recordation in the Superior Court of Putnam County of an accurate plat within **60 120** days of approval by the board of commissioners. A copy of the recorded plat shall be filed with the planning and development department director. Failure to file a plat pursuant to this subsection shall have the effect of invalidating the rezoning action. If conditions have been made to the rezoning approval, the new zoning district designation on the official zoning maps shall include an asterisk (\*), such conditions being reflected in the official minutes of the meeting of the board of commissioners.

(f) *Planning and zoning commission's and board of commissioners' decisions.*

- (1) The planning and zoning commission may recommend approval or deny the application, or change, reduce or modify any part of the application to best achieve a balance between rights of the applicant and the public interest.
- (2) The board of commissioners may grant approval or deny the application, or change, reduce or modify any part of the application to best achieve a balance between rights of the applicant and the public interest.
- (3) The planning and zoning commission and the board of commissioners may defer its vote to another hearing date, or allow an application to be withdrawn with or without prejudice with respect to the 12-month limitation of this division. An action by the planning and zoning commission or the board of commissioners to defer the application shall include a statement of the date and time of the next meeting at which the application will be considered. However, if the second public hearing will allow continued presentation of positions or information by proponents or opponents, the deferred hearing also shall be readvertised in compliance with section 66-163.

(g) *Communication to property owner after approval.* After each application has been disposed of by the board of commissioners, the property owner shall receive notification from the director of the planning and development department of the zoning change and the conditions related thereto. The director shall also notify the property owner to survey and plat new divisions of property for recording, if applicable.

(h) *File maintenance.* The department of the planning and development shall maintain a file containing each application, which shall remain current throughout the development's construction to completion. The file shall contain references to all other permits issued pursuant to the approval of the rezoning. The department may maintain a summary of the pertinent data and status of the development in a computer database.

## Chapter 28 DEVELOPMENT REGULATIONS

### ARTICLE II. THE PRELIMINARY PLAT PROCESSES AND SITE DEVELOPMENT REQUIREMENTS

#### DIVISION 1. GENERALLY

##### Sec. 28-21. Model homes.

For the purpose of allowing the early construction of model homes in a residential subdivision, the director may permit the construction of no more than four model homes prior to the recordation of a final plat, provided the following are met:

- (a) The preliminary plat has been approved.
- ~~(b) A development permit has been approved for at least that portion of the preliminary plat within which the model homes are proposed to be constructed.~~
- (c) There is only one model home per proposed lot in the subdivision.
- (d) The lots for the model homes must comply with the requirements of the zoning district and be in locations shown on the preliminary plat.

##### Sec. 28-22. ~~Development permit.~~ Reserved.

~~A development permit shall be required for any proposed use of lands or buildings to indicate and ensure compliance with all provisions of this chapter before any building permit is issued or any improvements, clearing and grubbing, grading or alteration of lands or buildings commences. Notwithstanding the foregoing, approval of a comprehensive site land disturbance permit and approval of a preliminary plat in accordance with all applicable provisions of this chapter shall be a condition precedent to the issuance of the development permit for such subdivision or site development.~~

##### Sec. 28-27. Suitability of the land.

Land subject to flooding, inadequate drainage or erosion that is for topographical or other reasons unsuitable for residential use shall not be platted for residential use, nor for any other use that will continue or increase the danger of health, safety and property destruction. The developer shall be required to accommodate a solution to the drainage or erosion ~~condition in the development permit~~, unless, in the opinion of the director, the hazard is not within the bounds of, or affected by the proposed development.

PART II - CODE OF ORDINANCES  
Chapter 28 - DEVELOPMENT REGULATIONS  
ARTICLE II. - THE PRELIMINARY PLAT PROCESSES AND SITE DEVELOPMENT REQUIREMENTS  
DIVISION 2. PREAPPLICATION REVIEW PROCEDURE

*DIVISION 2. PREAPPLICATION REVIEW PROCEDURE*

**Sec. 28-40. Development consultation and concept plan.**

(c) *Site development.*

- (1) The term "site development" means any multifamily or a commercial or industrial project intended to be developed as an entity. Each site development is described, in part, by a site plan, which shows the development in detail.
- (2) For all multifamily, commercial, or industrial projects, the developer shall submit a concept plan to the director for processing to the TRC that shall comply in all respects to chapter 66, zoning, subsection 66-161(c)(12).
- (3) Subsequent to the review of the application by the TRC and approval of the concept plan by the director, the applicant shall prepare a detailed site plan ~~to accompany the application for a development permit.~~ (See section 28-52.)

*DIVISION 3. APPLICATION AND REVIEW PROCEDURES*

**Sec. 28-50. Preliminary plat or site development application procedure.**

The application shall include all of the following:

- (a) A letter stating the general purpose and intent of the plat and a summary of the developer's intentions with respect to whether the streets will be public or private, the amount of open space proposed, the contemplated minimum lot sizes and floor areas of the structures, the amount and percent of lot coverage and any other aspect of the development the applicant chooses to express;
- (b) The applicant shall state on the plat that it includes all of the applicant's ownership in that location, including any contiguous parcels owned by the applicant.
- (c) Include the payment of a fee listed in the schedule of fees.
- (d) Include ~~four copies~~ **two physical copies and one digital copy** of the preliminary plat (see section 28-52).
- (e) Include ~~four copies~~ **two physical copies and one digital copy** of a traffic study.
- (f) Upon receipt, the director shall have five working days to determine if the application is complete and to so advise the applicant the reason(s) why the plat has not been accepted for processing.

**Sec. 28-53. Proposed improvements for subdivisions and site developments.**

The following proposed improvements shall be indicated on preliminary plats and site plans: (Site developments need not comply with the items denoted by an asterisk (\*) unless the Director deems it appropriate to require them.)

- (a) \* Location and pavement width of all proposed streets, easements, and other public and private ways, including rights-of-way.

- (b) Require minimum building setback lines. Site developments shall show setbacks for all property lines.
- (c) Locations, dimensions and areas in square feet of all proposed and existing lots. Site development plans shall be drawn to an engineering scale of one inch equals 200 feet (or as otherwise may be approved by the director) and showing all proposed improvements to the property, including but not limited to: buildings, parking, landscaping, lighting, stormwater detention, vehicular ingress and egress, total floor area and/or number of dwelling units, total land area, building coverage, and building height (in feet and floors). ~~Development in the village zoning district may be required by the director to show more details related to the utilization of exterior spaces proposed adjacent to and among the proposed improvements.~~
- (d) Total area of the subdivision/site development expressed in acres and decimals of an acre. If less than one acre, the area shall be described in square feet.
- (e) Location and dimensions of all property proposed to be set aside for park or playground use, or other public dedication or private reservation, or landscaping with designation of purpose thereof. ~~This is generally not required of a site development, however, it is required of developments within the village zoning district.~~
- (f) Indications of all uses proposed by the applicant. ~~If the site development is in the village zoning district, the floor area relationship between commercial and residential uses must be indicated.~~
- (g) \* Proposed names of all streets. The developer shall submit a list of alternate street names.
- (h) \* Blocks shall be consecutively numbered and lettered. The blocks in numbered additions to existing subdivisions bearing the same name shall be numbered and lettered consecutively throughout the various additions.
- (i) \* All lots in each block shall be numbered consecutively.
- (j) If the subdivision or site development is to be developed in phases ~~coincidental with ensuing development permits~~, the phases shall be shown and numbered consecutively.

**Sec. 28-54. Phasing of development.**

- (a) The applicant may choose to develop the land contained within the preliminary plat or site development in phases (segments of the whole) ~~with a single development permit for each phase~~. The phasing plan must be shown on preliminary plat or the site development.
- (b) The director may impose such conditions upon the distribution and/or size of the phases as he or she may deem necessary to ensure the orderly development and to minimize unnecessary construction traffic among the new homes and uses in the development. ~~The boundaries of each development permit shall coincide with the phases shown.~~
- (c) Any change in the size or distribution of the phases shown on the approved preliminary plat or site development will require the submission of a new phasing plan for the entire application, and if the new phasing plan arrangement is found to be significant by the director, he or she may require an entirely new application and a new review per the requirements of this chapter applicable at the time of the new application.

**Sec. 28-55. Preliminary plat and site development certifications.**

- (e) *Infrastructure certifications.*
  - (1) Public works.

I hereby certify that the construction plans for all proposed roads meet the requirements of the Putnam County Development Regulations.

Date	Public Works Director
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(2) Eatonton Putnam Water and Sewer Authority (EPWSA).

I hereby certify that the construction plans for the proposed water system meet the installation requirements of this department.

Date	EPWSA Director
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(3) Putnam County Fire Rescue Chief.

I hereby certify that the preliminary plat was found to comply with the requirements of Chapter 32 of the Putnam County Code of Ordinances.

Date	Putnam County Fire Rescue Chief
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(4) Count Engineer

I hereby certify that the preliminary plat was found to comply with the requirements of the Putnam County Development Regulations.

Date	County Engineer
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**Sec. 28-57. Preliminary plat and site development processing.**

- (a) The director of the planning and development department shall review the application and formulate the changes necessary to cause it to comply with the conditions of zoning approval (if any) and the applicable ordinances, regulations, and statutes the director is charged to enforce.
- (b) The technical review committee (TRC) shall review all preliminary and final plats, concept and site developments for compliance with the applicable rules and regulations of the various jurisdictions and agencies of government represented. The TRC shall consist of a representative of each of the following individuals, or their designee, and entities: Planning and Development Director, Fire Chief, County Engineer, Public Works Director, EMS Director, Georgia Power, Tri-County Gas, EPWSA, Piedmont Water, Putnam County Health Department, U.S. Post Office, and Sheriff's Department.
- (c) The director shall distribute copies of the application to the representatives on the TRC no later than one week prior to the review meeting. The director shall prepare a list of the applications, stating the location, applicant's name or corporate name, number of lots, proposed use, zoning district, date of the TRC meeting and any other information the director deems appropriate, transmitting it to each member of the board of commissioners for their information and shall post the list in locations obvious to the public.
- (d) The technical review committee shall hold a meeting to discuss and review the preliminary plat or site development application within 45 days of the date of application. The applicant or authorized representative is required to attend the scheduled meeting of the TRC. If attendance is not achieved, application shall not be discussed and shall be rescheduled for the next meeting of the TRC when the applicant can attend.
- (e) The applicant shall make any changes required to the application, delivering such to the director.
- (f) Once all the comments of the members of the TRC have been satisfied and so noted in writing on the copy of the revised application, the director may approve the application and thus certify on the application where indicated that it meets all the requirements of the applicable regulations.

(g) The director shall retain a copy of the approved application in the official departmental files.

**Sec. 28-60. Issuance of development permit. Reserved.**

Following approval of preliminary plat or site development applications, construction plan, and land disturbance application, the director shall issue a development permit. If construction does not commence within six months from the date of the issuance of the development permit, such development permit shall be null and void and the developer shall be required to submit new applications for a development permit

Reserved.

**ARTICLE III. DESIGN STANDARDS**

**DIVISION 1. INFRASTRUCTURE REQUIREMENTS**

**Sec. 28-67. Design standards for streets.**

In order to provide for roads suitable in location, width and improvement, and to coordinate roads so as to compose a convenient system and avoid undue hardships to adjoining properties, the following design standards for roads are hereby required and shall be planned for and provided by the developer, prior to the approval of the development permit. Road classifications may be indicated in the comprehensive plan; otherwise, they shall be determined by the director. The developer shall dedicate and/or deed the required right-of-way to the county at no cost to the county.

- (j) *Design standards for cul-de-sacs.* Except where topographic or other conditions make a greater length unavoidable, as determined by the director, cul-de-sacs (dead-end streets) should not be greater than 1,200 feet in length measured from the nearest (existing or proposed) intersection. It is recommended that they be not greater than 500 feet in length in multifamily areas. They shall be provided at the closed end with a turnaround having a property line radius of at least 60 feet with an outside pavement radius of at least 40 feet for residential developments and a 70-foot property line radius with an outside pavement radius of at least 50 feet for commercial and industrial developments. Temporary paved turnarounds are required at the end of any roadway of each phase until the next phase of the development is initiated.

**DIVISION 2. PARKING AND LANDSCAPING**

**Sec. 28-75. Parking requirements.**

(b) *Design standards.* All parking facilities, including entrances, exits and maneuvering areas, shall comply with the following provisions:

- (9) No parking or loading area shall be established within the required front yard of any multifamily district.



**ARTICLE IV. FINAL PLAT AND CERTIFICATE OF COMPLETION**

**Sec. 28-80. Application procedure and requirements for requests for inspection.**

Following the completion of construction authorized by the development permit of a subdivision or site development, the developer shall submit to the director a written request for a final inspection of the subdivision or site development. As-built surveys of all improvements, structures, buildings, rights-of-way and utilities shall accompany the application in addition to any required bonds or surety and deeds for rights-of-way, and applicable fees.

**Sec. 28-81. Inspection process.**

The director, using the construction drawings of the development permit, shall conduct a field inspection of the subdivision or development seeking compliance with the development permit as issued. If there are deviations from the approved drawings deemed by the director to be significant, the director shall require the developer to submit revised drawings and/or engineering studies (as appropriate), reflecting the changes. The changes shall be further reviewed for compliance with the original approval and comments of the TRC. Once the director is satisfied that compliance with the development permit has been achieved, the developer shall be notified that a final plat may be submitted. A satisfactory inspection of a site development shall cause the director to issue a certificate of completion letter to the developer, stating the development has met all applicable requirements.

**Sec. 28-83. Final plat certifications.**

(6) Putnam County Fire Rescue Chief.

I hereby certify that the final plat was found to comply with the requirements of Chapter 32 of the Putnam County Code of Ordinances.

Date	Putnam County Fire Rescue Chief
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(7) County Engineer

I hereby certify that the final plat was found to comply with the requirements of the Putnam County Development Regulations.

Date	County Engineer
------	-----------------

(68) Board of commissioners:

a. The Putnam County Board of Commissioners hereby accepts this final plat.

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20 \_\_\_\_.

\_\_\_\_\_

Chairman, Board of Commissioners

AND

\_\_\_\_\_

County Clerk

- b. Board of commissioners' acknowledgement of surety bonds of performance and maintenance for dedication and deed of rights-of-way.

The Putnam County Board of Commissioners does hereby acknowledge receipt of surety bond for performance and maintenance of the right-of-way with improvements and to acknowledge receipt by dedication and deed the right-of-way subject to final inspection.

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20 \_\_\_\_.

\_\_\_\_\_

Chairman, Board of Commissioners

AND

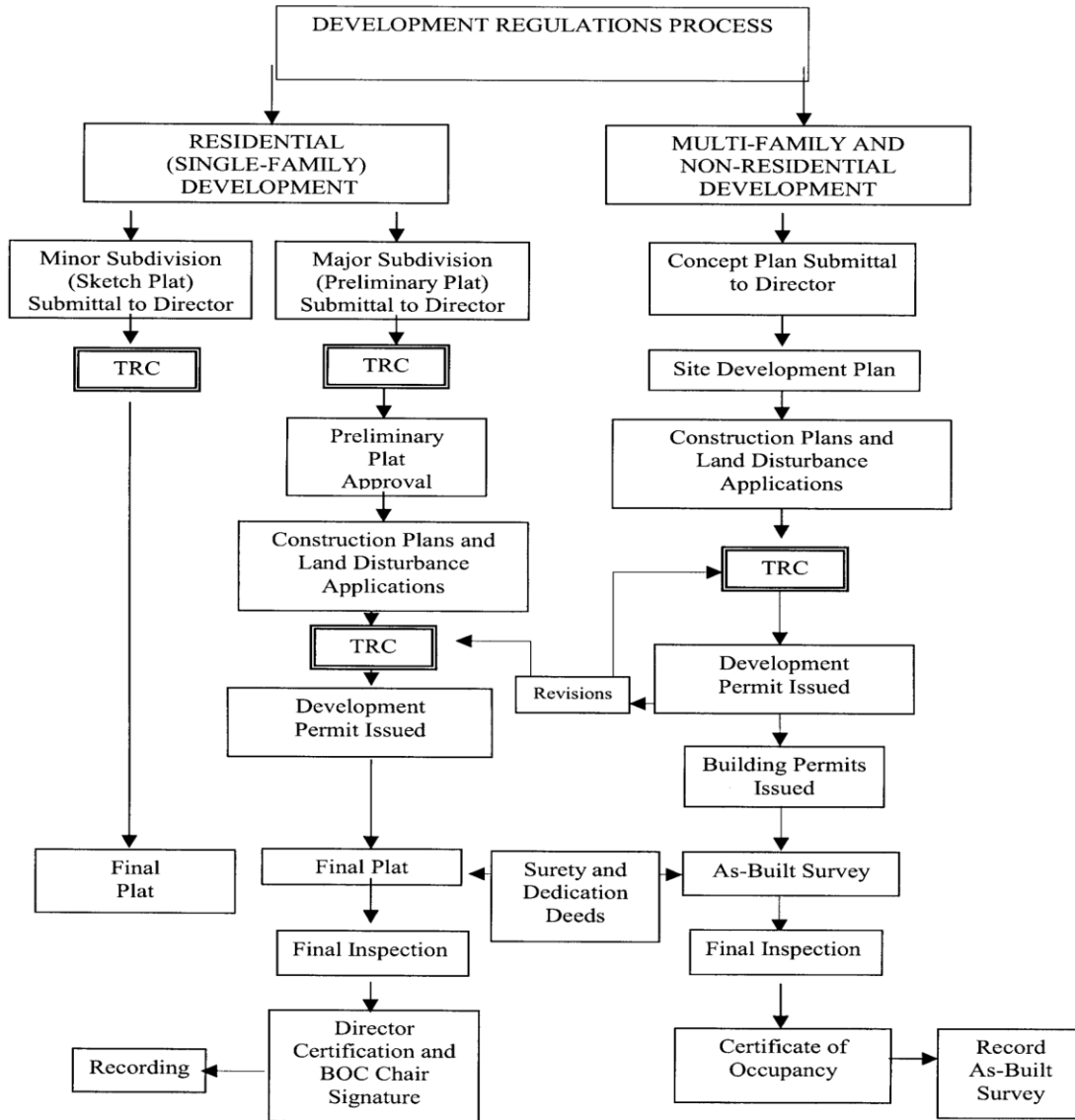
\_\_\_\_\_

County Clerk

**Sec. 28-85. Approval of and recordation of the final plat.**

- (a) The review of the final plat shall conform to the same requirements of the preliminary plat found in section 28-52 and section 28-53 of this article.
- (b) Once the members of the TRC are satisfied their individual requirements have been met and the director has conducted an on-site inspection of all the improvements authorized by the applicable development permit and shown on the as-built survey and is satisfied all requirements have been met, the director shall notify the developer the final plat is ready for signature and recordation.
- (c) The director and county sanitarian shall sign the appropriate certificates stating all applicable requirements have been met.
- (d) The director shall transmit the final plat and bond to the clerk of board of commissioners who shall place the final plat on the board of commissioners agenda for acceptance of the bond, dedication deeds, and the final plat for acceptance by the board of commissioners and signature of the chairperson of the board of commissioners.
- (e) The director shall then record the final plat with the clerk of the superior court and provide the developer with two copies.

**ARTICLE V. ENFORCEMENT, REMEDIES AND PENALTIES**



## EXPLANATION OF DOCUMENTS:

Underlined language equals added text.

~~Struck through language equals deleted text.~~

All proposed changes are highlighted in yellow.

## Chapter 32 FIRE PROTECTION AND PREVENTION

### ARTICLE I. IN GENERAL

#### Sec. 32-18. Enforcement.

- (a) *Fire Marshal.* The Fire Marshal is authorized to render interpretations of fire codes and to make and enforce rules and supplemental regulations in order to carry out the application and intent of its provisions.
- (b) *Enforcement assistance.* Police and other enforcement agencies shall have the authority to render necessary assistance in the enforcement of fire codes when requested to do so by the Fire Marshal.
- (c) *Interference with enforcement.* Persons shall not interfere or cause conditions that would interfere with the fire marshal carrying out any duties or functions prescribed in the fire codes.
- ~~(d) *Fire watch.* The fire marshal shall have the authority to require standby fire personnel or an approved fire watch when potentially hazardous conditions or a reduction in a life safety feature exists due to the type of performance, display, exhibit, occupancy, contest or activity, impairment to a fire protection feature, or the number of persons present.~~
- ~~(e) *Fire watch employment.* The owner, agent, or lessee shall employ one or more qualified persons, as required and approved, to be on duty. Such standby personnel or fire watch personnel shall be subject to the fire marshal's orders at all times and shall be identifiable and remain on duty during times such places are open to the public, when such activity is being conducted, or as required by the fire marshal.~~
- (d) Extra-duty/fire watch ordinance.
  - (1) When required by the Fire Chief or Fire Marshal for buildings that could be hazardous in nature, including the temporary cessation of life safety infrastructure, a temporary measure intended to ensure systematic surveillance of a building or portion thereof by one (1) or more qualified individuals for the purpose of identifying hazards, detecting early signs of unwanted fire, raising an alarm and notifying the fire department, shall be provided to serve as fire watch. Fire watch personnel shall be provided with at least one (1) approved means for notification of the fire department and their sole duty shall be to perform constant patrols and watch for the occurrence of fire.

- (2) In the event the Fire Chief or Fire Marshal determines that a special event may have an adverse impact on public safety or affect the delivery of services, a public safety plan should be prescribed to ensure an approved level of public safety. The plan provisions are beyond the scope of fire watch and establish the need for extra-duty personnel during the times such places are open to the public, or activity is being conducted. The public safety plan shall be provided by the event coordinator and approved by the fire marshal.
- (3) Such fire personnel shall be subject to the orders of the Fire Chief or Fire Marshal, at all times and shall be identifiable and remain on duty during the times such places are open to the public, when such activity is being conducted, or while such impairment or condition remains, as required by the Fire Chief or Fire Marshal.
- (4) Fire watch shall be documented using a fire watch log maintained at the protected facility and available to fire department personnel at all times during a fire watch.
- (5) Whereby extra-duty fire personnel or an approved fire watch is required; the owner, agent, or lessee shall employ one (1) or more qualified persons, as required and approved by the Authority Having Jurisdiction to be on duty. Fire personnel shall be compensated at a rate of Fifty dollars (\$50.00) per hour for a minimum of four (4) hours.
- (6) The cost of extra-duty and fire watch personnel shall be at no cost to the fire department.
- (7) The fire department shall be authorized to establish and collect fees to recover the costs for equipment, supplies, and personnel affiliated with fire or medical services extra-duty assignments, fire watch, and similar services, beyond the normal scope of emergency operations. The fire chief will have the capability to change the rate of employment and equipment cost.
- (8) Procurement and distribution of fire department apparatus will be charged at the rate as established by the Board of Commissioners.

(Ord. of 12-18-2007; Ord. of 3-18-2008)

## ARTICLE VII. APPLICABILITY

### Sec. 32-19. Fire hydrants; water mains.

- (a) *Installation of water mains.* Water mains and fire hydrants shall be installed under water pressure and ready for firefighting before any sheathing may be installed on walls and roofs of buildings, unless said sheathing is of fire resistive construction.
- (b) *General requirements for potable water system.* Water mains properly connected with the county water supply system or with an alternate supply system approved by the county health department shall be constructed in such a manner so as to adequately serve all lots shown on the subdivision plat for both residential use and fire protection. All materials, labor, equipment, and other items related to construction of the water distribution system shall be provided in accordance with policies and specifications of the Eatonton Putnam Water and Sewer Authority.
- (ac) *Ownership.* All fire hydrants installed within the unincorporated area of Putnam County shall be owned by and under the direct supervision of the respective owners. Owners shall be required to provide the Putnam

County Fire Chief with a complete listing of the number and location of all fire hydrants under their supervision.

- (bd) *Fire hydrants required.* All public well or water supply systems, as defined in this Code, shall provide fire hydrants as a primary means of fire suppression. This requirement shall apply to newly constructed systems and any expansion of existing systems where such expansion would add service for 15 or more connections or add service for 25 or more persons on a daily basis whether such expansion is completed at one time or in several phases. Owners or operators of existing public well or water supply systems are hereby prohibited from removing fire hydrants currently installed in said systems except as provided below. Existing public well or water supply systems which do not include fire hydrants shall not be required to install fire hydrants unless the system is expanded as provided above.
- (ee) *Fire hydrant standards.* All fire hydrants, fittings, valves and fire department connections incorporated into a public well or water supply system shall be installed and maintained by the respective owners in accordance with the most recent version of the International Fire Code including any appendices as adopted by Putnam County and shall be of a standard and accepted make as approved by the Putnam County Fire Department. Said standards include, but are not limited to, minimal distance between fire hydrants, location with respect to public right-of-way, design and construction specifications, and pressure/flow capacity. All fire hydrants shall be fitted with a 5" Storz nozzle, a non-threaded outlet connector able to allow a quarter-turn connection, or comparable connector, as approved by the Putnam County Fire Chief and shall be not less than eighteen (18) inches or more than thirty-six (36) inches above the level of the adjoining ground or paving. Hydrants shall meet the requirements of NFPA No. 24, Fire Hydrants for Outside Protection. Hydrants should be placed at least fifty (50) feet from the buildings protected. Where it is impossible to place them at this distance, they may be put nearer, provided they are set in locations where the chance of injury by falling walls is small, and from which personnel are not likely to be driven by smoke or heat while attempting to hookup. Such fire hydrants shall be serviced by water mains no less than eight inches in diameter.
- (ef) *Fire chief granted authority.* The Putnam County Fire Chief, or his/her designee, is hereby granted the authority to inspect, test and approve all fire hydrants situated within the unincorporated area of Putnam County. The Putnam County Fire Chief shall keep all records of the location and test results of all fire hydrants under this authority. The fire chief, or his/her designee, shall indicate the result of testing by color-coding the fire hydrant according to the International Fire Code standards. Newly installed fire hydrants shall be tested within 180 days of installation. Existing fire hydrants shall be tested at intervals of no less than two years. No owner of a fire hydrant included under this authority shall interfere with or restrict the ability of the Putnam County Fire Chief to exercise this authority.
- (eg) *Fire hydrant out-of-service.* The owner of any fire hydrant under their supervision which is known to be inoperative or out of service for any reason shall promptly report the same to the Putnam County Fire Chief. Any fire hydrant found, on testing, to fail to meet the standards set forth above shall be designated as out-of-service. The Putnam County Fire Chief shall notify the owner, in writing, of any fire hydrant designated as being out-of-service within ten days of such designation. The notification may be by personal service or U.S. Postal Service, registered letter.
- (fh) *Owner duty to repair.* Upon notification of a fire hydrant being out-of-service, it shall be the duty of the owner to repair or replace the defective fire hydrant so as to place it back in service within 90 days of receiving notification. Alternatively, at the option of the owner, the defective fire hydrant may be physically removed from the system, providing however that the distance between the remaining, approved fire hydrants be no less than 1,000 feet.
- i) *Water mains.* Minimum size of water mains and spacing of fire hydrants for future construction and development shall be determined according to the standards and specifications of the Eatonton Putnam Water and Sewer Authority In single-family approved subdivisions, at least an

eight-inch pipe shall be installed, except within three hundred (300) feet of a cul-de-sac. Water flow in those lines shall provide a minimum flow of water at seven hundred fifty (750) gallons per minute. Fire hydrants shall be spaced not to exceed five hundred twenty-five (525) feet. Three-way hydrants shall be installed in all areas of the county.

- ii) In multifamily approved subdivisions or multifamily apartment complexes, at least an eight-inch or larger pipe shall be installed, except within three hundred (300) feet of a cul-de-sac. Water flow in those lines shall provide a minimum flow of water at seven hundred fifty (750) gallons per minute. Fire hydrants shall be spaced not to exceed five hundred twenty-five (525) feet. Additional fire hydrants may be required to permit all portions of buildings to be reached by hose lays of not more than four hundred (400) feet by road travel. Three-way hydrants shall be installed in all areas of the county.
- iii) In approved industrial and commercial areas, including, but not limited to, motels, hotels, nursing homes, hospitals, educational buildings, office buildings and other structures not listed elsewhere at least a twelve-inch or larger pipe shall be installed to provide a minimum flow of water at one thousand (1,000) gallons per minute. A larger flow of water may be required pursuant to fire flow calculations. Fire hydrants shall be spaced not to exceed four hundred (400) feet.
- iv) Additional fire hydrants may be required by the fire department to permit all portions of a development to be reached by hose lays not more than four hundred (400) feet by road travel. Three-way hydrants shall be installed in all areas of the county.

(g) *Violations.* Notwithstanding any other provisions of this Code, any violation of this code section shall be punishable by a minimum fine of \$50.00. Each day the violation continues shall constitute a separate offense.

(Ord. of 12-18-2007; Ord. of 3-18-2008; Ord. of 1-19-2016 ; Ord. of 7-19-2022(1) )

### Sec. ~~32-19.1~~ **32-20.** Fire hydrant tax.

- (a) *Special district created.* A special tax district within Putnam County is hereby created, consisting of all real property situated within the unincorporated area of Putnam County. Said special district shall be known as the Putnam County Fire Suppression District.
- (b) *Special tax to be levied.* To pay, wholly or partially, the costs of installing, maintaining, inspecting, and testing of fire hydrants within the special district, a special tax shall be levied against all taxable real property situated within the special district. The amount of said tax shall be set, from time to time, by the Putnam County Board of Commissioners, providing however that the tax shall not exceed \$25.00 per annum.
- (c) *Distribution of tax proceeds.* As a fee for collection services, the tax commissioner of Putnam County shall be paid ten percent of the fire hydrant tax fees collected. The remaining special tax proceeds shall be paid into a restricted fund of Putnam County, said restricted fund to be established by resolution of the Putnam County Board of Commissioners. The restricted fund shall be used exclusively to compensate the Putnam County Fire-Rescue Department and owners of fire hydrants located in the unincorporated area of Putnam County for duties imposed by this code section. Compensation to owners of fire hydrants shall be made by written agreements between the owner and Putnam County.

(Ord. of 1-19-2016 )

State constitution reference(s)—Ref. GA Constitution, Art. IX, Sect. II, Para. VI (c)

**Sec. 32-21. Life Safety infrastructure**

(a) Emergency entrance key lock box. In order to expedite entry into a structure and to aid the fire department in the task of extinguishment, the following requirements have been developed.

(1) All new occupancies except one- and two-family dwellings, shall have a key lock box, approved by the fire marshal.

(2) The location of the key lock box shall be approved by the fire marshal's office.

(3) All gated residential developments shall have a key lock box or key gate access, approved by the fire marshal.

Exception: Single family residential property with gated driveways.

(b) Fire alarm ordinance.

(1) In addition to NFPA 101 Life Safety Code, all buildings with fire sprinkler systems must have a fire alarm system, designed per NFPA72.

(2) All systems must dial 911 immediately upon activation.

(c) Fire protection sprinkler, new construction.

(1) Hotels, motels, dormitories, lodging houses or rooming houses, residential board and care facilities, multifamily residential dwellings, educational occupancies, day care occupancies, and health care facilities, regardless of type of construction shall have complete, automatic fire sprinkler systems installed in accordance with NFPA installation standards.

(2) All community living arrangements shall have automatic fire sprinkler systems installed in accordance with NFPA installation standards.

(3) In addition, according to the NFPA Code, all day care occupancies must install an automatic sprinkler system per NFPA 13R.

(4) Care facilities shall be classified as Residential Group R3 occupancies in accordance with Section 310.4 of the International Building Code.



- (5) Care facilities for persons receiving care that are within a single-family dwelling unit are permitted to comply with the International Residential Code provided an automatic sprinkler system is installed in accordance with Section 903.3.1.3 or Section P2904 of the International Residential Code
- a. Personal care homes and adult or child day care facilities shall provide an approved state license prior to the issuance of a county business license.
  - b. All home occupations shall obtain a business license from Putnam County.
  - c. Home occupation personal care homes shall be limited to the provision of care and supervision to not more than three (3) persons.
- (6) All group home care occupancies must install a sprinkler system in accordance with NFPA 13R.
- (7) Assembly occupancies are required to install an automatic sprinkler system where one of the following conditions exist:
- a. The building or space exceeds five thousand (5,000) square feet;
  - b. The building or space has an occupant load of one hundred (100) or more;
  - c. The building or space is located on a floor other than the level of exit discharge.
- (8) All buildings ten thousand (10,000) square feet or more under a common roof, and buildings over one (1) story in height, or any building with an occupant load of three hundred (300) or more persons shall be sprinkled with an approved NFPA 13 system with the exception of the following:
- a. Multifamily dwellings up to and including three (3) stories in height shall be sprinkled with an approved sprinkler system modified to include full sprinkler coverage in all attics and breezeways;
  - b. Single-family dwellings within a subdivision.

- (i) In addition to the NFPA Code any residential occupancies containing more than two (2) dwelling units must install an approved automatic sprinkler system per NFPA 13, 13R, or 13D design requirements, as approved by the local fire marshal and/or authority having jurisdiction; including townhouses and condominiums.

Exception - Automatic residential sprinkler systems for townhouses shall be permitted to be designed and installed in accordance with NFPA 13D and shall be modified to include full sprinkler coverage in all attics and breezeways.

- (9) All buildings six thousand (6,000) square feet or more in an area under a common roof where vehicles are pulled inside for the purpose of maintenance, repair, storage, or installation of all accessories shall be fully sprinkled with an approved sprinkler system except where vehicle bay areas in a building are less than or equal to six hundred (600) square feet, it shall be permissible to place up to six (6) sprinkler heads off of the domestic water supply in lieu of sprinkling the entire building. In so doing, calculations must be performed by an approved sprinkler contractor certified by the State of Georgia and such calculations must be shown on the plans submitted for approval by the fire marshal's office.

- (10) Each automatic sprinkler system required by this article shall be in accordance with one (1) of the following:

- a. NFPA 13, Standard for the Installation of Sprinkler Systems
- b. NFPA 13D, Standard for the Installation of Sprinkler Systems in One- and Two-Family Dwellings and Manufactured Homes
- c. NFPA 13R, Standard for the Installation of Sprinkler Systems in Residential Occupancies up to and Including Four Stories in Height

- (11) All buildings or structures installing a 13R sprinkler system must also install a sprinkler system in the attic.

Exception: Paragraphs (1) through (9); Plans submitted prior to adoption of the ordinance from which this article is derived, must meet the sprinkler requirements adopted at the time plans were submitted.

- (12) A "fire wall" shall not be considered to be a separate building so as to avoid the required automatic fire extinguishing system.
- (13) Approved ventilation hoods and hood fire suppression equipment shall be installed in restaurants or other occupancies, including food trucks, with food preparation facilities having cooking appliances capable of producing grease laden vapors, such as ranges, deep fat fryers, grills, broilers, or other similar appliances. The standards for approval of such facilities shall be based on the fire code, including NFPA 96, Ventilation Control and Fire Suppression of Commercial Cooking Operations.
- (14) Buildings shall be equipped with an approved standpipe system when required by the building or fire code. Required standpipes shall be installed in accordance with the building code, fire code, and NFPA 14, Installation of Standpipe and Hose Systems. Site plans with fire hydrant and FDC location must be submitted for review by the local fire marshal.
- (15) The fire department connection (FDC) must be placed at the main entrance (driveway) and out of the collapse zone of the building with no obstructions, and within fifty (50) feet of a fire hydrant. The FDC should stand between thirty-six (36) inches to forty-eight (48) inches above grade. No person shall put any post or installation or structure or landscaping, nearer than thirty-six (36) inches to any fire department connection (FDC) or hydrant.
- (16) Before any fire protection system is installed, plans shall be submitted by the contractor installing the sprinkler system to the fire marshal's office, which shall review the plans for compliance with NFPA standards prior to stamping the plans as "reviewed." Plans must show:
- a. Proposed system design over building layout.
  - b. Copy of Georgia State License.
  - c. All sets of working plans shall be signed, and a certified seal placed thereon.
  - d. Hydraulic calculations. Information sheets (cut sheets) on materials.

- (17) Sprinkler system installers, inspectors, and maintenance personnel shall meet the Rules and Regulations for Enforcement of the Georgia Fire Sprinkler Act, O.C.G.A. 120-3-19.
- (18) The responsibility for annual testing and maintenance of any fire protection system is the responsibility of the owner of the property. Systems shall be inspected and tested in accordance with NFPA 13, 13D, or 13R, NFPA 25 and the manufacture's requirements.
- (19) All automatic sprinkler equipment specified in this article shall be inspected at least once a year by a state certified sprinkler contractor and maintained by the owner or occupant at all times in proper operative conditions. The occupant of the building containing such equipment shall promptly notify the fire marshal or the county fire department in case such sprinkler protection is withdrawn, interrupted, curtailed, or altered.
- (20) The fire protection sprinkler system shall be inspected by a fire protection sprinkler contractor to determine whether the system is in compliance with applicable codes and fully operational. The fire protection sprinkler contractor shall completely restore the system, confirm the system is in service, and submit a written statement to that effect to the fire marshal's office.

(d) Fire protection sprinkler, existing buildings and structures.

The purpose of this section is to encourage the continued use or reuse of legally existing buildings and structures. The intent is to permit repairs, renovations, modifications, reconstructions, additions, and change of use or occupancy in existing buildings.

Any requirements that are essential for the safety of building occupants and that are not specifically provided for by the life safety code, building code, or fire code, shall be determined by the authority having jurisdiction.

The provisions of this subchapter shall apply to existing buildings and structures constructed prior to the adoption of this subchapter and shall provide a minimum degree of fire and life safety to persons occupying space which does not comply with current codes.

- (1) The legal occupancy of any building or structure existing on the date of adoption of this Code shall be permitted to continue without change, except as otherwise provided, according to the following:

- a. No change shall be made in the use or occupancy of any building or structure that would place the building or structure in a different division of the same group of occupancy or in a different group of occupancies, unless it is made to comply with the requirements of the current code for such division or group of occupancy. Any change of use or occupancy classification shall comply with the automatic sprinkler system requirements for new construction.
- b. In any building where renovation, modification, or reconstruction exceeds fifty (50) percent of the work area, an automatic fire sprinkler system shall be installed accordance with requirements for new construction and NFPA 13, 13R, or 13D. The requirement shall apply to the highest floor containing a work area and all floors below.
- c. Repair, renovation, modification, and reconstruction shall be defined by NFPA 5000.

Exceptions:

- a. Historic buildings shall be defined as a building or facility deemed to have historical, architectural, or cultural significance by a local, regional, or national jurisdiction, and shall comply with the International Existing Building Code and the International Building Code.
- b. Single-family residential dwellings.
- (e) Rendering equipment inoperable.
  - (1) Portable or fixed fire-extinguishing systems or devices and fire-warning systems shall not be rendered inoperative or inaccessible except as necessary during emergencies, maintenance, repairs, alterations, drills or prescribed testing.
  - (2) It shall be the responsibility of the property owner to notify the fire marshal's office in the event the portable or fixed fire-extinguishing system or device or fire-warning system is inoperative for any period of time.

**Sec. 32-202. Parking in fire lanes; authority to prevent blocking of private ways and alleys.**

- (a) *Prohibition.* It shall be unlawful for any person to stop, stand or park any motor vehicle in, or otherwise obstruct, any fire lane as described in this section.
- (b) *Penalty.* The fine for any offense under this section shall be \$50.00.
- (c) *Definitions.* The following words, terms and phrases, when used in this paragraph, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

*Fire lane* means an area designated by the fire official which provides access to fire department connections and fire hydrants and provides access for fire department vehicles to buildings. This includes all alleys, including private alleys, private ways or driveways, where parking of motor vehicles or other obstructions can interfere with ingress or egress of fire department vehicles and equipment.

*Fire marshal* means a fire officer or other designated authority or the fire officer's or authority's duly authorized representative charged with the administration and enforcement of the fire prevention code adopted in this chapter.

*Master plat* means an original plat drawn in accordance with this section.

*Plat* means a map created by the property owner which depicts the location and boundaries of land and all existing fire lanes in accordance with this section. Maps shall be drawn to scale.

*Property owner* means each person possessing any estate or leasehold right in the property being designated as a fire lane.

- (d) *Authority.* The fire chief, or a duly authorized fire official, may properly designate fire lanes and prevent the blocking of any private alley, private way or driveway in Putnam County by the parking of automobiles or otherwise.
- (e) *Posting of signs.* The commercial property owner is required to post signs meeting the following criteria in areas designated as fire lanes:
- (1) Signs shall read: "No Parking—Fire Lane."
  - (2) Signs must meet design specifications as required by chapter 48 of the Putnam County Code of Ordinances.
  - (3) One sign shall be posted at the beginning of the fire lane and one at the end of the fire lane and at intervals not more than 50 feet apart.
  - (4) Signs posted shall not be more than four feet from the edge of the curb and shall be visible from both directions of the driving surface.
- (f) *Painting of curbs.* The fire chief or a duly authorized fire official may order curbs adjacent to a fire lane to be painted red or another distinctive color.
- (g) *Parking in a fire lane.* No person shall park, stand or stop any motor vehicle or place any other property in a fire lane; however, this section shall not apply to the parking of an authorized emergency vehicle.
- (h) *Obstructing posted private alley or driveway.* Any person who shall park any vehicle of any character or place any other property in any private alley, private way or driveway which has been posted in accordance with this section. Any person owning or occupying property abutting the private alley, private way or driveway who shall cause or permit the placing of anything therein which would impede or block the passage of fire trucks and equipment, shall be guilty of an offense.
- (i) *Site plans.* Property which falls within Putnam County upon which fire lanes have been designated shall have all fire lane delineations visually depicted on a site plan. These plans shall be designed by the property owner and submitted to the Building Official. Each plan shall identify all building exterior walls, traffic and parking lanes and sidewalks. The areas to be designated as fire lanes shall be delineated in red ink. The plan shall

state a scale of measurement, and specify the name of the property, the location of the property, a brief legal description of the property and the length and width of the fire lanes.

- (j) *Enforcement officials.* Fire marshals, police officers, code enforcement officers or other duly authorized law enforcement officials shall have the authority for enforcement of fire lanes. Fire marshals, police officers, code enforcement officers, or other duly authorized officials may cause to be removed to the nearest authorized place of impound or other place of safety any unattended vehicle or other property left standing in violation of this section. If a vehicle is towed by Putnam County subject to this section, Putnam County shall be authorized to use a call list of designated towing agencies to arrange for towing. The vehicle owner shall be responsible for charges for the towing and any daily impoundment storage fee.
- (k) *Notice of ordinance violation.* Notwithstanding any other provisions of this Code, violations of this chapter may be enforced by a notice of ordinance violation issued by any authorized law enforcement officer, fire marshal, or code enforcement officer as provided below:
- (1) Ordinance violations charged by means of a notice shall not be punishable by imprisonment but shall be punishable by a fine of \$50.00.
  - (2) A notice of ordinance violation may be served by delivery into the hands of the suspected violator or by leaving the notice of ordinance violation at the suspected violator's residence with a person of suitable age and discretion residing therein, or by leaving the notice of ordinance violation at the suspected violator's place of business if the violation occurs at the business location, with a person of suitable age and discretion employed therein.
  - (3) Alternative to the provisions of subsection (2) above, a notice of ordinance violation may be served by substituted service as follows:
    - a. The notice of ordinance violation may be placed on the front windshield of the illegally-parked vehicle in a fashion reasonably calculated to secure the notice of ordinance violation in place. Notices served according to this subsection shall be conspicuously marked and placed in a waterproof packet.
    - b. The notice of ordinance violation may be served by securely attaching the notice of ordinance violation to the front door of the primary residential or business structure on the property served by the fire lane or to other door to said structure reasonably appearing to provide the primary point of egress to said residence or business. A notice of ordinance violation served according to this subsection shall be posted on the upper part of the door, shall be conspicuously marked and shall be placed in a waterproof packet.
  - (4) Violators may respond to a notice of ordinance violation either by signing the notice and returning the notice along with payment of the fine indicated thereon to a court of competent jurisdiction by the date indicated on the notice or by appearing in a court of competent jurisdiction to plead not guilty to the charged violation at the date and time provided on the notice. No proceedings for contempt or arrest shall be initiated for failure to appear on the return date on the notice.
  - (5) Violators who fail to respond to a notice of ordinance violation as provided for in subsection (4) above may thereafter be served personally with an ordinance violation citation or accusation, and criminally prosecuted pursuant to chapter 18, section 18-84.
- (l) *Section not exclusive.* The imposition of a penalty under the provisions of this section shall not prevent the revocation of any permit or license or the taking of other punitive or remedial action where called for or permitted under the provisions of the Code of Ordinances of Putnam County.

(Ord. of 12-18-2007; Ord. of 3-18-2008; Ord. of 1-19-2016 ; Ord. of 12-3-2021(1) )

**Sec. 32-213. Construction plans approval.**

- (a) It shall be unlawful to construct, erect, or alter any commercial building without construction document approval by the fire marshal for fire department accessibility, fire hydrant requirements, Life Safety Code requirements, and flammable and combustible liquid tank installations. Construction documents shall be in accordance with the requirements below:
- (1) *Submittals.* Commercial construction documents shall be submitted in one or more sets and in such form and detail as required by the building official. The building official will determine if such commercial plans must be reviewed by the fire marshal and will forward copies to him/her for approval. If the fire marshal does not approve the plans, he must submit a list of corrections to be made, in writing, to the building official. No building permits requiring fire marshal review shall be issued without the fire marshal's signature on the building permit.
  - (2) *Information on construction documents.* Construction documents shall be drawn to scale upon suitable material. Electronic media documents are allowed to be submitted when approved by the fire marshal. Construction documents shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provisions of this Code and relevant laws, ordinances, rules and regulations as determined by the fire marshal.
  - (3) *Applicant responsibility.* It shall be the responsibility of the applicant to ensure that the construction documents include all of the fire protection requirements and that the shop drawings are complete and in compliance with the applicable codes and standards.
  - (4) *Technical assistance.* The fire marshal shall be permitted to require a review by an independent third party with expertise in the matter to be reviewed at the submitter's expense. The independent reviewer shall provide an evaluation and recommend necessary changes of the proposed design, operation, process, or new technology to the fire marshal.
  - (5) *Engineering.* The fire marshal shall be authorized to require design submittals or plans to bear the stamp of a professional engineer.
- (b) *Plan compliance.* The fire marshal shall make the final determination as to whether the provisions of the fire codes have been met.
- (c) *Approved documents.* Construction documents approved by the fire marshal are approved with the intent that such construction documents comply in all respects with the fire codes. Review and approval by the fire marshal shall not relieve the applicant of the responsibility of compliance with the fire codes.
- (d) *Corrected documents.* Where field conditions necessitate any substantial change from the approved construction documents, the fire marshal shall have the authority to require the corrected construction documents to be submitted for approval.
- (e) *Inspections.* Any application for or acceptance of any permit or certificate, requested or issued pursuant to fire codes shall constitute agreement and consent by the person making the application or accepting the permit or certificate to allow the fire marshal to enter the premises at any reasonable time to conduct inspections. Before a certificate or permit is approved, the fire marshal is authorized to inspect the receptacles, vehicles, buildings, devices, premises, storage spaces or areas to be used to determine compliance with the fire codes or any operational constraints required.
- (f) **Fire, safety and accessibility fees.**
- (1) **Fire department plan review—Construction, expansion permit fee. There shall be a permit fee for the construction or for the expansion of every building in the county. Permits required by this Code shall be obtained from the fire official. Permit fees shall be paid prior to issuance of the permit. Issued**



permits shall be kept on the premises designed therein at all times and shall be readily available for inspection by the fire official.

- (2) If during a re-inspection, a code violation is noted that was not listed as part of the original violation(s), a re-inspection fee will not be assessed for the newly cited code violation(s). Any newly cited code violation discovered at the time of re-inspection will be considered a first-time violation and will restart the re-inspection fee process.
- (3) Re-inspection fees shall apply to all project plans which are re-submitted prior to addressing all red-line comments made by the fire marshal or designee.
- (4) Project plans submitted with multiple revisions will be assessed a new fire department plan review fee. A complete updated set of plans shall be submitted for fire department review upon the request of the fire marshal or designee.

(Ord. of 12-18-2007; Ord. of 3-18-2008)

## **ARTICLE VIII. PERMITS**

### **Sec. 32-224. Fee schedule.**

- (a) *Service fee.* Fees shall be charged for services and permits based on a schedule developed by Putnam County Fire Rescue and approved by the board of county commissioners.

(Ord. of 12-18-2007; Ord. of 3-18-2008; Ord. of 1-19-2016 )

### **Sec. 32-235. Permits.**

- (a) *General.* Permits shall be in accordance with this section.
- (b) *Permits required.* Permits required by this chapter shall be obtained from the fire marshal. Permit fees, provided for in section 32-22 (fee schedule), if any, shall be paid prior to issuance of the permit. Issued permits shall be kept on the premises designated therein at all times and shall be readily available for inspection by the fire marshal.
- (c) *Operational permits.* An operational permit allows the applicant to conduct an operation or a business for which a permit is required by this chapter for either:
  - (1) A prescribed period; or
  - (2) Until renewed or revoked.
- (d) *Permits for the same location.* When more than one permit is required for the same location, the fire marshal is authorized to consolidate such permits into a single permit provided that each provision is listed in the permit.
- (e) *Application.* Application for a permit required by this chapter shall be made to the fire marshal in such form and detail as prescribed by the fire marshal. Applications for permits shall be accompanied by such plans as prescribed by the fire marshal.
- (f) *Refusal to issue permit.* If the application for a permit describes a use that does not conform to the requirements of this chapter and other pertinent laws and ordinances, the fire marshal shall not issue a

permit, but shall return the application to the applicant with the refusal to issue such permit. Such refusal shall, when requested, be in writing and shall contain the reasons for refusal.

- (g) *Inspection authorized.* Before a new operational permit is approved, the fire marshal is authorized to inspect the receptacles, vehicles, buildings, devices, premises, storage spaces or areas to be used to determine compliance with this Code or any operational constraints required.
- (h) *Time limitation of application.* An application for a permit for any proposed work or operation shall be deemed to have been abandoned six months after the date of filing, unless such application has been diligently prosecuted or a permit shall have been issued, except that the fire marshal is authorized to grant one or more extensions of time for additional periods not exceeding 90 days each if there is reasonable cause.
- (i) *Action on application.* The fire marshal, in conjunction with the building official, shall examine or cause to be examined applications for permits and amendments thereto within a reasonable time after filing. If the application or the construction documents do not conform to the requirements of pertinent laws, the fire marshal shall reject such application in writing, stating the reasons therefor. If the fire marshal is satisfied that the proposed work or operation conforms to the requirements of this chapter and laws and ordinances applicable thereto, the fire marshal shall issue a permit therefor as soon as practicable.
- (j) *Conditions of a permit.* A permit shall constitute permission to maintain, store or handle materials; or to conduct processes which produce conditions hazardous to life or property; or to install equipment utilized in connection with such activities; or to install or modify any fire protection system or equipment or any other construction, equipment installation or modification in accordance with the provisions of this Code where a permit is required by this chapter. Such permission shall not be construed as authority to violate, cancel or set aside any of the provisions of this chapter or other applicable regulations or laws of the jurisdiction.
- (k) *Expiration.* An operational permit shall remain in effect until reissued, renewed, or revoked or for such a period of time as specified in the permit. Construction permits shall automatically become invalid unless the work authorized by such permit is commenced within 180 days after its issuance, or if the work authorized by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced. Before such work recommences, a new permit shall be first obtained and the fee to recommence work, if any, shall be one-half the amount required for a new permit for such work, provided no changes have been made or will be made in the original construction documents for such work, and provided further that such suspension or abandonment has not exceeded one year. Permits are not transferable and any change in occupancy, operation, tenancy or ownership shall require that a new permit be issued.
- (l) *Extensions.* A permittee holding an unexpired permit shall have the right to apply for an extension of the time within which the permittee will commence work under that permit when work is unable to be commenced within the time required by this section for good and satisfactory reasons. The fire marshal is authorized to grant, in writing, one or more extensions of the time period of a permit for periods of not more than 90 days each. Such extensions shall be requested by the permit holder in writing and justifiable cause demonstrated.
- (m) *Occupancy prohibited before approval.* The building or structure shall not be occupied prior to the fire marshal issuing a permit that indicates that applicable provisions of this chapter have been met.
- (n) *Conditional permits.* Where permits are required and upon the request of a permit applicant, the fire marshal is authorized to issue a conditional permit to occupy the premises or portion thereof before the entire work or operations on the premises is completed, provided that such portion or portions will be occupied safely prior to full completion or installation of equipment and operations without endangering life or public welfare. The fire marshal shall notify the permit applicant in writing of any limitations or restrictions necessary to keep the permit area safe. The holder of a conditional permit shall proceed only to the point for

which approval has been given, at the permit holder's own risk and without assurance that approval for the occupancy or the utilization of the entire premises, equipment or operations will be granted.

- (o) *Posting the permit.* Issued permits shall be kept on the premises designated therein at all times and shall be readily available for inspection by the fire marshal.
- (p) *Compliance with chapter.* The issuance or granting of a permit shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this chapter or of any other ordinance of the jurisdiction. Permits presuming to give authority to violate or cancel the provisions of this chapter or other ordinances of the jurisdiction shall not be valid. The issuance of a permit based on construction documents and other data shall not prevent the fire marshal from requiring the correction of errors in the construction documents and other data. Any addition to or alteration of approved construction documents shall be approved in advance by the fire marshal, as evidenced by the issuance of a new or amended permit.
- (q) *Information on the permit.* The fire marshal shall issue all permits required by this chapter on an approved form furnished for that purpose. The permit shall contain a general description of the operation or occupancy and its location and any other information required by the fire marshal. Issued permits shall bear the signature of the fire marshal or other designated fire official.
- (r) *Revocation.* The fire marshal is authorized to revoke a permit issued under the provisions of this chapter when it is found by inspection or otherwise that there has been a false statement or misrepresentation as to the material facts in the application or construction documents on which the permit or approval was based including, but not limited to, any one of the following:
  - (1) The permit is used for a location or establishment other than that for which it was issued.
  - (2) The permit is used for a condition or activity other than that listed in the permit.
  - (3) Conditions and limitations set forth in the permit have been violated.
  - (4) There have been any false statements or misrepresentations as to the material fact in the application for permit or plans submitted or a condition of the permit.
  - (5) The permit is used by a different person or firm from the name for which it was issued.
  - (6) The permittee failed, refused or neglected to comply with orders or notices duly served in accordance with the provisions of this Code within the time provided therein.
  - (7) The permit was issued in error or in violation of an ordinance, regulation or this Code.
- (s) *Required operational permits.* The fire marshal is authorized to issue operational permits for the following operations:
  - (1) *Explosives.* An operational permit is required for the manufacture, storage, handling, sale or use of any quantity of explosive, explosive material, fireworks, or pyrotechnic special effects.
  - (2) *Tents, temporary membrane structures, and canopies.* An operational permit is required to operate an air-supported temporary membrane structure or a tent having an area in excess of 200 square feet (19 m<sup>2</sup>), or a canopy in excess of 400 square feet (37 m<sup>2</sup>).
- (t) *Permissible open burning.* All permissible open burning shall be conducted in compliance with the Georgia Environmental Protection Division's Rules for Air Quality Control 391-3-1.02-5 "Provisions, Open Burning" and upon obtaining a burn permit from The Georgia Forestry Commission **when required**. The Putnam County fire marshal's Office is responsible for enforcing the regulations found therein.

(Ord. of 12-18-2007; Ord. of 3-18-2008; Ord. of 1-19-2016 )

**Sec 32-26. Open Burning, Bonfires, Etc.**

Reserved Under review

**ARTICLE IX. HAZARDOUS MATERIALS**

**Sec. 32-247. Hazardous materials response cost recovery.**

(a) *Purpose.* The purpose of this section is to establish uniform criteria for recovering costs associated with the emergency response of Putnam County Fire Rescue to hazardous materials incidents.

(b) *Definitions.* For the purposes of this section, the following words or phrases shall have the meanings below:

*Hazardous materials incident* means a release or spill of any material considered to be dangerous to the general public or the environment (as defined by the Environmental Protection Agency, Georgia Department of Natural Resources, and the Georgia State Fire Prevention Code).

*Routine hazardous materials incident* means a hazardous materials response that requires no more apparatus, personnel, equipment and/or supplies than were dispatched upon the initial response, and which extends for a period of less than three hours in duration.

*Extra hazardous materials incident* means a hazardous materials response that requires more apparatus, personnel, equipment, and/or supplies than were dispatched upon the initial response, and which extends for a period of less than three hours in duration.

*Major hazardous materials incident* means a hazardous materials response that requires more apparatus, personnel, equipment, and/or supplies than were dispatched upon the initial response, and which extends for a period of three hours or more in duration.

(c) *Policy.*

- (1) Putnam County recognizes the need for emergency hazardous materials response within the jurisdictional limits of Putnam County. Therefore, no person or agency requiring an emergency hazardous materials response shall be denied those services due to a lack of insurance coverage or the inability to pay for those services.
- (2) Putnam County Fire Rescue provides emergency hazardous materials response only, and does not act as a cleanup contractor, and does not provide cleanup or disposal services.
- (3) Any applicable services rendered to a person, entity or agency shall be billed to that person, entity or agency.
- (4) The fire chief, in his sole discretion, may waive reimbursement in instances where only minimal response services were required.
- (5) Other emergency response agencies assisting Putnam County Fire Rescue may submit their list of expenses to the fire department for inclusion in the bill submitted to the responsible person, entity or agency. Neither Putnam County, nor its fire department, shall accept any liability for payment of such costs incurred by other emergency response agencies.

(d) *Procedure for billing services.*

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- (1) A detailed listing of hazardous materials response services provided to persons, entities and/or agencies will be compiled by Putnam County Fire Rescue. This information shall be forwarded to the Putnam County Finance Department, which shall be responsible for the billing. This information shall include:
- a. Name and address of the owner, lessee, occupant and/or responsible party;
  - b. Date, time and location of incident;
  - c. Putnam County Fire Rescue fire incident report number;
  - d. Description of services rendered;
  - e. Itemized list of costs.
- (2) The applicable charges for services shall be determined by reference to the following:
- a. *Response to a routine hazardous materials incident.* A routine hazardous materials response shall have standardized recovery costs. Recovery cost charges shall begin upon arrival of the first responding fire department unit(s), and shall include, but not be limited to:
    1. Loss, consumption, repair, and decontamination of equipment, vehicles, instruments, clothing, supplies and other items, at actual cost;
    2. Miscellaneous expenses, at actual cost.
    3. A charge for billing and processing of two percent of total costs.
  - b. *Response to an extra hazardous materials incident.* An extra hazardous materials response shall have standardized recovery costs. Recovery cost charges shall begin upon arrival of the first responding fire department unit(s), and shall include, but not be limited to:
    1. Hazardous materials responders, at actual hourly rate per hour, per person for on-duty response and actual overtime rates per hour for off-duty response;
    2. Cost for loss, consumption, repair, and decontamination of equipment, vehicles, instruments, clothing, supplies and other items, at actual cost;
    3. Subsistence supplies, at actual cost;
    4. Miscellaneous expenses, at actual cost;
    5. A charge for billing and processing of two percent of total costs.
  - c. *Response to a major hazardous materials incident.* A major hazardous materials response shall have standardized recovery costs. Recovery cost charges for items 1. through 6., shall begin upon arrival of the first responding fire department unit, and shall include, but not be limited to:
    1. Hazardous materials responders, at actual hourly rate per hour, per person for on-duty response and actual overtime rates per hour for off-duty response;
    2. Hazardous materials command staff, at actual hourly rate per hour, per person for on-duty response and actual overtime rates per hour for off-duty response;
    3. Cost for loss, consumption, repair and decontamination of equipment, vehicles, instruments, clothing, supplies and other items, at actual replacement cost;
    4. Subsistence supplies, at actual cost;
    5. Miscellaneous expenses, at actual cost;
    6. A charge for billing and processing of two percent of total costs.

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- d. Additional recovery cost charges shall begin after the third hour of on-scene operation (continuous operation is not required), and shall include, but not be limited to:
    - 1. Each fire engine, ladder truck, rescue unit, hazardous materials unit and other equipment and apparatus needed in the response shall be charged based on the Federal Emergency Management Agency Schedule of Equipment Rates for like or similar equipment.
  - (3) All funds received from persons, entities or agencies that have been billed for services will be placed in an account designated for personnel costs, decontamination, repair, replacement and purchase of items of both durable and consumable categories for the hazardous materials program of the department.

(Ord. of 12-18-2007; Ord. of 3-18-2008; Ord. of 1-19-2016 )

**Secs. 32-258—32-30. Reserved.**