



**LAND DEVELOPMENT CODE
FOR THE
CITY OF LAKELAND, GEORGIA**

Developed in Cooperation With:



Adopted June 12, 2012

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Chapter One

General Provisions

1-1 Title

This Ordinance shall be known as and may be cited as the “Land Development Code, City of Lakeland, Lanier County, GA” and may be referred to as the Code.

1-2 Authority

This Land Development Code is enacted pursuant to the Georgia Planning Act of 1989, § 36 – 70 et seq.

1-3 Applicability

1-3.1. General Applicability

Except as provided below, the provisions of this Code shall apply to all development in the City. No development shall be undertaken without prior authorization pursuant to the provisions in the Lakeland Land Development Code.

1-3.2 Application of Zoning Regulations

a. Height and Density

No building or other structure shall hereafter be used or occupied and no building or structure or part thereof shall hereafter be erected, constructed, reconstructed, moved or structurally altered, so as to:

1. Accommodate or house a greater number of persons or occupy a smaller lot area per person; or
2. Occupy a greater percentage of lot area; or
3. Have narrower or smaller rear yards, front yards, side yards, or other open spaces; unless in conformity with all of the regulations herein specified for the district in which it is located.

b. Yard Service to One Building

No part of a yard, or other open space, or off-street parking or loading space required in connection with any building for the purpose of complying with this Code shall be included as a part of a yard, open space, or off-street parking or loading space similarly required for any other building.

c. Only One Principle Building

Every building or structure hereafter in an R-1, R-2, R-3, RC and RA zoning district shall be located on a lot or tract as defined herein; and in no case shall there be more than one principal building on one lot – plus its accessory structures.

d. Reduction of Lot Area

No lot, even though it may consist of one or more adjacent lots of record, shall be reduced so that the lot

width or depth, front, side or rear yard, lot area per unit or other requirements of this Code are not maintained. This section shall not apply when a portion of a lot is subsequently acquired for public purposes.

e. Street Frontage

No building shall hereafter be erected on a lot which does not abut or have immediate frontage on a publicly dedicated, publicly approved, or publicly maintained street.

1-3.3. Exceptions

a. Previously issued Development Permits

The provisions of this Code and any amendments hereto shall not affect the validity of any lawfully issued and effective development permits, if:

1. A building permit was issued for the development prior to adoption date of this Code on June 12, 2012; and
2. The development activity under this permit continues without interruption until the development is complete. If the development permit expires, any further development on that site shall occur only in conformance with the requirements of this Code.

1-3.4. Zoning in Progress

a. Purpose

The “zoning in progress” rule allows the City to make a text or map amendment to this Code, and apply that change to development applications submitted after the declaration has been made of a zoning in progress.

b. No Permits Issued and Period of Time

During the period of time that the City Council is considering either a text or map amendment to this Code, no permit(s), license(s), or other development order(s) of any kind shall be issued if issuance would result in the non-conforming or unlawful use of the subject property should the text or map amendment change be enacted by the City Council (rest period). The maximum freeze period allowed for a zoning in progress shall be three months, except that the City Council may extend the period of up to an additional three months for good cause, and if it makes a finding that it is in the public interest to do so.

c. Notice of Declaration

The declaration of “zoning in progress”, and rest period on development orders, permit and licenses shall begin on the earlier of:

1. Publication of a notice of a public hearing before the City Council to consider a resolution declaring a zoning in progress; or
2. Public notice given as required by law for the initial public hearing on a text or map amendment to this Code.

d. Applicability

1. Upon adoption of a text or map amendment, all pending applications, permits, licenses, and other development orders shall conform to the new provisions.
2. Notwithstanding anything contained in this section to the contrary, no application for a text or map amendment to this Code, or permit or development order, shall be held up by this procedure for more than six (6) months, including all time periods described herein.
3. If it is determined by the City that an application for a text or map amendment, or permit, license, or other development order would not violate the provisions of a pending zoning measure, such application, and any subsequent permits, licenses and other development orders shall be exempt from this section.

1-4 Findings

1-4.1. General Public Need

The Lakeland City Council finds that controlling the location, design and construction of development within the City of Lakeland is necessary to maintain and improve the quality of life. The Lakeland City Council further finds:

- a. A single set of administrative procedures for making all land use decisions promotes efficiency, predictability and citizen participation.
- b. All development proposals excluding single family homes or the re-use of an existing building where the re-use does not create a greater impact, must undergo a development review process to assure compliance with the requirements of this Code.
- c. All administrative decisions should be supported by a record with written findings to assure accountability and efficient appellate review.
- d. A quick and efficient avenue of appeal should be available for all ministerial and administrative decisions.
- e. Enforcement of development permits and the provisions of this Code should be through procedures that are efficient, effective and consistent with the code enforcement procedure established by state law.

1-5 Purpose and Intent

a. General Intent

The general intent of this Code is the implementation of the current Lanier County and City of Lakeland Comprehensive Plan as adopted and its successors.

b. Purposes

The purposes of this Code include, but are not limited to the following:

1. Promote the public health, safety, welfare, morals, convenience, order and prosperity of the Citizens of the City of Lakeland.

2. Conserve the value of land, buildings and resources, and protect landowners from adverse impacts of adjoining developments.
3. Protect the character and maintain the stability of residential, agricultural, business, industrial, recreation, and public areas.
4. Promote responsible growth, lessen the congestion in public streets, secure safety from fire and health dangers, and promote desirable living conditions.
5. Direct and regulate, through the establishment of appropriate standards, the type, distribution and intensity of development.
6. Balance the interest of the general public in the City of Lakeland and that of the individual property owner.

1-6 Incorporation by Reference

1-6.1. Maps

The boundaries of the zoning districts of the City of Lakeland are shown on the map entitled “Zoning Map, City of Lakeland, Georgia”, date and certified by the Zoning Administrator. Said map is hereby incorporated into and made part of this Code by reference.

Regardless of the existence of purported copies of the “Zoning Map, City of Lakeland, Georgia”, which may from time to time be published, the zoning map of the City of Lakeland, Georgia, in the office of the Zoning Administrator shall be the final authority for zoning districts in the City.

1-6.2. Other Materials

These include, but are not limited to, the Future Development Map, and the Comprehensive Plan.

1-7 Rules of Interpretation

1-7.1. Generally

In interpreting and applying the provisions of this Code, they shall be held to be the minimum requirements for the promotion of the public health, safety, morals and general welfare of the community.

In the interpretation and application of this Code, all provisions shall be liberally construed in favor of the objectives and purposes of the City of Lakeland and deemed neither to limit nor repeal any other powers granted under state law.

1-7.2. Abrogation

It is not intended by this Code to interfere with or abrogate or annul any easements, covenants, or other agreements between parties.

1-7.3. Stricter Provisions Apply

Where this Code imposes a greater restriction upon the use of buildings or premises or upon the height of

buildings; or requires larger open spaces than are imposed or required by other ordinances, rules, regulations or by easements, covenants or agreements, the provision of this Code shall control.

1-7.4. Interpretation

1-7.4.1 Responsibility

In the event that any question arises concerning the application of regulations, performance standards, definitions, development criteria, or any other provision of this Code, the Zoning Administrator shall be responsible for interpretation and shall look to the Lanier County and City of Lakeland Comprehensive Plan for guidance. Responsibility for interpretation by the Zoning Clerk shall be limited to standards, regulations and requirements of this Code, but shall not be construed to include interpretation of any technical code adopted by reference in this Code, nor be construed as overriding the responsibilities given to any commission, board or official named in other sections or articles of this Code.

1-7.4.2 Interpretation of District Boundaries

Where uncertainty exists with respect to the boundaries of any of the aforesaid districts as shown on the “Zoning Map, City of Lakeland, Georgia”, the following rules shall apply:

- a.** Where district boundaries are indicated as approximately following the centerlines of streets or highway right-of-way lines, such centerlines, street lines, or highway right-of-way lines shall be construed to be such boundaries.
- b.** Where district boundaries are so indicated that they approximately follow lot lines, such lot lines shall be construed to be such boundaries.
- c.** Where district boundaries are so indicated that they are approximately parallel to the centerlines or street lines of streets, or the centerlines of highway right-of-way, such district boundaries shall be construed to being parallel thereto and at such distance there from as indicated on the zoning map. If no distance is given such distance shall be determined by the use of the scale on said zoning map.
- d.** Where the boundary of a district follows a railroad line, such boundary shall be deemed to be located in the middle of the main tracks of said railroad line.

1-8 Delegation of Authority

Whenever a provision appears requiring the head of a department or some other city officer or employee to do some act or perform some duty, it is to be construed to authorize delegation to professional level subordinates to perform the required act or duty unless the terms of the provision or section specify otherwise.

1-9 Relationship of Specific to General Provisions

More specific provisions of this Code shall be followed in lieu of more general provisions that may be more lenient than or in conflict with the more specific provision.

1-10 Conflict with other Regulations

Whenever this Code requires or imposes more restrictive standards than are required in or under any other statutes, the requirements of this Code shall govern. Whenever the provisions of any other statute require

more restrictive standards than are required by this Code, the provisions of such statute shall govern.

1-11 Severability

Should any section, subsection, sentence, clause, phrase or provision of this Code be declared invalid or unconstitutional by any court of competent jurisdiction, such declaration shall not affect the validity of the Code as a whole or any part thereof which is not specifically declared to be invalid or unconstitutional.

1-12 EffectiveDate

This Code shall be in full force and effective upon adoption by the City Council and shall apply to any development for which the first submittal of development plans is received after the effective date of this Code.

Chapter Two

Definitions

2-1 Rules of Interpretation

The Zoning Administrator or his/her designee shall be responsible for the interpretation of the requirements, standards, definitions, or any other provisions of this Code, unless that authority is provided to another administrative official within a specific chapter.

2-2 Interpretations

In the interpretation and application of this Code, all provisions shall be considered minimum requirements. Where the literal interpretation is clear, it shall be construed literally. Where the chapter, section or subsection has a statement of purpose and intent, such purpose and intent shall be considered in making the interpretation. Where ambiguity exists, the Zoning Administrator shall interpret this ordinance in favor of the least restrictive use of the property.

2-3 Use of Words and Phrases

For the purpose of this Code, the following shall apply to the use of words and phrases:

- a.** The word “person” is intended to include any individual, partnership, firm, association, joint venture, public or private corporation, trust, estate, commission, board, public or private institution, utility, cooperative, state agency, municipality or other subdivision of this State, any interstate body or any other legal entity.
- b.** Words used in the singular include the plural and words used in the plural included the singular.
- c.** Words used in the present tense include the future tense. Words used in the masculine gender include the feminine and are intended to be gender neutral.
- d.** The words “shall” and “must” are always mandatory and not discretionary, while the word “may” is permissive.
- e.** The word “and” indicates that all of the conditions, requirements, and factors so connected must be met or fulfilled, while the word “or” indicates that at least one condition, requirement or factor so connected must be met.
- f.** The term “such as” is intended to introduce one or more examples in illustration of a requirement or point, and is intended to mean “including but not limited to the following.”
- g.** The word “day” shall mean a calendar day unless otherwise specified.
- h.** Where a term is defined in this Chapter, it shall be construed to have that meaning and application throughout this Code.
- i.** Where a term is defined in any Chapter other than this Chapter, it is the intent that such definition only applies within the Chapter it appears.

j. Except as specifically defined herein, all words use in this Code shall have their customary dictionary definitions.

k. Unless indicated otherwise, reference to zoning districts refer to the most recent copy of the “Official Zoning Map of the City of Lakeland, Georgia”.

2-4 General Definitions

When used in this Code, the following shall have the meanings herein ascribed to them.

ABUTTING/CONTIGUOUS

Having property lines in common, or having property separated by only an alley. Separation by a street right-of-way is not considered abutting.

Abutting		
Alley		
Abutting	Subject Site	Abutting
Street		
Not Abutting		

ACCELERATED EROSION

Erosion caused by development activities that exceeds the natural processes by which the surface of the land is worn away by the action of water, wind, or chemical action.

ACCELERATION/DECELERATION LANE

Paved exits and entrances off a major road onto private property for the purpose of enabling the free and safe flow of traffic.

ACCESS

A paved or unpaved area intended to provide ingress or egress of vehicular or pedestrian traffic from a public or private right of way or easement.

ACCESS, CONTROLLED

ACCESSORY

A use or detached structure that:

- (1) Is located on the same lot as the principal structure or use;
- (2) Is subordinate to an existing principal building or principal use;
- (3) Is subordinate in area, extent and purpose to the principal structure or use;
- (4) Contributes to the comfort, convenience or necessity of the occupant, business, or industry in the principal structure or use; and

ADDITION

Any walled or roofed expansion to the perimeter of a building in which the addition is connected by a common load-bearing wall other than a fire wall. Any walled and roofed addition that is connected by a fire wall or is separated by an independent perimeter load-bearing wall shall be considered “new construction”.

ADULT ESTABLISHMENT/ENTERTAINMENT

Any commercial establishment that has as its primary purpose or business the rent, sale or presentation of any adult materials. Such establishments include, but are not limited too: Escort Services, Adult Arcade,

Adult Bookstore, Adult Dancing, Adult Massage Parlor, Adult Motel/Hotel, Adult Motion Picture Booth, Adult Motion Picture Theater or drive-in, or Adult Theatre.

Adult materials shall mean any one or more of the following: books, magazines, periodicals or other printed matter, or photographs, films, motion pictures, DVD's, video cassettes or video reproductions, slides or other visual representations that have as their primary or dominant theme the depicting or describing of "specified sexual activities" or "specified anatomical areas"; or instruments, devices or paraphernalia which are designed for use in connection with "specified sexual activities".

ADVERSE IMPACT

A condition that creates, imposes, aggravates, or leads to inadequate, impractical, unsafe, or unhealthy conditions on a site proposed for development or off-site.

AGRICULTURE

Raising, harvesting or storing of products of the field or orchard; feeding, breeding or managing livestock or poultry; producing or storing feed for use in the production of livestock or poultry; growing plants, sod, and trees for sale; the production of horticultural, dairy, poultry, eggs, and apiarian products.

ALLEY

A right-of-way privately or publicly owned, primarily for secondary access to the back or sides of property.

ALTERATION

Any change in the supporting members of a building or structure such as bearing walls, columns, and girders, except such emergency change as may be required for safety purposes; and addition to a building; any change in use; or, any movement of a building from one location to another.

Man-made trees, clock towers, bell steeples, light poles and similar alternative design mounting structures that camouflage or conceal the presence of antennas or towers and are compatible with the scale and character of the surrounding natural setting and/or structures.

ANTENNA

A transmitting and/or receiving device mounted on a tower, building or structure and used in telecommunications personal wireless services that radiates or captures electromagnetic waves, digital signal, analog signals, and radio frequencies, directional antennas such as panel and microwave dish antennas, and omni-directional antennas such as whips, but excluding radar antennas, amateur radio antennas, and satellite earth stations.

APARTMENT

A room or suite of rooms, with bathroom and culinary accommodations, used or designed for use as a residence, located in a building containing three or more independent, separated rooms or suites.

APPEAL

A request for a review of an administrative official's interpretation of any provision of this Zoning Code, or a request for a review of an action taken by an administrative official in the application or enforcement of this Zoning Code.

APPLICANT

A person or entity making an application for a permit as provided for under this Code, including a stormwater management permit. The applicant may be the owner, developer, project manager or contractor.

AWNING/ CANOPY

Any roof or other form that shelters from sunshine, rain, snow, or other forms of precipitation, open on at least one side. A canopy may be attached to a permanent building or it may be independent structure permitted in accordance with the International Building Code.

AS-BUILT PLANS

Amended plans specifying the location, dimensions, elevations, capacities and operational capabilities of facilities and structures, including storm drainage facilities and structures, as they have been constructed.

BLOCK

A parcel of land entirely surrounded by public highways or streets, other than alleys.

BOARD OF APPEALS

The City of Lakeland Board of Appeals.

BUFFER

A strip of land located between a side or rear property line and a building, structure, or use, intended to separate and obstruct the view of the site on which the buffer is located from an abutting property. A buffer is usually intended to provide screening, as defined and as may be required by this Code.

BUILDABLE AREA

The area of a lot remaining after the minimum front, side and rear yard setback requirements of the zoning district has been met.

BUILDING

A temporary or permanent building or structure having a roof supported by columns or walls and intended for the shelter, housing or enclosure of any individual, animal, process, equipment, goods, or materials of any kind and occupying more than 100 square feet of area. A modular home shall be considered a building for the purposes of this Code. A mobile or manufactured home shall not be considered a building for the purposes of this Code.

BUILDING HEIGHT

The vertical distance measured to the highest point of the building roof from the average finished grade across those sides of a building that face a street.

BUILDING PERMIT

Any permit for the erection, placement, or construction of any building, structure or related building system or building system component, or manufactured home, or portion thereof.

BUILDING, PRINCIPLE

The building in which is conducted the principal use of the parcel on which it is located. Parcels with multiple principal uses may have multiple principal buildings. However, storage buildings, garages, and other clearly accessory uses shall not be considered principal buildings.

BUILDING SETBACK LINE

A line beyond which no foundation wall or part of the structure of any building shall project, with the exception of roof overhang up to 24 inches and the subsurface projection of footings; provided, however that such overhang and footings do not encroach upon the adjacent property, right-of-way, or an easement.

CERTIFICATE OF COMPLETION

A written release from the Building Official that an uninhabited structure or system is complete and is released for use. These would include signs, fences, walls, and accessory buildings.

CERTIFICATE OF OCCUPANCY

A written release from the Building Official certifying that all requirements for development or redevelopment of a property or structure have been met and authorizing occupancy of buildings and structures for residential or commercial purposes. For one or two family dwellings, the approval of all final inspections may serve as the Certificate of Occupancy.

CHANNEL

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

CITY

The City of Lakeland, Georgia.

CITY CLERK

The City Clerk of the City of Lakeland, Georgia, or the city's official responsible for implementing this Code a/k/a Zoning Administrator.

CITY COUNCIL

The Lakeland City Council, Georgia.

CITY ENGINEER

The city's official responsible for implementing and enforcing the applicable engineering requirements of the City, or his/her designee.

CLEARING

The removal of trees, other vegetation and/or above ground improvements including, but not limited to, buildings and structures, walls, fences, steps, walks, curbs, gutters, concrete slabs, pavements (including bases for pavements) and surfacing.

CLUB, PRIVATE

A non-commercial establishment organized for a common purpose to pursue common goals, interests, or activities and usually characterized by certain membership qualifications, payment of fees and dues, regular meetings and a constitution or by-laws.

COMMERCIAL USE

A use that is carried on for profit by the owner, lessee, or licensee.

COMPREHENSIVE PLAN

The 2025 Lanier County and the City of Lakeland Comprehensive Plan as currently adopted or amended.

CONCENTRATED ANIMAL FEED LOT OPERATIONS (CAFO)

Factory farms are also known as concentrated animal feeding operations (CAFOs) confined animal feeding operations, or intensive livestock operations (ILOs). "A *confined animal feeding operation* means a lot or facility, together with any associated treatment works, where both of the following conditions are met: First, animals have been, are, or will be stabled or confined and fed or maintained for a total of 45 days or more in any 12-month period. And secondly, crops, vegetation, forage growth, or post-harvest residues are not sustained over any portion of the operation lot or facility." The definition is used as part of waste management and environmental protection laws to deal with the concentrated pollution from large quantities of animal waste. CAFOs and factory farms can be mostly indoor or mostly outdoor

operations. The "confinement at high stocking density" aspect refers to lack of natural vegetation that the animals can eat and that can naturally process the resulting animal waste. High stocking density destroys the vegetation and produces unacceptable pollution from the animal waste in run-off and ground water unless it is handled appropriately, so laws have been enacted to deal with that; thus the *legal* definition for the term CAFO.

CONCEPT PLAN

The conceptual site plan submitted with an application for development under this Code, which requires the applicant to show the intended development and its conceptual design. Approval of the application request does not constitute approval of the concept plan; said plan must be adjusted according to the requirements listed for submittal of civil plans and reviewed by the appropriate departments for permitting.

CONSTRUCTION (erect, build, locate, relocate)

The building, erection, location, relocation or substantial improvement to any structure or the clearing, filling or excavation of any land. It shall also mean any alterations in the size or use of any existing structure or the appearance of any land. When appropriate to the context, "construction" refers to the act of construction or the result of construction.

CONTINUING CARE RETIREMENT COMMUNITY (CCRC)

A large scale facility which has a primary purpose of providing housing and continuing care for older people, and which consists of Independent Living Units, Assisted Living Facilities, Skilled Care Nursing Facilities and related accessory uses, all as defined by this Code and as regulated by the Georgia Department of Community Health or other appropriate state agency. Continuing care means the provision of lodging, nursing, medical or other health related services at the same or another location to an individual pursuant to an agreement effective for the life of the individual or for a period greater than one year, including mutually terminable contracts, and in consideration of the payment of an entrance fee with or without other periodic charges to an individual.

INDEPENDENT LIVING UNIT

A dwelling unit within a CCRC containing living area(s), kitchen area and bathroom(s), including multi-family dwellings, single family detached or attached dwellings, which house one or older persons in a manner in which they may live independently while receiving one or more meals per day in a congregate care setting.

ASSISTED LIVING FACILITY

A facility located within a CCRC that provides a residential living environment, assisted by congregate meals, housekeeping, and personal services for older persons, who have temporary or periodic difficulties with one or more essential activities of daily living, but do not require services in or of a Georgia Department of Community Health licensed long-term care facility or nursing facility. An ALF shall include dwelling units, dining rooms, bathing area(s), common area(s), offices and other spaces necessary to provide the above services, and shall be operated by a legal entity holding a license issued by the Georgia Department of Community Health or other appropriate state agency permitting the operation of an ALF at the location of the facility.

SKILLED CARE NURSING FACILITY

A facility which provides board, shelter and 24-hour skilled nursing and medical care to chronic or convalescent patients. A Skilled Care Nursing Facility shall include nursing beds and/or individual rooms, dining rooms, bathing areas, common areas, offices, clinics, therapy areas, medical facilities and other space necessary to provide the above services and shall be operated by a legal entity holding a license issued by the Georgia Department of Community Health, or

other appropriate state agency, permitting the operation of a nursing facility at the location of the facility.

COUNTY

Lanier County, Georgia

CUL-DE-SAC (see STREET, DEAD END)

A local street or road with one outlet and having an appropriate terminal for safe and convenient reversal of traffic movement.

CURB CUT

The opening along the curb line or edge of pavement of a public street at which point a driveway begins for vehicular ingress and egress from a property.

CUT (excavation)

A portion of land surface or area from which earth has been removed or will be removed by excavations; the depth of which is below the original ground surface.

DAY CARE CENTER (CHILD)

An establishment, licensed by the Georgia Department of Human Resources, operated by a person, society, agency, corporation or institution, or any group, wherein are received with or without pay, seven (7) or more children under 18 years of age for group care, for less than 24 hours per day, without transfer of custody.

DAY CARE CENTER (ADULT)

An establishment, licensed by the Georgia Department of Human Resources, operated by any person with or without compensation for providing for the care, supervision, and oversight during daytime hours only of six or fewer adults who are elderly, physically ill or infirm, physically handicapped, or mentally handicapped.

DAY CARE FACILITY

Any place operated by any person with or without compensation, licensed by the Georgia Department of Human Resources, providing for the care, supervision, and protection of three (3) but no more than six (6) children who are under the age of 18 years for less than twenty-four hours per day, without transfer of custody. For the purpose of counting the number of children within the day care facility, all children who are related by blood, marriage, adoption or guardianship to the person or persons operating the facility shall be included.

DAY-NIGHT AVERAGE SOUND LEVEL (Ldn)

The average sound level over a 24 hour period.

DEDICATION

The deliberate appropriation of property by its owner for general public use.

DEMOLITION

The removal of any above ground improvements including, but not limited to, buildings and structures, walls, fences, steps, walks, curbs, gutters, concrete slabs, pavements (including bases for pavements) and surfacing.

DENSITY

The total number of square feet of a building or buildings, or the number of lots or dwelling units per acre of land.

DENSITY, GROSS

The total number of square feet of a building or buildings, or the number of lots or dwelling units per acre of land divided by the total acres of a parcel or tract of land.

DENSITY, NET

The total number of square feet of a building or buildings, or the number of lots or dwelling units per acre of land divided by the number of acres of a parcel or tract of land less the area for streets, right-of-way, common open space, floodplain, wetland, and surface water.

DETENTION

The temporary storage of storm run-off in a stormwater management practice with the goals of controlling peak discharge rates and providing gravity settling of pollutants.

DETENTION FACILITY

A detention basin or alternative structure designed for the purpose of temporary storage of stream flow or surface runoff and gradual release of stored water at controlled rates.

DEVELOPER

Any person, individual, firm, partnership, association, corporation, estate, trust, or any other group or combination acting as a unit undertaking any land development activities as defined in this Code, including, but not limited to the subdivision of land, the construction of buildings and/or other land disturbance activities.

DEVELOPMENT

Any man-made change to improved or unimproved real estate, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavating, drilling operations, or permanent storage of materials; any activity which alters the elevation of the land, removes or destroys plant life, or causes structures of any kind to be erected or removed other than for agricultural purposes.

DEVELOPMENT ACTIVITIES – see Land Disturbance Activities

DEVELOPMENT PLANS

The detailed and professional plans showing the layout and design, site work and construction activities proposed for a project (other than architectural/engineering building plans), including but not limited to: site plans, grading plans, erosion and sediment control plans, tree protection plans, landscape plans, street plans and profiles, water supply plans, sanitary and storm sewer plans and profiles, other site improvement plans. Such plans shall also include other appropriate sections, details, notes, schedules, legends and diagrams.

DEVELOPMENT PERMIT

An official authorization issued by the Zoning Administrator in accordance with this Code to proceed with land disturbance, construction and grading, as set forth in this Code.

DRAINAGE EASEMENT

The legal right granted by a landowner to a grantee allowing the use of private land for stormwater management purposes.

DRAINAGE IMPROVEMENTS

Those facilities and structures intended to control and direct the passage of stormwaters and other surface water flows from and across property; including but not limited to: modified natural drainage ways, modified creeks, streams, channels, swales, ditches flumes, culverts, cross drains and other piping, catch

basins, area drains, drop inlets, junction boxes, headwalls, flared end sections, detention ponds and basins, rip rap, drainage way lining systems, and energy dissipation devices.

DRIVEWAY

Any public or private ingress or egress allowing access between a public street and abutting property.

DRIVEWAY, JOINT ACCESS

A driveway that provides vehicular access to two or more abutting properties from a public street.

DWELLING

Any building or structure or portion thereof, which is arranged, designed or used for residential occupancy on a permanent or long-term basis, not including transient use such as hotels and motels, and which comply with the provisions of this Code and the International Building Code.

DWELLING, ACCESSORY

A secondary dwelling established in conjunction with, and clearly subordinate to, a primary dwelling unit on the same lot, whether a part of the same structure as the primary dwelling unit or in a detached structure.

DWELLING, DUPLEX

A building containing two dwelling units, designed to be occupied by no more than two (2) families living independently from each other, each as a separate housekeeping unit.

DWELLING, LIVE-WORK

An owner –occupied dwelling unit in which a significant portion of the ground floor space includes a non-residential use which is operated by the property owners. Such dwellings shall not include Home Occupations.

DWELLING, MULTI-FAMILY

A building containing three (3) or more dwelling units, designed to be occupied by three (3) or more families living independently of each other, each as a separate housekeeping unit, i.e. apartments or condominiums.

DWELLING, SINGLE-FAMILY, ATTACHED (Zero Lot Line)

A building subdivided by a joint property line and wall which separates the structure into two (2) or more dwelling units, each occupying its own lot. An attached single family structure must meet all front, rear and side yard setback requirements in the zoning district in which it is located, except for the joint property line and wall. Each unit must be separately metered for all utilities and the joint property wall must be fire-rated and extend from the foundation to the roof decking of the structure.

DWELLING, SINGLE- FAMILY DETACHED

An individual detached dwelling unit that is designed to be occupied by no more than one (1) family, living as a separate household unit., excluding mobile homes and double-wide mobile homes.

DWELLING, TOWNHOUSE

Two (2) or more attached single family dwellings which (1) may or may not have a common roof, (2) shall not have a common exterior wall; and (3) are separated from each other by fire resistant walls extending at least from the lowest floor level to the roof.

DWELLING, UNIT

A self-sufficient dwelling that is designed for or used as a residence by a single housekeeping unit with cooking, sleeping and sanitary facilities provided within the dwelling unit. Does not include rooms in a hotel, motel, boarding house, bed & breakfast, or extended stay hotel.

EASEMENT

A right given by an owner of land to another person or entity for specific limited uses of that land.

ACCESS EASEMENT

An easement created for the purpose of providing vehicular or pedestrian access across or to a property.

DRAINAGE EASEMENT

A legal right granted by a landowner to a grantee allowing the use of private land for stormwater management purposes.

UTILITY EASEMENT

A grant by a property owner for the use of real property for the specified purpose of constructing and maintaining utilities including but not limited to: sanitary sewers; water mains, electric lines, telephone lines, cable lines, storm sewer or storm drainage ways and gas lines.

ENGINEER

A professional civil engineer who is registered in the State of Georgia, and who has extensive education or experience regarding structural/mechanical design.

EROSION AND SEDIMENT POLLUTION CONTROL & PLAN

A plan and actions that are designed to minimize the accelerated erosion and sediment run-off at a site during construction activities.

EXTERIOR ARCHITECTURAL FEATURES

The architectural style, general design, and general arrangement of the exterior of a building or other structure including but not limited to the kind of texture of the building material and the type and style of all windows, doors, signs, and other appertainments, architectural fixtures, features, details, or elements relative to the foregoing.

FAA

Federal Aviation Administration

FAÇADE

The exterior of a building facing the principal street entrance, and extending the entire width of the building elevation.

FCC

Federal Communication Commission

FAMILY

A group of individuals related by blood, marriage, adoption, or guardianship, living together, or not more than three persons not so related, living together in a dwelling unit as a single house keeping unit based on an intentionally structured relationship providing organization and stability.

FLOOR AREA

The sum of all square feet of each floor of a building, measured from the interior faces of the exterior walls. The following areas are excluded from the measurement of the floor area: unfinished attics and basements, attached garages or spaces used for off-street parking or loading, breezeways, and enclosed or unenclosed decks and porches.

FILL

A portion of land surface to which soil or other solid material has been added and where the depth is above the original ground surface or excavation grade.

FLEA MARKET

A temporary market held in an open area or structure where groups of individual sellers offer goods for sale to the public.

FLOOD INSURANCE RATE MAP (FIRM)

An official map of the community, issued by the Federal Insurance Administration, delineating the areas of special flood hazard and/or risk premium zones applicable to the community.

FLOODPLAIN

Any land area susceptible to flooding.

FLOOR

The lower horizontal finished surface of each story in a building that is intended to support the contents of the building and its occupants.

GASOLINE STATION WITH CONVENIENCE STORE

A gasoline station that includes a retail store that sells a limited line of groceries and household items.

GUEST HOUSE OR GUEST QUARTERS

An attached or detached accessory building that provides living quarters for guests that does not include a full kitchen facility.

GRADING

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

GRADE, NATURAL

The elevation of the ground surfaces in its natural conditions, prior to any man made alteration resulting in an increase or decrease in elevation relative to Mean Sea Level (MSL).

GRADE, FINISHED

The elevation of the average finished surface level of the ground adjacent to the exterior wall(s) of a building or structure.

GROUP CARE HOME

A facility or dwelling unit licensed by the Georgia Department of Human Services housing persons unrelated by blood, adoption or marriage and operating as a single housekeeping unit under a common house keeping management plan based on an internally structured relationship providing organization.

GRUBBING

The removal of vegetation from land by means of digging, raking, dragging or otherwise disturbing the roots of vegetation and the soil in which such roots are located.

HARDSHIP

A condition of significant practical difficulty in using a lot because of the physical problems relating solely to the size, shape or topography of the lot in question, which are not economic difficulties, and which are not self-imposed.

HEIGHT

When referring to a communications tower or other communications structure, the distance measured from ground level to the highest point on the tower or other structure, even if said highest point is an antenna.

HISTORIC RESOURCE OR HISTORIC PROPERTY

A building, site, district, object, or structure evaluated as historically significant by the City of Lakeland. These are usually, but not necessarily, 50 years of age or older.

HOME OCCUPATION

A business, profession, occupation, or trade conducted within a residential building for gain or support by a resident of the dwelling that is incidental and secondary to the residential use of the building and does not change the essential residential character of the use.

HYDROLOGIC SOIL GROUP (HSG)

A Natural Resource Conservation Service classification system in which soils are categorized into four runoff potential groups. The groups range from soils with high permeability and little runoff production to D soils which have low permeability rates and produce much more runoff.

IMPERVIOUS

A material that water cannot pass through or be absorbed by.

IMPERVIOUS AREA

The number of square feet of hard-surface areas which either prevent or retard the entry of water into the soil, as is entered under natural conditions as undeveloped property, and /or cause water to run off the surface in greater quantities or at an increased rate of flow from that present under natural conditions as undeveloped property.

INDUSTRIALIZED BUILDING

Any structure that is either wholly or in substantial part made, fabricated, formed or assembled in one or more factory built sections or panels in manufacturing facilities for assembly and installation on a building site. An industrialized building is manufactured in such a manner that all parts or processes cannot be inspected at the installation site without disassembly, damage or destruction thereof, and which, when completed, meets or exceeds the requirements of and all development standards for conventionally constructed site built structures as specified by the Department of Community Affairs and current code requirements. Any industrialized home must be designed to be permanently connected to a site-built foundation.

INDUSTRIALIZED HOME

Any residential structure that is either wholly or in substantial part made, fabricated, formed or assembled in one or more factory built sections or panels in manufacturing facilities for assembly and installation on a building site. An industrialized building is manufactured in such a manner that all parts or processes cannot be inspected at the installation site without disassembly, damage or destruction thereof, and which,

when completed, meets or exceeds the requirements of and all development standards for conventionally constructed site built structures as specified by the Department of Community Affairs and current code requirements. Any industrialized home must be designed to be permanently connected to a site-built foundation.

IMPERVIOUS COVER OR SURFACE

Those surfaces that cannot effectively infiltrate rainfall such as building roof tops, pavement, sidewalks, driveways etc.

INFILTRATION

The process of percolating stormwater into the subsoil.

INFILTRATION FACILITY

Any structure or device designed to infiltrate retained water to the subsurface. These facilities may be above grade or below grade.

JUNK

Any scrap, waste, reclaimable material, debris, whether or not stored, for sale or in the process of being dismantled, destroyed, processed, salvaged, stored, baled, disposed, or other used or disposition.

JUNKED VEHICLE

Any wrecked or non-operable dismantled or abandoned automobile, truck, boat, motorcycle, or similar device.

JUNK YARD

Any parcel and/or building which is wholly or partly utilized for the parking, storage or disassembling of junked vehicles, wrecked or inoperable automobiles, trucks or other vehicles; storage, bailing or otherwise dealing in bones, animal hides, scrap iron and other metals, used paper, used cloth, used plumbing fixtures, old household appliances, scrap tires and used building materials. These uses shall be considered junkyards, salvage operations or recyclable material wholesalers.

JURISDICTIONAL WETLAND

An area that is inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support a prevalence of vegetation typically adapted for life in saturated soil conditions, commonly known as hydrophytic vegetation.

LAND DISTURBANCE ACTIVITY

Any activity which changes the volume or peak flow discharge rate of rainfall runoff from the land surface. This may include the grading, digging, cutting, scraping, or excavating of soil, placement of fill materials, paving, construction, substantial removal of vegetation, or any activity which bares soil or rock or involves the diversion or piping of any natural or man-made watercourse.

LAND OWNER

The legal or beneficial owner of land, including those holding the right to purchase or lease the land, or any other person holding proprietary rights in the land.

LOADING SPACE

A space within the principal building or on the same lot, providing for the standing, loading or unloading of trucks and other carriers.

LOT (plot, parcel)

A parcel of land occupied or intended for occupancy by a use that includes or will include at least one (1) structure together with any accessory structure, yard, open space, buffer area, or parking spaces as required by this Code.

LOT AREA

The total area within the boundaries of a lot.

LOT, CONFORMING

A lot that meets all the requirements of this Code.

LOT, CORNER

A lot located at the junction of two (2) or more public rights-of-way.

LOT COVERAGE

The percentage of total area of a lot that is occupied by buildings.

LOT, DOUBLE FRONTAGE

A lot other than a corner lot that abuts two streets.

LOT, FLAG

A lot not meeting minimum road frontage requirements and where access to the lot from a public road is achieved by a narrow strip of land (flag pole).

LOT LINE

The boundary of a lot.

LOT WIDTH

The width of a lot at the required front setback line measured parallel to the street right-of-way.

LOT OF RECORD

Any contiguous parcel of land designed as a separate and distinct parcel of land on a legally recorded, approved subdivision plat or in a legally recorded deed as filed in the official records of the Clerk of Court for the City of Lakeland/Lanier County prior to the date of the adoption of this Code.

LOT SPLIT

The platting of real property into no more than two parcels, lots, tracts, tiers, blocks, sites, units, or any other division of land.

MAINTENANCE AGREEMENT

A legally recorded document that acts as a property deed restriction, and which provides for long-term maintenance of stormwater management practices.

MANUFACTURED HOME

A dwelling fabricated in an off-site facility for installation or assembly at the building site, bearing a label certifying that it is constructed in compliance with the Federal Manufactured Home and Standards Act, 42 U.S.C. 5401 – 5445, and meeting each of the following standards:

1. The term “manufactured home” includes a structure, transportable in one or more sections;
2. Which in the traveling mode is 8 body feet or more in width or 40 body feet or more in length or, when erected on site, is 320 or more square feet in floor area;

3. Which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities and includes the plumbing, heating, air-conditioning, and electrical systems contained therein; and

4. Which is manufactured after June 15, 1976.

MANUFACTURED HOME PARK

A parcel of land (or contiguous parcels) divided into two or more manufactured home lots for rent or sale.

MEAN SEA LEVEL

The average height of the sea for all stages of the tide. For purposes of this Code, the term is synonymous with the National Geodetic Vertical Datum (NGVD).

MINI-WAREHOUSE

A building or group of buildings that contain(s) individual, compartmentalized stalls or lockers used for storage, including accessory office, but not including retail sale on the premises, commercial repair or other services, manufacturing, outside storage, or any other commercial use.

MOBILE HOME

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

MODULAR HOME – see industrialized home

MIXED USE

A single building containing more than one type of land use or a single development of more than one building and use, where the different types of land uses are in close proximity, planned as a unified whole, and functionally integrated.

NATIVE VEGETATION

Any indigenous tree, plant or shrub adapted to soil and climatic conditions on site.

NON-CONFORMING LOT OF RECORD

A lot of record on the effective date of this Code, that does not comply with the current requirements of this Code, but was lawfully established and authorized by the City of Lakeland.

NON-CONFORMING STRUCTURE

Any lawfully existing structure or building on the effective date of this Code that does not comply with all of the provisions of this Code.

NON-CONFORMING USE

Any use lawfully being made of any land, building, or structure on the effective date of this Code that does not comply with the provisions of this Code.

NONPOINT SOURCE POLLUTION

Pollution from any sources other than from any discernible, confined and discrete conveyances, and shall include but not limited to, pollutants from agricultural, silvicultural mining, construction, subsurface disposal and urban runoff sources.

NON-RESIDENTIAL PROPERTY

Any property developed for commercial, industrial, governmental or institutional use including churches, hospitals, and other such institutions, but excluding undeveloped property and property used exclusively for agricultural purposes.

OBSTRUCTION OF FLOW

Any development that blocks the conveyance of floodwaters such that the development alone, or together with any future development, will cause an increase in the base flood elevation.

OFF-SITE FACILITY

A stormwater management measure located outside the subject property boundary described in the permit application for land development activity.

ON-SITE FACILITY

A stormwater management measure located within the subject property boundary described in the permit application for land development activity.

OPERATOR – see developer

OPEN SPACE

Any lot area not used for or occupied by a driveway, off-street parking or loading space, refuse storage, or structure.

OUTDOOR STORAGE

The keeping in an outdoor area, if not fully screened from public view, of any goods, material, merchandise, or vehicles in the same place for more than seven (7) consecutive days whether for storage, display, processing or sale.

OVERLAY ZONE

A defined geographic area that encompasses one or more underlying zoning districts and that imposes additional requirements above those required by the underlying zoning district. An overlay zone can have the same boundaries as the existing zoning districts or contain only parts of one or more such districts.

PARCEL OF LAND

Any plot, lot or acreage shown as a unit on the latest County tax assessment records.

PARKING SPACE

An area designed for the temporary storage of a motor vehicle.

PAVING

An area covered by asphalt, concrete, brick or pavers meeting the specifications of the City. Pervious paving materials are subject to approval by the Zoning Administrator/City Engineer.

PERMIT

The authorization necessary to conduct a land-disturbing activity, land development activity, building construction, or other activity regulated by the City of Lakeland that requires an official authorization as provided in this Code.

PERSONAL CARE HOME

Buildings in which is provided for the housing, meals, and 24 hour continuous watchful oversight for one or more ambulatory adults and which is licensed as a personal care home by the State of Georgia Department of Human Resources, including:

1. Personal Care Home, Family: a personal care home which offers care to at least 4, but no more than 6 persons.
2. Personal Care Home, Group: a personal care home which offers care to at least 7, but no more than 15 persons.
3. Personal Care Home, Congregate: A personal care home which offers care to 16 or more persons.

PET

A domestic animal, not including bees, livestock or poultry, which is cared for by members of a household for companionship.

PLANNING COMMISSION

The Lakeland/Lanier County Planning Advisory Commission, as established by the City and County governments in accordance with Georgia General Act No 358, 1957, as amended.

PLAT

A map, plan or other graphic layout of a lot, lot tract, parcel or subdivision indicating the location and boundaries of one or more properties along with improvements subject to this Code.

PLAT, FINAL

A finished drawing or map of a subdivision or development site plan, meeting all of the requirements of this Code and approved by the City of Lakeland and fully certified for recording.

PLAT, PRELIMINARY

A tentative plan of a proposed subdivision or development meeting the specified requirements of this Code and showing the layout in sufficient detail to allow an evaluation of the proposed project.

PORTABLE ON DEMAND STORAGE UNITS (PODS)

Portable sheds (hereinafter referred to as “PODS”) that are loaded with materials and placed on a residential or commercial property for the purpose of storing materials.

PROPERTY LINE

The legal boundary that separates a lot or parcel of land from other lots or parcels or right-of-way as recorded by a graphic description on a subdivision plat of record or a survey.

PUBLIC HEARING

An official session of any elected or appointed board advertised according to law.

PUBLIC IMPROVEMENTS

Any improvement, facility, or service together with its associated public site or right-of-way. Public improvements differ from lot improvements because public improvements are constructed either on public property, or on the portion of a site undergoing development that is to be dedicated for public ownership and maintenance. Common examples of public improvements include, but are not limited to, streets, sidewalks, curbs, traffic control devices, street lights, and utilities.

PUBLIC USES

Buildings, structures and uses of land by a unit of government, including but not restricted to government administration, water treatment facilities, streets, libraries, public schools, parks, playgrounds, recreation centers and fire stations.

RECHARGE

The replenishment of underground water reserves.

RECREATIONAL VEHICLE

A camper, trailer, motor home or similar vehicle that is:

1. Built on a single chassis; and
2. Designed to be self-propelled or towable by a non-commercial vehicle; and
3. Designed primarily for use as temporary living quarters for recreational, camping, travel or seasonal use.

RECREATIONAL VEHICLE PARK

Any area that is occupied or intended for occupancy by transients using recreational vehicles, mobile trailers or tents as temporary living quarters for recreation, education or vacation purposes and is open to the public.

RELIGIOUS FACILITY

A building in which persons regularly assemble for religious worship, and that is maintained and controlled by a religious body organized to sustain public worship.

RECYCLABLE MATERIAL WHOLESALER – see Junk Yard

REDEVELOPMENT

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

RESERVE STRIP

A strip or parcel of land along, around, or between properties, the sole purpose of which is to restrict access.

RIGHT OF WAY (PUBLIC)

A strip of land dedicated to, designated, reserved or deeded to the City, County or State, on which facilities such as roads, railroads, canals, utilities, and other similar uses exist or may be constructed.

RIGHT OF WAY LINE

The dividing line between a lot, tract or parcel of land and a contiguous right-of-way.

RIGHT OF WAY WIDTH

The distance between property lines measured at right angles to the centerline of the street.

ROAD FRONTAGE

The length of the lot line of any one lot or parcel along a street on which it borders, including proposed streets, within a subdivision of land approved by the City of Lakeland.

SALVAGE OPERATION – see Junk Yard

SANITARY SEWER

A pipe or conduit that carries wastewater.

SETBACK

The shortest distance between the right-of-way of a street or an adjacent lot line and the nearest part of a building as prescribed in this Code for specific districts. Primary and accessory buildings may not be placed within a required setback.

SEWER, PUBLIC

A common sewer controlled by a government agency or public utility. A pipe or conduit that carries wastewater or stormwater.

SIDEWALK

That portion of the right-of way which is parallel to the street or road which is intended for pedestrian traffic.

SIGHT DISTANCE TRIANGLE

The area of property in the quadrant of an intersection located within a triangle formed by a diagonal line that connects two points at a certain distance away from the intersection of the right of way lines of two intersecting streets or the intersection of a street and a driveway. The dimensions of the triangle shall be determined using the Geometric Design of Highways and Streets published by the American Association of State Highway and Transportation Officials.

SIGN,

ABANDONED SIGN

a. A sign, including a sign structure, is abandoned if it is located on a parcel that was previously occupied, but the use has been discontinued or all buildings on the parcel containing the sign have been vacated for a period of more than 6 months and no building permit or occupational permit has been issued for the parcel during that six month period and the sign has not been well maintained for a 120-day period.

b. Any sign the owner of which cannot be located at the owner's last address as reflected on the records kept by the Zoning Administrator;

c. Any sign no longer fully supported, by the structure designed to support the sign.

A-FRAMED SIGN

A double-faced, temporary sign, constructed with an A-shaped frame, composed of two sign boards attached at the top and separate at the bottom, not permanently attached to the ground, but secured to the ground or sufficiently weighted to prevent the sign from being blown from its location or easily moved.

ANIMATED SIGN

A sign that depicts action or motion or that changes color; an animated sign differs from a flashing sign in that it uses movement to create a special effect or scene.

AWNING/ CANOPY SIGN

Any sign that is suspended from, attached to, or forming a part of any canopy or awning, whether or not that canopy or awning is part of a permanent building or structure.

BANNER SIGN

Any sign having characters, letters, illustrations, or ornamentations applied to cloth, paper, balloons, or fabric of any kind. The foundation of such signs shall consist only of cloth, paper, balloons, plastic or fabric.

COPY

The text or graphics on a sign surface either in permanent or removable form.

COPY AREA/ SIGN FACE

The area in square feet of the smallest geometric figure that describes the total area enclosed by the actual copy of a sign. For wall or canopy signs, the copy area limits refer to the message, not to the illuminated background.

CONSTRUCTION SIGN

Any sign that is placed at a construction site that has received development plan approval.

DILAPIDATED SIGN

Any sign that is structurally unsound or potentially dangerous or any sign face that is illegible due to damage or lack of maintenance that is not prepared to meet City Codes within 30 days after written notification by the Zoning Administrator to the property owner or sign owner.

DIRECTIONAL SIGN

A sign which is intended only to provide directions for vehicular or pedestrian traffic. Other than a business logo, such signs shall contain no wording which does not provide directions.

DOUBLE-FACED SIGN (= back to back sign)

A sign with two (2) faces which are parallel, or in the case of a V-shaped sign has an interior angle of less than sixty (60) degrees.

ENTRANCE SIGN

A type of ground sign placed at the vehicular entrance or exit of an office park, institutional use, industrial park, residential development, shopping center or platted subdivision development where it accesses an external public roadway and is located within the platted portion of the development.

FACE

The portion of a sign on which the copy, message, or other visual image to be communicated is placed or is intended or designed to be placed.

FLASHING SIGN

Any sign utilizing a continually or intermittent or sequentially flashing light source.

FREE STANDING SIGN

A sign not attached to any building or structure and is entirely supported by structures that are permanently placed on or in the ground, including one or more poles.

GOVERNMENT SIGN

A sign posted, or required to be posted, by this municipality, another governmental agency, the State of Georgia, or the federal government.

GROUND SIGN/MONUMENT SIGN

Any sign that is permanently affixed to the ground, both flush to the ground or on poles and not attached to an adjoining building. Ground signs include pole signs, monument signs, freestanding signs and detached signs.

ILLUMINATED SIGN

Any sign designed to emit artificial light or designed to reflect light from one or more sources of artificial light.

MESSAGE SIGN

An electronically changeable sign upon which graphic displays, symbols, or words can be varied upon the face or faces of the sign to display time, temperature, public service, or other general information.

OFF-PREMISE/BILLBOARD SIGN

A sign that advertises a use, establishment, product or service sold, produced, manufactured, or furnished at a place other than on the real property on which said sign is located. Billboard signs are signs 300 sq.ft or larger in area.

POLITICAL SIGN

A temporary sign advertising a candidate for public office, a political party, or a measure or issue scheduled for an election or referendum.

PORTABLE SIGN

Any sign supported by its own frame or trailer, with or without wheels, which is designed to be transported from one place to another. This does not include typical sandwich or A-frame signs.

PROJECT MARKETING SIGN

A temporary sign indicating that real property which is located within the common development site on which such sign is placed, is available for rent, sale, or lease.

REAL ESTATE SIGN

A temporary sign indicating that the lot on which the sign is located, or any building or structure located thereon, is for sale, rent, or lease.

ROOF SIGN

Any sign erected over or on the roof of a building.

SIGN AREA

The entire face of a sign including the area to which the sign's message is attached, and any framing, trim, or molding, but not including the support structure for free standing pole mounted signs. The sign area for free standing monument signs does include the support structure.

SNIFE SIGN

A sign of any material whatsoever that is attached in any way to a utility pole, tree, fence, rock, or any other similar object located on public or private property.

SPECIAL EVENT SIGN

A sign erected on a temporary basis by a community, not for profit organization, containing any lawful message.

TEMPORARY SIGN

A sign, that advertises for a limited period of time political candidates, parties, or issues; a building under construction' real estate for sale, rent, or lease; business grand openings; or other special events.

WALL SIGN

A sign erected parallel and attached to the outside wall façade of any building or fence, including flat, painted, individual letter, or cabinet signs, no more than 12" beyond the wall.

WELL MAINTAINED SIGN

Any sign where the lettering is securely attached and aligned as originally designed; any sign whose painted surfaces have not been allowed to peel, flake, fade, or oxidize to the extent that the sign no longer displays its original message; any sign that does not have similar conditions of disrepair or lacks maintenance as determined by the Zoning Administrator; and for lighted signs, any sign whose illumination devices are fully working as designed.

WINDOW SIGN

Any sign, excluding identification and incidental signs, placed inside or upon a window, and intended to be seen from the outside. The term does not include merchandise included inside the window.

SPECIAL EVENTS

Events of a temporary nature including outdoor meetings, auctions, bake sales, car washes, yard sales from other than residential properties, carnivals, special outdoor entertainment and similar activities which are not part of the property's normal use and which are not otherwise permitted on the site. Outdoor displays or sales accessory to an established retail use are not considered special events.

STOP WORK ORDER

An order issued which requires that all construction activity on a site be stopped.

STORMWATER MANAGEMENT

The use of structural or non-structural practices that are designed to reduce stormwater runoff pollutant loads, discharge volumes, and/or peak flow discharge rates.

STORMWATER RETROFIT

A stormwater management practice designed for an existing development site that previously had either no stormwater management practice in place or a practice inadequate to meet the stormwater management requirements of the site.

STORMWATER RUNOFF

The flow on the surface of the ground, resulting from precipitation, which reaches a drainage system.

STORMWATER TREATMENT PRACTICES (STPs)

Measures, either structural or nonstructural that are determined to be the most effective, practical means of preventing or reducing point source or nonpoint source pollution inputs to stormwater runoff and water bodies.

STREET or ROAD

This term includes streets, roads, sidewalks, alleys, highways and other ways open to travel by the public including the roadbed, right-of-way, and all culverts, drains, sluices, ditches, water storage areas, waterways, embankments, slopes, retaining walls, bridges, tunnels, viaducts necessary for the maintenance of travel. This definition does not include any private street or way that is not constructed in conformance with the provision of this Code.

STREET or ROAD CLASSIFICATIONS

ARTERIAL (MAJOR / MINOR):

A road providing service that is relatively continuous and of a relatively high traffic volume, long average trip length, and a high operating speed. In addition, every United States numbered highway is an arterial road.

CONNECTOR/ COLLECTOR

A road providing service that is of relatively moderate traffic volume, moderate trip length and moderate operating speed. Such a road/street also collects and distributes traffic between local streets and arterial streets.

LOCAL ROAD

A road providing service which is of low average traffic volume, short trip length or minimal through traffic and high access for abutting property.

STREET, CONTROLLED ACCESS

The right-of-way of a public street, road or highway where curb cuts are prohibited or limited because of potential interference with safe and efficient movement of vehicles.

STREET, DEAD END (CUL-DE-SAC)

A local street or road with one outlet and having an appropriate terminal for safe and convenient reversal of traffic movement in compliance with Fire Marshal Safety Regulations.

STREET, GRADE

The percent change in vertical elevation of the street centerline measured along the finished surface of the street.

STREET, FRONTAGE

The width in linear feet of a lot or parcel where it abuts the right-of-way of any public street.

STREET, HALF

A street or road adjacent to a subdivision tract boundary where only half the required right-of-way and road improvements are provided within the proposed subdivision and the responsibility for the other half is undecided or is left to the adjacent property owner.

STREET, JOG

Where two streets or two portions of a single street are separated by a relatively short distance, usually at their intersection with another street.

STREET LIGHT

A pole or pedestal mounted luminary, 10 – 12 feet in height, with a metal halide or other full spectrum bulb.

STREET, PRIVATE

Any privately owned and maintained right-of-way set aside to provide vehicular access, including safety and emergency equipment, which is not dedicated to the City and which is not maintained by the City.

STREET, PUBLIC

Right-of-way dedicated to or owned by a public government agency for the purpose of providing principal access to abutting property.

STREET, SHOULDER

That portion of the street or road from the outer edge of the paved surface or back of curb to the inside edge of the ditch or gutter or original ground surface.

STREET, SUBSTANDARD

A street which does not meet the specifications of this Code.

STRUCTURE

Anything constructed or installed, the use of which requires location on a parcel of land. It does not include a movable structure, even when it is located on land that can be used for housing, business, commercial, agricultural, or office purposes. "Structure" also includes fences, billboards, swimming pools, and signs. Structures shall meet International Building Code Requirements and be permanently affixed.

STRUCTURE, PRE-CONSTRUCTED – see modular home and industrialized building

SUBDIVISION

The cumulative platting of real property into three or more parcels, lots, tracts, tiers, blocks, sites, units, or any other division of land, including all division of land involving a new street or a change in existing streets.

SUBSTANTIAL DAMAGE

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

SUBSTANTIAL RENOVATION

Renovation to a structure whereby the cost of renovating the structure would equal or exceed fifty percent of the market value of the structure before the renovation.

SURVEY, AS-BUILT

Drawings specifying the dimensions, location, capacities and operational capabilities of structures and facilities as they have been constructed.

SURVEYOR

A professional surveyor who is registered in the State of Georgia.

TAX ASSESSOR

The Lanier County Board of Tax Assessors.

TEMPORARY USE/BUILDING

Land uses/buildings established for a limited duration with the intent to discontinue/remove such use within a designated time period.

TOWER

Any structure that is designed and constructed primarily for the purpose of supporting one or more antennas, including self-supporting lattice towers, guy towers, or monopole towers. The term includes but is not limited to radio and television transmission towers, microwave towers, common-carrier towers, communication towers, alternative tower structures.

UTILITY

Public or private water, stormwater, or sewer piping systems, water or sewer pumping stations, electric power lines, fuel pipelines, telephone lines, roads, driveways, bridges, river/lake access facilities, stormwater system, railroads, similar services and all equipment and structures necessary to provide such services for utilities licensed or authorized to serve the City.

VARIANCE

A grant of relief from the dimensional requirements of this Code which permits construction in a manner otherwise prohibited by this Code where specific enforcement would result in unnecessary hardship. See Chapter 10 of this Code.

WATERCOURSE

A permanent or intermittent stream or other body of water, either natural or man-made, which gathers or carries surface water.

YARD

An open space at grade between a building and the property lines of the lot on which the building is located. A yard is unoccupied and unobstructed from the ground upward, except as otherwise provided in this code.

YARD, FRONT

A yard extending the full width of a lot, bounded by the side lot lines, front property line and the front of the principal building or any projections thereof. In all cases, the main building and any projections thereof must be behind the line of minimum lot width.

YARD, REAR

A yard extending the full width of the rear of a lot between the side lot lines and the rear property lines and being the minimum required distance between the rear property line and the rear of the principal building or any projections thereof. On all lots the rear yard shall be the opposite end of the lot from the front yard.

YARD, REQUIRED

A yard situated between a lot line and the setback line established by the zoning district for the principal building or structure.

YARD, SIDE

A yard between the principal building and the side line of the lot, extending from the required front yard to the required rear yard, and being the minimum required distance between a side property line and the side of the principal building or any projections thereof.

ZONING ADMINISTRATOR

The officially appointed administrator of the City of Lakeland, or his/her designee, who is responsible for administering all elements of the City's Zoning Ordinance.

ZONING DISTRICT

One or more sections of the City as set forth in this Code and delineated and designated on the zoning maps, within which the zoning regulations are uniform.

ZONING MAP (map, zoning map of City of Lakeland, GA)

ZONING ORDINANCE

The zoning ordinance or land development code enacted by the Lakeland City Council, Georgia, as duly amended.

Chapter Three **Zoning Districts**

3-1 General Provisions

3-1.1 Purpose

The purpose of this section is to describe the specific uses and restrictions that apply to zoning districts in the City of Lakeland. These regulations are intended to allow development and use of property in compliance with the goals and policies of the City as expressed in the Lanier County and City of Lakeland Comprehensive Plan.

3-1.2 Permitted Uses

Principal permitted uses and structures for each zoning district are listed in Table 3-1 “Table of Permitted Uses”. In some instances, additional requirements and limitations on principal uses and structures are contained in the individual sections addressing each zoning district in this Chapter or are separately addressed under “Supplemental Standards”.

3-1.3 Accessory Structures

Accessory uses and structures may be permitted in each zoning district in accordance with Table 3-1 “Table of Permitted Uses” and as provided in the standards of Chapter 4 and Chapter 5 of this Code.

3-1.4 Development Standards

Property may be developed in accordance with Chapter 4, Table 4-1, Development Standards, and Chapter 5, Supplemental Standards.

3-1.5 Supplemental Standards

Certain uses may be permitted in each zoning district as provided in the standards of Chapter 5.

3-2 Zoning Districts

The City of Lakeland is hereby divided into eight (8) zoning districts. There are five (5) residential districts (R-1, R-2, R-3, RA, RC), two (2) commercial or mixed use districts (CBD, GB), and one (1) industrial district (I). A special Planned Development District (PD) is available for combined rezoning/site plan projects which have unique characteristics that will benefit the City of Lakeland.

3-2.1 RA (RESIDENTIAL AGRICULTURAL)

1. Purpose

The purpose of the RA District is to provide and protect an environment suitable for productive agriculture, together with such other uses as may be necessary to and compatible with productive agricultural surroundings. Residential densities are restricted to a maximum of one dwelling unit per 20,000 square feet, and agricultural operation is restricted to lots with a minimum of 5 acres.

2. Permitted Uses

See Table 3-1

3. Additional Development Standards

See Chapter 5 “Supplemental Standards”

4. Lot Size Requirements & Dimensional Standards

See Chapter 4, Table 4-1

5. Parking & Loading Requirements

See Chapter 4, Table 4-4

6. Landscaping Requirements

See Chapter 4

3-2.2 RC (RESIDENTIAL CONSERVATION)

1. Purpose

The purpose of the RC District is to provide for low impact residential uses and densities within an environmentally sensitive area. Lot sizes are restricted to a maximum of one dwelling unit per acre and commercial or agricultural uses are not permitted.

2. Permitted Uses

See Table 3-1

3. Additional Development Standards

See Chapter 5 “Supplemental Standards”

4. Lot Size Requirements & Dimensional Standards

See Chapter 4, Table 4-1

5. Parking & Loading Requirements

See Chapter 4, Table 4-4

6. Landscaping Requirements

See Chapter 4

3-2.3 R-1 (RESIDENTIAL SINGLE FAMILY)

1. Purpose

The purpose of the R-1 District is to provide for single family detached residential uses on lots with a minimum of 10,000 square feet.

2. Permitted Uses

See Table 3-1

3. Additional Development Standards

See Chapter 5 “Supplemental Standards”

4. Lot Size Requirements & Dimensional Standards

See Chapter 4, Table 4-1

5. Parking & Loading Requirements

See Chapter 4, Table 4-4

6. Landscaping Requirements

See Chapter 4

3-2.4 R-2 (RESIDENTIAL SINGLE FAMILY)

1. Purpose

The purpose of the R-2 District is to provide for single family detached residences on moderately sized lots with a minimum of 7,000 square feet.

2. Permitted Uses

See Table 3-1

3. Additional Development Standards

See Chapter 5 “Supplemental Standards”

4. Lot Size Requirements & Dimensional Standards

See Chapter 4, Table 4-1

5. Parking & Loading Requirements

See Chapter 4, Table 4-4

6. Landscaping Requirements

See Chapter 4

3-3.5 R-3 (RESIDENTIAL MIXED FAMILY)

1. Purpose

The purpose of the R-3 District is to provide for a balanced mix of single family detached, single family attached, manufactured homes, duplex and multi-family housing on moderately sized lots. R-3 is also intended to provide and protect an environment suitable for limited retail trade and service activities covering a relatively small geographic area and that are intended to serve the population in surrounding neighborhoods.

2. Permitted Uses

See Table 3-1

3. Additional Development Standards

See Chapter 5 “Supplemental Standards”

4. Lot Size Requirements & Dimensional Standards

See Chapter 4, Table 4-1

5. Parking & Loading Requirements

See Chapter 4, Table 4-4

6. Landscaping Requirements

See Chapter 4

3-3.6 GB (GENERAL BUSINESS)

1. Purpose

The purpose of the GB District is to provide and protect an environment for a wide variety of commercial uses for the various types of community and regionally oriented commercial activities including retail and wholesale that serve a large sector of the population. GB districts are intended to be located along major arterial streets and at locations that are appropriate for larger or more intense commercial businesses.

2. Permitted Uses

See Table 3-1

3. Additional Development Standards

See Chapter 5 “Supplemental Standards”

4. Lot Size Requirements & Dimensional Standards

See Chapter 4, Table 4-1

5. Parking & Loading Requirements

See Chapter 4, Table 4-4

6. Landscaping Requirements

See Chapter 4

3-3.7 CBD (CENTRAL BUSINESS)

1. Purpose

The purpose of the CBD District is to provide and protect an environment for a wide variety of commercial uses for the various types of community and downtown oriented commercial activities. CBD districts are intended to be located around the city center at densities that are higher than the surrounding districts.

2. Permitted Uses

See Table 3-1

3. Additional Development Standards

See Chapter 5 “Supplemental Standards”

4. Lot Size Requirements & Dimensional Standards

See Chapter 4, Table 4-1

5. Parking & Loading Requirements

See Chapter 4, Table 4-4

6. Landscaping Requirements

See Chapter 4

3-3.8 I (INDUSTRIAL)

1. Purpose

The purpose of the I District is to provide and protect an environment that is suitable for manufacturing, wholesale, and warehousing activities that do not impose undesirable noise, vibration, odor, dust or other offensive effects on the surrounding area, together with such other uses as may be necessary to and compatible with light industrial surroundings.

2. Permitted Uses

See Table 3-1

3. Additional Development Standards

See Chapter 5 “Supplemental Standards”

4. Lot Size Requirements & Dimensional Standards

See Chapter 4, Table 4-1

5. Parking & Loading Requirements

See Chapter 4, Table 4-4

6. Landscaping Requirements

See Chapter 4

3-3.9 PD (PLANNED DEVELOPMENT)

1. Purpose

Planned Development Districts are intended to provide an alternative method of land development and redevelopment, not available within the framework of the standard zoning districts. Planned Development Districts are intended to promote flexibility of design and allow for planned diversification and integration of uses and structures while at the same time retaining for the City Commission the absolute authority to establish such conditions, limitations and regulations as it deems necessary to maintain community aesthetics and to protect the public health, safety and general welfare. Planned Development Districts are intended to achieve the following:

- a. Accomplish a more desirable development pattern than would be possible through strict adherence to the standard zoning districts.
- b. Accommodate a mixture of uses and/or development patterns which are compatible both internally and externally through sign control, building orientations, combination of architectural styles, building forms and landscaping, design or other techniques which may be appropriate to a particular development proposal.
- c. Encourage flexible and creative concepts of site development planning.
- d. Preserve natural amenities of the land by encouraging scenic and functional open areas.
- e. Encourage a more efficient use of land resulting in smaller networks of streets and utilities, thereby lowering development and housing cost.
- f. Maintain consistency with goals, policies and Character Areas of the Comprehensive Plan.

2. Permitted Uses

See Table 3-1

3. Additional Development Standards

See Chapter 4 “Supplemental Standards”

4. Lot Size Requirements & Dimensional Standards

See Chapter 4, Table 4-1

5. Parking & Loading Requirements

See Chapter 4, Table 4-4

6. Landscaping Requirements

See Chapter 4

3-3 Table of Permitted Uses

1. The uses listed in Table 3-1 shall be permitted only in the zoning district where the uses are listed, and only in the manner so listed. No use shall be permitted and no structure associated with such use shall be constructed, altered or enlarged unless the use is permitted as one of the following:

“P”: A permitted use in the zoning district, an “x” is a use that may be considered in the PD district.

2. Any use not listed with the letter “P” in a particular zoning district shall be prohibited in that zoning district, unless it is a non-conforming use lawfully established prior to the effective of the regulation that rendered it non-conforming.

3. Public Utilities shall be allowed in all zoning districts within the city in order to serve the public health, safety, and welfare. Such use shall only be approved after a public hearing is held to the proposed public utility. Utility stations shall comply with applicable design standards in order to blend in with other adjacent land uses.

4. Public parks shall be allowed in all zoning districts within the city in order to serve the public health, safety and welfare.

5. Specific site design and development standards are contained in Chapters 4 and 5.

6. Any use listed with a “yes” in the column headed by the words “Suppl. Reg” shall satisfy the applicable supplemental use standards as shown in Chapter 5, in addition to the development regulations of the district in which it is located as shown in Chapter 4.

Uses	Supplemental Regulations	R-A	R-C	R-1	R-2	R-3	CBD	G-B	I	PD
Agricultural										
Agricultural & Farm Operations (Crops, Livestock & Specialties)		p								
Agricultural Manufacturing (such as chemicals, food & similar products, lumber & wood products except furniture)									p	
Agricultural Processing, Sales, Indoor and Outdoor Storage		p								
Agricultural Services		p								
Agricultural Retail (such as farm equipment & related accessories, road side farm stand)		p								
Commercial Greenhouse		p								
Fishing, Hunting		p								
Forestry		p								
Kennels	y	p								
Plant Nurseries		p								
Riding Stables	y (Min acreage)	p								x
Residential										
Single Family		p	p	p	p	p				x
Two-Family (Duplex)	y					p				x
Multi-Family						p				x
Manufactured Home	y					p				x
Modular Home	y	p	p	p	p	p				x
Mother-In-Law Apt (attached only)		p		p	p	p				x
Town Home					p	p				x
Loft/Apartment	y						p			x
Institutional										
Colleges & Universities, public or private							p	p		x
Family Personal Care Homes (less than six people)	y	p		p	p	p				x

Uses	Supplemental Regulations	R-A	R-C	R-1	R-2	R-3	CBD	G-B	I	PD
Group Care Homes (six or more people)	y	p				p		p		x
Government & Civic Buildings including Library, Museum and other Cultural Facilities		p				p	p	p		x
Police, Fire, EMS (Public)		p	p	p	p	p	p	p	p	x
Postal Services						p	p	p	p	x
Recreational Facilities		p			p	p	p	p	p	x
Religious Facilities	y	p		p	p	p	p	p		x
School, Public or Private (Pre K – 12)		p		p	p	p	p	p		x
School, Business/ Vocational							p	p	p	x
Commercial										
Adult Entertainment Uses	y								p	
Alcohol & Liquor Stores	y						p	p		
Amusement Arcade	y						p	p		x
Animal Hospital (incl. Emergency)	y	p					p	p	p	x
Animal Shelter & Kennels	y	p						p	p	x
Automobile, Truck & other Motor Vehicle Sales & Service								p		x
Bait & Tackle							p	p		x
Bed & Breakfast Lodging	y	p			p	p	p	p		x
Building Materials & Supply Store	y							p	p	x
Business Services such as Mailing, Copying, Printing							p	p	p	x
Cemeteries (Human, Pet)	y	p		p	p	p	p	p		x
Car Washes	y							p		x
Club, Lodge or other similar non-commercial Association	y					p	p	p		x
Commercial Recreation (such as Billiard Halls, Bowling Alley, Roller Skating Ring)	y							p		x
Convenience Store								p	p	x
Day Care Center	y	p			p	p	p	p	p	x

Uses	Supplemental Regulations	R-A	R-C	R-1	R-2	R-3	CBD	G-B	I	PD
Dry Cleaner							p	p		x
Department Store								p		x
Farmer's Market		p				p	p	p	p	x
Flea Market	y							p	p	x
Financial Institutions							p	p		x
Freight & Moving Company									p	x
Funeral Home						p		p		x
Gasoline Service Station	y							p	p	x
Golf Club with Course		p								x
Grain, Seed & Farm Supply Store		p						p	p	x
Grocery Store							p	p		x
Home Occupation	y	p	p	p	p	p	p	p		x
Hospital		p				p	p	p		x
Hotel, Motel							p	p		x
Indoor Gun Range	y	p							p	x
Laundromat						p	p	p		x
Lounge, Bar, Nightclub							p	p		x
Medical & Dental Clinic						p	p	p		x
Medical & Research Laboratories							p		p	x
Mini-Storage/Self Storage									p	x
Movie Rental						p	p	p		x
Nursing Home		p						p		x
Outdoor Recreation (such as Miniature Golf)								p	p	x
Parking Garage							p	p	p	x
Personal Services (such as Beauty Shop, Barber, Massage, Shoe Repair, Travel Agency)						p	p	p		x
Professional Offices (such as Accountant, Lawyer, Realtor, Engineer, Architect, Surveyor, Tax Return, Detective)						p	p	p		x
Restaurant						p	p	p		x
Retail Stores up to 2,500.sq. ft. (such as						p	p	p		x

Uses	Supplemental Regulations	R-A	R-C	R-1	R-2	R-3	CBD	G-B	I	PD
Clothing, Furniture, Food Stores, and Drug Stores). No outdoor storage.										
Retail Stores (General Retail, no size limitation, such as Drug Stores, Sporting Goods, Hobby, Toy & Games, Misc. Retail), No outdoor storage.							p	p		x
Small Appliance or Equipment Repair Shop						p	p	p		x
Specialty Retail (such as small gift shops, antique stores, jewelry stores, book stores, Florists). No outdoor storage.						p	p	p		x
Studios (such as Arts, Music, Dancing, Photography)						p	p	p		x
Theaters, Movie or Performing Arts							p	p		x
Trades and Repair Services (such as Electrical, Heating & Air Conditioning, Painting, Plumbing)							p	p		x
Vehicle Sales (with outdoor storage such as Automobile, Truck, Motorcycle, ATV, Golf cart, Boat or RV sales)								p		x
Veterinary Services	y	p					p	p	p	x
Industrial										
Bulk Storage Yard									p	
Construction Services incl. heavy equipment sales & service									p	
Fueling & Fuel Storage Facilities									p	
Heavy Industrial Manufacturing (with odor, noise, vibration and other nuisance impacts on adjacent properties)									p	
Industrialized Buildings, Non-Residential	y								p	
Light Industrial Manufacturing (do not impose undesirable noise, vibration, odor, dust or other offensive effects on the surrounding area)									p	
Millwork									p	

Uses	Supplemental Regulations	R-A	R-C	R-1	R-2	R-3	CBD	G-B	I	PD
Manufactured Home Dealers									p	
Motor Freight Transportation & Warehousing									p	
Salvage Operations & Junk Yard	y								p	
Scrap, Waste, land clearing and yard trash recycling	y								p	
Warehousing (not including Mini-Storage)									p	
Wholesale Trade									p	
Utility										
Airport, public & private									p	
Communication Tower/Facility	y	p						p	p	
Compost Facilities		p							p	
Landfill	y	p							p	
Lift Station		p	p	p	p	p	p	p	p	
Power Generation Plant	y								p	
Utility Substation	y	p		p	p	p	p	p	p	
Bus Passenger & Train Station									p	
Water and /or Sewer Plant (Public)		p							p	

* As approved by City Council

Chapter Four **Development Standards**

4-1 Purpose

The purpose of this Chapter is to provide development design and improvement standards applicable to all development activity within the City of Lakeland.

4-2 Responsibility for Improvements

All improvements required by this Code shall be designed, installed, and paid for by the developer.

4-3 Principles of Development Design

The provisions of this Chapter are intended to ensure functional and attractive development. All development shall be designed to avoid unnecessary impervious surface cover; to provide adequate access to lots and sites; to avoid adverse effects of shadow, glare, noise, odor, traffic drainage, and utilities on surrounding properties; and to increase public safety, health and welfare.

4-4 Area, Setback, and Height Requirements

Table 4-1 – See Table below

Table 4-1 Dimensional Requirements

Zoning District		Maximum Density (units per acre)	Minimum Lot Size (sf) (a)	Minimum Lot Width (ft)	Minimum Road Frontage (ft)	Minimum Yard				Maximum Height (ft)	Max Impervious Lot Coverage (%)
						Front	Rear	Side	Side @ corner		
RC	Residential Conservation	1	43,560 (1 acre)	150	60	40	40	15	30	35	20
RA	Residential Agricultural	2	20,000	100	60	40	40	15	30	35	20
R-1	Residential, Single Family	4	10,000	80	60	30	20(b)	10	25	35	40
R-2	Residential, Single Family	6	7,000	70	30	25	15(b)	10	20	35	30
	Two-Family (Duplex)	10	8,000 (4,000 per unit)	90 (45 per unit)	60	25	15	10	20	35	40
R-3 (Residential Mixed)	Single Family incl. Manufactured Homes	6	7,000	70	30	25	15(b)	10	20	35	30
	Two-Family (Duplex)	5	8,000 (4,000 per unit)	90 (45 per unit)	60	25	15(b)	10	20	35	40
	Multi-Family	14	3,000 per unit	30 per unit	60	25	15(b)	10	20	35	50
	Neighborhood Commercial Uses		10,000 (d)	70	60	25	20	10	20	35	50
CBD	Central Business District		10,000 (d)	0 (e)	0(e)	0 (e)	0 (e)	0(e)(f)	20(e)	50(c)(e)	75
C-G	General Commercial		10,000 (d)	70	60	25	20	10	20	50 (c)(e)	50

Zoning District		Maximum Density (units per acre)	Minimum Lot Size (sf) (a)	Minimum Lot Width (ft)	Minimum Road Frontage (ft)	Minimum Yard				Maximum Height (ft)	Max Impervious Lot Coverage (%)
						Front	Rear	Side	Side @ corner		
M-1	Industrial, Light		20,000 (d)	100	60	25	20	15	20	50 (c)	50
PD	Planned Development	Please refer to Section 4-8 and as approved by City Council as part of the Planned Development Ordinance for a specific project.									

(a) If not served by public sewer, but by private on-site septic minimum lot size shall be ½ acre per or 21,780 sq.ft per unit per Department of Health. If served by on-site sewer and on-site well, minimum lot size shall be one acre or 43,560 square feet per unit per Department of Health.

(b) For enclosed small garden sheds, greenhouses, children playhouses and gazebos, this dimension may be reduced to five (5) feet.

(c) Above 35 feet – with Fire Department Approval Only

(d) With water and sewer service only.

(e) Any application for a permit within the Central Business District shall be determined in accordance with the harmony of adjacent properties, subject to approval from the City Council.

(f) Where fire proof walls are used, no side yard is required.

4-5 Impervious Surface Coverage

4-5.1 Maximum Coverage

Impervious surface coverage on a development site shall not exceed the maximum coverage amounts provided in Table 4-1 above.

4-5.2 Calculation

Impervious surface coverage is determined by calculating the total impervious surface area as a percentage of the gross site area. Water bodies are impervious and shall be included as such in the calculation of impervious surface coverage.

4-5.3 Pervious Concrete

If pervious concrete is proposed for a project, then 50 percent of the area covered with pervious concrete shall be considered as a pervious surface provided it is installed and maintained in accordance with manufacturer's guidelines.

4-6 Building Setback Requirements

4-6.1 General

No person shall construct or erect a building or other permanent structure with the exception of fences/walls/hedges, sidewalks, pools, terraces, or driveways on any lot or tract for which a setback line has been established, between such a setback line and the property line.

4-6.2 Exceptions

Architectural features such as cornices, eaves, gutters, fireplaces, flower boxes, bay windows, decorative molding and balconies, and front staircases designed complementary to the principal structure, which are part of or attached to the structure, may project no more than 36 inches into a required setback area. Equipment tanks, filters, stairwells, stairways attached post construction, and enclosed floor space are not considered architectural features and must meet principal structure setbacks.

4-6.3 Address and Front Door

The address of a house or location of the front door shall have no effect on the setback regulations outlined in Table 4-1.

4-7 Building Height

4-7.1 Building Height

Building height is the vertical distance measured to the highest point of the building roof from the average finished grade across those sides of a building that face a street.

4-8 Planned Development Standards

4-8.1 Definition

A Planned Development (PD) may be a residential PD, a commercial PD, or a mixed-use PD. A PD shall consist of land under unified control which may be planned and developed as a whole, as a single development or as an approved programmed series of developments by multiple developers. A typical PD will include principal and accessory uses and structures that are substantially related to the character of the development itself and to the surrounding area of which it is a part.

Unified control, as used above, shall mean that all land to be included within a PD shall be owned or otherwise under the legal control of the person or legal entity which has applied for the PD zoning district. Such person or entity shall be legally capable of providing a commitment to the City that the PD development will comply with all PD documents, plans, standards, and conditions ultimately approved by the City of Lakeland.

A PD zoning district shall consist of the approved PD zoning district classification, the PD Concept Site Plan and the PD Final Site Plan, as well as any other plans, drawings, renderings, elevations, maps and documents specifically included as development documents in the approval of the PD by ordinance by the City Council. The ordinance approving a PD shall be deemed a zoning ordinance. The provisions of the individual PD zoning ordinance shall replace all conflicting development regulations set forth in this Code which would otherwise apply to the development. The PD ordinance shall be recorded in the public records of Lanier County and the City of Lakeland.

The applicant may proceed with development or any land disturbing activities only after a plat is recorded and after certification by the Zoning Administrator that the building plans and other required documents and information substantially conform to all documents approved by the City Council as part of the PD ordinance. The applicant must also provide evidence that would bind his successors in title to any commitments made for the approval of the PD.

4-8.2 Zoning Map

The boundaries of land zoned PD by ordinance of the City Council shall be indicated as such on the official Zoning Map of the City.

4-8.3 Location

A PD may be located anywhere in the City.

4-8.4 Minimum Size

The minimum size of a PD is two acres.

4-8.5 General Requirements

1. PD standards for circulation, parking, utilities, drainage and other standards shall apply as described in this Code except as specifically modified by the City Council as part of the PD ordinance.

2. Open Space

Not less than 25 percent of the PD shall be open space. Required open space may include all common vegetation and landscape areas.

3. Maximum Building Area

Not more than 75 percent of the total development site shall be covered by buildings.

4-9 Subdivision Standards

A subdivision is the cumulative platting of real property into three or more parcels, lots, tracts, tiers, blocks, sites, units, or any other division of land, including all division of land involving a new street or a change in existing streets.

4-9.1 Exemptions

The following will not be regarded as subdivisions:

a. Where located on a public road, the combination or recombination of previously platted lots, where the total number of lots is not increased, and the resulting lots comply with the standards in this Code.

b. The public acquisition or sale of land.

4-9.2 Blocks

a. Non-Residential

Blocks for other than residential use shall be of such length and width as may be suitable for their prospective use, including adequate provision for off-street parking and maneuvering space.

b. Residential

The length of residential blocks shall not exceed 1,500 feet or be less than 400 feet. Blocks of more than 1,500 feet will be permitted if natural or man-made barriers such as streams or railroads require blocks of greater size.

The depth of residential blocks shall be sufficient to allow for two (2) tiers of lots, unless not possible due to natural or man-made barriers, or unless one tier backs onto a line of another person's property, except as provided for in Section 4-9.4.d. The foregoing shall not prevent the inclusion of blocks of greater width, including super blocks. Super blocks may contain public or joint use areas such as parks and

playgrounds and shall be covered by adequate maintenance agreements if not dedicated and accepted for public maintenance.

c. Crosswalks

Rights-of-way for pedestrian crosswalks shall be provided when they are necessary for direct pedestrian access to schools, shopping centers, parks, and health care facilities. A crosswalk right-of-way shall not be less than twenty (20) feet wide.

4-9.3 Easements

a. Utility

Utility easements for underground or overhead services shall be located within the platted street right-of-way and shall be in accordance to the utility plan approved by the City Engineer.

Where possible, water lines shall be located on the west and south sides of streets; sewer and gas lines shall be on the east and north sides of streets. Wherever public utility easements are planned adjacent to the subdivision tract boundary or phase, they shall be platted within the subdivision or phase thereof.

Water and sewer lines outside of street rights-of-way shall follow side and rear property lines where possible and shall have a minimum easement width of twenty (20) feet except that a greater width shall be provided where it is determined by the City Engineer that a greater width is necessary for maintenance and construction.

b. Drainage

Drainage easements shall be provided as required by the City Engineer after review of the preliminary construction plans and preliminary plat of the subject subdivision.

4-9.4 Lots

a. Minimum Lot Elevation

The lot area contained within and contiguous to the building walls, for a minimum distance of ten (10) feet measured from all sides of any structure, shall have a minimum elevation of two (2) feet above maximum flood stage of streams or canals in the particular area.

No change of elevation necessary to meet this requirement will be permitted if the change of elevation would constitute placing fill within a designated Flood Hazard Zone.

b. Lot Width and Area Requirements.

In no case shall the lot dimensions be less than the minimum requirements of Table 4-1 of this Code. Where the following subdivision standards require greater minimum dimensions than Table 4-1, the requirements of this Section shall apply.

c. Corner Lots

Corner lots shall be of such size and dimension that will permit the location of buildings so as to conform to the building setback lines as prescribed in this code.

d. Double and Reverse Frontage

Lots having street frontage both to the front and rear shall be prohibited except to provide for the separation of residential development from railroad or major, secondary arterial or collector street right-of-way. Where the aforementioned abuts or runs through any portion of the subdivision, the subdivision plan shall provide for lots backing on the railroad or right-of-way. Those lots shall have a minimum depth adequate to provide for the rear yard setback required by the respective zoning district, plus an additional 30 feet, 10 feet of which shall be a planted, non-encroachable buffer strip separating the lots from the right-of-way. The buffer zone shall be landscaped with hedges or closely planted small trees to provide a visual screen. The vegetation shall be planted at the time of development. This planted, non-encroachable buffer strip shall be clearly indicated on the Final Plat and proper covenants shall be prepared to ensure this restriction and its perpetual maintenance.

e. Building Lines

All setback lines shall be in conformance with this Code.

f. Addresses and Property Numbers

Addresses and property numbers may be assigned to each lot in accordance with a property numbering system set up by the City.

g. Conformance to Utilities Master Plans.

All proposed subdivisions shall conform to any storm drainage and sanitary sewer master plans and development policies in effect at the time of submission to the City Council.

h. Monuments

Monuments shall be placed at all block corners, angle points, points of curves in streets and at intermediate points as required by the City Engineer. Monuments shall be of reinforced concrete with dimensions at least 4" x 4" x 24" with bronze center pins of 1/4" diameter and 4" length and the top 6 inches below the finished grade.

Lot corners shall be marked with solid steel rods not less than 5/8 inch in diameter and 24 inches in length and driven so as to be flush with the finished grade.

4-9.5 Commercial Use Buffer Zones

When a portion of the subdivision is to be devoted to commercial purposes and when the commercial area adjoins residential lots, or when a portion of a proposed subdivision adjoins an area zoned for commercial or industrial uses, a buffer zone not less than twenty (20) feet in width shall be provided on the

commercial property. Said buffer strip shall be landscaped with hedges or closely planted small trees so as to provide visual screening. No building or portion thereof may be constructed in said buffer zone, and protective covenants shall be provided to ensure this restriction and the buffer's perpetual maintenance. This buffer zone shall be labeled as such on the final subdivision plat and shall be planted at the time of the commercial subdivision development.

4-9.6 Streets and Driveway Standards

The street and road system of any subdivision shall give due consideration to the Major Thoroughfare Plan according to the 2015 Greater Lanier Comprehensive Plan, as amended from time to time.

a. Access

Every lot of every subdivision shall abut a public street of a minimum of thirty feet right-of-way. Where the subdivision does not adjoin a public street, the subdivider shall provide a public street from the subdivision to a public street. Driveways connecting the public road with adjoining property are the responsibility of the property owner. Prior to driveway construction, approval of any needed drainage pipe under the driveway must be received from the City Engineer.

b. Alignment and Continuation

Streets within the subdivision shall be so arranged as to provide for the alignment and continuation of or projection of existing and future public streets.

c. Cul-de-Sac (Dead-end Street)

Permanent cul-de-sacs shall not be longer than five hundred (500) feet from the nearest street right-of-way line with which it intersects to the center of its diameter of the turn-around. Where the area served by the cul-de-sac has two (2) or less dwelling units per acre, the maximum length may be increased to one-thousand (1000) feet. Cul-de-sacs shall terminate in a circular turn-around having a right-of-way of not less than one-hundred (100) feet. Paving within the turn-around shall have an outside diameter of not less than eighty (80) feet. Permanent dead-end streets without the appropriate turn-around shall be prohibited.

d. Half Streets

Permanent half streets and half alleys shall be prohibited.

e. Intersections

Streets shall be laid out so as to intersect as nearly as possible at right angles and no street shall intersect any other street at an angle less than 80 degrees or more than 100 degrees.

f. Right-of-Way Radius

The right-of-way miter at street intersections shall be no less than twenty (20) feet by twenty (20) feet miter except on arterial streets where Georgia Highway Department Standards shall prevail.

g. Curved Streets

The centerline radius shall not be less than two hundred and fifty (250) feet for arterial streets, and one hundred thirty (130) feet for collector and residential streets. Centerline tangents between reverse curves shall be not less than two hundred (200) feet for arterial streets and one hundred (100) feet for collector streets and residential streets.

h. Right-of-Way Extension

Where the proposed subdivision abuts undeveloped properties, it is essential that appropriate extensions of streets be provided to facilitate future growth and development. Such street rights-of-way to facilitate future development shall be extended by dedication and improved to the boundary of the proposed subdivision.

i. Street Jogs

Street jogs at intersections shall be not less than one hundred fifty (150) feet between centerline off-sets. This provision shall not negate the design intent of Section 4-9.6.b.

j. Street Names

The subdivider shall provide on the subdivision plat the approved name or number of all streets within the subdivision. Streets and roads that are obviously in alignment with and are extensions of existing previously named or numbered streets shall bear that name. The names of all new streets within the subdivision shall be subject to the review and approval of the Zoning Administrator, City Police, Fire Department, and City Council. New street names shall not duplicate or closely resemble the names of streets already in existence within Lanier County or Lakeland.

k. Street Right-of-Way and Pavement (Lane) Width

Street rights-of-way shall be measured between lot lines. Minimum street right-of-way widths shall conform to the following:

Table 4-2: Minimum street right-of-way widths

Street Category	Minimum R-O-W	Pavement per Lane Widths*
Arterial		
Ditch section/20 ft. median	100 ft.	12 ft.
C&G/20 ft. median	100 ft.	12 ft.
C&G, undivided	100 ft.	12 ft.
Collector Street		
Ditch section	80 ft.	12 ft.
C&G section	80 ft.	12 ft.
Local Street	60 ft.	11 ft.*

Alleys	20 ft	12 ft
Residential	**	**
Commercial	**	**
Industrial		
Notes: *Lane widths include only pavement width. Example: 2 lanes @ 12 ft. with 2 ft. C&G would be 28 ft. back of curb to back of curb. Lane widths on collector streets and other local (non-subdivision) streets will be based on design speed and traffic volumes Number of lanes will be determined based on traffic volumes, except for subdivision streets which will be typically two (2) lanes only. ** As appropriate for the proposed development subject to approval from City Council		

I. Additional Rights-of-Way

If the subdivision boundary line lies adjacent to the right-of-way lien of an existing street of less than the minimum right-of-way width, a minimum of one-half of the required extra right-of-way shall be dedicated by the developer of the proposed subdivision.

m. Provisions for Public Use

In subdividing land, due consideration shall be given to suitable sites for schools, parks, playgrounds, fire protection facilities including dry hydrants and connection to public water systems, and other common areas for public use. Such land should be located in accordance with the Comprehensive Plan. The acquisition of such land shall rest with the City of Lakeland.

4-10 Minimum Improvements

The subdivider shall provide all public improvements as required by these regulations.

4-10.1 Street and Alley Improvements

Within the incorporated area of Lakeland, the subdivider shall install paving and proper drainage, which includes ditch slopes and grassing requirements.

Proper drainage control structures, which may include paved ditches and canals, and which will require established grass sod on road shoulders, front and back slopes of ditches and erosion control devices at outfall locations, are required in subdivisions within the City of Lakeland.

All streets and roads shall be paved according to standards set by the Georgia Department of Transportation Standard Specifications for Roads and Bridges, except that the minimum requirement for road base construction shall be per the Minimum Road Base Construction Standards. The City Engineer will determine the type of base materials to be used on each and all subdivisions based on conditions and sound engineering judgment prior to beginning any grading work. These materials shall be applied

according to established construction methods and shall be subject to inspection by and final approval by the Lakeland City Engineer prior to acceptance for public maintenance.

Minimum Road Base Construction Standards

Local Streets/Roads SON 1.66

1 ½ “ asphalt concrete “E”, “F”, or “H” mix

Over:

Either: 5” soil cement

Or: 6” graded aggregate and crushed limestone (compacted to modified density)

Or: 6 ½” lime rock

Or: 10” sand/clay base course Class B

Collectors and above SN 2.08

2” asphalt concrete “E”, “F”, or “H”

Over:

Either: 6” soil cement

Or: 7” graded aggregate crushed limestone (compacted to modify density)

Or: 7 ½” lime rock

Or: 12” sand/clay base course Class B

4-10.2 Monuments/Pins

The subdivider shall provide, through the licensed surveyor, the setting of all monuments. The monuments shall be a minimum of ½ inch in diameter and 15 inches long. Said monuments shall be set within each block of the subdivision and shall be located along the longest interior straight away; a minimum of four (4) per block shall be installed as shown on the approved plat. Pins, a minimum of ½ inch in diameter and 15 inches long, shall be placed along the exterior boundary and interior lot intersection except where monuments are to be located, on each street corner, points of curvature in each street at all points where the street lines intersect the exterior boundary of the subdivision, and where such corners lie within a stream meander (in which case reference pins shall be placed on the bank of the stream). Pins and monuments shall be set a minimum of two inches under the ground.

4-10.3 Water Supply and Sanitary Sewerage

a. It is the intent of these regulations that the general public health of the city be safeguarded from the proliferation of septic tank systems and individual wells in higher density developments, by requiring all subdivisions to be served by Lakeland’s public water and sewer systems.

b. Where public sanitary sewer and/or public water is available within one thousand (1,000) feet of any portion of the subdivider's property, the subdivider shall provide every lot of the subdivision with public sewer and/or water in accordance with city specifications. Said facilities are to be dedicated and accepted by the City of Lakeland for public maintenance and operation prior to recording of the plat.

4-10.4 Stormwater Drainage

The subdivider shall provide adequate stormwater drainage in accordance with these regulations and adopted city specifications on file in the city engineer's office. The subdivider/developer shall also provide for adequate drainage for springs or other ground water drainage.

The drainage system for a subdivision, commercial or industrial development shall be designed in accordance with sound engineering principles and procedures such that all developable parcels included in the subdivision plat are positively drained without negative impacts on neighboring parcels.

The drainage system shall be designed to accommodate drainage from adjacent lands which naturally drain to or through the lands being subdivided. The drainage system shall be designed to not affect the natural drainage onto adjacent lands (no net increase in pre-development flows from the entire drainage basin).

Drainage facilities that are designed to handle flowing water (i.e. culverts, weirs, etc) shall be hydraulically designed to function when subjected to the maximum flow rate that can be expected to occur no more often than once in ten (10) years.

Drainage facilities that are designed to handle water accumulations (e.g. retention ponds with no overflow provisions) shall be designed to accommodate the maximum water level that can be expected to occur no more often than once in every twenty-five (25) years. Necessary drainage facilities including, but not limited to, culverts, rights-of-way, and easements, shall be dedicated to the City of Lakeland, at no expense to the City, and at the option of the City. Areas required for maintenance shall be cleared of all vegetation which would interfere with the maintenance of the facility.

All drainage systems discharging into any creek, stream, or natural body of water including, but not limited to wetlands as determined by the US Army Corps of Engineers shall pass through an approved sedimentation or detention pond prior to such discharge.

A Master Drainage Plan shall be submitted to the City Engineer simultaneous with the preliminary plat or site plan submittal at which time technical criteria will be established.

4-10.5 Soil Erosion Control

A Soil Erosion Plan prepared in accordance with Lakeland's Soil Erosion and Sedimentation Control Ordinances latest revisions shall be submitted to the City Engineer simultaneous with the construction drawings.

4-10.6 Wetlands

Jurisdictional wetlands shall be addressed by the US Army Corp of Engineers and the location of wetlands boundaries shall be delineated on the Preliminary Plat.

All preliminary plats delineating wetlands shall have on the face of the preliminary plat the note “No fill or work shall be permitted within jurisdictional wetlands without a prior permit from the US Army Corp of Engineers”. The acquisition of permits shall be the responsibility of the owners/developers.

All minimum lot areas per designated zoning district requirements shall be calculated upland of all wetland boundaries within or contiguous to the plat.

4-10.7 Buffer Strips

The subdivider shall provide adequate buffer strips, which shall consist of plantings and/or visual blinds as detailed in this Code.

4-10.8 Street Signs and Lights

The developer shall pay for all street signs and street lights required for his subdivision according to a fee schedule set by the Lakeland City Council.

4-10.9 Utilities

a. Water mains for both domestic use and fire protection shall be properly connected either with an approved source of water supply. The lines shall conform to accepted standards of good practice for municipal water systems and shall meet, as a minimum, the specifications of the Lanier County Health Department. All materials, except fire hydrants, labor, equipment and other matters related to the water distribution system shall be provided or arranged for by the developer. Fire hydrants that meet city specifications shall be supplied by the developer. The developer shall be responsible for installation of the fire hydrants and shall reimburse the city for the cost and handling of each hydrant. All water plans shall be prepared by a Georgia Registered Professional Engineer and approved by GaEPD prior to construction.

b. When the subdivision is located within the service area of a public sewerage system, sanitary sewers shall be installed in such a manner as to serve adequately all lots with connection to the public system. Where lots cannot be economically connected with a sewerage system, they must contain adequate area for the installation of approved septic tank and disposal fields and must be approved in writing by the Lanier County Health Department.

All materials, equipment, labor and other matters related to the sanitary sewerage system shall be provided by the developer.

All sewer facilities shall be installed in accordance with the standards of the Department of Public Health of the State of Georgia, the City of Lakeland and the Lanier County Health Department.

c. After rough grading is completed and approved and before any base is applied to the street, all of the underground work-water mains, gas mains, etc., and all service connections-shall be installed completely and approved throughout the length of the road and across the road bed. Where the water mains are installed in the shoulder of the road at least 5 feet away from the edge of the pavement, the developer may elect to omit the installation of service connections providing that at such time as these service connections are needed, they may be bored across using an acceptable City of Lakeland method jacked across without breaking or weakening the existing pavement.

d. In order to meet future development needs the City may require a water or sewer line with greater capacity than is necessary to serve a single development or the minimum size noted in this code. The developer is required to provide only the capacity necessary to serve his development. The City will be responsible for the cost of the upgrades necessary to serve future development in excess of the development's needs.

4-11 Installation of Improvements

4-11.1 Following approval of the Preliminary Plat by City Council, the developer shall request approval of the construction drawings by the City Engineer. The developer may begin installation of the minimum improvements, including grading, paving, installation of utilities, etc, upon approval of the construction drawings. In all cases, sedimentation control devices, retention, detention or sedimentation ponds shall be the first in order of construction.

4-11.2 Final Plat approval by the City Council can be requested during or following the installation of minimum improvements.

4-11.3 Improvements required and/or regulated by this Code shall be constructed in accordance with approved engineering plans and specifications, the standards, requirements and regulations set forth in this Code and other applicable ordinances of the City of Lakeland.

4-11.4 Construction of improvements required or regulated by this Code shall not commence until the City Engineer has approved in writing engineering plans and specifications for said improvements.

4-11.5 The subdivider or subdivider's engineer/surveyor shall notify the City Engineer of the commencements, suspension, or resumption of work at least one day prior to the commencement, suspension or resumption of such work. This requirement shall not apply to work suspended due to adverse weather conditions. In the event that the subdivider or subdivider's engineer/surveyor fails to comply with this requirement, the City Engineer is hereby authorized to take whatever steps may be necessary to insure that work performed complies with the approved engineering plans and specifications, the standards as set forth in this Code, and other applicable ordinance of the City of Lakeland.

4-11.6 If, in the course of construction, the subdivider wishes to modify the size, type, quality, quantity and/or location of any or all of the improvements required or regulated by this Code, the subdivider/surveyor/engineer shall submit a written minor or major site plan and plat amendment application to the Zoning Administrator for review and approval prior to proceeding with installation of the modified improvement.

4-11.7 Actual construction of all improvements required by this Code shall be inspected by a competent inspector, approved by the City Engineer, and employed by and under the directions of the subdivider's engineer/surveyor and shall be performed in accordance with this Code. Said inspections shall be adequate in the opinion of the City Engineer to assure that all work complies with the approved engineering plans and specifications and this Code.

4-11.8 Tests required by this code shall be performed solely by independent testing laboratories, the subdivider's engineer/surveyor or qualified personnel employed by the subdivider's engineer/surveyor, and shall be performed at the subdivider's expense. The subdivider's engineer/surveyor shall direct that the results of required tests be mailed or delivered to the City Engineer immediately on completion of the tests. All test results must be clearly indicated as to the project and the exact location of the sample and that no test results are withheld from the City Engineer.

4-12 Acceptance and Guarantee of Completed Minimum Improvements

4-12.1 Completion of Improvements

Before the plat is signed by the Zoning Administrator, all developers shall be required to complete, in accordance with the City Council's decision and to the satisfaction of the Lakeland City Engineer, all minimum improvements as required by this Code, specified on the Final Plat, and as approved by City Council, and to dedicate same to the City of Lakeland.

4-12.2 Acceptances

Upon written notification of completion of Minimum Improvements, the City Engineer shall within thirty (30) days after such notice accept or reject, in writing, the completed improvements stating the deficiencies, if any.

The required minimum improvements shall not be accepted unless they conform to this Code and the officially adopted city specifications.

a. Upon completion of construction of improvements required and/or regulated by this Code, the subdivider's engineer/surveyor shall deliver to the City Engineer:

- 1.** All required test data not previously forwarded to the City Engineer.
- 2.** Five (5) complete sets of "As Built" plans, each set of which is clearly marked "As Built" in the lower right corner. "As Built" plans shall depict actual construction on the date of submittal of said plans. Two sets shall be reproducible and three sets of prints.
- 3.** The following signed and sealed "Engineer's/Surveyor's Certificate":

ENGINEER'S/SURVEYOR'S CERTIFICATE

STATE OF GEORGIA) SS
COUNTY OF LANIER)

I, _____, being a registered Professional Engineer/Surveyor in the State of Georgia, registration number _____, do hereby certify that _____ (the project) was constructed in accordance with the plans and specifications and change orders approved by the City Engineer, Lakeland, Georgia.

I further certify that all construction operations were inspected by me or someone under my supervision.

Singed and sealed this _____ day of _____ 20____,

(SEAL)

Signature

b. The City Engineer is authorized to reject any construction which fails to conform to the approved plans and specifications and this Code.

c. The city shall bill the subdivider the city's cost for any subsequent inspections necessitated by the subdivider's failure to construct improvements in accordance with approved plans and specifications and this Code. Those costs shall be based on a schedule of fees established by Lakeland City Council.

4-12.3 Guarantees

The subdivider shall guarantee to the city, for a period of one year, after completion and acceptance of the minimum improvements, all material and workmanship going into such improvements. The subdivider shall post a guarantee with the city in the form of a 100 percent maintenance bond, or a twenty (20) percent cash escrow or twenty (20) percent irrevocable letter of credit made payable to the Lakeland City Council.

4-12.4 Recording of Plat

Upon acceptance of all improvements installed by the developer and posting of the required guarantee, the office of the Lakeland City Clerk shall release the Final Plat for recording. This plat shall be returned to the Zoning Administrator, who shall record said plat in a timely manner and distribute appropriate copies thereof in accordance with this Code.

4-12.5 Duration and Release of Guarantee

Bonds and/or cash posted pursuant to this Code shall be released or returned at such time as the improvements guaranteed thereby have received final inspections after the guarantee period.

4-13 Violations and Penalties

4-13.1 Violations

a. It shall be unlawful to convey or improve property by the construction of buildings on lots of any land subdivision which has not been approved and recorded as provided in this Code, except those parcels recorded prior to the effective date of these regulations.

b. It shall be unlawful to record a subdivision plat or once recorded, to make any changes to the plat, which have not been approved by the Zoning Administrator, the City Engineer and the City Council, in accordance with the provisions of this Code.

c. Each day's violation is a separate offense. After due notice has been given, each and every day's violation of any provision of this Code shall constitute a separate offense.

4-13.2 Violations and Penalty

Any person who violates any provisions of this Code shall, upon conviction in Magistrate Code, be penalized by the imposition of a fine not exceeding \$500.00 per violation and/or imprisonment in the county jail for a period not greater than sixty (60) days.

4-14 Parking and Loading Standards

4-14.1. Applicability

Parking spaces shall be provided for each permitted use established in accordance with this Code.

- a.** The construction of a new building or new structure;
- b.** The construction of a new addition to an existing building or structure; or
- c.** Changes in use including changes in the intensity of an existing use.

4-14.2 Time of Completion

Parking areas shall be completed, landscaped and ready for use prior to the issuance of a Certificate of Occupancy or Certificate of Completion.

4-14.3 Calculating Parking Requirements

- a.** In the event the calculation of the number of required parking spaces results in a fractional space, the number of required spaces is the nearest whole number.
- b.** The number of required parking and loading spaces for a use not specifically listed in this Chapter shall be determined by the Zoning Administrator based on a listed use most similar in parking and loading needs to the unlisted use.
- c.** The number of required parking and loading spaces for any use in the Central Business District shall be determined by the Zoning Administrator.
- d.** For properties containing more than one use, the number of required parking spaces is the cumulative number of spaces for all uses, including approved shared parking.
- e.** Gross floor area shall be used for the calculation of required parking spaces relating to floor area.

f. The greatest number of employees, including owners and managers, present on premises at any one time during the largest shift shall be used for the calculation of required parking spaces relating to the number of employees.

4-14.4 Location of Required Parking Spaces

a. All required parking spaces shall be located on the same real property upon which the principal use is located. The term “same real property” means that the principal use site and the parking site are in the same ownership or in the same leasehold interest.

b. If the site of the principal use and the site of required parking are not contiguous, the nearest portion of the parking site shall be located within 250 feet of the front entrance to the principal use as measured by a safe and convenient pedestrian route. Contiguous for this purpose means a common boundary and does not include properties which are separated by a road, alley, or other public right-of-way.

c. The owner of the off-site parking site shall relinquish all development rights for said property until such a time that the required parking space is approved and provided elsewhere.

d. For a single family dwelling, a driveway may be used to provide two parking spaces.

4-14.5 Shared Parking and Joint Use of Facilities

a. The Zoning Administrator may permit the required parking spaces for one use to be shared as required parking spaces by another use upon a finding that:

b. The shared parking spaces are in close proximity and readily accessible to the uses served; and

c. The uses served by the shared parking spaces have different peak parking demands and operating hours; and

d. There will be a reduction in vehicle movements by the users of the shared parking spaces; and

e. The design of the parking area in terms of traffic circulation, vehicular and pedestrian access, stormwater management, landscaping, open space preservation and public safety will be improved.

f. It shall be the responsibility of an applicant for shared parking approval to provide a description of the uses, a site plan, parking study and other necessary information to permit a finding by the Zoning Administrator regarding the request for shared parking.

4-14.6 Off-Street Parking Schedule

Off-Street parking spaces shall be provided in accordance with the minimum standards contained in the following table:

Table 4-3 Off-Street Parking Schedule

Use	Number of Spaces Required
<i>Residential Uses</i>	
Residential Single Family	2 per unit
Residential Two Family	2 per unit
Residential – Multi Family (studios or 1 bedroom)	1.5 per unit
Residential – Multifamily (2 or more bedrooms)	2 per unit
Adult Care Facility	0.5 per resident plus 2 spaces per 3 employees
Bed And Breakfast	1 per unit plus 2 spaces for owner/manager
Nursing and Convalescent Homes, Congregate Care Facilities and Related Uses	1 space for 4 occupants, plus 1 space per 2 employees
Hotel & Motel	1 space per guest room plus 2 spaces per 3 employees plus 75% of required spaces for ancillary uses associated with the facility
Manufactured Home/RV Park	2 spaces per unit
<i>Public & Institutional Uses</i>	
Cemetery or Crematorium	0.25 per seat in place of assembly, plus 0.5 space per employee
Child Care and Nursery School	1 per 6 children plus 1 space per employee
Church, Temple, and Place of Worship	1 per 4 seats in main sanctuary, 50% of the required parking requirement may be in stabilized grass parking
Club and Lodge	1 per 3 persons based on the maximum seating capacity of the building or 1 space per 200 square feet whichever is greater
Miniature Golf Course	1 per golf hole
Country Club and Golf Course	3 per green, plus other parking requirements if applicable
Fire Station	1 per shift member, plus 2 spaces
Hospital	1 space per 4 beds plus 1 space per 2 employees
Library	4 per 1000 square feet
Public Assembly	1 space per 4 seats
Private/Parochial Elementary or Junior High School	3 per classroom, plus 1 space per employee, plus 1 space for each 6 seats in auditorium or other areas for public assembly; together with adequate stacking for pick-up/drop-off activities consistent with the student population
Private/Parochial Senior High School	0.5 per student, plus 1 space per employee, plus adequate space for ancillary uses
Private/Parochial Technical School	1 per 10 student stations, plus 1 space per each employee, plus 20 visitor spaces
Swimming Pool (Public & Private)	1 per 50 square feet of pool area

Transportation Terminal (Bus, Train, Airport, Railroad)	1 per 100 square feet of public waiting area plus 1 per two employees plus sufficient storage and unloading space for all commercial motor vehicles at the facility
Commercial Uses	
Adult Entertainment Business	1 per 200 square feet
Automobile – Used Car Lot	2 for the first 30 vehicles displayed, plus 1 space per next 20 displays, plus 1 space for manager
Automobile – Sales, Rental, Repair/Service	2 for every 1,000 square feet of gross floor area of sales/leasing, plus 1 space for every 4,500 square feet of outdoor display area, plus 1 storage space for each vehicle displayed outdoors, plus 2 spaces per repair bay
Automobile Service Station (Gas Station)	1 space per 200 square feet of sales area, plus 2 spaces per service bay, plus 1 space per employee
Bar/Cocktail Lounge	1 per 3 persons based on the maximum seating capacity of the building or 1 space per 100 square feet whichever is greater
Bowling Alley	4 spaces per Alley
Business Service Establishment	1 per 300 square feet
Car wash	3 spaces plus 1 space per employee
Catering	1 per employee plus 0.5 spaces per delivery truck, plus 2 spaces per 1,000 square feet
Flea Market	1 per 200 square feet of sales area or outdoor display area
Financial Institutions	1 per 300 square feet plus queuing spaces
Fitness Center, Health Club and Spa	1 space per 200 square feet
Funeral Home	0.25 per seat of chapel capacity plus 1 space per 3 employees
Kennel	1 per 300 square feet of office, administration and examination area
Self Service Laundry (Laundromat)	1 per 250 square feet
Museum, Art Galleries and similar Uses	2 per 1,000 square feet plus one bus parking stall (12 x 45)
Office – Business and Professional	1 per 300 square feet
Office – Medical, Dental, Veterinary and other Health Related Uses	1 per 200 square feet
Personal Service Establishment (including Barbershops, Hairdressers, Nail Salons etc)	1 per 200 square feet
Pool Hall/Billiard Parlor	1 per 200 square feet, plus restaurant/ bar seating requirements if applicable
Quick Oil Change Facility	1 space per employee, plus 1 space per service bay. Not less than 5 parking spaces may be provided.
Radio/TV studio	1 per employee
Service and Repair Shop	1 per 300 square feet

Restaurant – General	1 per 3 seats based on the maximum seating capacity, plus 1 space per employee
Restaurant – Fast Food, Convenience	1 per employee, plus 1 space of 100 square feet of service area, plus queuing spaces
Retail Trade and Services	1 per 200 square feet plus 1 parking spot for each vehicle used directly for the business
Theater, Arena, Auditorium	1 per 4 seats
Warehouse – Mini-Storage	1 per employee plus 1 per 50 storage units
Warehouse – General Storage	1 per employee
Warehouse – Wholesale & Distribution	1 per 2 employees or 1 space per 1,000 square feet whichever is greater
<i>Industrial and Manufacturing</i>	
Hazardous Operations	1 per 1,000 square feet
Industrial – Light	1 per employee
Industrial – Heavy	1 per employee

4-14.7 Design Standards for Parking Spaces

a. The minimum design of parking spaces and access ways as they relate to the angle of parking shall be as follows:

Table 4-4 Design for Parking Spaces

Parking Angle (Degrees)	Parking Space Dimensions (ft x ft)	Space to Curb (ft)	One-Way Traffic Aisle Width (ft)	Two-way Traffic Aisle Width (ft)
0	9 x 18	9	16	24
30	9 x 18	17	16	24
45	9 x 18	19	16	24
60	9 x 18	20	16	24
90	9 x 18	18	24	24

4-14.8 Paving of Parking Surfaces

a. All required parking spaces, access ways and loading zones shall be paved and otherwise constructed in accordance with the applicable ordinances of the City. As an alternative to paving, parking spaces and access ways may be provided on stabilized grassed areas for uses requiring only occasional parking or transitory vehicle storage as needed for recreational facilities, vehicle dealerships, churches, assembly halls and flea markets. Transitory vehicle storage shall occur only in the rear of such facility and shall only be used by the specified vehicle dealership for their own saleable vehicles. Paved parking shall be provided, however for all full-time employees of such uses.

b. All parking spaces access ways and loading zones shall be maintained in good condition and be free of pot holes, loose or cracked pavement, broken wheel stops, and any other conditions which might be otherwise detrimental to the health or safety of the residents of the City as determined by the City Engineer.

c. Pervious parking surfaces are permitted when the following conditions are met:

1. Pervious paving materials and other soil stabilization techniques are used in a manner as to assure that parking will remain functional in heavy rains or drought.
2. Pervious paving materials are installed according to manufacturer's specifications, including sub-surface preparation, composition, and density of compaction.
3. Sub-surface soil testing must demonstrate that the manufacturer's specifications will be met to allow for percolation and other stormwater functions. A registered professional engineer shall also make inspections and tests as necessary to certify that construction of the pavement is consistent with the approved plans as well as industry and manufacturer's standards.
4. Pervious parking areas shall allow stormwater to percolate into the ground as designed as part of an overall stormwater management system and in accordance with the approved site plan.
5. Such areas shall be provided with drainage facilities adequate to properly dispose of all surface water run-off.
6. Regular maintenance of pervious parking areas is necessary to ensure long-term integrity of function. Sweeping or other recommended maintenance procedures as per manufacturer's specifications must be implemented. If such areas cease to function in providing adequate parking, drainage or cause sedimentation within the drainage system, then paving to normal design standards will be required. In such an event, any credit given towards pervious surface area for the pervious parking will be revoked and pervious areas shall be installed which are comparable to the area credited.

4-14.9 Off-Street Loading Requirements

In addition to the parking required for non-residential uses, loading spaces shall also be required. All loading spaces shall be located and screened to avoid nuisance impacts to adjacent areas with special consideration for noise. A sufficient number of loading spaces shall be provided to accommodate the maximum number of buses or trucks to be loaded or unloaded at any one time. Wheel stops or curbs shall be provided to prevent any vehicle using a loading space from encroaching upon unpaved areas or adjacent property.

Table 4-5 Required Number of Loading Spaces Commercial & Industrial

Floor Area (square feet) of Use	Minimum Number of Spaces
5,000 – 20,000	1
20,001 – 50,000	2
50,001 – 100,000	3
100,000 – 250,000	4
For each additional 150,000	Plus 1

Each loading space shall be not less than ten feet in width and 25 feet in length for commercial uses and not less than 12 feet in width and 50 feet in length for industrial uses.

4-15 Landscaping and Screening Standards

4-15.1 Applicability

a. The City of Lakeland Landscaping requirements shall apply to all new development and to substantial renovation for which a building permit has been issued after the adoptive date of this Code of June 12, 2012. No Certificate of Occupancy shall be issued for any portion or phase of a new development or substantial renovation to which these landscape standards apply until all required landscaping has been installed pursuant to the requirements of this Chapter.

b. All landscaping required by this Chapter shall be installed and maintained as required by this Chapter. The failure to do so shall constitute a violation of this Code subject to code enforcement procedures and regulations.

4-15.2 General Provisions

a. Plant Materials

1. At least 50 percent of all required landscaping in the form of trees, shrubs, ground cover, and grass shall collectively consist of vegetation native to Southern Georgia.
2. Tree species which are likely to cause damage to public roadways, public facilities or building foundations shall not be planted closer than 12 feet unless the tree root system is completely contained within a container or barrier five feet square and 5 feet deep.
3. Trees of species whose canopy could be damaged by or could cause damage to overhead power lines shall not be planted closer than a horizontal distance from overhead power lines of 30 feet for large-sized trees (20 or more inches DBH) and 20 feet for medium-sized trees (ten to 20 inches DBH). Small trees (Six to ten inches DBH) can be planted adjacent to power lines. Plantings near pad mounted transformers shall not restrict access to or maintenance of the transformer and a five-foot clearance is recommended. For additional information, contact the local power company before planting.

4. Vines, excluding invasive such as Kudzu, shall be a minimum of 30 inches in height at planting and may be used in conjunction with fences, screens or walls to meet physical barrier requirements. No vines shall be planted within utility easements or within five feet of any existing or proposed utility pole, guy wire or pad-mounted transformer.
5. Ground cover used in lieu of grass shall be planted so as to present a finished appearance and reasonable complete coverage within three months of installation. All landscaped areas shall be sodded or otherwise covered with ground cover.
6. Grass areas shall be planted in species locally grown as permanent lawns.

b. Installation

1. All required landscaping installed pursuant to this Chapter shall be installed according to accepted good planting practices.
2. Landscaped areas shall be protected from vehicular encroachment by car stops, curbs, or other appropriate means.

c. Irrigation

1. Landscaped areas shall be provided with an irrigation system of sufficient capacity to maintain the landscaping in a healthy growing condition. All irrigation systems shall be designed, installed and maintained in such a manner as not to be a nuisance to adjacent properties, adjacent uses and to the general public.
2. All irrigation systems shall include a “rain switch” to monitor rain levels and irrigation needs.
3. All areas with native vegetation or xeriscape areas must have a readily available water supply to provide temporary irrigation until plantings are established.
4. Natural areas and native vegetation left undisturbed by development may be excluded from the irrigation system.
5. All landscaping and irrigation plans shall consider current Best Management Practices (BMPs) for water conservation.

d. Existing Native Vegetation

1. All native vegetation, which is not located in areas requiring their removal as part of the development plan, should be retained in an undisturbed state.
2. Existing healthy trees which have a caliper of 4.5 inch DBH, or larger, may be credited toward meeting the landscaping requirements. Areas within a development may be designated as natural vegetation areas where the natural grade and existing native vegetation will remain undisturbed.

3. Landscape Standards

- i. Not less than 20 percent of the total gross area of a development site shall be landscaped. The landscaped areas shall be located on the site in such a manner as to maximize preservation of existing trees.
- ii. A landscaped area not less than five feet wide, consisting primarily of shrubbery, shall be provided along all sides of a building which abut a parking area. A landscaped area not less than two feet in width shall be provided along the sides and rear of a building. The landscaping shall include a hedge, one tree for every 30 linear feet and ground cover. The landscaping may be clustered to allow for creativity and flexibility in design with the approval of the Zoning Administrator.

e. Maintenance

1. The owner and the lawful occupant of the real property are each responsible for the maintenance of all required landscaping in a healthy, growing condition in accordance with this Code.
2. The City shall periodically inspect all areas of required landscaping for proper maintenance. Regular maintenance includes irrigation, fertilization and routine pruning of all trees and shrubs. The owner or lawful occupant of the real property shall be responsible for correcting any deficiencies reported by the inspection within a reasonable time frame. Failure to comply will result in code enforcement action.
3. Landscaped areas shall be maintained in a neat and orderly appearance and kept free from refuse and debris. All walls and fences shall be maintained in good condition so as to present a neat and orderly appearance and shall be kept free from graffiti.
4. Trees shall be pruned only as necessary to promote healthy growth, to avoid power lines, or to provide proper sight distances for roadways or intersections. Trees shall not be severely pruned or “hat raked” in order to permanently maintain growth at a reduced height.

f. Parking Area landscaping adjacent to private property

- a) A landscaped strip of land not less than five feet in width shall be located between the parking area and the abutting private property.
- b) The landscaping within that strip shall include:
 - i. One tree for every 30 linear feet of required landscape strip planted singly or in clusters, but not more than 50 feet apart, located between the common lot line and the parking area; and
 - ii. Other landscaping such as shrubs or vines, planted five feet on-center of the strip towards the street side; and
 - iii. Grass, ground cover or other landscape treatment.

g. Parking Area Interior Landscaping

Interior landscaped areas shall be located in such a manner as to divide and break up the expanse of paving. Parcels requiring more than 10 off-street parking spaces shall contain landscaping and planting as follows:

1. Interior landscaped islands shall be provided between every 10 parking spaces. Each interior island shall be not less than 8 feet in width. Each interior island shall contain not less than one canopy tree and a combination of shrubs ground cover and grass. Any hedge materials located within an interior landscaped island shall be maintained at a height of not more than 24 inches.
2. Terminal landscaped islands shall be provided at the end of each parking row. Full terminal landscaped islands shall not be less than 10 feet in width. Each terminal island shall contain not less than two canopy trees and a combination of shrubs, groundcover and grass.
3. Interior landscaped medians shall be provided between each row of opposing spaces not separated by a circulation aisle. Such landscaped area shall not be less than 8 feet in width and shall be landscaped with one tree for every 30 linear feet of required landscape strip planted singly or in clusters, but not more than 50 feet apart, and a combination of shrubs, ground cover, grass and mulch.
4. Interior and terminal landscaped islands shall not be utilized for surface water storage and shall be filled or crowned. Such islands shall also be irrigated.

h. Development Landscaping Requirements

1. Single Family and Two Family Developments

Newly constructed single-family and two-family development projects shall include the following minimum landscaping:

- i. Grass, bark and gravel landscaped complete front, complete side and partial rear (within 20 feet of the residence) yards.
- ii. One 1 ½ inch caliper (diameter) tree in the front yard and at least one tree in the rear yard of each new lot.
- iii. Five shrubs with a minimum 18 inch spread. No trees or shrubs shall be installed within 5 feet of the building foundation wall.

2. Multi-Family Residential Development

- i. Multi-Family residential development shall provide a landscaped strip of land of not less than ten feet in width between the building walls and the parking areas, planted as follows:
- ii. Not less than one tree for every 20 linear feet of required landscape area, with no less than 50 percent being canopy trees, located between the building walls and parking areas; and
- iii. A hedge or other durable landscape barrier not less than three feet in height at installation placed in a continuous manner along the building walls.

iv. Multi-family residential development shall provide not less than 1 tree for each 1,500 square feet or fraction thereof, of development site.

v. Not less than 20 percent of the development site shall be landscaped.

i. Commercial and other Non-Residential Development Landscaping

A commercial or other Non-Residential Development shall include one existing or planted tree for every 2,500 square feet, or fraction thereof, of the development site. Not less than 20 percent of the developed site shall be landscaped.

Chapter Five

Supplemental Standards

The uses in this Section are listed in alphabetical order. The purpose of these Supplemental Use Standards is to provide more specific standards for certain uses for which site development and design standards are necessary to ensure that they will be compatible with surrounding uses, have minimal impact on the environment, and promote the health, safety, and welfare of the City.

These standards shall apply to specific uses in all zoning districts and shall be enforced by the Zoning Administrator.

Any use that is regulated by this Section, and is authorized in a zoning district shall be developed in conformance with the applicable Supplemental Use Standards.

- (1) Accessory Uses and Structures
- (2) Adult Entertainment Uses
- (3) Amateur Radio Antenna
- (4) Amusement Arcade, Commercial Recreation
- (5) Animal Shelter & Kennels – see Veterinary Services
- (6) Automobile, Boat, RV Sales
- (7) Bed and Breakfast Lodging
- (8) Car Washes
- (9) Cemeteries, Human and Pet
- (10) Clubs, Lodges and Similar Non-commercial Associations
- (11) Communication Tower / Facilities
- (12) Concentrated Animal Feedlot Operations (CAFO)
- (13) Continuing Care Retirement Community or Aggregate Congregate Care Living Facility
- (14) Day Care/Child Care Centers
- (15) Distance Requirements for Alcoholic Beverages
- (16) Drive-Through Facilities
- (17) Dwelling, Live-Work
- (18) Dwelling, Loft
- (19) Dwelling, Two-Family (Duplex) in R-2 and R-3 Zoning District
- (20) Fences, Walls and Hedges
- (21) Flea Market
- (22) Gasoline Service Station with or without Convenience Store
- (23) Golf Courses and Country Clubs
- (24) Home Occupation
- (25) Ice Vending Machines
- (26) Indoor Gun Range
- (27) Industrialized Buildings (Modular Homes), Residential
- (28) Internet Café and Similar Uses relating to Online Gambling
- (29) Kennel, Pet Boarding – see Veterinary Services
- (30) Landfill, Inert Waste
- (31) Landfill, Solid Waste
- (32) Livestock in Residential Districts
- (33) Manufactured Homes
- (34) Mobile Food Vendors & Services
- (35) Outdoor Storage in residential and commercial Districts
- (36) Parking Garages

- (37) Portable On Demand Storage Units (PODs)
- (38) Religious Facilities & Accessory Uses
- (39) Riding Stables
- (40) Salvage Yard, Junk Yards
- (41) Satellite Dish Antennas
- (42) School K-12, Private
- (43) Scrap, Waste and Yard Debris Recycling Operations
- (44) Store Front Religious Facilities
- (45) Swimming Pools, Spas and Hot Tubs
- (46) Temporary Uses (such as Special or Seasonal Events)
- (47) Trash and Refuse Areas
- (48) Utility Substation
- (49) Veterinary Services/Animal Hospitals in Residential Districts, Pet Boarding

5-1 Accessory Uses and Structures

5-1.1 No accessory uses and structure shall be constructed unless a permitted principal use exists on the parcel, located in full compliance with all standards and requirements of this Code.

5-1.2 Accessory uses and structures shall not be located in any required front yard and shall only be permitted in side and rear yards, subject to minimum five feet rear setback and eight feet side setbacks from the property line. On corner lots the side setback shall be ten feet.

5-1.3 There shall not be less than five feet separation between an accessory structure and the principal building, but the separation has to be in compliance with minimum fire code.

5-1.4 An accessory dwelling unit may be in the same building or separate building from the primary dwelling unit.

5-1.5 In a residential district the height of an accessory use and structure shall not exceed the height of the principal structure and the footprint of an accessory use and structure shall not exceed 50 percent of the footprint of the principal structure and 35 percent of the maximum permitted building area of the entire lot.

5-1.6 The architectural design and materials shall be consistent with the principal structure, neighborhood and use conventional/historical residential windows and doors.

5-1.7 Accessory uses and structures and detached accessory dwelling units shall be included in all calculations of impervious surface and stormwater run-off.

5-1.8 An accessory dwelling unit shall have at least one parking space in addition to the required parking space(s) for the primary dwelling unit.

5-2 Adult Entertainment Uses

5-2.1 Adult Business Premise Regulations

a. All adult materials shall be located and the activities of employees which include the exposure of specified anatomical areas shall take place within the adult business premises.

b. No adult materials or activities of employees which include the exposure of specified anatomical areas shall be visible from the exterior of the adult business premises in any way including but not limited to exterior apertures such as opened doors and unobscured windows.

c. No merchandise, advertising or depictions of the activities of an adult business shall be displayed on the exterior of the adult business premises or in any location where they are visible from public right-of-way.

d. No adult business shall display a sign:

1. Advertising the presentation of any activity prohibited by Georgia Statute law or any applicable city ordinance.
2. Capable of leading a reasonable person to believe that the establishment engages in an activity prohibited by Georgia Statutes law or any applicable city ordinance.

e. Additional landscaping shall be provided adjacent to public right-of-way and adjacent to private property:

1. A landscaped strip at least five feet wide shall be provided along the boundary of adjacent public right-of-way between the right-of-way and all on-site parking areas and other vehicular use areas to consist of one tree every 50 feet or portion thereof and a fence, wall or hedge not less than four feet in height at planting; and

2. An opaque fence, wall or hedge shall be provided along the boundary of adjacent private property of a height of not less than four feet and more than eight feet at planting.

5-2.2 Distance Requirements

a. No adult business shall commence operation within 1,000 feet of any residential zoning district.

b. No adult business shall commence operation within 1,000 feet of any other adult entertainment establishment.

c. No adult business shall commence operation within 1,000 feet of any church or school.

5-2.3 Prohibited Activities

a. It shall be unlawful for an employee of an adult business to engage in specified sexual activities within the adult business premises in the presence of a patron or spectator of the business or for any form of compensation.

b. It shall be unlawful for an employee of an adult business to physically touch a patron or spectator of an adult business while simultaneously revealing specified anatomical areas.

5-2.4 Amortization of non-conforming Adult Businesses

a. An adult business in violation of the location or distancing requirements of this ordinance at the time of its enactment on June 12, 2012 shall be deemed a non-conforming use which may remain in operation until June 12, 2014. No such non-conforming uses shall continue to operate as an adult business after June 12, 2014, except in compliance with the requirements of this ordinance.

b. If any non-conforming adult business ceases to do business for a continuous period of six months, it shall be deemed abandoned and shall not thereafter re-open except in conformance with these regulations.

5-3 Amateur Radio Antenna

5-3.1 No such antenna structure, including any support upon which it may be constructed, shall exceed a combined height of 50 feet.

5-3.2 Amateur radio service antenna structures exceeding 50 feet in height shall be permitted only by the Zoning Board of Appeals subject to all variance requirements of this Code.

5-3.3 Amateur radio service antenna shall be located a distance of at least one-half the height of the tower (antenna) from all property lines.

5-4 Amusement Arcade; Amusement Theme Park, Commercial Recreation

5-4.1 An outdoor recreation facility consisting of amusement rides, games, water slides, amusement vehicles, golf driving ranges, miniature golf, batting cages, water slides or any similar commercial outdoor recreation shall be limited as follows:

- a. The minimum lot size shall be 5 acres.
- b. The maximum lot size shall be 15 acres.
- c. All such facilities must be enclosed within an 8 feet high fence with unpierced gates that are to be locked except when the facility is open to the public.
- d. Outdoor activities are limited to the hours from 10 a.m. to 10 p.m.
- e. A site plan shall be required in accordance with Chapter 10 to indicated entrances and exits, type location and height of recreation facilities, buildings and other structures and lights, parking areas, landscaping, buffers and drainage. The site plan shall also illustrate surrounding property uses and the location of the nearest residence.
- f. Lighting must be designed to direct light downward and away from adjacent properties.
- g. An environmental acoustical study shall be submitted to the Zoning Administrator as part of the site plan approval in order to identify and analyzes all sources of noise emanating from the site including outdoor speakers, sound effects or sound systems as well as rides, vehicles, and mechanical equipment. Noise levels shall not exceed 65 decibels, dbA measured at the property lines.
- h. A 100 feet buffer shall be maintained adjacent to all abutting residentially zoned property.

5-5 Animal Shelter & Kennels

Any outside kennel or kennels with access to the outside shall be at least 200 feet from any residential district.

5-6 Automobile, Boat, RV Sales (new and pre-owned)

5-6.1 A 10 foot wide landscape buffer shall be required abutting public right-of-way. All landscaping shall be in conformance with the requirements of Chapter 4, Landscaping.

5-6.2 A 15 foot wide landscape buffer shall be required abutting all side and rear property lines. All landscaping shall be in conformance with the requirements of Chapter 4, Landscaping.

5-6.3 All vehicles shall be parked on paved surfaces or approved pervious paving materials.

5-6.4 All outdoor display areas shall be at least 50 feet from the right-of-way line and no closer than 100 feet from the nearest residence.

5-6.5 Maintenance, repair, painting and body work must take place within an enclosed building.

5-6.6 The property shall contain a sales building with a minimum of 2,500 square feet of heated floor area.

5-7 Bed and Breakfast Lodging

5-7.1 The Bed and Breakfast must be secondary to the use of the premises for a dwelling. All operators of a Bed and Breakfast Residence must own and occupy the building where said use will occur as their principal residence.

5-7.2 Only one sign, for the purposes of identification, no advertisement, shall be permitted. The identification sign shall have a maximum of four square feet in sign area and shall not be illuminated.

5-7.3 The maximum number of guest rooms made available for rent shall be five.

5-7.4 One off-street parking space shall be provided per guest room and shall meet the requirements of this Code.

5-7.5 No food preparation or cooking shall be conducted within any bedroom nor other individual rented rooms. Meals shall only be provided to overnight guests and employees of the inn.

5-7.6 The exterior appearance of the structure shall not be altered from its single family character.

5-8 Car Washes

5-8.1 A car wash operation is considered to be a drive through facility and is subject to site plan submission requirements.

5-8.2 The property on which the car wash is to be located shall be a minimum of 10,000 square feet in size.

5-8.3 The car wash, and all related activity areas shall be screened from all adjoining side and rear properties with a 15 foot landscape buffer with 1 tree for every 30 linear feet and a continuous hedge along the entire length of the property. All landscaping shall be in accordance with this Code.

5-8.4 No more than 7 car wash bays and 7 vacuum stations shall be allowed in any self-serve car wash facility.

5-8.5 All car wash bays shall be enclosed on two sides and covered by a permanent roof.

5-8.6 All on-site lighting fixtures shall be directed so that adjacent properties are not illuminated.

5-8.7 Mobile Car washes shall meet the following criteria:

a. No Mobile Car wash shall wash a car on a public street or within a public right of way.

b. A Mobile Car wash operating on private property shall have the written permission of the property owner.

c. The mobile car/vehicle wash business must catch all water coming off the vehicle if such vehicle is washed on an impervious surface and dispose of this water at an approved facility.

d. A maximum of five (5) vehicles may be washed on a non-paved or pervious surface, provided there is a good stand of live ground cover such as grass and the grass is able to absorb the run-off into the ground without any water run-off from the site.

e. All Mobile Car washes shall be permitted as a home occupation and shall not operate without a permit issued by the Zoning Administrator.

5-9 Cemeteries, Human and Pet

5-9.1 Cemeteries are permitted in any zoning district provided they front on an arterial or connector street.

5-9.2 A cemetery may include one or more of the following: a burial park for earth interments, a mausoleum for vault or crypt interments and a columbarium.

5-9.3 A cemetery may include a chapel when operated in conjunction with and within the boundaries of

5-9.4 Registered cemeteries per State Law must have a minimum size of 10 acres; other cemeteries must have a minimum land area of two acres.

5-9.5 The minimum setbacks for any structures to the front property line must be 40 feet, to the side and rear property lines must be 20 feet and adjacent to any residentially zoned property must be 50 feet.

5-9.6 Must have a 25-foot planted buffer strip around their entire perimeter except for ingress and egress points.

5-10 Clubs, Lodges and similar non-commercial Associations

5-10.1 The serving of food is limited to club members on a non-profit basis;

5-10.2 Ingress and egress are situated so that the added traffic, lights, noise etc. are not objectionable to the surrounding residences;

5-10.3 No structures are within 50 feet of an adjacent residential structure; and

5-10.4 A planted buffer strip is provided and maintained to screen off-street parking areas, trash, service entrance, and other potential offensive features from adjacent residential properties.

5-11 Communication Tower/Facility

5-11.1 The purpose and intent is to provide a uniform and comprehensive set of standards for the development and installation of communication towers, antenna support structures, antennas and related facilities. These standards are designed to protect and promote public health, safety and community welfare and the aesthetic quality of the city, while at the same time not unduly restricting development of needed telecommunication facilities nor denying wireless communications suppliers' access to the public switched telephone network. These standards encourage managed development of telecommunication infrastructure.

5-11.2 All applications shall include a statement of need or necessity, showing that the service cannot be provided through other means, i.e. co-location.

5-11.3 All applications shall include the intended service area and existing coverage by service providers.

5-11.4 Telecommunication towers shall comply with applicable Federal Aviation Administration and Federal Communications Commission regulations. Evidence of compliance must be submitted prior to issuance of building permits for construction. A statement of "no objection" from Moody Air Force Base must also be submitted prior to issuance of building permits for construction.

5-11.5 All certifications required for the construction of telecommunication facilities shall be sealed by a Georgia registered engineer.

5-11.6 All telecommunication towers, as well as accessory and support structures including guy anchors shall comply with the applicable zoning district setbacks. For guyed towers, applicants should submit certified break-apart calculations in order for the property boundary setbacks of the tower to be determined. If the applicant does not submit break-apart calculations, the minimum setback from all property lines or the nearest inhabited building shall be 150 percent of the height of the tower, but not less than 200 feet.

5-11.7 A wall or fence no less than ten feet in height from finished grade shall be constructed around each telecommunication tower and ground related support or guy anchors. Access to the tower shall be controlled.

5-11.8 The City may require, as a condition of approval, the dedication of space on a tower for communications equipment required for public safety. The need for such public use shall be indicated to the applicant prior to formal approval of an application. In the case of co-use with the City, the applicant shall certify that none of the proposed or future users of the tower shall interfere with its use by the City for public safety.

5-11.9 In addition to the landscaping requirements per Chapter 4 of this Code, landscape buffers shall be required around the perimeter fencing of the telecommunication tower and any accessory uses, including guy anchors. Landscape buffers shall be located outside and within ten feet of the required fence and shall include not less than one tree and suitable ground cover for every 20 linear feet of fence. In addition, a hedge shall be installed around the exterior perimeter of the fence.

5-11.10 A 12-foot wide stabilized access driveway is acceptable to a telecommunication tower, unless the Zoning Administrator determines, based on public safety concerns, that circumstances require paved access. The turn-around area shall be approved by the City Engineer, Police Chief and Fire Chief.

5-11.11 A minimum of one on-site parking space shall be provided. The parking area shall be paved if the access road is paved.

5-11.12 Telecommunications towers and accessory structures shall be unoccupied.

5-11.13 A tower may constitute an accessory use on a lot containing a separate principal use. If the tower constitutes a principal use, then it must be located on a property which meets the minimum lot size requirements of the district in which the tower is located and is large enough to accommodate the tower, accessory structures, landscaping, parking and other required improvements.

5-11.14 The use of any portion of a tower for signs or advertising is prohibited.

5-11.15 The following distances shall be measured by a straight line measurement without regard to intervening buildings from the nearest point of the building or unit within a building in which the proposed telecommunications tower is to be located to the nearest point of the lot, use, right-of-way line or district from which the proposed telecommunications tower is to be separated.

a. No telecommunications tower shall be constructed within 500 feet of any residential zoning district within the City or within 500 feet of a residential area outside of the City.

b. No telecommunications tower shall be constructed within 500 feet of a school.

5-11.16 An unused tower shall be removed within three months of cessation of all telecommunications uses.

5-11.17 Existing non-conforming towers may be replaced one time by a tower of equal or lesser height.

5-11.18 Temporary facilities known as “cells on wheels” shall be allowed for periods up to 30 days during documented states of emergency as declared by the Mayor, and for special events subject to review and approval of the Zoning Administrator.

5-12 Concentrated Animal Feedlot Operations (CAFO)

Are prohibited within the City of Lakeland.

5-13 Continuing Care Retirement Community or Adult Congregate Care Living Facilities

5-13.1 The provisions of this section only apply to facilities which provide housing for more than 10 persons or which are more than 1 acre in size. Any adult congregate care facility which is intended to house less than four unrelated persons in a single family detached dwelling shall be a use by right in all residential zones. Licensed CCRCs or ACLFs shall be a use allowed within the General Business District.

5-13.2 Standards

- a.** A site plan drawn to scale, in accordance with Chapter 4 of this Code shall be provided.
- b.** The permitted density shall be that of the underlying zoning district.
- c.** Off-street parking shall be provided on a minimum basis of one space per every four occupants and one space for every two employees as determined by the maximum working shift. The City Council may require the provision of additional parking in the reasonable exercise of its discretion.
- d.** For all facilities, each unit in the facility to be occupied by one person shall be a minimum of 250 square feet; each unit in the facility to be occupied by two persons shall be a minimum of 450 square feet. Additionally, at least 100 square feet of interior common area shall be provided for each unit.
- e.** All facilities shall provided facilities sufficient, as determined by the City Council, in size to serve meals to the residents and shall provide at least two meals a day to its residents which shall be included in the monthly fee.
- f.** All facilities shall also provide the following amenities or services for its residents:
 - 1. An office or examination room for the purpose of housing a qualified and properly licensed nurse or nursing staff.
 - 2. T.V. and game room, library, arts and crafts center or other similar facility to provide leisure activities for facility residents.
 - 3. Laundry facilities for the residents.
- g.** All facilities shall be subject to a 45 foot height maximum

h. All facilities shall be subject to the regulations in the residential zoning districts which pertain to lot coverage and setbacks.

i. At least 20 percent of each facility shall be maintained as open space to be either a lawn or landscaped area which can be used for recreation and other leisure activities.

j. All signs in conjunction with the facility shall meet the applicable requirements pertaining to the zoning district in which the facility is located.

k. Accessory uses shall be limited to those normal and incidental to residential dwelling units, including a small convenience store to provide personal items such as toiletries, magazines, a small selection of groceries, prescriptions. Said facility shall be self-contained within the structure and open only to the residents of the facility.

l. Each facility and its units shall be served by one master meter for water, sewer, gas and electric utilities.

m. Any plan for a facility must not only establish compliance with the above requirements, but also that such use will be reasonably compatible with the surrounding neighborhood on the basis of the following considerations:

1. Ingress and egress to the property and proposed structures on the property with particular reference to automotive and pedestrian safety, traffic flow and control, and access in case of fire or other emergency.
2. Off-street parking and loading areas where required, with particular attention to the noise, glare, or odor effects, or property value effects of the proposed facility on adjoining properties and properties in the neighborhood.
3. Refuse and service areas.
4. Utilities with reference to location, availability and compatibility.
5. Screening and buffering with reference to type, dimensions and character.
6. Signs, if any, and proposed exterior lighting with reference to glare, traffic safety, compatibility and harmony with the neighborhood and adjacent properties.

5-14 Care/ Child Care Center

5-14.1 In the GB and I Districts, a day care center shall be allowed as an accessory to the business for use by employees of that business only.

5-14.2 In any residential district, the use shall maintain a residential appearance compatible with the neighborhood and not be detrimental to adjacent properties as a result of traffic, noise, light, refuse, parking or other activities.

5-14.3 The principal and accessory buildings shall meet all yard setback and height requirements of this district.

5-14.4 The use shall comply with all state day care requirements for standards, licensing and inspections.

5-14.5 The use must provide at least 200 square feet of outdoor recreation per child.

5-14.6 The outdoor play area must be enclosed with a six (6) foot high fence.

5-14.7 The use shall provide paved driveways with drop-off areas and turn-arounds to be reviewed by the Zoning Administrator, so that traffic associated with the use does not impede flow of traffic on adjacent streets.

5-15 Distance Requirements for Alcoholic Beverage Sales

No alcoholic beverage license shall be granted or issued to any applicant for such license nor shall any person knowingly and intentionally sell or offer to sell, give or distribute:

5-15.1 Any wine or malt beverages within 300 feet of any school building, school grounds or college campus;

5-15.2 Any distilled spirits within 300 feet of any church building;

5-15.3 Any distilled spirits within 600 feet of any school building, educational building, school grounds or college campus;

5-15.4 Any distilled spirits, wine or malt beverages within 300 feet of an alcoholic treatment center owned and operated by the State of Georgia or any county or municipal government therein.

a. As used in this subsection, the term "school building" or "educational building" shall apply only to state, county, city, or church school buildings and to such buildings at such other schools in which are taught subjects commonly taught in the common schools and colleges of this state, and which are public schools or private schools.

5-15.5 No person knowingly and intentionally may sell any alcoholic beverages for consumption on the premises within 300 feet of any housing authority property.

a. As used in this subsection, the term "housing authority property" means any property containing 300 housing units or fewer owned or operated by a housing authority created by Article 1 of Chapter 3 of Title 8, the "Housing Authorities Law."

5-15.6 This section shall not be applicable to sales or transfers by any license holder whose use of his premises for such sale existed before the establishment of the use of the religious facility, school, or public playground; or when the religious facility is located in a storefront in a commercial zoning district as a temporary use.

5-15.7 Those distance measurement prohibitions stated above shall be measured in the following manner:

In the nearest traveled pedestrian way from the front door of the structure on the premises for which an alcoholic beverage license is applied for, to the nearest right-of-way line or a sidewalk or street or public way and proceeding to the premises (property line) listed under a. through e. above along such nearest public right-of-way.

5-15.8 Notwithstanding anything contained in the section above to the contrary, "restaurants" which offers alcoholic beverages for consumption on the premises, are exempt from the requirements contained above provided that the serving of such beverages is incidental to the principal business conducted.

5-16 Drive-Through Facilities

5-16.1 Drive-Through facilities shall not be permitted in residential zoning districts.

5-16.2 Each stacking space shall be a minimum of 26 feet in length and ten feet in width along the straight portions of the stacking lane. Stacking spaces and stacking lanes shall be a minimum of 12 feet in width along curved segments.

5-16.3 Stacking lanes shall be delineated from traffic lanes, other stacking lanes and parking areas with striping, curbing, landscaping and the use of alternative paving materials or raised medians. If curbing or a raised median is used, an emergency by-pass or exit shall be provided.

5-16.4 Entrances to the stacking lane(s) shall be clearly marked and a minimum of 60 feet distance from the side property line.

5-16.5 Stacking lanes shall be designed to prevent circulation congestion, both on site and on adjacent public streets. The circulation shall separate the drive-through traffic from the circulation on site, not impede or restrict access into or out of parking spaces, and minimize conflicts between pedestrian and vehicular traffic with physical and visual separation of the two.

5-16.6 Stacking lanes shall not interfere with required loading and trash storage areas and loading or trash operations shall also not interfere with on-site vehicle movement.

5-16.7 Any outdoor service facility, including menu boards, speakers, etc, shall be a minimum of 100 feet from any residentially zoned district or residentially used property.

5-16.8 Menu boards shall be a maximum of 24 feet square feet, with a maximum of seven feet in height and shall be screened from the view of any public street or residential properties.

5-16.9 Standards for drive through facilities

a. A drive-through or walk-through facility shall be designed, constructed and used so as not to interfere with the public use of public ways, streets, alleys or other public areas. The Zoning Administrator shall specifically approve such facility. In making such determination, the type of business, the existing and projected traffic flow of nearby public areas and the nearness of other like facilities shall be considered.

5-16.10 The minimum number of queuing or stacking spaces required shall be as follows. Variations from these minimums may be allowed by the Zoning Administrator on the basis of a traffic study as provided by the applicant.

Table 5-1 Required Stacking Spaces

Use Type	Minimum Spaces	Measured From
Bank Teller Lane	3	Teller or Window
Automated Teller Machine	3	Teller Machine
Restaurant Drive Through	8	Order Box*
Other	TBD	TBD

* An additional four vehicle queue from the pick-up window to the order box shall be provided.

k. Each queue space shall be a minimum of ten feet by 26 feet. Queuing lane dimensions shall be measured from the point indicated in the queue space schedule to the end of the queuing lane. Dimensions of queuing lanes shall be shown on the site plan.

5-16.11 Each queue lane shall be clearly defined and designed so as to not conflict or interfere with other traffic using the site. A bypass lane with a minimum width of 12 feet shall be provided if a one-way traffic flow is used in the parking lot. The bypass lane shall be clearly designated and distinct from the queuing area.

5-17 Dwelling, Live-Work

The following standards shall apply to all live-work dwelling units.

5-17.1 The dwelling unit must be owner occupied.

5-17.2 Only one business may be operated in each dwelling.

5-17.3 The business owner shall be the owner of the dwelling unit in which the business is located.

5-17.4 The business shall be located on the ground floor only and shall have direct entry from the sidewalk along the street frontage.

5-17.5 No more than 40 percent of the dwelling unit may be used for conducting the business.

5-18 Dwelling, Loft

5-18.1 Loft dwellings shall be located in mixed use buildings in the CBD zoning district.

5-18.2 No loft dwelling shall be located on the ground floor.

5-18.3 Residential portions of a building shall have at least one entrance/exit to the ground floor that is separate from the entrance/exit used by the occupants of the non-residential portion of the building.

5-18.4 Each loft dwelling shall have at least 800 square feet of heated/ac living area.

5-19 Dwelling, Two-Family (Duplex) in R-2 and R-3 Zoning Districts

5-19.1 The following standards are intended to provide for areas of two-family development that are consistent in design and in development patterns with typical single-family detached development.

5-19.2 The two units of a duplex shall share a common roof and a common wall for at least 50% of the maximum depth of the building, as measured from the front to the rear of the lot and prohibit the separation of the two units by a breezeway, carport, or other open building element; instead of a shared common wall, the two units can share a common floor and ceiling.

5-19.3 Each dwelling unit shall contain a two-car garage in addition to required parking spaces. The garage space shall not be eliminated by enclosing the garage with a stationary wall. If the lot is alley served, garages shall be set back a minimum of 20 feet from the rear property lines.

5-19.4 Each dwelling unit shall have access to the street with a concrete driveway or any other alternative material consistent with this Code.

5-20 Fences, Walls and Hedges

5-20.1 The requirements in this section shall be in addition to and shall supersede in the event of a conflict those contained in the building code, relating to type of construction and materials of walls and fences. A fence permit shall be required by Chapter 10.

5-20.2 Any fence or wall, except a chain link fence, in height over eight feet must be designed and sealed by a licensed professional engineer or architect.

5-20.3 Fences and walls shall be constructed of concrete, cement blocks, brick, chain link, wood, ornamental wrought iron, stone, or any alternate material as approved by the Zoning Administrator. Concrete or cement block walls shall be stucco or provided with a textured finish.

5-20.4 Metal fences shall be of non-corrodible metal or galvanized wire fabric, having a minimum of 11 gauge, mounted on steel posts.

5-20.5 Fences or walls should be generally in harmony and compatible with their surroundings.

5-20.6 All fences shall be maintained in good repair on both sides in order to remain structurally sound.

5-20.7 All fences and walls on the same property shall be continuous in alignment and of uniform construction and appearance.

5-20.8 No fence shall be constructed of materials which easily corrode, decay or rust, unless specifically treated to inhibit such corrosion, decay or rust.

5-20.9 The height of fences and walls shall be measured from existing natural elevation of a lot, prior to any construction or alteration.

5-20.10 Any entryway arbor or trellis, constructed in conjunction with a fence or wall, shall not exceed a maximum height of nine feet, measured from existing grade.

5-20.11 The height of all fences, walls, hedges, signs or any other objects located within the Sight Distance Triangle for intersections shall meet the sight distance requirements as defined in the Geometric Design of Highway and Streets as published by the American Association of State Highway and Transportation Officials.

5-20.12 Plans for fences or walls shall be included as a part of the site and/or building plans and shall be erected during or immediately after the erection of the principal building, and in any event prior to the certificate of occupancy of the principal building is issued.

5-20.13 Electrically charged fences are prohibited, except in prisons, jails or to contain livestock in agricultural areas.

5-20.14 Barbed wire or razor wire fences are prohibited, except in prisons or jails or to contain livestock in agricultural areas.

5-20.15 In no case shall a fence or wall restrict the natural sheet flow of water or impede movement of drainage water from swales, drainage ditches etc.

5-20.16 All major development projects shall be allowed to install a construction fence with a temporary six-foot chain link fence with obscure fabric that may include graphics depicting the development project, or other visual barrier material around the site prior to the initiation of the construction phase.

In residential districts:

5-20.17 Fences, walls and hedges may be located in any required yard.

5-20.18 The maximum height of fences and walls shall be four feet in any required front yard and six feet in any required side or rear yard. Hedges of any height may be located within any required front, side or rear yard, provided it complies with #k.

5-20.19 For a multi-family development or unit, fences and walls shall be set back a minimum of three feet from any abutting street right-of-way for the purpose of landscape beautification. Landscaping materials shall consist of a hedge and groundcover or other grounded landscape treatment.

5-20.20 Where a residential lot abuts a non-residential zoned lot, fence height in side or rear yards may be increased to eight feet.

In commercial or industrial districts:

5-20.21 Fences or walls erected in commercial districts shall be no higher than eight feet. Fences shall be set back a minimum of five feet from any abutting street right-of-way for the purpose of landscape beautification. Landscaping materials shall consist of a hedge and groundcover or other grounded landscape treatment.

5-20.22 Fences or walls erected in an industrial (I) zoning district shall be no higher than ten feet. Fences shall be set back a minimum of five feet from any abutting street right-of-way for the purpose of landscape beautification.

5-20.23 Where an industrial zoned use abuts any other non-industrial zoning district, there shall be a masonry buffer wall erected, with a minimum of six feet, but no higher than 10 feet, along the full length of the property line adjoining such other district in addition to a six foot landscape buffer on the outside of the wall.

5-21 Flea Market

5-21.1 The market must provide adequate off-street parking for its employees, vendors and customers;

5-21.2 The market must provide adequate restroom facilities located within a structure or building on the grounds; and

5-21.3 A building permit shall be required for structural interior spaces.

5-22 Gasoline Service Station with or without Convenience Store

5-22.1 Gasoline and other motor fuel stations, excluding principal use signs, but including storage tanks and gas pumps, must be placed not less than 50 feet from any side or rear property lines, except when the side or rear property lines abut a street, in which case the setback shall be that required for such streets.

5-22.2 All structures, including gas pumps and buildings comply with the set back requirements from the abutting streets, but shall be at a minimum 25 feet from the property line.

5-22.3 All points of ingress and egress shall be arranged so as to minimize interference with normal street traffic flow.

5-22.4 No building or structure shall be placed within 100 feet of a residential property line.

5-22.5 All repair and maintenance, if permitted, shall be carried on entirely within an enclosed building.

No outdoor storage is permitted.

5-22.6 All drives, parking, storage and service areas shall be paved and curbed.

5-22.7 Outside above ground tanks for the storage of gasoline, liquefied petroleum gas, oil and other flammable liquids or gases shall be prohibited.

5-22.8 Overnight accommodations, showers or parking are prohibited.

5-22.9 The use shall not be combined with any other use or facility to create a truck stop.

5-23 Golf Courses and Country Clubs

5-23.1 If in a residential district or abutting a residential district, the following standards shall apply:

a. Hours of operation shall be limited to the hours of 6 AM to 11 PM

b. Outdoor recreation activities shall be limited to the hours of 8 AM to 10 PM

c. Not outdoor loudspeakers or sound amplification systems shall be permitted.

d. No outdoor storage shall be permitted.

e. No building, swimming pool, tennis court, ball field or other from of outdoor recreation shall be closer than 50 ft from abutting property zoned for residential use.

f. Outdoor lights shall be no more than 10 ft in height and not closer than 25 ft from a property line. Outdoor light fixtures shall be cut-off luminaries designed to cast light downward and away from adjacent property.

g. Property lines abutting properties used for residential dwellings shall provide a minimum 25 ft continuous vegetative buffer, except where penetrated by a driveway or utility lines.

5-23.2 When the use is accessory to a residential subdivision, the following standards shall apply in addition to 5-23.1:

a. The facility shall be owned by the subdivision's property owner or homeowner association.

b. To limit impacts from traffic, membership shall be limited to residents of the subdivision.

5-23.3. When the use is a primary use, the following standards shall apply in addition to a.:

a. The use shall have direct access to a roadway designated as a collector or higher category roadway system.

5-24 Home Occupation

5-24.1. No person shall be employed other than members of the immediate family residing on the premises plus one additional employee.

5-24.2. The use of the dwelling unit or an accessory building on the property for the home occupation shall be clearly incidental and secondary to the residential use and shall under no circumstances change the residential character of the dwellings and the property.

5-24.3. There shall be no outside display or storage of materials or supplies in residential districts. Outside parking of one trade vehicle is permitted. No business vehicles larger than a van, panel truck or 1 ton pick-up truck are permitted to park overnight on the property.

5-24.4. No signage of any kind shall be displayed other than what is permitted in Chapter 8 of this Code.

5-24.5. The home occupation shall not constitute a fire hazard to neighboring residences, or adversely affect neighboring property values, or constitute a nuisance or otherwise be detrimental to the neighbors because of excessive traffic, noise or odors.

5-24.6. A home occupation shall produce no noise, obnoxious odors, vibrations, glare, fumes or electrical interference detectable to normal observation outside the dwelling or building.

5-24.7. No traffic shall be generated by such home businesses in greater volumes than would normally be expected in a residential neighborhood and any need for parking generated by the home occupation shall be met off-street and not in the front yard.

5-24.8. The use can qualify for all local, state and federal licenses, certificates and permits.

5-24.9. Any violation of these regulations may result in the revocation of any home occupation license, in addition to any other remedy for such violation.

5-24.10. The issuance of a license to engage in a home occupation in accordance with this ordinance shall not be deemed to be a change in zoning nor an official expression of opinion as to the proper zoning for the particular property.

5-25 Ice Vending Machines

5-25.1. Ice Vending Machines are permitted in the CB and I zoning districts.

5-25.2. The lot shall include a 15 foot landscape buffer around the ice vending machine excluding ingress and egress.

5-25.3. The Ice Vending Machine shall be set back a minimum of 50 feet from any residentially zoned property.

5-25.4. Two parking spaces shall be provided, plus one additional ADA accessible parking space.

5-26 Indoor Gun Range

5-26.1 Indoor Gun Ranges are allowed in GB and I Zoning Districts.

5-26.2 The facility must be located along arterial and collector roads.

5-26.3 A Gun Range shall not be located within within a quarter-mile of residential or government structures.

5-26.4 All operations shall be entirely within an enclosed building which shall be constructed according to the National Rifle Association Sourcebook and must comply with all applicable building codes.

5-26.5 Sound absorbing material must be used inside the facility to suppress the sounds from the firearms.

5-26.6 Lead from the range must be recycled and the brass and debris shall be cleaned up daily using special vacuum equipment.

5-26.7 Parking requirements shall follow the standards for warehousing as outlined in Chapter 4 of this Code.

5-26.7 A noise study shall be submitted demonstrating that gun sounds will not be audible outside of the property range.

5-26.8 An Indoor Gun Range shall only be used when the proprietor or designee of the site is present.

5-26.9 Such a site would be inspected on at least a semi-annual basis on the order of the police chief.

5-27 Industrialized Buildings (Modular Homes) (Residential)

All industrialized homes must comply with the following regulations for dwelling units:

5-27.1 The building permit application must be accompanied by the following:

- a.** The serial number of the home as provided by the manufacturer.
- b.** Proof of the identity of the manufacturer.
- c.** Proof of inspection of the home at the date of manufacture, including DCA seal.

5-27.2 No industrialized home shall be in a state of disrepair at the time of its installation at the intended location within the City.

5-27.3 All industrialized homes shall receive all applicable inspections necessary to ensure the following:

- a.** External connections to gas, plumbing, electric and any other utility systems shall be constructed and installed in a manner that meets all City building codes.
- b.** Each industrialized home site shall include an approved potable water source and an approved sewage disposal system meeting the requirements of the Lanier County Health Department.
- c.** Steps, landings, porches shall meet the requirement of the International Building Code.

5-27.4 All industrialized homes shall meet all requirements of the zoning district in which the home is located.

5-27.5 No industrialized home may be attached to another industrialized home by means of a breezeway, corridor or hallway. Industrialized homes designed to be part of a multi-family structure are prohibited.

5-28 Internet Cafes or Similar Use Relating to Simulated Online Gambling

5-28.1 Gambling and non-sanctioned lotteries are illegal in the State of Georgia.

5-28.2 With daily advances in electronic and computer technology, attempts at circumventing State law regarding illegal gaming has evolved from readily apparent methods to more veiled and camouflaged schemes; and

5-28.3 In recognition of this, the State of Georgia specifically prohibited the use of video poker machines in 2006;

5-28.4 Since 2006, various programs have been created that allow computers and other electronic machines and devices to conduct a sweepstakes which purportedly entitle participants to have a chance to win various prizes and rewards in return for the purchase of token services or products such as internet service, telephone cards, and office supplies, among other products; and

5-28.5 Certain companies are advertising on the Internet that these Sweepstakes are legal in the State of Georgia; and

5-28.6 These websites explain how to evade the gambling laws in states such as Georgia by establishing Sweepstakes Parlors; and

5-28.7 These business models appear to represent an attempt to circumvent the laws of the State of Georgia that generally prohibit gambling and illegal lotteries; and

5-28.8 The sale of goods or services to patrons appears to be no more than a subterfuge for promoting gambling on the premises; and

5-28.9 A number of jurisdictions around the United States either have passed or are contemplating the passage of laws, statutes, or ordinances banning or prohibiting such Sweepstakes Parlors; and

5-28.10 The Mayor and City Council find that promoting and establishing non-sanctioned lotteries is illegal in the State of Georgia and constitutes commercial gambling; and

5-28.11 The Mayor and City Council find that requiring participants in a Sweepstakes scheme to pay any tangible consideration to the operator of such business in the form of money or other property or thing of value and/or to purchase any goods, wares, merchandise, services or anything of value from such business to be eligible for a prize further constitutes an illegal lottery; and

5-28.12 The Mayor and City Council further find that requiring a participant to purchase goods and services, even if the goods and services have an independent value equal to that charged to the participant, is a mere token from of consideration and is illegal; and

5-28.13 On March 15, 2011, the Hon. Samuel Olens, Attorney General of the State of Georgia, also concluded that such a method of business was illegal;

5-28.14 The Mayor and the City Council ordain the following:

- a.** The clauses set forth above represent the legislative findings of the City Council and the Mayor of the City of Lakeland;
- b.** Any such method of operating a Sweepstakes as described above shall be banned in the City of Lakeland;
- c.** Any and all businesses that plan on utilizing such a Sweepstakes shall be informed of this Ordinance prohibiting the use of same;
- d.** The refusal to abide by the terms of this Ordinance shall be grounds for the denial of any permit the business applicant seeks.

5-29 Kennel, Pet Boarding

5-29.1 The lot size shall not be less than two acres.

5-29.2 Any building or enclosed structures for the housing of animals shall have minimum side and rear setbacks of at least 100 feet from the property lines.

5-29.3 All areas maintaining animals outside shall be completely enclosed by wall or fences at least six ft in height and shall be located no closer than 200 feet from property lines or street right of way.

5-30 Landfill, Inert Waste

5-30.1 The minimum acreage of the site shall be twenty-five acres.

5-30.2 No facility shall be permitted within 500 ft of a residential dwelling, private or public well or school.

5-30.3 A minimum 100 ft. wide buffer, meeting the requirements of this Section shall be maintained on all property lines including property lines abutting a public street.

5-30.4 All facilities shall be enclosed with an opaque security fence at least 6 ft in height with openings of not more than those in two-inch mesh wire of some other similar fencing materials. This fence shall be located inside the buffer. A minimum 6 ft high solid wall or fence is required inside the buffers adjacent to property zoned or used for residential purposes. A sight line study shall be submitted to the Zoning Administrator for approval.

5-30.5 Access to inert waste landfills shall be limited to authorized entrances that shall be closed when the site is not in operation. Access shall not be through any residential subdivision or development. Routes and entrances shall be approved by the Zoning Administrator to ensure that access is derived from paved streets and that such streets will withstand maximum load limits established by the City.

5-30.6 Materials placed in inert waste landfills shall be spread in layers and compacted to the least practical volume.

5-30.7 A uniform compacted layer of clean earth no less than 1 ft in depth shall be placed over all exposed inert waste material at least monthly.

5-30.8 The inert waste landfill site shall be graded and drained to minimize runoff onto the landfill surface, to prevent erosion and to drain water from the surface of the landfill.

5-30.9 The property owner shall obtain a land disturbing permit for any inert waste landfill.

5-30.10 No hazardous wastes, industrial wastes, demolition wastes, biomedical wastes, asbestos, or liquid waste shall be allowed in an inert waste landfill.

5-30.11 Suitable means, such as stockpiled soil, shall be provided to prevent and control fires.

5-30.12 A uniform compacted layer of final cover not less than two ft in depth and a vegetative cover shall be placed over the final lift not less than one month following the final placement of inert waste within the lift.

5-30.13 Notice of final closure must be provided to the Department of Public Works within 30 days of receiving the final load of waste. Any site not receiving waste in excess of 180 days shall be deemed abandoned and in violation of this Section unless properly closed. Notice of closure must include the date of final waste receipt and an accurate legal description of the boundaries of the landfill.

5-31 Landfills, Solid Waste

5-31.1 The minimum size of a Solid Waste Landfill shall be 100 acres.

5-31.2 No facility shall be permitted within 500 ft of a residential dwelling, private or public well, or school.

5-31.3 A minimum 200 ft wide buffer, meeting the requirements of this Section, shall be maintained against all property lines including property lines abutting a public street.

5-31.4 All facilities shall be enclosed with an opaque security fence at least six feet high with openings of not more than those in 2 inch wire mesh or some other similar fencing materials. The fence shall be placed inside the buffer. A minimum six feet high wall or solid fence is required inside the buffers adjacent to property zoned or used for residential purposes. A sight line study shall be submitted to the Zoning Administrator for review.

5-31.5 A gate or other barrier shall be maintained at potential vehicular access points to block unauthorized access to the site when an attendant is not on duty. Access to the site shall not go through any residential area or uses. Routes and entrances shall be approved by the City Engineer to ensure that the access to the site is on paved streets and that such streets are designed to carry the maximum load limits as established by the City.

5-31.6 The property owner shall obtain all applicable local, state and federal permits.

5-31.7 The site must be designed with adequate soil buffers or artificial liners and leachate collection and treatment systems to prevent the contamination of drinking water supplies.

5-31.8 All surface runoff from disturbed areas must be controlled and contained on site by the use of appropriate erosion and sedimentation control measures or devices. Sediment basins must be designed to handle both the hydraulic loading for the 25-year 24-hour storm event and the sediment loading from the drainage basin for the life of the site.

5-31.9 The site plan for the facility must call for revegetation of any disturbed area that will remain exposed for more than three months. Revegetation of final cover must take place within two weeks after final cover placement.

5-31.10 The site plan must also define a sequence of filling the entire site that minimizes any problems with drainage or provides for all-weather access roads to the working area.

5-31.11 The composition of daily cover shall meet the following standards:

- a.** Must be capable of preventing disease vectors, odors, blowing litter and other nuisances.
- b.** Must be capable of covering solid waste after it is placed without change in its properties and without regard to the weather.
- c.** Must be capable of allowing loaded vehicles to successfully maneuver over it after placement.
- d.** Must be non-combustible.
- e.** 40% by weight of fragments in the daily cover shall pass through a 2 millimeter, No. 10 sieve.
- f.** Must not include rock fragments that are greater than six inches in diameter.

5-31.12 The composition of intermediate or monthly cover shall meet the same criteria for daily cover and be capable of supporting the germination and propagation of vegetative cover.

5-31.13 The composition of final cover shall meet the same criteria as for monthly cover and must compact well and preclude the excessive infiltration of surface water.

5-31.14 The grade of final slopes shall be designed, installed and maintained to:

- a.** Ensure permanent slope stability.
- b.** Control erosion due to rapid water velocity and other factors.
- c.** Allow compaction, seeding and revegetation of cover material placed on slopes.
- d.** Ensure minimal percolation of precipitation into and surface runoff onto the disposal area.
- e.** The grade of the final surface of the facility may not be less than 3% or greater than 33%.

5-31.15 Fire protection, groundwater monitoring, methane gas control, liners and leachate collection, closure, post-closure care and financial responsibility shall be in conformance with Chapter 391-3-4, as amended, Solid Waste Management Rules of the Environmental Protection Division of the State Department of Natural Resources.

5-31.16 Any operator of any solid waste landfill shall comply with the performance requirements of Chapter 391-3-4, as amended, Solid Waste Management Rules of the Environmental Protection Division of the State Department of Natural Resources.

5-31.17 No regulated quantities of hazardous waste may be accepted. The operation must have a plan for excluding regulated quantities of hazardous waste.

5-31.18 No person in responsible charge of a solid waste landfill which has a leachate collection system shall perform the duties of a Solid Waste landfill operator without being duly certified by the State.

5-31.19 No solid waste landfill which has a leachate collection system shall be operated in the State unless the person in charge is duly certified by the State.

5-32 Livestock in Residential Districts

5-32.1 Except as provided below, no animals shall be kept in any residential district except those animals generally recognized as household domestic pets, such as dogs, cats, caged birds etc. In any residential district, no more than a total of three dogs and/or cats four (4) months or older shall be allowed for each dwelling unit.

5-32.2 Animals as described below, other than household domestic pets, may be kept provided they are not housed within one hundred feet of any property line.

5-32.3 The property must be at least two acres.

5-32.4 Laying Hens may be permitted, roosters shall not be allowed, in residential districts.

5-32.5 The horses are for the private and personal use of the resident and his/her family.

5-32.6 Manure must be disposed of or composted in a way that does not produce offensive odor.

5-32.7 Noise complaints will be addressed using barking dogs' guidelines.

Table 5-2 Animal Schedule

Type of Adult Animal	Number per Acres
Horses	2
Goats	4
Chickens (no roosters)	6

5-33 Manufactured Homes

5-33.1 Definitions

The following words, terms, or phrases shall have the meanings ascribed to them in this Section.

- a. *Applicant* means any person seeking to install a manufactured home in the City of Lakeland.
- b. *Building Inspector* means the person appointed, employed, or otherwise designated as the director of planning, permits and inspections, or the city building official, or his or her designee, including the Zoning Administrator.
- c. *Certificate of Occupancy* means a document issued by the building inspector certifying that a pre-owned or new manufactured home is in compliance with applicable requirements set forth by this Code, and indicating it to be in a condition suitable for residential occupancy.
- d. *Guarantee of Condition Bond* means a surety bond to guarantee that the affidavit and photographs required by paragraphs (1) and (2) of subsection (a) of Section 3 of this Code reasonably portray or

represent the existing condition of the manufactured home proposed for location. In lieu of the bond, a cash deposit may be deposited with the City.

- e. *Install* means to construct a foundation system to place or erect a manufactured home on such foundation system. Such term includes, without limitation, supporting, blocking, leveling, securing, or anchoring such manufactured homes and connecting multiple or expandable sections of such manufactured home.
- f. *Jurisdiction* means the incorporated areas of the City of Lakeland, Georgia.
- g. *Manufactured home* means a structure, transportable in one or more sections, which, in the travelling mode, is eight body feet or more in width or 40 body feet or more in length or, when erected on site, is 320 or more square feet and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning, and electrical systems contained therein; except that such term shall include any structure which meets all the requirements of this paragraph except the size requirements with respect to which the manufacturer voluntarily files a certification required by the Secretary of Housing and Urban Development and complies with standards established under the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 U.S.C. Sections 5401, *et seq.*
- h. *Pre-owned manufactured home* means any manufactured home that has been previously used as a residential dwelling and has been titled.

5-33.2 Conditions

All manufactured homes located in the jurisdiction shall bear a label certifying that it was constructed in compliance with the National Manufactured Housing Construction and Safety Standards (MHCSS) Act of 1974, 42 U.S.C. Sections 5401, *et seq.* (the HUD Code), and shall be installed in accordance with O.C.G.A. § 8-2-160, *et seq.*

5-33.3 Permitting, Inspection, Certificate of Occupancy and Fees

A permit shall be required to locate a manufactured home in the jurisdiction.

- a. Permit. To obtain a permit, Applicants shall provide to the Zoning Administrator:
 - 1. An affidavit signed by a building inspector that the manufactured home meets health and safety standards required by the MHCSS Act and this ordinance.
 - 2. Photographs of the interior and exterior of the manufactured home providing evidence that the home meets the minimum health and safety standards of Section 4 of this ordinance.
 - 3. A \$250 refundable guarantee of condition bond or \$250 refundable cash deposit; and
 - 4. The permit and inspection fee required by sub-section (d) of this Section.
 - 5. A concept plan showing the location and setbacks for the manufactured home demonstrating compliance with the provisions of this Code.

- b. Inspection. Upon receipt of a permit, applicants may relocate or locate the manufactured home on a residential site for the purposes of inspection. Applicant shall arrange for an inspection to be held once the installation of the manufactured home is complete.
- c. Certificate of Occupancy. A certificate of occupancy shall only be issued to the Applicant after such time that the building inspector certifies that the requirements of this ordinance have been met.
- d. Fee. A permit and inspection fee of \$50 shall be charged to the applicant to cover the cost to the City to process the permit application and inspect the manufactured home. Such fee shall cover the initial inspection and one follow up inspection. The applicant shall be charged \$25 for each additional follow up inspection that is necessary.
- e. Alternative Inspection for relocations inside the City. At the request of the applicant, the building inspector may, at his or her discretion, inspect a manufactured home prior to its being relocated if the home is then located at another site within the city within 90 days from the date of the inspection.

5-33.4 Minimum Health and Safety Standards

All manufactured homes shall comply with the following before being issued a certificate of occupancy by the building inspector.

- a. HUD Code. Every manufactured home located in the jurisdiction shall be in compliance with the Federal Manufactured Housing Construction and Safety Standards Act, 42 U.S.C. 5401-5445 (the HUD Code), and shall not be altered in such a way that the home no longer meets the HUD Code.
- b. Interior Condition. Every floor, interior wall, and ceiling of a manufactured home shall be in sound condition. Doors and windows shall be operable, watertight and in good working condition. The floor system shall be in sound condition and free of warping, holes, water damage, or deterioration.
- c. Exterior Condition. The exterior of all manufactured homes shall be free of loose or rotting boards or timbers and any other conditions that might admit rain or moisture to the interior portions of the walls or to occupied spaces. The exterior siding shall be free of rot and rust. Roofs shall be structurally sound and have no obvious defects that might admit rain or cause moisture to collect on the interior portion of the home.
- d. Sanitary Facilities. Every plumbing fixture, water, and waste pipe of a manufactured home shall be in a sanitary working condition when properly connected, and shall be free from leaks and obstructions. Each home shall contain a kitchen sink. Each bathroom shall contain a lavatory and water closet. At least one bathroom shall contain a tub and/or shower facilities. Each of these fixtures shall be checked upon being connected to ensure they are in good working condition.
- e. Heating Systems. Heating shall be safe and in working condition. Un-vented heaters shall be prohibited.
- f. Electrical Systems. (switches, receptacles, fixtures, etc.) shall be properly installed and wired and shall be in working condition. Distribution panels shall be in compliance with the approved listing, complete with required breakers, with all unused openings covered with solid covers approved and listed for that purpose. The home shall be subject to an electrical continuity test to assure that all metallic parts are properly bonded.
- g. Hot Water Supply. Each manufactured home shall contain a water heater in safe and working order.

- h. Egress Windows.** Each bedroom of a manufactured home shall have at least one operable window of sufficient size to allow egress if necessary.
- i. Ventilation.** The kitchen in the home shall have at least one operating window or other ventilation device.
- j. Smoke Detectors.** Each manufactured home shall contain one operable battery-powered smoke detector in each bedroom and in the kitchen, which must be installed in accordance with the manufacturer's recommendations.

5-33.5 Enforcement

- a.** Permanent connection to utilities shall not be approved until the building inspector has issued a certificate of occupancy.
- b.** Owners of manufactured homes that are not in compliance upon a third inspection shall have their permit revoked and shall be required to remove the home from the jurisdiction.
- c.** The guarantee of condition bond or cash deposit will be forfeited after 90 days from the date of inspection, unless all conditions and standards are met prior to the end of the 90 days or an extension has been issued in writing by the building inspector.

5-33.6 Penalties

Failure to remove a manufactured home from the jurisdiction upon failure to receive a certificate of occupancy shall be punishable by a fine of \$500. Each day any violation under this ordinance continues shall be considered a separate offense.

5-33.7 Breezeways, Corridors or Hallways

No manufactured home may be attached to another manufactured home by means of a breezeway, corridor or hallway.

5-34 Mobile Vendors

5-34.1 Mobile vendors, including mobile food vendors, (a mobile food dispensing vehicle that sells prepared food products) and mobile units that sell agricultural produce may be permitted, subject to the approval of a Mobile Vendor Permit by the Zoning Administrator and the presentation of written permission from the property owner on whose property the mobile vendor is to be located. All mobile vending businesses shall be subject to the following criteria:

- a.** A mobile vending business shall be treated and permitted as a home occupation and subject to the regulations of a home occupation.
- b.** All business activities associated with the operation of the mobile vending business are to be conducted away from the home.

5-34.2 A minimum of three parking spaces shall be required for the use of the mobile vendor.

5-34.3. No mobile vendor shall operate in the following areas:

- a.** Within ten feet from the right-of-way of any public street or roadway.
- b.** Within a required landscape buffer or improvement setback.
- c.** Within ten feet of any street intersection or cross walk.
- d.** Within ten feet of any driveway or other curb cut access, loading zone or bus stop.
- e.** In any area within 15 feet of a building entrance.
- f.** On the median strip of a divided roadway.
- g.** In front of display windows of a fixed location business.
- h.** Within ten feet of a fire hydrant or fire escape.
- i.** Within ten feet of any parking space or access ramp designated for persons with disabilities.

5-34.4 No vending cart or stand, or any other item related to the operation of a mobile vendor use shall be located on any city sidewalk or other public way during non-vending hours. Nor shall any vehicle be parked, stored or left overnight other than in a lawful parking space.

5-34.5 Vendors shall keep the sidewalks, roadways and other spaces adjacent to their vending sites or locations clean and free of paper, peelings, and refuse of any kind generated from their business. All trash or debris accumulating within 25 feet of any vending stand shall be collected by the vendor and deposited in a trash container provided by the vendor. The trash container shall be emptied regularly and marked as being for litter.

5-34.6 Mobile Vendors may not do any of the following:

- a.** Obstruct pedestrian or motor vehicle traffic flow.
- b.** Obstruct traffic signals or regulatory signs.
- c.** Obstruct adequate access to emergency and sanitation vehicles.
- d.** Interfere with access to abutting properties.
- e.** Sound any device that produces a loud noise or operate any loudspeaker, public address system, radio, sound amplifier, or similar device to attract public attention.

5-35 Outdoor Storage in Residential and Commercial Districts

5-35.1 In all commercial zoning districts, and except as noted below, all business activities shall be in a completely enclosed structure.

5-35.2 Exceptions to the regulation shall be for the display of motor vehicles, marine craft, aircraft, recreational vehicles, manufactured homes, farm and construction equipment and vehicles, farm and garden supplies, stone products, and any other product designed for outdoor use.

5-35.3 An outdoor storage area may not be located in any required off-street parking area, required off-street loading area, required landscape area, designated environmental protection area, or any adjacent public right-of-way.

5-35.4 An outdoor storage area may be located adjacent to a structure but shall not be located in the front yard setback area.

5-35.5 An outdoor storage area shall be kept neat and orderly and shall not be permitted to take on the characteristics of a junk yard.

5-35.6 An outdoor storage area shall be visually screened from adjacent uses by a fence, or a masonry wall or a chain-link fence with green or black slats. In the discretion of the Zoning Administrator, an opaque landscape buffer may be used instead of a wall or fence provided the area is visually screened from adjacent property as effectively as though a fence or wall were used.

5-35.7 The screening used shall not be less than six feet in height. Access through the fence or wall shall be limited through opaque gates that shall be closed when not in use.

5-35.8 Outdoor eating areas are permitted as an accessory to any permitted eating establishment in any commercial district, subject to the following standards:

- a.** The outdoor eating area does not occupy an area greater than 50% of the building area of the business to which the eating area is accessory;
- b.** The outdoor eating area is not located in any required parking area, service area, landscape area, and drainage area;
- c.** If the outdoor eating area is located along, or astride a sidewalk or other pedestrian accessway, a minimum of five foot unobstructed passage shall be maintained through the outdoor eating area.
- d.** All outdoor eating areas shall be designed and located in such a manner as to prevent them from becoming a nuisance to any adjacent property or use. All outdoor eating areas shall be located so that there is no adverse noise, lighting, trash or other negative impacts onto any adjacent property or use.
- e.** All outdoor eating areas shall be treated for parking computations as if they were fully enclosed.

5-36 Portable On Demand Storage Units (PODs)

5-36.1 Before placing a PODS unit on a property, a person must submit an application and receive a permit from the City. An insurance certificate providing liability insurance in the amount of \$100,000 provided by the company supplying the POD must accompany the application.

5-36.2 There is a fee of \$25 for a thirty-day permit. Applications can be required from the Zoning Administrator.

5-36.3 Permits will be granted for a period of 30 days. At the expiration of the thirty-day period, applicants may seek to extend their permits one time for an additional 30 days by seeking an extension for cause from the Zoning Administrator. Extension of a permit will cost \$25 for the additional 30 days granted.

5-36.4 PODS units are prohibited from being placed in the road right-of-way streets or the front yard of a property.

5-36.5 All locations must be paved off-street surfaces. Portable Storage Units shall only be placed the property owner's driveway or a parking area or, if access exists at the side or rear of the site, the side or rear yard. The required parking space(s) shall at all times be maintained if temporary storage units are placed in parking areas.

5-36.6 The portable storage unit is no larger than eight feet in height by ten feet in width by 20 feet in length.

5-36.7 No more than two portable storage units are approved for any address at any one time.

5-36.8 The applicant, as well as the POD company, shall be responsible for ensuring that the Portable Storage Unit is maintained in good condition, free from evidence of deterioration, weathering, discoloration, graffiti, rust, ripping, tearing or other holes or breaks, at all times.

5-36.9 No Portable Storage Unit shall be used to store solid waste, construction debris, demolition debris, recyclable materials, business inventory, commercial goods, goods for property other than at the residential property where the Portable Storage Unit is located (i.e. used for retail sales) or any other illegal or hazardous material.

5-36.10 No Portable Storage Unit shall be occupied as a dwelling or office/business location.

5-37 Religious Facilities and Related Uses

When located in a residential district, the following standards shall be met:

5-37.1 The property shall contain at least two acres and be located on an arterial or connector street.

5-37.2 A 50 feet vegetative landscape buffer to adjacent residential zoning or residential uses is required.

5-37.3 Driveways and parking areas must be set back a minimum of 25 feet from side property lines.

5-37.4 The scale, intensity and operation of the use shall not generate unreasonable noise, traffic, congestion or other potential nuisances or hazards to contiguous residential properties.

5-37.5 Any buildings or structures shall be harmonious with the surrounding character of the residential neighborhood.

5-37.6 Permitted related uses in addition to customary accessory uses include a chapel, library, administrative offices including storage areas, educational facilities, fellowship hall, related kitchen and dining area, ornamental garden, and outdoor recreational facilities occupying less than 10,000 square feet.

5-37.7 No signage shall be permitted for accessory uses or facilities.

5-37.8 Outdoor activities shall be limited to the hours from 10 AM to 10 PM.

5-38.9 Retail and commercial sales uses shall be prohibited as accessory uses to a religious facility that is located in a residential zoning district.

5-38.10 Schools, K-12, in addition shall meet the standards as listed in this Section under Schools, K-12, Private.

5-38 Riding Stables

5-38.1 The keeping of horses and use of stables shall be limited to property within the RA zoning district on lots having a minimum lot area of two acres.

5-38.2 The entire parcel shall be fenced.

5-38.3 The maximum number of adult horses shall be two per acre.

5-38.4 Any structure or building to house the horses must be located a minimum of 100 feet from the property line.

5-39 Salvage Yard, Junk Yard

5-39.1 The yard must be a minimum of five (5) acres but no more than 15 acres, with a maximum slope of five percent.

5-39.2 The yard shall be located no closer than 300 feet to a residential or commercial district boundary line.

5-39.3 The property on which the collection activity is taking place shall be surrounded by a fence, wall or vegetative screening eight feet in height. Such fence or wall shall be of similar composition, construction, and color throughout and shall be constructed without openings except for one entrance and one exit. The entrance and exit shall be equipped with unpierced gates which shall be closed and securely locked outside of business hours. In no case shall the fence be less than a height necessary to screen effectively all storage and other operations from view.

5-39.4 The yard is to be located no closer than 100 feet from the right-of-way of any major arterial roadway as defined by the City of Lakeland.

5-39.5 Junked or wrecked vehicles shall not be stacked.

5-39.6 All sides of each individual stockpile areas shall be accessible by fire lanes. Fire lanes shall be a minimum of 1 ½ times the height of the pile, but in no case shall the fire lane be less than 20 feet wide.

5-39.7 All stockpiles shall be surrounded with a network of fully operating fire hydrants spaced at intervals of no more than 250 feet. No portion of a stockpile yard shall be more than 200 feet away from a fire hydrant.

5-39.8 The total site that may be covered with debris storage areas shall not exceed 60% of the site.

5-39.9 The base area on which the stockpiles are located, and the access aisles between the stock piles, must be constructed of either a concrete surface, asphalt surface, or other clean all weather stabilized surface that is acceptable to the City.

5-39.10 All recycling, scrap, waste and salvage/ junkyard operations shall submit to an annual fire prevention inspection by the City Fire Chief.

5-39.11 Every recycling, scrap, waste and salvage/ junkyard operation authorized under this section, shall establish a cash security fund, bond or provide the City with an irrevocable letter of credit based on the schedule below, to secure the cost of removing of all accumulated debris and materials from the site if it

has been determined by the City Council, following a duly noticed public hearing, that the recycling, scrap, waste or salvage/ junkyard operation has been abandoned or operations have ceased for a period in excess of six months or the permit has been revoked for any reason. The provisions of this paragraph shall not apply to and recycling, scrap, waste or salvage/junkyard operation operated by any unit of local government within the City.

Yard Size	Required Security
Less than 5 acres	\$ 75,000
7.5 to 12.5 acres	\$125,000
12.5 to 15 acres	\$175,000

5-40 Satellite Dish Antennas

5-40.1 All satellite antennas shall meet all manufacturers' specifications, be located on non-combustible and corrosion-resistant material and be erected in a secure, wind resistant manner, in accordance with the latest version of the International Building Code and designed to withstand winds in accordance with ANSI/EIA/TIA 222 standards (latest revision), as applicable.

5-40.2 All satellite antennas shall be adequately grounded for protection against a direct strike of lightning.

5-40.3 No satellite antenna shall be allowed within a required front yard.

In residential districts:

5-40.4 No dish may be larger in size than 36 inches in diameter.

5-40.5 No satellite antenna shall be closer than five feet from the real property lines.

5-40.6 No advertisements of any sort shall be allowed.

5-40.7 In the event that usable satellite communication signals cannot be received in a permitted location, such antenna may be placed in the front yard or on the roof of the dwelling upon approval by the Zoning Administrator.

In non-residential districts:

5-40.8 Satellite dishes may be installed above ground level and on building roofs, but the combined height of any such antenna system and the building shall not exceed the overall height of 35 feet. All antenna systems installed on a building roof shall be located so that they may not be seen from street level. A ground mounted satellite dish shall not exceed a height of 20 feet including any platform or structure on which it is mounted.

5-40.9 All antenna systems shall be installed at least 20 feet (measured from the edge of the dish) from any adjoining residential property line.

5-40.10 If useable satellite signals cannot be obtained from an antenna installed in any permitted yard or with the height limitation in #h, such antenna may be installed in a required front yard or at a greater height upon approval by the Zoning Administrator. Under no circumstance shall such satellite antenna exceed a height of 50 feet.

5-41 Schools, K-12, Private

5-41.1 This use shall be located with direct access to an arterial or connector street.

5-41.2 The minimum lot size shall be as follows:

- a. Elementary School: 2 acres, plus 1 acre for each 100 student capacity
- b. Middle School: 3 acres, plus 1 acre for each 100 student capacity
- c. High School: 5 acres, plus 1 acre for each 100 student capacity

5-41.3 A 50 foot landscape buffer is required adjacent to residential zoning districts or residential uses.

5-41.4 Driveways and parking areas must be set back 25 feet from side property lines.

5-41.5 The scale, intensity and operation of the use shall not generate unreasonable noise, traffic, congestion or other potential nuisances or hazards to contiguous residential properties.

5-41.6 Any buildings or structures shall be harmonious with the surrounding character of the residential neighborhood.

5-41.7 Permitted accessory uses in addition to customary accessory uses include a chapel, library, administrative offices, educational facilities, fellowship hall, related kitchen and dining area, ornamental garden, and outdoor recreational facilities occupying less than 10,000 square feet.

5-41.8 No signage shall be permitted for accessory uses or facilities.

5-41.9 Outdoor activities shall be limited to the hours from 10 AM to 10 PM.

5-41.10 Recreational facilities and associated outdoor lights shall be located at least 100 feet from property lines with adjacent residential properties and uses.

5-41.11 Retail and commercial sales uses shall be prohibited as accessory uses to a private school that is located in a residential zoning district.

5-42 Scrap, Waste and Recycling Operations

5-42.1 The collection operations shall be limited to the acceptance of glass, plastic, paper, cardboard, metal cans, non-ferrous materials and yard waste.

5-42.2 The property on which the collection activity is to take place, shall be at least one acre and not more than four acres in total area.

5-42.3 The property on which the collection activity is taking place shall be surrounded by a fence, wall or vegetative screening eight feet in height. Such fence or wall shall be of similar composition, construction, and color throughout and shall be constructed without openings except for one entrance and one exit. The entrance and exit shall be equipped with unpierced gates which shall be closed and securely locked outside of business hours.

5-42.4 The reprocessing of the collected material into any other product, by-product or other use or form is not allowed, unless the reprocessing is allowed in conjunction with manufacturing of a new product or material as would otherwise be permitted in I (Industrial).

5-42.5 No junked vehicle or any other junk or scrap shall be located for storage, dismantling or any other purpose.

5-42.6 All sides of each individual stockpile areas shall be accessible by fire lanes. Fire lanes shall be a minimum of 1 ½ times the height of the pile, but in no case shall the fire lane be less than 20 feet wide.

5-42.7 All stockpiles shall be surrounded with a network of fully operating fire hydrants spaced at intervals of no more than 250 feet. No portion of a stockpile yard shall be more than 200 feet away from a fire hydrant.

5-42.8 The total site that may be covered with debris storage areas shall not exceed 60% of the site.

5-42.9 The base area on which the stockpiles are located, and the access aisles between the stock piles, must be constructed of either a concrete surface, asphalt surface, or other clean all weather stabilized surface that is acceptable to the City.

5-42.10 All recycling, scrap, waste and salvage/ junkyard operations shall submit to an annual fire prevention inspection by the City Fire Chief.

5-42.11 Every recycling, scrap, waste and salvage/ junkyard operation authorized under this section, shall establish a cash security fund, bond or provide the City with an irrevocable letter of credit based on the schedule below, to secure the cost of removing of all accumulated debris and materials from the site if it has been determined by the City Council, following a duly noticed public hearing, that the recycling, scrap, waste or salvage/ junkyard operation has been abandoned or operations have ceased for a period in excess of six months or the permit has been revoked for any reason. The provisions of this paragraph shall not apply to and recycling, scrap, waste or salvage/junkyard operation operated by any unit of local government within the City.

Yard Size	Required Security
Less than 5 acres	\$ 75,000
7.5 to 12.5 acres	\$125,000
12.5 to 15 acres	\$175,000

5-43 Store Front Religious Facilities

These are religious facilities in existing structures in GB (General Business) zoning districts. Such use shall be limited to the worship activities of the named applicant for the temporary used permit including educational programs conducted in conjunction with the worship service, but shall not include child care programs conducted independently from the worship service or the establishment of schools. The temporary used shall be valid for a period of one (1) year. One extension of maximum one (1) year to the initial one (1) year period shall be granted only if the City Council determines that the religious facility has made a good faith effort to relocate to a permanent facility. Alcohol distance requirements shall not apply.

5-44 Swimming Pools, spas and hot tubs

5-44.1 All swimming pools, unless entirely screened in, shall be completely enclosed with a fence or wall at least four feet high and so constructed as to be not readily climbable by children. All gates and doors providing access to the pool area shall be securely locked when the pool area is not in actual use or shall be quipped with a self-closing and self-latching device installed on the pool side. The fence and gate shall be installed prior to filling the pool with water.

5-44.2 All swimming pools must be consistent with Appendix G of the International Residential Code.

5-45 Temporary Uses, including Special Events & Structures

5-45.1 Temporary Uses are permitted in any zoning district subject to the following standards, provided that all temporary uses shall meet the dimensional and parking requirements for the zoning district in which the use is located.

5-45.2 Permitted Temporary Uses

a. Garage Sales

b. Indoor and Outdoor Craft Shows, bazaars, carnivals, revivals, circuses, sports events and exhibits provided that no more than 4 events of 10 days each are conducted on the same property during any calendar year.

c. Tents for temporary uses and functions that are used as temporary cover during special events or sales provided that the applicant secures a written statement from the Fire Chief that the tents under which the use is to be held are fireproof material and will not constitute a fire hazard.

d. Christmas Tree Sales

e. Construction offices, which may also be used for security purposes, and equipment sheds in which erection, addition, relocation or structural relocation is taking place provided that such use shall be limited to the period of actual construction.

f. Manufactured Homes may be used as construction offices in any district in which erection, addition, relocation, or structural relocation is taking place provided that such use shall be limited for the period of actual construction, tie down permits shall be obtained; all such manufactured homes shall comply with applicable regulations; and the manufactured home in which the security employee lives shall not remain after the period of actual construction.

g. Religious Facilities in existing structures in GB (General Business) zoning districts. Such use shall be limited to the worship activities of the named applicant for the temporary used permit including educational programs conducted in conjunction with the worship service, but shall not include child care programs conducted independently from the worship service or the establishment of schools. The temporary used shall be valid for a period of 5 years. Extensions to the five year period shall be granted only if the City Council determines that the religious facility has made a good faith effort to relocate to a permanent facility. Alcohol distance requirements shall not apply.

h. Temporary On-Site Real Estate Offices.

Included as part of site plan approval, specific authorizations may be granted permitting the installation or construction of a temporary on—site sales office prior to the issuance of any building permits for the primary portions of a development project. All on-site sales offices shall be constructed in accordance

with applicable City regulations and shall be required to obtain all necessary permit approvals, including but not limited to Stormwater management permits, driveway permits and all required building and public health permits. All temporary on-site sales offices shall be removed from the development site upon the completion of the last phase or unit of the approved development.

i. Special vehicle and boat sales events on sites not approved for the permanent display vehicle and boat sales may be approved by the Zoning Administrator provided that these events shall be conducted on property having a GB (General Business) or I (Industrial) designation or on property approved and designated by the City as special events sites. Such events shall be conducted on property with existing, permanent and permitted driveways and access points. The event shall have a duration of 4 or fewer consecutive days and shall be conducted by one or more dealers having a valid local business license. Sanitary facilities shall be provided in accordance with applicable Health Department regulations. Used Motor Vehicle Dealers must have a Temporary site permit issued by the Georgia State Board of Used Motor Vehicle Dealers before the city issues a local occupational license.

5-46 Trash and Refuse Areas

Trash and refuse shall either be stored inside a building or within an opaque screened area, which shall be at least six (6) feet high.

5-47 Utility Substation

5-47.1 Structures shall be placed no less than 50 ft from any property line.

5-47.2 Structures are to be enclosed by a solid or chain-link fence or wall at least six feet in height above finished grade.

5-47.3 The lot shall be suitably landscaped, including a buffer strip at least 10 ft wide along the front, side and rear property lines; planted with one tree for every 30 feet and a continuous hedge or shrubs that will grow 8 feet tall and provide an effective visual screen.

5-48 Veterinary Services/Animal Hospitals in Residential Districts/ Kennels, Pet Boarding

5-48.1 Any structure used as an animal hospital or veterinary clinic shall be located and its activities conducted at least 50 feet from any property line in any residential district.

5-48.2 Medical treatment or care shall be practiced only within an enclosed building or structure.

5-48.3 Kennel or boarding operations incidental to the principal use shall be permitted only within an enclosed building or structure located at least 100 feet from the property line in any residential zoning district. Sound proofing of the building is required.

5-48.4 Outdoor runs are permitted in any other zoning district. Drains need to be connected to an approved sanitary facility. Odor and pest control are required. Hours of operation for outdoor runs are 8 AM to 7 PM.

5-48.5 All kennels must be licensed by the Georgia Department of Agriculture.

Chapter Six
(RESERVED)

Chapter Seven

Building Regulations and Construction Standards

7-1 Authority

This Chapter is adopted under the authority of the Constitution of the State of Georgia and laws enacted pursuant thereto.

7-2 Purpose

These regulations are intended to serve the following purposes.

7-2.1 To protect and promote the health, safety and general welfare.

7-2.2 To encourage economically sound and orderly land development in accordance with the Comprehensive Plan and other policies and objectives of the City.

7-2.3 To assure the provision of required streets, utilities, and other facilities and services to new developments and to redevelopments in conformance with public improvement policies of the City.

7-2.4 To assure adequate provision of safe and convenient traffic access and circulation, both vehicular and pedestrian, in new land developments and in redevelopments.

7-3 Intent and Application

It is the intent of this Chapter that it will apply to and provide guidance for the development of lands within the incorporated limits of the City of Lakeland, Georgia, whether the developments involve the subdivision of land or the construction of buildings and/or other improvements on a single parcel. Any land development activity must first comply with this Code.

7-4 General Provisions

7-4.1 Land Development Code

Whenever there is a discrepancy between minimum standards or dimensions required under this Section and those contained in the building codes or other ordinances or regulations of the City of Lakeland, the most restrictive shall apply.

7-4.2 Required Public Improvements

Every developer of lands within the jurisdiction of this Code shall provide the public improvements included in this Code, in accordance with this Code and other pertinent ordinances, codes, and regulations of the City of Lakeland. These public improvements together with associated rights-of-way, easements, and other lands shall be provided at no cost to the City and shall be dedicated or otherwise transferred, as required, to the public in perpetuity and without covenant or reservation.

7-4.3 Plan Review and Approval

Any developer of land within the City of Lakeland shall first submit to the Zoning Administrator such plans, plats, or construction drawings as may be required by these Regulations and receive approval of those documents by the City prior to the initiation of development activities. Approval of plans, plats, or

construction drawings by the City shall not imply nor transfer acceptance of responsibility for the application of the principles of engineering, surveying, architecture, landscape architecture, or any other profession, from the professional corporation or individual under whose hand or supervision the plans, plats, or construction drawings were prepared and sealed.

7-4.4 Other Permits

Nothing in this Code shall impose any obligation on the City to obtain or assist in obtaining permits, approvals, and/or clearances from other local, state or Federal agencies having jurisdiction over elements of a project. It is solely the developer's responsibility to obtain all such required permits, approvals, and/or clearances. The developer shall furnish the Zoning Administrator with copies of all such permits, approvals and/or clearances before authorization to proceed with development is requested.

7-4.5 Standard Specifications

In addition to the construction standards found in the text of this Code, the City will maintain on file for consultation and distribution a series of standard specifications for construction of improvements required for the development of land in accordance with this Code.

In conjunction with this Code, the standard specifications describe minimum acceptable standards for the construction of required improvements, but shall not supersede more restrictive prudent design requirements or good engineering practice as applied to specific situations on a case- by-case basis.

7-4.6 Standard Drawings

The City will maintain on file for consultation and distribution a series of standard drawings illustrating details of construction of public improvements, and other elements related to the development of land in accordance with this Code.

The standard drawings illustrate minimum acceptable construction standards for public improvements required under this Code, but shall not supersede more restrictive prudent design requirements or good engineering practice as applied to specific situations on a case-by-case basis.

7-4.7 Street Improvement Standards

Streets, whether abutting or internal, existing or new, public or private, shall be constructed or improved under those circumstances and to the standards as established in this Section. Roadway improvements shall be in accordance with the street classification system defined in Section Four.

a. Right-of-Way Requirements

1. Minimum Right-of-Way and Pavement Widths:

- i. The minimum widths for public rights-of-way or private street ingress/egress easements and pavements shall be as shown in "Table of Minimum Right-of-Way and Lane Widths." See Appendix B, Standard Drawings for detailed dimensions. Total width of streets includes land width plus curb and gutter (back of curb to back of curb) or from edge of pavement if no curbs exist. Local streets will use a 24-inch curb and gutter. Other road/street classifications will use a 30-inch curb and gutter. If an existing street is used for access, the developer shall conform to the existing street width.
- ii. Minimum widths of right-of-way and lanes shall be as shown in the "Table of Right-of-Way and Lane Widths."

Table 7-1: Minimum Right-of-Way and Lane Widths

Street Category	Minimum R-O-W	Lane Widths*
Principal Arterial		
Ditch section/20 ft. median	120 ft.	12 ft.
C&G/20 ft. median	120 ft.	12 ft.
C&G, undivided	120 ft.	12 ft.
Minor Arterial		
Ditch section	100 ft.	12 ft.
C&G section	100 ft.	12 ft.
Collector Street		
Ditch section	80 ft.	12 ft. standard; 11 ft. minimum
C&G section	80 ft.	12 ft. standard; 11 ft. minimum
Local Street		
Residential/Subdivision (C&G)	50 ft.	11 ft.*
Commercial/Industrial/Other	60 ft.	12 ft. standard; 11 ft. minimum
Cul-de-sac		
Commercial /Industrial /Other	75 ft. radius	65 ft. radius
Residential	50 ft. radius	40 ft. radius
<p>Notes:</p> <p>*Lane widths include only pavement width. Example: 2 lanes @ 11 ft. with 2 ft. C&G would be 26 ft. back of curb to back of curb.</p> <p>Lane widths on collector streets and other local (non-subdivision) streets will be based on design speed and traffic volumes</p> <p>Number of lanes will be determined based on traffic volumes, except for subdivision streets which will be typically two (2) lanes only.</p> <p>Typical section details are show in Appendix B, Standard Drawings.</p>		

2. Right-of-Way Dedication:

- i. The minimum width of right-of-way shall be dedicated based upon the street classification, as provided in this section and approved by the City Engineer.
- ii. On any existing street abutting a proposed development, one-half of the required width of right-of-way shall be dedicated, at no cost to the City of Lakeland, as measured from the centerline of the roadway along the entire property frontage. Right-of-way widths for existing streets shall be based on the current classification as determined by the City Engineer.
- iii. Additional right-of-way may be required at intersections or other locations fronting the property where turning lanes, storage lanes, medians, re-alignments or other traffic safety improvements are required.
- iv. If a new street or thoroughfare is proposed by the City of Lakeland or the State of Georgia to adjoin or traverse the property, the proposed road shall be accommodated into the development plans of the property in accordance with these Regulations. These right-of-way requirements shall govern except where there exist clearly defined plans of the Georgia Department of Transportation (GDOT) or the City of Lakeland that require additional right-of-way. In that case, the greater right-of-way requirements shall govern.

3. Clear Zone Requirements:

All new roads/streets should utilize the concepts, designs, and philosophies in the Federal Highway Administration (FHWA) Roadside Design Guide, where practical and feasible to use the latest state-of-the-practice in roadside safety. New roads/streets should also use context-sensitive design concepts in the applications of clear zone. Context-sensitive design concepts are also on the GDOT web site (www.dot.state.ga.us). The application of clear zone concepts on existing roads/streets needs to be used where the greatest safety benefit can be realized. Crash reports, site investigations, and maintenance records offer starting points for identifying these locations.

b. Access Management

1. Applicability:

Except for development projects consisting of single-family dwelling units or industrial development, land development that takes its primary access from a state or federal highway or a thoroughfare classified as a collector, principal arterial or minor arterial shall comply with these standards. These standards shall apply unless a more restrictive standard is required by the GDOT.

2. Joint and Cross Access:

- i. Adjacent commercial or office properties on collector, principal arterial or minor arterials shall provide a cross access drive and pedestrian access to allow circulation between sites.
- ii. Joint driveways and cross access easements shall be established for multi-parcel commercial, office or industrial development, wherever feasible, along collector, principal arterial or minor arterial corridors. The building site shall incorporate the following:
 - a. Continuous service drives or cross access corridor connecting adjacent parcels along the thoroughfare.
 - b. A design speed of 15 mph and a two-way travel aisle width of 24 ft. to accommodate automobiles, service vehicles and loading vehicles.
 - c. Driveway aprons, stub-outs and other design features to allow abutting properties to be connected and provide cross access via a service drive.

3. Minimum Driveway Setbacks from Street Intersections:

- i. Driveway connections shall not be permitted within the functional area of the intersection, of two public streets. The functional area includes the longitudinal limits of auxiliary or turning lanes.
- ii. Minimum Standards. No driveway access shall be allowed within 150 ft. of the centerline of an intersecting major collector or arterial street, or within 100 ft. of any minor collector street. The City Engineer may reduce these required distances where they prove impractical due to lot frontages of less than 100 ft.

4. Minimum Access Requirements:

- i. All developments shall have one or more driveways or entrances to a public right-of-way.
- ii. The number of such access points shall be as shown in "Table of Minimum Number of Access Points."

Table 7-2: Minimum Number of Access Points

Type of Development	Minimum Number of Driveway Access Points	Type of Primary Access
Residential, less than 100 units	1	Local Street or Collector Street
Residential, 101 -200 units	2	Local Street or Collector Street
Residential, more than 200 units	3	Collector
Non-Residential, less than 50 required parking spaces	1	Collector
Non-Residential, 50-300 required parking spaces	2	Collector
Non-Residential, 301 – 1,000 required parking spaces	3	Minor Arterial
Non-Residential, more than 1,000 required parking spaces	4 or more	Principal Arterial

5. Separation of Access Points:

- i. Subdivisions located along existing City roads shall be required to provide reverse frontage lots or parallel frontage roads where feasible. All other lots must comply with the following:
- ii. Along state or federal highways, no more than one point of vehicular access from a property shall be permitted for each 300 ft. of lot frontage, or fraction thereof, although requirements of the GDOT shall apply whenever more restrictive.
- iii. Along arterial or collector roads other than state or federal highways, no more than two points of vehicular access from a property to each abutting public street shall be permitted for each 300 ft. of lot frontage, or fraction thereof; provided, however, that lots with less than 200 ft. of frontage shall have no more than one point of access to any one public street. The City Engineer shall determine whether the points of access may be unrestricted or will have to be designed for right-in, right-out traffic flow. To make this determination the City Engineer may require a traffic study to be performed by the owner.
- iv. No point of access shall be allowed within 35 ft. of the right-of-way line of any street intersections for single-family and two-family residential lots and within 50 ft. for multi-family and non-residential properties.
- v. Corner lot access shall be located as far from the intersection as reasonably possible to reduce turning movement conflicts and to promote proper traffic circulation.
- vi. The separation of access points on any street or road shall be determined by the established speed limit of the street or road, with the following minimum spacing requirements as provided in “Table of Minimum Driveway Spacing.”

Table 7-3: Minimum Driveway Spacing

Speed Limit	Minimum Driveway Spacing
25	125 ft.
30	125 ft.
35	150 ft.
40	185 ft.
45	230 ft.
50	275 ft.
55	350 ft.
60	450 ft.
65	550 ft.

- vii. The distance between access points shall be measured from the centerline of the proposed driveway to the centerline of the nearest adjacent driveway or roadway.
- viii. Driveways shall be located so that the radius return is a minimum of 4 ft. from a property line that intersects the right-of-way line.
- ix. The City Engineer may reduce the required separation distance of access points where the minimum required distance proves impractical, provided all of the following requirements are met:
 - a. Joint-access driveways and/or cross-access easements are provided in accordance with this Section.
 - b. The site plan incorporates a unified access and circulation system for vehicles and pedestrians.
- x. The requirements of this Section are not intended to eliminate all access to a parcel of land that was legally subdivided prior to the enactment of this Section.

6. Emergency Access:

All public streets, private and residential drives shall be designed and maintained so as to provide safe and convenient access for emergency vehicles, as required by the City of Lakeland Fire Chief. New developments with restricted access, such as gated subdivisions, must receive a variance from this requirement based on review and approval of the City of Lakeland Police Department.

c. Driveway Design Standards

1. Permits Required

No driveway shall be constructed abutting a City-maintained road or street until all applicable driveway permits have been approved and issued by the City. For driveways that abut a state or federal highway, all applicable permits shall be obtained from the GDOT prior to construction.

2. General Requirements.

- i. Joint access driveways are permitted in order to achieve minimum driveway spacing requirements.
- ii. No property may have a curb cut in excess of 50 ft. in width without approval of the City Engineer.
- iii. If a non-residential driveway design is one-way in or one-way out, then the driveway shall be a minimum width of 16 ft. and shall have appropriate signage designating the driveway as a one-way connection.
- iv. For two-way, non-residential access, each travel lane shall have a minimum width of 11 ft. When more than two lanes are proposed, a specific driveway design must be approved by the City Engineer.
- v. Driveways that enter an arterial or collector street at traffic signals must have at least two outbound lanes of at least 11 ft. in width and one inbound lane with a maximum width of 12 ft.
- vi. Except for single-family and two-family residences, driveway grades shall conform to the requirements of the Georgia Department of Transportation Design Standards.

- vii. Driveways shall intersect roads or streets with no more than a 10 degree skew from a 90 degree angle.
- viii. Driveway aprons shall slope from the right-of-way to the edge of pavement or gutter flow line. For all non-single-family driveways and entrances, a storm sewer inlet or grade break shall be provided at the right-of-way line to prevent discharge of stormwater onto the public right-of-way.
- ix. Driveways shall comply with the minimum requirements of the City of Lakeland Standard Drawings Appendix B, based on projected use and classification.
- x. Driveways serving single-family detached or duplex residences may be no less than 10 ft. wide at the right-of-way line and shall provide a radius to the back of the curb or edge of the pavement of the roadway of no less than 5 ft. All other driveway curb cuts on public streets shall conform to the standards shown on the driveway details contained in the Standard Drawings, Appendix B.
- xi. All driveways and driveway curb cuts on state highways shall conform to GDOT Standards.

3. Driveway Construction Standards:

- i. Sidewalks and curbs adjacent to driveways shall meet requirements of the Americans with Disabilities Act.
- ii. Portions of driveways within the public rights-of-way shall be 6 inches thick, 4000 psi fiber-reinforced concrete or asphalt. Pavement requirements of asphalt driveways located in the City ROW shall meet the design requirements of the adjoining street.
- iii. Driveways shall be no closer than 3 ft., at the closest point, to an at-grade utility structure, including, but not limited to, curb inlets, drainage structures, streetlights, telephone and electrical poles, boxes and transformers, manholes, handholes and fire hydrants.
- iv. Driveways shall be no closer than 10 ft. from a street tree or fire hydrant.
- v. Water and sewer lines shall be located outside of driveways, except for generally perpendicular crossings.
- vi. Commercial driveways shall provide a 35-ft. minimum radius at intersection with a public street. If designed for tractor-trailer trucks, the minimum radius shall be 75 ft.

4. Auxiliary Lanes:

- i. Along any arterial or major collector street, a deceleration lane, acceleration lane, left turn lane, larger turning radius, traffic islands or other devices or designs may be required to avoid specific traffic hazards that, otherwise, would be created by the proposed driveway location, except in instances where the driveway is for a one or two family residence.
- ii. Deceleration lanes shall be required by the City of Lakeland at each access point on roads classified as arterials or collectors when the posted speed limit is 30 mph or higher and otherwise where considered necessary by the City Engineer based on traffic volumes. Deceleration lanes are required on City roads classified as arterial and major collector streets when the posted speed limit is 30 mph or higher. Minimum deceleration lengths are specified in the "Table of Deceleration Lane Requirements." The City Engineer may vary length requirements based upon a consideration of available sight distance and traffic volumes. For state routes and federal highways, GDOT requirements shall apply whenever more restrictive

Table 7-4: Deceleration Lane Requirements

Operating Speed	Min. Length of Lane
30 mph	75' + 50' taper
35 mph	100' + 50' taper
40 mph	150' + 50' taper
45 mph	175' + 100' taper
55 mph	250' + 100' taper
60 mph	300' + 100' taper
65 mph	350' + 100' taper

Deceleration lane length and taper lengths in Table 7-4 are considered minimum design values. Actual lengths may be greater when all design constraints are considered. Refer to the American Association of State Highway and Transportation Officials Manual.

- iii. When a new deceleration lane required by this Section is proposed to begin or end within 50 ft. of an existing deceleration lane, driveway or street intersection, then the new deceleration lane shall be extended as needed to provide a safe, continuous connection with adjacent or nearby deceleration lanes, driveways and intersections.

5. Sight Distance:

All roads, streets, and driveways shall provide adequate sight distance as shown in the Table of Intersection Sight Distance Requirements.

Table 7-5: Intersection Sight Distance Requirements

Design Speed (mph)	Sight Distance, Feet						
	2 lanes		3 lanes		4 lanes		5 lanes
	SDL=SDR	SDL	SDR	SDL	SDR	SDL	SDR
30	335	310	355	335	375	335	400
35	390	365	415	390	440	415	465
40	445	415	475	445	500	475	530
45	500	465	530	500	565	530	600
50	555	515	590	555	625	590	665
55	610	570	650	610	690	650	730
60	665	620	710	665	750	710	795
65	720	670	765	720	815	765	860
SDR means Sight Distance Required for vehicles approaching from right side of driveway.							
SDL means Sight Distance Required for vehicles approaching from left side of driveway.							

The sight distances given in Table 9-5 are for undivided highways. If the highway is divided, the effect of the median should be considered in determining the required sight distance. See American Association of State Highway and Transportation Officials manual for adjustments due to grades greater than 3% and design vehicles other than passenger cars.

d. Requirements for New Streets and Roadways

1. Subdivision Streets:

All new streets proposed to be constructed in a subdivision or other development shall be designed and constructed to the minimum standards contained in these Regulations, in accordance with the classification of streets.

2. City and State Streets:

If a new street or thoroughfare is proposed by the City of Lakeland or the State of Georgia to traverse the property, the proposed road shall be designed and constructed in accordance with the street classification as shown in these Regulations or as shown on plans proposed by the City or State of Georgia. The specific vertical and horizontal alignment of the proposed roadway shall be as established or approved by the City of Lakeland and/or the State of Georgia, as applicable.

3. Street Widening:

When property fronting on an existing City street is to be developed and when the property is to be accessed from the existing City street, roadway improvements (pavement, curb and gutter and drainage) are required along the existing road across the entire property frontage. Required improvements shall not be less than provided in these Regulations for the designated street classification.

4. Widening, curb and gutter and drainage:

Widening, curb and gutter and drainage shall be provided from the centerline of the existing roadway along the side of the road upon which the property abuts. In lieu of installation of curbs and gutters and/or related improvements, the Developer must have presented to and received approval by the City for a Street Improvements and Storm Water Drainage Plan for the development and its affected environs. Said plan must provide for adequate storm water drainage, and will further address as a minimum, street grading, paving, and curbs and gutters, and or other innovative provisions for said drainage. This plan must conform to the applicable standards and specification established by the City and be prepared, signed, and sealed by a Georgia registered professional engineer.

5. Developer Responsibility:

The Developer shall be responsible for the relocation and/or modifications of public and/or private utilities as necessitated by the required street improvements.

6. Substandard Streets

- i. If a substandard street (dirt or gravel road or inadequate width of pavement or right-of-way) provides a means of access to a development, the street shall be upgraded to the street classification standard required by this Article. These improvements shall extend from the entrance of the development to the nearest standard paved road of an equivalent or higher classification, along the route of primary access.
- ii. In the event that a development has access to a substandard street and if that substandard street is other than the primary means of access to the development, the substandard street, except as indicated below, shall be fully upgraded only along the entire property frontage and shall be paved on the opposite side of the road from the development, 12 feet from the street centerline.
- iii. The upgrading of substandard streets used for access will not be required if any of the following conditions are met:
 - a. The development consists of a single one or two family residence on an existing recorded lot within the City;
 - b. Total traffic on the substandard street is less than 2000 vehicles per day including projected traffic volume from the development.

7. Improvements along State Highways:

For any development which abuts a State or Federal highway, improvements to the roadway and the location and design of any street or driveway providing access from the state highway shall

comply with the standards and requirements of the Georgia Department of Transportation and these Regulations. A permit for the proposed access or improvements shall be required to have been approved by the GDOT and incorporated into the construction drawings for the project prior to issuance of a development permit by the City.

8. Permanent Dead-end Streets:

New streets shall connect at both ends to existing streets unless the City Engineer determines that unique parcel configuration or terrain make a fully connected street pattern infeasible or unsafe.

- i. When necessary, streets designed to have one end permanently closed shall provide a cul-de-sac turnaround and may be no more than 600 ft. in length, unless otherwise approved by the City Engineer.
- ii. The length of a cul-de-sac street shall be measured from the center of the cul-de-sac to the center of the intersection with another street.

9. Temporary Dead-end Streets:

- i. A temporary dead-end street shall be provided to the boundary of a subdivision to provide access to abutting property for planned continuity of future circulation, improved access for public safety vehicles or for the extension of public water or other utilities to neighboring properties. Such dead-end streets shall be designed to meet the requirements of these Regulations and to allow their reasonable extension and shall be located so as to be reasonably incorporated into a street design for the neighboring property. A temporary vehicular turnaround shall be provided as required by the Subdivision Regulations Section IV B 17.
- ii. Existing dead-end streets on abutting property shall be extended into a proposed subdivision and incorporated into the street design of the development.
- iii. Paragraphs (A) and (B) of this subsection may be modified by the City Engineer in cases of serious topographical hardship or unacceptable land use conflicts between the two developments. This modification may be conditioned on the provision of easements necessary for the extension of public utilities, the provision of a cul-de-sac or other permanent turnaround on the dead-end street or the removal of the dead-end street back to its nearest intersection.
- iv. Where a dead-end street (other than a cul-de-sac) serves four or more lots in a multi-phase subdivision and such street is to be extended later, the Developer shall be required to provide a temporary vehicular turnaround complying with paragraph (1) above. This requirement may be waived if extension of the dead-end street is approved and under construction prior to its inclusion in a final plat.

10. Access Roads:

Where a development borders on or contains a railroad right-of-way, major utility easement, limited access highway right-of-way or a major thoroughfare; a public street may be required to be constructed and dedicated within the development approximately parallel to and on each side of such right-of-way. Locations of such service roads shall be aligned with similar service roads on adjacent properties.

11. Construction Access Drives:

Construction access drives are required for vehicles with gross weight of 10,000 lbs. or more.

- i. On multi-phase developments, the Developer shall be required to dedicate, install, maintain and remove temporary construction access drives for the ingress and egress of construction vehicles, personnel and equipment.

- ii. Temporary construction access drives shall be shown on the concept plan and preliminary plat and shall access an existing City road where possible. Construction access drives shall be permitted through the City, and shall comply with sight distance requirements in Section 403(E) Sight Distance.
- iii. Temporary construction access drives shall be utilized as the sole means of ingress and egress during the construction of subsequent phases of the development, to prevent the flow of construction and heavy vehicular traffic on newly constructed streets completed under earlier phases.
- iv. If the City Engineer determines that a temporary construction access drive cannot be provided, due to site-specific restrictions, then the Developer shall provide a maintenance bond for those portions of the newly constructed roadway utilized for construction access.

12. Half Streets:

Both the construction of new half streets and the extension of access to existing half streets shall be prohibited. Whenever a street is planned adjacent to the proposed development tract boundary, the entire street right-of-way shall be platted within the proposed development.

13. Reserve Strips:

Land in private ownership adjacent to public rights-of-way, which could control or is intended to control access to streets, alleys or public lands, shall not be permitted unless control is given to the City under ownership, dedication or easement conditions approved by the City Attorney or acceptable to the City Engineer. No development shall be designed so as to deny access to abutting properties.

14. Alleys:

Alleys are to be constructed to the following standards:

- i. Minimum width of right-of-way or easement: 20 feet.
- ii. Minimum 14-foot wide paved travel lane.
- iii. 24-inch rolled curb and gutter.
- iv. Minimum 4-foot building setback from the edge of the pavement. No obstructions are permitted in this clear zone.
- v. Utility easements as required by the City Engineer.
- vi. Maximum length, 1,200 feet with a minimum of two points of access/egress to a local street or higher classification. No dead end alleys may be longer than 200 feet.
 - a. Maximum grade of 8 percent.
 - b. Paving and base must be constructed to standards of public streets.
 - c. Alleys shall be signed, "Fire Lanes – No Parking."

15. Street Jogs:

- i. Local streets shall either directly align or have offsets of a minimum of 125 ft. for residential subdivision streets and a minimum of 200 ft. for non-residential subdivision streets, as measured between the centerlines.
- ii. Where it is not feasible to align new streets or entrances with an existing street intersecting nearby on the opposite side of a collector or arterial street, then the new street intersection shall be no less than 600 ft. from the intersection of the existing street, as measured between centerlines of the two opposing streets.
- iii.

16. Traffic-Calming Measures:

Street layout and configuration should include a series of relatively short interconnected roadways in lieu of longer straight roads, to discourage excessive speeds. Additional traffic-calming measures may be required by the City Engineer. Any specific measures employed shall be approved by the City Engineer.

e. Street Intersection

1. Angle of Intersections:

Intersections of two public streets shall form an angle that is between 80 and 100 degrees, unless otherwise approved by the City Engineer. If the intersection is signalized, the angle of the intersection may be reduced subject to the review and approval of the City Engineer.

2. Intersection Approaches.

- i. The approaching street at any intersection shall be designed and constructed to provide both the minimum horizontal and vertical approach distances, as defined in this section and indicated in the “Table of Intersection Approach Distances” contained in this section.
- ii. Minimum horizontal approach distance is defined as the minimum distance required along the centerline of an approaching street, perpendicular or no less than 85 degrees to the intersected street, as measured from the edge of pavement of the intersected street to the point of horizontal curvature on the approaching street.
- iii. Minimum vertical approach distance is defined as the minimum distance required along the centerline of the approaching street, at a grade less than or equal to the recommended grade indicated in the “Table of Intersection Approach Distances,” as measured from the edge of pavement of the intersected street to a point on the profile of the approaching street where grades exceed recommended values.
- iv. The use of vertical curves, drainage boxes or other approved methods shall be used in the design of the approaching street at any intersection to prevent drainage of surface water from draining into the travel lanes of the intersected street.

Table 7-6: Intersection Approach Distances

Approaching Street Classification	Minimum Horizontal Approach Distance ¹	Minimum Vertical Approach Distance ¹	Recommended Approach Grade ²
Principal Arterial	300 Ft.	200 Ft.	2.0%
Minor Arterial	200 Ft.	150 Ft.	2.0%
Collector Street	150 Ft.	100 Ft.	2.5%
Local Street	75 Ft.	50 Ft.	4.0%
1. Distance of the approach is measured from edge of pavement of the intersected street to the point of curvature in the approaching street. 2. Recommended approach grades shall be considered as the maximum allowable grades, unless otherwise approved by the City Engineer. No grade shall be less than 1.5 %.			

3. Crown Taper:

The typical crowned street cross section shall be tapered over a distance of not less than 50 ft. on the approaching street at all intersections, in order to connect flush with the line and grade of the edge of pavement on the intersected street. The cross section taper shall be designed and

constructed so as to provide for the adequate drainage of surface water from all portions of the travel surface and gutter.

4. Intersection Radii:

Intersection radii for roadways measured at back of curb and for the right-of-way lines shall be as shown in the “Table 9-7 of Intersection Radii.” For intersecting streets of different classification, the larger radii shall be provided. Larger radii may be required for streets intersecting at angles less than 90 degrees. In all cases, adequate right-of-way shall be provided to maintain a minimum of 12 ft. from back of curb to right of way line. Miters are acceptable. The Engineer should utilize design radii in accordance with the Geometric Design of Highways and Streets Manual, but they should not be less than shown in Table 7-7.

Table 7-7: Intersection Radii

Street Category	Radius at Intersection
Principal Arterial	30 ft.
Minor Arterial	30 ft.
Collector Street	25 ft.
Local Street–Rural or Urban	25 ft.
Commercial/Industrial	35 ft.

5. Islands:

In no case shall anything in an island extend more than 3 ft. above the street grade within the right-of-way; except traffic regulatory devices, street trees and other infrastructure erected or approved by the City of Lakeland. No island shall be approved that contains less than 100 sq. ft. Irrigation or other private systems shall not be installed within public right-of-way.

6. Intersection Corner Sight Distance.

- i. Intersections shall be designed with adequate corner sight distance for each approaching street. Where necessary, back slopes shall be flattened and horizontal or vertical curves lengthened to provide the minimum required sight distance.
- ii. The minimum corner sight distance from the approaching street shall be calculated using latest edition of AASHTO “Policy on Geometric Design of Highways and Streets.”

7. Obstructing Visibility at Intersections:

On all corner lots located at a street intersection, a clear sight zone shall be maintained at all times. The design and location of new intersections shall meet the standards of Section 403(E).

8. Turning Lanes at Intersections:

Both center left-turn and right-turn lanes shall be provided on all new internal project streets, and on all existing City roads, where traffic volumes and turning movements warrant the installation. At the request of the City Engineer, the Developer or applicant shall prepare and submit a detailed traffic study (as defined herein), outlining projected traffic volumes, turning movements and auxiliary lanes required. The methodology and conclusions presented in the traffic study are subject to the review and approval of the City Engineer.

- i. Center Turn Lane Storage. A minimum storage length of 150 ft. shall be provided for center left turn lanes on any arterial streets. A minimum storage length of 100 ft. shall be provided

on all collector streets. Additional storage capacity shall be provided as required, based on projected peak traffic volumes and turning movements.

- ii. Taper Length: The taper length shall be in accordance with AASHTO design standards, based on the lane widths and design speed of the subject street.
- iii. The design, right-of-way acquisition, drainage system improvements, roadway widening, asphalt construction, traffic control, traffic striping, signage and all other improvements required or incidental to the installation of auxiliary turn lanes required to support any proposed development shall be completed by the Developer or Applicant, at no cost to the City of Lakeland.
- iv. Under the following conditions, left storage lanes shall be added to two-lane collectors or arterials with speed limits of 30 MPH or more, at unsignalized locations where left turning vehicles will leave the arterial or collector street and enter major driveways or development entrances. See the “Table of Left Storage Lane Requirements.”

Table 7-8: Left Storage Lane Requirements

If average peak hour left turn volume is :	And collector/arterial traffic is: (vehicles per lane in peak hour):	Left turn storage lane
Over 25	All volumes	Required
16-25	51-100	Required
13-15	101-200	Required
1-12	Over 200	May be required
Any volume	Any volume	May be required by City Engineer if sight distance (in feet) in either direction is less than 10 times the posted speed limit.
Source: Institute for Traffic Engineers, Traffic Engineering Handbook.		
Note: Traffic volume shall include all additional vehicles from proposed development.		

- v. The length of left turn storage lanes and tapers shall be as prescribed in the Table 4-9, “Minimum Design Elements of Left Turn Lanes”, GDOT “Regulations for Driveway and Encroachment Control”, and the latest edition.

f. Geometric Design Standards

1. AASHTO Standards:

All streets and roadways shall be designed in accordance with the AASHTO Standards, as provided in “A Policy on Geometric Design of Highways and Streets,” latest edition and any amendments thereto. All applicable signage, markings or other traffic control measures shall be designed in accordance with the Manual of Uniform Traffic Devices (MUTCD), latest edition and any amendments thereto.

2. Horizontal Curvature and Super-elevation:

All new streets shall adhere to the standards governing horizontal curvature and super-elevation in “Table of Horizontal Curvature and Super-elevations,” unless otherwise specified by AASHTO Standards:

Table 7-9: Horizontal Curvature and Super-Elevations

Street Category	Design Speed	Minimum Radius	Maximum Super-elevation
Principal Arterial	55 mph	1190 ft.	0.04
Minor Arterial	45 mph	711 ft.	0.04
Collector Street	30 mph	348 ft.	0.04

3. Tangents:

Between reverse horizontal curves there shall not be less than the minimum centerline radii and tangents shown in the “Table of Horizontal Alignment and Reverse Curves,” unless otherwise specified by AASHTO Standards. Compound radii are prohibited.

Table 7-10: Horizontal Alignment and Reverse Curves

Street Category	Desirable Tangent Length (ft.)	Minimum Tangents Between Reverse Curves
Principal Arterial	400	250 ft.
Minor Arterial	280	200 ft.
Collector Street	150	100 ft.
Local Street	120	50 ft.

4. Vertical Alignment.

- i. All changes in street profile grades having an algebraic difference greater than that shown the latest edition of the GDOT Design Manual shall be connected to a parabolic curve having a minimum length in feet (L), which is equal to the algebraic difference between the grades in percent (A) multiplied by the design constant (K) assigned to the street according to its classification and design speed (i.e. $L = KA$).
- ii. (K) values shown in the Table of Constant (K) Values for Vertical Alignments shall be utilized in all cases, and in no case shall the constant K value be less than the minimum permitted.

Table 7-11: Constant (K) Values for Vertical Alignments

Street Category	Design Speed	Crest Vertical Curves (K Value)	Sag Vertical Curves (K Value)
Principal Arterial	55 mph	114	115
Minor Arterial	45 mph	61	79
Collector Street	30 mph	19	37
Local Street	25 mph	12	26

5. Street Centerline Grades.

- i. Street or road grades exceeding 10 percent for a minor collector and 12% for local streets are prohibited, unless otherwise approved by the City Engineer. The City Engineer may grant limited exceptions on maximum grades, based on conclusive evidence that shows a lesser grade is impractical due to topographic or site specific limitations.

- ii. The minimum centerline grade for any street or roadway shall not be less than 1.5 percent, without exception, due to drainage concerns. A desirable minimum centerline grade of 2 percent shall be provided where possible.
 - iii. The maximum centerline grade across any cul-de-sac turnaround shall be 5 percent.
6. Crown Slope:
- Unless super-elevated, all streets and roadways, except alleys, shall be designed and constructed with a crown slope of 1/4 inch per ft., to provide for the adequate drainage of surface water from the street centerline to the gutter or edge of pavement.
7. Super-elevation:
- The design of arterial and major collector roadways may require the super-elevation of the travel surface on horizontal curves in accordance with AASHTO Standards. The design and horizontal alignment of minor collectors and local streets serving residential areas should avoid the use of super-elevation where possible. In all instances, the maximum super-elevation rates shall be in accordance with paragraph (B) above. Under no circumstance is a curved street of any classification to be reverse super-elevated.
8. Pavement Design.
- i. Pavement sections shall be constructed in accordance with the standards in the “Table of Standard Pavement Sections.”

Table 7-12: Standard Pavement Sections

Street Type ^{1,2}	9.5 mm Superpave		Superpave			GAB ³
	Type I	Type II	12.5 mm	19 mm	25 mm	
Residential Streets						
< 250 VPD	1¼”			2”		6”
250-1,000 VPD	1¼”			2¼”		6”
1,001-5,000 VPD		1½”		2½”		8”
Commercial/Industrial Streets						
< 250 VPD		1½”	2½”	3”		10”
251- 1,000 VPD		1½”		2½”	3”	10”
1,001-5,000 VPD			2½”	3”	4”	12”
Notes:						
(1) Only roads that serve strictly residential uses (<1% trucks) shall use the sections listed above as residential. All other developments shall use the commercial/industrial sections.						
(2) All streets designated as “arterial” shall have a pavement design submitted that meet the requirements below.						
(3) Graded Aggregate Base (GAB).						

Add a column to above table Street Type-Soil Cement-6", 6", 8", 8", 8", N/A

- ii. The Developer may submit for review and approval an alternative pavement design, prepared at the Developer’s cost. This submittal shall meet the following requirements:
 - a. Design prepared by a Professional Engineer licensed in Georgia.
 - b. Soils testing results prepared by a Professional Engineer licensed in Georgia.

- c. Design shall be completed using the GDOT's "Asphalt Pavement Design Procedures," latest edition.
- d. Design shall be based on 15-year pavement life.
- e. Traffic shall be calculated using the Trip Generation Manual, by the Institute of Transportation Engineers, latest edition.
- f. Traffic projections shall be made for any streets that serve areas outside of the proposed development.
- g. Traffic counts, including truck traffic, shall be made as required on existing roads.
- h. The City of Lakeland will require written certification that material used in sub-base conforms to the soils test results used in the design.
- i. Cores of pavement and base will be made as necessary to verify actual thickness of each pavement layer (surface, base, and sub-base). Test results shall be certified by a 3rd party contractor at the expense of the developer. Copies of the test reports will be made available to the City Engineer. The minimum number of cores of surface, binder, base, and sub-base is one core per 100 ft. of each street (or one core with streets less than 100 ft. in length).

g. Street Construction Standards and Specifications

Unless otherwise specifically set forth herein, all of the materials, methods of construction, and workmanship for street construction shall conform to the latest edition of the Georgia Department of Transportation Standard Specifications - Construction of Transportation Systems including all amendments.

1. Clearing and Grubbing:

Before grading is started, the entire right-of-way area shall be first cleared and grubbed of all trees, stumps, roots, brush, debris and other objectionable materials per GDOT specifications A - Clearing and Grubbing Specifications). All erosion control measures shall be installed as required by the approved plans and in accordance with Chapter 38, Article III – Erosion & Sedimentation Control of the Code of Ordinances of the City of Lakeland. For specific technical requirements reference is made to Georgia DOT Specifications Section 201-Clearing and Grubbing Right-of-Way. Combustible material generated from clearing and grubbing operations may be burned only when authorized and permitted by the City of Lakeland Fire Chief.

2. Rough Grading:

Conduct street earthwork construction in accordance with Georgia DOT Specification Sections 205 - Roadway Excavation and 208 - Embankments.

- i. For purposes of these Regulations, the maximum density of soil material shall be determined by ASTM D 698 (Standard Proctor) test procedures.
- ii. Complete rough street sub grade construction before starting utility and drainage installation.

3. Final Grading and Subgrade Preparation.

- i. Perform sub grade construction in accordance with Georgia DOT Specification Section 209 - Subgrade Construction.
- ii. The developer shall provide quality control testing during earthwork and subgrade construction as necessary to assure the entire earthwork, including all fill layers and

subgrades, meet the minimum requirements of these Regulations. The minimum quality control testing to be provided consists of the following:

- a. Moisture - density relationship curve for each type soil encountered.
 - b. One in-place density test (ASTM D 1556 or other recognized method) per 1,200 square yards or fraction thereof of subgrade or base to be paved.
 - c. One in-place density test (ASTM D1556 or other recognized method) per 1000 cubic yards or fraction thereof of fill placed.
- iii. Earthwork which falls below specified minimum quality control limits shall be removed, reconstructed and retested until compliance with specified requirements is achieved.
 - iv. After completing street earthwork operations and before beginning street base construction, the Developer shall file a copy of the quality control test results demonstrating compliance with these requirements with the City. At any time during the construction process, representatives of the City may request to review and the Developer shall provide quality control test results.
4. Street and Alley Base Construction.
 - i. Street and alley bases shall be constructed in accordance with Georgia DOT Specification Section 300 - Specifications Applying to All Base and Subbase Courses.
 - ii. The following Georgia DOT Specification Sections shall apply to base materials indicated on the Standard Detail Typical Street Sections: Graded Aggregate Base - Section 310 - Graded Aggregate Construction.
 5. Surface and Binder Asphaltic Paving Course Construction:
 - i. Surface and binder asphaltic paving courses, including prime, shall be constructed in accordance with Georgia DOT Specification Section 400 - Hot Mix Asphaltic Concrete Construction.
 6. Post-Construction Stabilization of Disturbed Areas:
 - i. When earthwork and paving are complete, the Developer shall grass and stabilize all disturbed areas including roadway shoulders which are not covered by paving or other improvements per GDOT Specifications for Grassing. It shall be the Developer's responsibility to maintain grassed areas by watering, fertilizing, weeding, mowing, trimming, regrading and replanting as required to establish a smooth, acceptable stand of grass free of eroded or bare areas. Grassed areas will be considered acceptable when a viable stand of grass covers at least 90 percent of the total area with no bare spots exceeding one square foot and the ground surface is fully stabilized against erosion. Grassing operations shall meet the technical requirements of Georgia DOT Specification Section 700 - Grassing for Planting Zone 4.
 7. Quality Control Testing Required:
 - i. The Developer shall provide quality control testing during base and pavement construction as necessary to assure the entire pavement structure meets the minimum requirements of these Regulations. The minimum quality control testing to be provided consists of the following:
 - a. Moisture-density relationship curve for each base material used on project.
 - b. For soil cement base, conduct mix design to determine Portland cement content (percent of dry weight of the soil) to achieve a minimum compressive strength of 300 psi at seven days when testing in accordance with ASTM D 1632 and D 1633.
 - c. One in-place density test (ASTM D 1556 or other method acceptable to the City) per 1200 square yards or fraction thereof of base.

- d. One thickness measurement normal to base surface per 1200 square yards or fraction thereof of base.
 - e. One surface tolerance measurement using a 15 foot straight edge per 250 square yards or fraction thereof of base.
 - f. One asphalt extraction (ASTM D 2172) and aggregate gradation analysis (ASTM C 136) per 2400 square yards or fraction thereof of surface course and per 2400 square yards or fraction thereof of binder course (if any). Obtain samples for extraction and gradation tests in accordance with ASTM D 979. 7) One density and compacted thickness measurement per 1200 square yards or fraction thereof of each course placed. Density determined to be made in accordance with ASTM D 1188. Remove not less than 3 inch diameter nor larger than 12 inch square test specimens. Repair test specimen holes with full depth application of fresh hot asphaltic plant mix.
 - g. One surface tolerance measurement using 15 foot straight edge per 250 square yards or fraction thereof of surface course.
 - ii. Base and/or paving construction which falls below specified minimum quality control limits shall be removed, reconstructed and retested until compliance with specified requirements is achieved.
 - iii. After completing base and paving construction, the Developer shall file a copy of the quality control test results demonstrating compliance with these Regulations with the City. At any time during the construction process, representatives of the City may request to review and the Developer shall provide quality control test results.
8. Use of Non-specified Base or Paving Materials or Systems:
- In the event the Developer desires to utilize base or paving materials or systems not included in these Regulations, the Developer shall provide an engineering study prepared by a Georgia registered professional engineer comparing the proposed material or system to the appropriate system which is included in these Regulations. The engineering study will include a pavement structural design based on the AASHTO "Guide for Design of Pavement Structures" and suggested specifications for the materials and construction of the proposed system. The City will treat the Developer's request through the appeals process described elsewhere in this Code.

h. Curb and Gutter

1. Curb and Gutter:

All new streets or street widening sections shall be provided with curb and gutter, except as provided herein under. All gutters shall drain smoothly with no areas of ponding.

2. Street Improvements and Storm Water Drainage Plan:

In lieu of installation of curbs and gutters and/or related improvements, the Developer must have presented to and received approval by the City for a Street Improvements and Storm Water Drainage Plan for the development and its affected environs. Said plan must provide for adequate storm water drainage, and will further address as a minimum, street grading, paving, and curbs and gutters, and or other innovative provisions for said drainage. This plan must conform to the applicable standards and specification established by the City and be prepared, signed, and sealed by a Georgia registered professional engineer.

3. **GDOT Standard:**

All concrete curb and gutter shall be GDOT Standard 9032B, Type 2 (except in subdivisions, where the curb and gutter shall be 24 inches wide, while all other dimensions remain).

4. **Curbing shall conform to the following standards:**

- i. Concrete shall be Class “A” as defined by the GDOT, and have a minimum strength of 3,000 PSI at 28 days; a 2 inch to 4 inch slump (ASTM C 143) and, 3 to 6 percent air content (ASTM C 231 or C 173) and shall comply with ASTM C 94.
- ii. One-half inch expansion joints or pre-molded bituminous expansion joint material shall be provided at all structures and radius points and at an interval not to exceed 250 ft. in the remainder of the curb and gutter. Contraction joints also shall be provided at 10 ft. intervals along the curb line.
- iii. When the development ties into existing curbing, the curb and gutter shall transition to match the existing width and profile at the connection point.
- iv. Termination or curb tapers shall be provided at the end of any gutter. The curb height shall be tapered from 6 inches to 0 inches over a distance of 6 ft.

5. **Standard Curb and Gutter:**

The Developer shall use a standard curb and gutter section. The section is shown in Appendix B, Standard Drawings.

6. **Line and Grade:**

Curb and gutter shall be set true to the line and grade of the street on a properly prepared subgrade with application of Georgia DOT Type 2 membrane curing compound, horizontally and vertically field staked and finished to the section shown on the plans. Line and grade shall be established by the Developer’s engineer or surveyor. Offset staking shall be provided at 50-ft. intervals.

7. **Substandard Curbing Replaced at Owner’s Expense:**

Curbing not installed in accordance with the requirements of this section or Appendix B, Standard Details shall be removed and replaced at the Developer’s expenses. The City may require and the Developer shall provide core samples to verify concrete thickness.

8. **Disturbed Areas:**

Disturbed areas along curbing shall be back-filled, compacted, stabilized and grassed.

i. Street Lighting

The developer shall provide a street lighting standard at each street intersection and at an interval not exceeding 400 feet. The developer shall provide lighting standards at no cost to the City.

1. The developer or other person developing a residential subdivision shall be required to provide street lights that conform to all of the standards provided for in this Section and, in addition thereto, shall be required to obtain approval of the street light layout from the City Engineer prior

to the construction of any street light facilities. Approval or final acceptance of the subdivision requires compliance with this Section.

2. The developer or other person developing a shopping center, industrial park, office park, apartment complex or like development within a designated street light district shall provide street lights along public rights-of-way adjoining that property that conform to all standards provided for in this Section; and the Developer shall obtain approval of the street light layout from the City Engineer prior to commencing any construction of any street light facilities.
3. The City Engineer shall not recommend the acceptance of any public streets or roads proposed to be dedicated to the City for perpetual ownership and maintenance until such time as the street lights conform to the approved street light layout.
4. Street lights shall be required to be provided by the Developers of all new subdivisions or other developments utilizing new streets or roads to be dedicated to the City or existing City streets or roads or any combination, unless waived by City Commission. Unless so waived, the Developer, at the time of submitting the final plat to the City shall:
 - i. Submit a final street light layout prepared by the utility company, which will provide the lighting service showing exact location of street lights within the development or subdivision. For residential and non-residential subdivisions, this drawing must be approved by the City Engineer prior to obtaining any building permit within the subdivision. Fixtures and standards/poles installed or used shall be approved by the utility company, which will be responsible for the maintenance of the facilities, and by the City Engineer. The fixtures shall be mounted a minimum of 25 ft. above the ground, and each fixture shall have appropriate arm length to illuminate the street. Lights must be located at any or all street intersections within the subdivision or other development and 400 feet apart along any streets with the subdivision or other development.
 - ii. Pay all costs for standards/poles, fixtures and any other related items or materials necessary for the installation.
 - iii. Submit proof of payment for complete installation to the City.
 - iv. Submit a copy of an executed agreement with the utility company for complete maintenance of all installations.
5. In order to ensure adequate illumination of public rights-of-way and promote safety and security, the American National Standard Practice for Roadway Lighting of the Illuminating Engineering Society, as approved by the American National Standards Institute (1983), as from time to time amended, is hereby adopted as the standard for the installation and operation of lighting in the City of Lakeland, with the following exceptions:
 - i. Except for Principal Arterials, lighting fixtures installed within the public rights-of-way to be operated for the purpose of street illumination shall comply with these standards. The minimum average horizontal foot-candle illumination level by roadway classification shall be as shown in "Table of Minimum Average Street Illumination Levels"

Table 7-13: Minimum Average Street Illumination Levels (foot-candles)

Roadway Classification	Commercial Area	Intermediate Area	Residential Area
Minor Arterial	1.2	0.9	0.6
Collector Street	0.8	0.6	0.4
Local Street	0.6	0.5	0.3
*Note: Illumination of Principal Arterials shall be determined by GDOT.			

- ii. The uniformity of illumination shall be such that the point of lowest illumination shall have at least one-third of the average horizontal foot-candle required illumination level, except that on local or residential streets it may be no less than one-sixth of this average.
- iii. Any party requesting permission to install or operate lighting fixtures within public rights-of-way shall furnish plans and specifications to the City Engineer for approval showing how the proposed lighting meets the standards, and no lighting shall be installed or operated without this approval.
- iv. Should the City Engineer disapprove the request to install or operate lighting fixtures within any public right-of-way, he shall communicate the disapproval in writing to the party requesting approval. The written communication shall include the specific reasons for disapproval.
- v. Any disapproval of a light or lighting system by the City Engineer may be appealed to the Board of Zoning Appeals. If any party desires to appeal an adverse decision by the City Engineer, a notice of appeal shall be filed within 30 days from the date following the written notice of disapproval. It shall be the responsibility of the City Engineer to transmit forthwith to the Building Inspector Board of Zoning Appeals all papers and allied documents constituting the record upon which the action appealed from was taken. The Board of Zoning Appeals may reverse or affirm, wholly or partly, or may modify the order, requirement, decision or determination being appealed.
- vi. Roadway or street lighting luminaries or fixtures installed within the public rights-of-way as security lights or for the purpose of lighting areas other than the public streets shall be mounted on the side of the pole opposite from the street, and shall be oriented in such a manner to ensure that the lateral light distribution pattern is parallel to the street and the vertical light distribution, at the initial light source, is perpendicular to the street, so as to protect the users of the street from objectionable glare. The approval of the City Engineer shall be obtained before installation of these lights.
- vii. Other lighting fixtures to be installed within or outside of public rights-of-way, for whatever purpose, shall be installed and operated in such a manner to prevent glare from being a hazard to or interfering with the normal use of the public rights-of-way.

j. Sidewalks and Bikeways

Sidewalks shall be provided along public streets for all developments and in such other locations as deemed necessary by the City for safe pedestrian movement.

- 1. Sidewalks shall be located on both sides of the street or road and on existing or new street frontage that is part of any new development and shall meet all current ADA requirements.

2. Sidewalks in subdivisions shall be continued to the nearest arterial street.
3. All new sidewalks shall match and provide a smooth transition to any existing sidewalk.
4. Sidewalks shall be installed on an individual lot basis at the time of building construction. The City shall inspect the location and construction of the sidewalk and shall not issue a Certificate of Occupancy until the required sidewalk is properly installed.
5. A strip of grass or other approved landscape material at least 4 ft. in width shall separate all sidewalks from adjacent curbs on public streets. Sidewalks shall be concrete and a minimum of 5 ft. wide and 4 inches thick. Concrete shall be Class "A," as defined by the GDOT, and have strength of 3,000 PSI at 28 days. Disturbed areas along sidewalks shall be backfilled, compacted, stabilized and grassed. The City may require and the Developer shall provide core samples to verify core thickness.
6. Additional sidewalks and/or pedestrian easements may be required in subdivisions or developments where deemed essential to provide circulation or access to schools, playgrounds, shopping centers, transportation and other community facilities.
7. Bicycle lanes, where provided, shall be a minimum of 4 ft. in width and placed between the outside lane of a roadway and the curb or shoulder. When on-street parking is permitted, the bicycle lane shall be between the parking lane and the outer lane of moving vehicles. Lanes shall be delineated with appropriate markings, as required by MUTCD Standards. Bikeways and bicycle lanes must be pre-approved by the City Engineer and meet the requirements of AASHTO "Guide for the Development of Bicycle Facilities," latest edition.

k. Traffic Calming Devices

1. Traffic calming devices and associated signage may be required by the City Engineer.
2. The City Engineer may establish specific standards for the design, construction, placement, and if applicable, planting plan for traffic calming devices. These standards shall be known as "Traffic Calming Device Design and Placement Standards for the City of Lakeland," further referred to and known as the design and placement standards and are hereby made a part of this section by reference. The City will maintain on file for consultation and distribution a series of design and placement standards for traffic calming devices. The City Engineer may, from time to time, modify these technical standards.
3. Traffic calming devices for all local streets shall be placed, designed and installed in accordance with the design and placement standards.
4. Other designs or types of traffic calming devices not included in the design and placement standards may be approved at the discretion of the City Engineer, provided that such devices meet the following minimum criteria:
 - i. The proposed traffic calming device must be recognized as such by the transportation industry, i.e., it must be recognized by the Institute of Transportation Engineers, American Association State Highway Transportation Officials, the Federal Highway Administration, the American Traffic Safety Services Association or other nationally recognized transportation industry organization or guiding authority.
 - ii. The proposed traffic-calming device must be designed, located and constructed in accordance with the minimum standards of the approving organization or guiding authority. The City

Engineer may impose additional design, location or construction criteria prior to approving such a device.

- iii. The proposed traffic-calming device must include plantings, water quality or other environmental enhancements or beautification elements.
 - iv. Traffic calming may be accomplished via proper geometric design of the streets. Such designs may be accepted by the City Engineer in lieu of other structural traffic calming devices.
 - v. The City Engineer may disallow the use of devices that meet the criteria set forth in subsections (A) through (D) of this section if, in his judgment, the installation of such a device would create unusual or costly maintenance, create a safety hazard, restrict movement of emergency vehicles, or would otherwise not be in the best interest of the city.
5. Islands that are not specifically for traffic calming, such as entrance islands, cul-de-sac islands, tree save islands or other decorative islands may be approved for construction by the City Engineer, if they conform to the design principles contained in the design and placement standards.
 6. All plant materials included in islands shall be installed at the expense of the Developer and shall be maintained by the subdivision's homeowner's association. A notification to this effect shall be included on the final plat recorded for the subdivision.
 7. The City Engineer may, at his or her discretion, approve unusually shaped islands or innovative designs.

l. Traffic Control Devices

1. Traffic control devices consisting of street name signs, traffic control signs, traffic markings and traffic signals shall be provided by the Developer as appropriate to serve each development. All traffic control devices and installation thereof shall conform to the Federal Highway Administration "Manual on Uniform Traffic Control Devices".
 - i. For residential developments, minimum traffic control devices shall consist of street name signs at each street intersection, stop or yield signs at each intersection, one speed limit sign per block, school or pedestrian crossing signs where appropriate, and limited pavement marking such as crosswalk lines for school or pedestrian crossings.
 - ii. Minimum traffic control devices for non-residential developments shall include those devices for residential developments and lane and centerline markings, stop lines, and parking space markings. Additionally, appropriate other signs and signals shall be provided by the Developer.

m. Street Improvement Plans

1. Plans Required:

Street improvement plans for all new streets, street widening and existing street upgrades shall be prepared by a Georgia registered professional engineer. At least three copies of the plans shall be submitted to the City for review and comment. An electronic copy (in PDF format) may be submitted in addition to other plans. Within thirty days of submittal of the plans, the City will either approve the plans or make comment on items requiring changes and/or additional information. When not approved, the cycle of plan submittal and review will be repeated until the plans can be approved by the City.

2. Required Information: All plans shall consist of not less than the following:

- i. Profiles of existing ground levels along street centerlines and each right-of-way. Field determined elevations shall be indicated at intervals not exceeding 25 feet. Where cross sections are provided at least every 25 feet, only centerline elevations need be shown on the profile.
- ii. Existing facilities and features within and adjacent to rights-of-way which affect or could be affected by street improvement construction. Items include, but are not limited to, streets, rights-of-way, sidewalks, buildings, parking lots, driveways, fences, tree lines, and railroads.
- iii. All drainageways, lakes, streams, creeks, channels, wetlands, and drainage facilities.
- iv. All existing utilities and appurtenances within and adjacent to rights-of-way which affect or could be affected by street improvement construction. Items include, but are not limited to, sanitary and storm sewers, water mains, gas lines, fire hydrants, electric and telephone poles and street lights. The utility type, size, depth, material and location in relation to street improvements should be indicated.
- v. Existing and proposed property and easement lines and land lot and land district lines intersecting street rights-of-way.
- vi. Limits of new construction.
- vii. New road improvements, including but not limited to, curbs and gutters, sidewalks, pavements, driveways, wheel chair ramps, traffic control devices, and street lights (if any).
- viii. Profiles of each pavement edge or line of curb and gutter with new finished grade elevations at intervals not exceeding 50 feet.
- ix. Horizontal and vertical street geometry including street centerline angles of deflection, radii, degree of curvature, design speed, tangent lengths, arc lengths, bearings street grades, and lengths of vertical curves. Stations for all points of curve, points of tangency, points of intersection, both horizontal and vertical, should be shown.
- x. Benchmarks for vertical control.
- xi. Name of the development, names, addresses and telephone numbers of Developer and Developer's engineer, engineer's seal, north arrow, scale, and date.

3. Plans shall conform to the following standards:

- i. Where specific design guidance is not given in these regulations or other City of Lakeland regulations, rules, or ordinances the AASHTO publication "A Policy on Geometric Design of Highways and Streets", latest edition shall be followed.
- ii. All elevations shall be based on and tied to U.S. Coast and Geodetic Survey mean sea level datum.
- iii. Plan drawings shall be at a scale of at least 1 inch equals 50 feet. In developed or congested areas, the City may require a scale of 1 inch equals 20 feet or less to be utilized.
- iv. For profile drawings, the horizontal scale shall be the same as that used for associated plan drawings. The vertical scale shall be at least 1 inch equals 10 feet. A 1 inch equals 5 feet vertical scale is often necessary to properly depict grade changes in flat areas.
- v. The desired drawing size is 18 inches by 24 inches. In no case shall drawings be larger than 30 inches by 42 inches nor smaller than 11 inches by 17 inches.
- vi. One set of Mylar drawings are to be provided.

7-5 Utilities

All authorized public utilities must be installed by a Georgia Licensed Underground Utility Contractor who must meet minimum bonding and insurance requirements as determined by the City.

a. Placement of Utilities

All authorized public and private underground or overhead utilities shall be located within the right-of-way of a public street or within an easement designated for such use. Within public street rights-of-way, placement of the various authorized utilities (water, sanitary sewer, natural gas, power, telephone, and cable TV) shall conform to the specific locations for such use designated by the City. Private underground utilities such as lawn sprinkler systems, septic tanks and drain fields, exterior lighting systems, and heating and cooling piping are not permitted within public street rights-of-way.

b. Easements

1. Easements Required:

Permanent easements for public water, drainage and sanitary sewer facilities shall be dedicated to the City.

2. Easement Widths:

The minimum width permanent easements for a single utility shall be 15 feet. Where more than one utility has a common easement, the minimum easement width shall be increased by 5 feet for each additional utility. However, additional easement widths may be required by the City where the depth of the utility is excessive or other conditions will cause difficulty in accessing the utility.

3. Dedication Requirements:

Before dedication, the developer shall grass and stabilize all disturbed areas within and adjacent to easements which are not covered by paving or other improvements. An acceptable stand of grass free of eroded or bare areas must be achieved before the City will consider dedication.

c. Utility Line Extension Requirements

If existing water mains and or sanitary sewers must be extended to serve a development, the developer shall install or have installed the necessary extensions at no cost to the City under the existing City policy and procedures at plan approval time.

d. Water Distribution System Design Criteria

1. Pressure:

All water mains, including those not designed to provide fire protection, shall be sized after hydraulic analysis performed by a Georgia registered Professional Engineer to maintain a minimum pressure of 40 psi at ground level under all conditions of design flow. Regardless of Water System Design Pressure and Flows, all water mains shall be a minimum of eight (8) inches.

2. Design Flow:

The design flow is to consist of projected peak demand plus fire flow (where applicable). To determine projected peak flow for residential developments, utilize values in "Table of Peak Water Demands for Residential Developments." For developments other than residential, utilize AWWA "Manual of Water Supply Practices M22, Sizing Water Service Lines and Meters" to estimate peak demand. For fire flow, select proper value from the "Table of Minimum Design Fire Flows".

3. Sprinkler Connections:

For each fire protection sprinkler connection to the City's water system, the developer must provide a double detector check valve installation consisting of not less than two detector check valves with by-pass meter on the second unit and two gate valves all enclosed in an accessible, non-floodable concrete pit. The pit is to have a double leaf aluminum access hatch which should be sized for easy access for maintenance.

4. State Approval:

It is the developer's responsibility to obtain the approval of the Environmental Protection Division of the Georgia Department of Natural Resources of all water distribution system additions and extensions. In addition to the other requirements, the City must receive a copy of the approval before the developer will be allowed to proceed with construction.

e. Location of Water Mains, Fire Hydrants and other Fixtures

1. Water Mains:

Water mains shall be located along City streets on the south and west side of the street, five feet from the back of the curb. The minimum cover is to be 42 inches. Locate water service laterals with a minimum cover of 24 inches within street rights-of-way. Within 5 feet of the water meter, service lateral cover may be reduced to not less than 18 inches

Table 7-14: Peak Water Demands for Residential Developments

Number of Dwelling Units	Required Flow (GPM)
5	8
10	5
20	4.3
30	3.8
40	3.4
50	3.0
60	2.7
70	2.5
80	2.2
90	2.1
100	2.0
150	1.6
200	1.3
200	1.2
400	0.9

500	0.8
250	0.7
1000	0.6

Table 7-15: Minimum Design Fireflows ⁽¹⁾

Zoning District	Gallons Per Minute
R-15 Single Family Residential	1000
R-12 Single Family Residential	1000
R-M Mixed Residential	1000
R-I Residential Infill	1000
R-P Residential Professional	1500
TC-C Town Center Commercial	1250
G-C General Commercial	1250
N-C Neighborhood Commercial	1250
PD Planned Development	1000 - 3500
M-1 Light Industrial	3500 ⁽²⁾
M-2 Heavy Industrial	3500 ⁽²⁾
AU Agricultural	1000
⁽¹⁾ Values given in this table represent minimum requirements. Should Fire Chief or Insurances Services Office, Inc. recommend higher fire flows, use the largest values.	
⁽²⁾ To meet ISO recommendations, calculated using multiple hydrants.	

2. Fire Hydrant Spacing: Provide fire hydrant spacing as requested by the Fire Chief and as follows:

- i. One and Two Family Residential Uses: Space fire hydrants not more than 500 feet apart with additional fire hydrants located as necessary so that the maximum hose lay from a hydrant to the furthestmost part of any building does not exceed 500 feet.
- ii. Multiple-Unit Residential Uses: Space fire hydrant not more than 500 feet apart with additional fire hydrants located as necessary so that the maximum hose lay from a hydrant to the farthestmost part of any building does not exceed 400 feet.
- iii. Office, Institutional, Commercial and Industrial Uses: Space fire hydrants not more than 400 feet apart so all portions of buildings can be reached by hose lays of not more than 400 feet.
- iv. Except when waived by the Fire Chief, a fire hydrant shall be located at all street intersections in all Zoning Districts.
- v. Locate fire hydrants between the water mains and right- of-way and within 5 feet of the right-of-way.

3. Valves:

Locate valves at not more than 1,000 foot intervals in residential areas and 500 foot intervals in non-residential areas. At water main junctions, the minimum number of valves to be provided shall equal the number of pipes extending from the junction minus one.

4. Meters:

Locate water meters in public rights-of-way within six inches of the right-of-way except where alternate location is approved by the Water Department. Water meters will be furnished and installed by the City upon payment of appropriate fees.

f. Sanitary Sewer Design Criteria

1. Design Capacity:

Design sewer systems for the estimated ultimate development tributary population and/or area. In establishing design capacity, the following factors must be considered.

- i. Maximum hourly residential sewage flow.
- ii. Maximum hourly commercial/institutional sewage flow.
- iii. Maximum hourly industrial sewage flow.
- iv. Ground water infiltration.
- v. Topography of the area.
- vi. Pumping requirements.
- vii. Design new sewers in residential areas on the basis of an average daily flow of sewage of not less than 400 gallons per household per day. A peaking factor of not less than 2.5 must be applied to the average daily flow to establish peak design flow. Sewers shall be designed to carry peak design flow when flowing one-half full.
- viii. In non-residential developments, base sewer design on the estimated peak flow from the development but in no case less than 0.4 gallon per square foot of gross building areas. Sewers shall be designed to carry peak flow when flowing one-half full.

2. Size and Shape:

The minimum size sanitary sewer shall be 8 inches. Design sewers to give mean velocities, when flowing half full, of not less than 2.0 feet per second based on the Manning formula using an "n" value of 0.013. The "Table of Minimum Sewer Slopes" contained in this section gives the minimum as built slopes which must be provided to allow dedication of sewers to the City, however, where possible greater slopes are desirable. Sewers shall be placed with a uniform slope between manholes.

3. Manholes.

- i. Install manholes at the following locations
 - a. End of each sewer.
 - b. At all changes in grade, size, or alignment.
 - c. At all sewer intersections
 - d. At distances not greater than 400 feet for sewer 15 inches and smaller.
- ii. When pipe sized change at a manhole, the 0.8 depth point of both sewers shall be aligned at the same elevation.

- iii. When the same size pipe enters and leaves a manhole, at least a 0.1 foot drop in elevation shall be provided between the entering and the exiting inverts.
- iv. U-shaped flow channels shall be constructed through manholes.

4. Relation to Water Mains.

- i. Whenever possible, lay sewers at least 10 feet horizontally from any existing or proposed water main. Should conditions prevent a separation of 10 feet, lay the lines in separate trenches. In either case, construct the elevation of the crown of the sewer at least 18 inches below the bottom of the water main.
- ii. When sewers cross under water mains, lay the sewer so that the top of the sewer is at least 18 inches below the bottom of the water main. Install the two pipes such that a full length of pipe will be centered over the crossing so that all joints will be separated as much as possible. Install ductile iron pipe for both lines when the crossing is less than two feet of separation.

Table 7-16: Minimum Sewer Slopes

Nominal Minimum Slope	Sewer Size (inches) Feet Per 1000 Feet
0.4	8
0.28	10
0.22	12
0.15	15
0.12	18
0.10	21
0.08	24
0.067	27
0.058	30
0.046	36

- iii. 5. Sewer Locations: When sewers are laid in public streets, construct the sewer along the approved right-of-way or easement at a depth of not less than 5 feet from the road surface to the top of the pipe. In curved streets, install the sewer between gutter lines to avoid conflicts with other utilities.
- iv. State Approval: It is the Developer's responsibility to obtain the approval of the Environmental Protection Division of the Georgia Department of Natural Resources for sanitary sewer collection system additions and extensions. In addition to other requirements, the City must receive a copy of the approval before the Developer will be allowed to proceed with construction.

g. Natural Gas System

All gas mains and services will be installed in accordance with the City of Lakeland Natural Gas Department Operations and Maintenance Manual.

h. Electrical System

All electrical systems will be installed according to the latest edition of the National Electrical Code and the City of Lakeland Electric Service Manual.

i. Preparation of Utility Plans

1. Plans required:

Utility plans for all extensions, additions, improvements and/or modifications for the water distribution and sanitary sewer collection systems shall be prepared by a Georgia registered professional engineer. At least three copies of the plans shall be submitted to the City for review and comment. Within thirty days of submittal of the plans, the City will either approve the plans or make comment on items requiring changes and/or additional information. When not approved, the cycle of plan submittal and review will be repeated until the plans can be approved by the City.

2. Information to be shown on the plans shall consist of not less than the following:

- i. Existing facilities and features in the vicinity of utility construction which affects or could be affected by such construction. Items include but are not limited to streets, rights-of-way, buildings, driveways, parking lots, fences, tree lines and railroads.
- ii. All drainageways, lakes, streams, creeks, channels, wetlands, and drainage facilities.
- iii. All existing utilities and appurtenances in the vicinity of utilities construction which affect or could be affected by such construction. The utility type, size, depth, material and location in relation to utilities improvements should be indicated.
- iv. Existing and proposed property and easement lines and land lot and land district lines intersecting utility line construction.
- v. New utilities construction including as applicable, but not limited to, pipelines, manholes, lift stations, force mains, valves, fittings, fire hydrants, meters, casings, services facilities, special construction and details for connections to existing utilities. Pipe sizes and materials shall be indicated on the plans. Include horizontal geometry as necessary to define location of new utilities.
- vi. Profiles of sanitary sewers showing existing ground surface, sewers, manholes with top and invert elevations, line lengths and grades, crossing utilities, and limits for special construction.
- vii. Benchmarks for vertical control.
- viii. Name of the development, names, addresses and telephone numbers of Developer and developer's engineer, engineer's seal, north arrow, scale and date.

3. Plans shall be prepared in conformance with the following:

- i. All elevations shall be based on and tied to U.S. Coast and Geodetic Survey mean sea level datum.
- ii. Plan drawing shall be at a scale of at least 1 inch equals 50 feet. In developed or congested areas, a scale of 1 inch equals 20 feet or less shall be utilized.
- iii. For profile drawings, the horizontal scale shall be the same as that used for associated plan drawings. The vertical scale shall be at least 1 inch equals 10 feet. A 1 inch equals 5 feet vertical scale is often necessary to properly depict pipeline conditions.
- iv. The desired drawing size is 24 inches by 36 inches. In no case shall drawings be larger than 30 inches by 42 inches nor smaller than 11 inches by 17 inches.

- v. Utilities construction may be shown on street improvement plans provided the resulting drawings are clear, legible and plainly show all necessary information.

j. Construction Record Drawings

At the completion of utilities construction and before dedication to the City, the developer shall furnish two copies of construction record drawings for the development to the City. The record drawings shall be made from the original drawings of the approved development drawings revised to reflect actual construction. Drawings shall be signed/sealed by Georgia licensed surveyor.

7-6 Grading And Drainage

a. Site Grading

1. Site grading shall be done in accordance with the finished grades shown on the approved development plans. Site grades shall direct surface drainage away from buildings without causing adverse impact on adjacent properties.
2. The maximum slopes for soil cut or fill shall be two feet of horizontal run for each foot of vertical rise or fall except for stable rock slopes. If actual soils encountered require a flatter slope for stability, the lesser slope shall be used.
3. Soil erosion and sediment control measures shall be provided as required in Chapter 38, Article III – Erosion, Sedimentation and Pollution Control of the Code of Ordinances of the City of Lakeland.

b. Drainage

Provisions for storm water drainage and detention designs are to be in accordance with the City of Lakeland Stormwater Management Ordinance.

c. Specifications for Drainage Construction

Refer to Georgia Department of Transportation, Standard Specifications for Construction of Roads and Bridges, latest Edition for specifications for drainage construction.

d. Preparation of Grading and Drainage Plans

1. Plans Required:
Grading and drainage plans for all developments except individual one and/or two family dwelling units, shall be prepared by a Georgia registered professional engineer or landscape architect.
2. Plan Submittal Requirements:

At least three copies of the plans and detention study shall be submitted to the City for review and comment.

3. Plan Review Process.

Within thirty days of submittal of the plans, the City will either approve the plans or make comment on items requiring changes and/or additional information. When not approved, the cycle of plan submittal and review will be repeated until the plans can be approved by the City.

4. Required Plan Information:

Information to be shown on the plans shall consist of not less than the following:

- i. Topographic map of the existing conditions for the development showing existing facilities and features which affect or could be affected by grading and drainage improvements. Utilize a contour interval of not greater than two feet with spot elevations as necessary to define existing ground surfaces.
- ii. All drainageways, lakes, streams, creeks, swales, ditches, channels, wetlands, and drainage facilities.
- iii. All existing utilities and appurtenances which affect or could be affected by grading and drainage improvements. The utility type, size and location in relation to grading and drainage improvements should be indicated.
- iv. Existing and proposed property and easement lines and land lot and land district lines intersecting or bounding grading and drainage improvements.
- v. Finished grades depicted by finished contours and/or spot elevations as necessary to define finished grade surfaces.
- vi. New drainage improvements including, but not limited to, pipes, culverts, catch basins, area drains, drop inlets, junction boxes, headwalls, berms, dikes and detention basins with outlet works. The drainage areas tributary to each drainage structure, design flow, and time of concentration shall be indicated.
- vii. Profiles of storm drains showing existing and finished ground surfaces, pipes, drainage structures with top and flow line elevations, distances from centerline to centerline of drainage structures, pipe and ditch grades, crossing utilities, and limits of special construction.
- viii. Pipe design chart including:
 - a. Drainage area
 - b. Runoff coefficient
 - c. Rainfall intensity
 - d. Design flow
 - e. Pipe size
 - f. Pipe material
 - g. Pipe slope
 - h. Full flow capacity
 - i. Flow velocity
- ix. Benchmarks for vertical control.
- x. Name of the development, names, addresses and telephone numbers of Developer and Developer's design professional, design professional's seal, north arrow, scale and date.

5. Plans shall be prepared in conformance with the following:

- i. All elevations shall be based on and tied to U.S. Coast and Geodetic Survey mean sea level datum.
- ii. Plan drawings shall be at a scale of at least 1 inch equals 50 feet. In developed or congested areas, a scale of 1 inch equals 20 feet or less shall be utilized.
- iii. For profile drawings, the horizontal scale shall be the same as that used for the associated plan drawings. The vertical scale shall be at least 1 inch equals 10 feet. A 1 inch equals 5 feet vertical scale is often necessary to properly depict drainage conditions.
- iv. The desired drawing size is 24 inches by 36 inches. In no case shall drawings be larger than 30 inches by 42 inches nor smaller than 11 inches by 17 inches.
- v. Drainage construction may be shown on street or utilities improvements plans provided the resulting drawings are clear, legible and plainly show all necessary information.

7-7 Schedule of Fees

If applicable, the schedule of fees for development plan review, appeals, waivers, reinspections, and other items is on file with the City Clerk and may be altered or amended from time-to-time by the City Council to help defray the costs of the administration of these Regulations.

Development plan review fees, if any, shall be paid at the time development plans are submitted for review. A development plan review fee shall be paid each and every time development plans or parts thereof are submitted or resubmitted.

7-8 Administration And Enforcement

This Code shall be administered, interpreted, and enforced by the Zoning Administrator.

It shall be the duty and responsibility of the Zoning Administrator to maintain an accurate and up-to-date compilation of this Code, including Appendices, and all amendments, and to publish said compilation and make it available to the public for a fee set by the City Council.

In any case in which activities are undertaken in violation of this Code, not in compliance with the provisions of a permit issued by the City, or without authorization of a permit which would otherwise be required, the Zoning Administrator is hereby authorized to order that all unauthorized or improper work be stopped, direct correction of deficiencies, or take any other legal or administrative action appropriate to the severity of the violation and degree of threat to the public health, safety and welfare. The stop work order shall be posted on the property and delivered or mailed to the Developer.

7-9 Variances

Requests of for variances to requirements of this Chapter shall be submitted in a form as prescribed by the Zoning Administrator along with such fee as shall be established by the City Council.

The Zoning Administrator shall coordinate the review of each variance request by all other affected city departments and shall summarize such comments and/or recommendations as may be received in a report to the Board of Zoning Appeals for final action in their normal course of business.

In granting variances and modifications, the Board of Zoning Appeals may require such conditions as will secure substantially the objectives of the standards or requirements so varied or modified.

7-10 Appeals

a. Appeals, Hearings, and Notice

It is the intention of this Chapter that all questions arising in connection with the interpretation and enforcement of this Code shall first be presented to the Zoning Administrator, and that such questions shall be presented to the Board of Zoning Appeals only on appeal from the decision of the Zoning Administrator, and that from the decision of the Board of Zoning Appeals, recourse shall be to the courts as provided by the law.

Appeals to these Regulations may be taken to the Board of Zoning Appeals by any person aggrieved or by any officer, department, board or bureau of the City. Such appeal shall be taken within a reasonable time, as provided by the rules of the Board by filing with the officer from whom the appeal is taken and with the Board of Zoning Appeals' notice of said appeal specifying the grounds thereof. The Zoning Administrator shall forthwith transmit to the Board all papers constituting the record upon which the action appealed from was taken.

An appeal stays all legal proceeding in furtherance of the action appealed from, unless the officer from whom the appeal is taken certifies to the Board, after the notice of appeal shall have been filed with the officer, that by reason of facts stated in the certificate a stay would, in the officer's opinion, cause imminent peril to life and property. In such case, proceedings shall not be stayed otherwise than by a restraining order which may be granted by the Board or by a court of record on application, on notices to the officer from whom the appeal is taken, and on due cause shown.

The Board shall fix a reasonable time for the hearing of the appeal or other matter referred to it, and give public notice thereof, as well as due notice to the parties in interest, and decide the same within a reasonable time. At the hearing any party may appear in person or by agent or by attorney.

7-11 Penalties for Violations

Any person, firm or corporation violating any provision of this Code shall be upon conviction and shall be punished for each offence according to Section 1-12 of the Code of the City of Lakeland, Georgia.

Each day such violations continue shall constitute a separate offense.

Nothing herein contained shall prevent the City from taking such other lawful action as is necessary to prevent or remedy any violation.

Chapter Eight **Signs**

8-1 Purpose

This Chapter regulates all signs in the City of Lakeland visible from the public highway right-of-way, public facilities, and navigable waterways. The City of Lakeland has a tradition and reputation as a scenic and historic area with a rich mix of land uses that blend into a landscape of high aesthetic quality. Depending on their size, numbers, and character, signs may attract or repel visitors, affect the daily visual quality of residents, affect the safety of vehicular traffic, and define the character of the area. Thus aesthetic considerations impact economic values as well as public health, safety, and welfare. Therefore, this Chapter sets standards for the following purposes:

- a. Maintain and enhance the visual quality (aesthetics) of the community;
- b. Improve pedestrian and motorist safety by minimizing distractions and obstacles to clear views of the road and of directional or warning signs;
- c. Protect and enhance economic viability by assuring that Lakeland will be a visually pleasant place to live or visit;
- d. Protect property values and private/public investments in property;
- e. Protect views of the natural landscape and sky and promote the use of natural materials;
- f. Avoid personal injury and property damage from structurally unsafe signs.

8-2 Signs shall meet Requirements of this Section

All signs within the City of Lakeland shall be erected, constructed, or maintained in accordance with the provisions of this Section and applicable Sections of the International Building Code for the City of Lakeland.

8-3 Permit Required

It shall be unlawful for any person to post, display, and change or erect a non-exempt sign or any structure that requires a permit, without first having obtained a permit. Signs or sign structures erected without a valid permit shall be in violation, and it shall be mandatory to obtain a permit, based on this chapter, or failing which the sign or sign structure then shall be removed by the owner or occupant, or by the City, as provided herein. All signs not expressly allowed by these regulations are prohibited.

8-4 Non-conforming Signs

- a. A non-conforming sign shall not be replaced by another non-conforming sign, except that the substitution or interchange of poster panels, painted boards or dismountable material on non-conforming signs shall be permitted.
- b. No structural repairs, change in shape, or size of a non-conforming sign shall be permitted excepted to make the sign comply with the requirements of this Code. Minor repairs and maintenance of non-conforming signs shall be permitted.
- c. Signs erected, under a valid permit, prior to June 12, 2012, which have since become non-conforming, shall be allowed to remain until one of the following conditions occurs:

1. In the case of wall or free standing signs, when the business, entity or activity to which the sign is connected, ceases at that location;
2. The deterioration of the sign or damage to the sign makes it a hazard;
3. The sign has been damaged to such extent that repairs are equal to or exceed fifty (50) percent of the sign's current replacement value, as determined by independent appraisals and accepted by the Zoning Administrator.
4. No conforming wall or free standing sign shall be permitted to be erected on the same property with an existing non-conforming sign until the non-conforming sign has been removed or made to conform to the provisions of this Code.

8-5 No Signs Shall Hamper Traffic Safety

No sign shall be erected or continued that:

- a. Obstructs the sight distance along a public right-of way. The height of a sign within an intersection sight triangle shall be consistent with the recommendations of the "Geometric Design of Highways and Streets Manual".
- b. Would tend by its location, color, or nature, to be confused with or obstruct the view of traffic signs or signals, or to be confused with a flashing light of an emergency vehicle.
- c. Would by its nature or moving parts tend to confuse traffic or create any potential hazard to traffic.
- d. Uses of admonitions such as "stop", "go", "slow", "danger", etc. which might be confused with directional signals.

8-6 Prohibited Locations

No sign shall be attached to or painted on any telephone pole, light pole, telegraph pole, or any tree, rock, or other natural object. No signs other than those signs erected by public governmental agencies or signs required by law, shall be placed so as to overhang any portion of public rights-of-way or other public properties.

8-7 Illumination Not to be a Nuisance

- a. Illumination devices such as, but not limited to, flood or spot lights shall be so posted and so shielded as to prevent the rays or illumination there from being cast into neighboring dwellings and approaching vehicles.
- b. Signs may be illuminated directly or indirectly unless specifically prohibited elsewhere in the Code. In residential zoning districts, all illumination shall be "cut off luminaries" or equivalent so that the light is not directed toward adjacent residentially zoned property. Illumination of monument or free-standing signs shall be external and directed from the ground via "plighting" or from behind individual letters via "backlighting". Illumination of signs shall exclude exposed neon tube lighting, or similar, and electronic changeable copy, unless permitted elsewhere in this Code.

8-8 Signs Not Requiring a Permit

- a. Signs to regulate traffic.
- b. Signs required to be posted by law.
- c. Warning signs and no trespassing signs.
- d. Signs established by governmental agencies.
- e. Signs indicating bus stops, taxi stands, and similar transportation facilities.
- f. Signs not exceeding ten (10) square feet in area advertising specific property for sale, lease, rent, or development, on private property.
- g. Temporary real estate signs less than ten (10) square feet in area advertising specific property for sale, lease, rent, or development, on private property.
- h. Temporary signs on private land involved in campaigns or religious, charitable, civic, fraternal, political, and similar organizations.

8-9 Limitations on Signs

8-9.1 Setbacks

- a. Signs shall meet the building setback required for principal buildings in each respective zoning district where permitted. This setback shall apply to both the sign face and the sign support structure.
- b. The minimum setback for a ground sign shall be a minimum of ten feet from the property line. The setback is measured from the closest portion of the sign, sign structure or sign footer to the property line.
- c. No sign, sign structure or sign footer shall extend into the right-of-way.
- d. Relief from the setback requirements up to five feet may be obtained by administrative variance, for good cause shown, which causes may include, but are not limited to sign encroachment into required parking, provision for additional landscape area and materials, a smaller sign, and less than permitted total signage.

8-9.2 Height Restrictions

No sign shall exceed twenty-five (25) feet in height, measured from the roadway. Such signs shall have a minimum height of ten (10) feet as measured from the roadway before beginning of display or copy area of the sign.

8-9.3 Sign Area and Height

- a. The sign area shall be expressed in square feet or square inches that are allowed in accordance with this Code for each sign face. The sign face includes any background material, panel, trim, color and direct or self-illumination used that differentiates the sign from the building, structure, backdrop surface, or object upon which or against which, it is placed. When there is no such differentiation, the sign face shall be a rectangle just large enough to enclose all lettering, illustrations, ornamentation, symbols, or logos. A sign

structure shall not be computed in sign area provided that no message, symbol, or any of the aforementioned is displayed on, or designed a part of, the sign structure.

The vertical distance measured from the highest point of the sign to the finished grade at the base of the sign, where the finished grade is defined as the grade adjacent to the sign, not including any artificial berm or swale.

b. Whenever a sign requires a permit and is allowed within a setback area or easement, the person erecting the sign shall be required to execute an agreement, which shall be countersigned by the property owner, providing that it is the obligation of the owner of the sign and/or the property owner to relocate the sign at such time that the City determines that additional right-of-way or setback is required, or if conflicts occur with it being located in an easement.

c. A sign shall not be located in such a manner as to obscure another sign or to be obscured by an existing sign, a structure, or existing vegetation, unless provisions are made for the removal of the obscuring sign, structure or vegetation.

d. A sign shall not involve or contain intermittent lighting, animation, motion or rotation of any part of a sign or sign structure or display; except for governmental traffic signals, traffic devices and traffic signs, as required by law.

e. A sign shall not produce noise or sounds.

f. A sign shall not produce or emit smoke, vapor, particles or odor.

g. Each separate building or location shall have the street number address located on a sign that is identifiable and readable (using normal 20/20 vision) from the adjacent roadway.

8-10 Permit Procedures

8-10.1 Issuance of Permits

No sign, except those listed in Section 8.8, shall be erected, hung, or placed or structurally altered without a permit from the Zoning Administrator. The Zoning Administrator shall only issue a permit for the erection or construction of a sign which meets the requirements of this zoning ordinance and applicable sections of the International Building Code for the City of Lakeland.

8-10.2 Permit applications

Applications for permits to erect, hang, or place a sign shall be submitted on forms provided by the Zoning Administrator

Each application shall provide, at a minimum, the following information:

1. Name, address, phone, and if available, fax and e-mail of the person applying for the permit.
2. Name, address, phone, and if available, fax and e-mail of the person who owns the parcel upon which the sign is proposed to be place.
3. Written consent of the owner, or his designated agent, granting permission for the construction, operation, maintenance, or display of the sign and/or sign structure.

4. Name, address, phone, and if available, fax and e-mail of the person erecting/constructing the sign.
5. The street address of the property on which the sign and/or sign structure is to be located along with identification of the location on the specific property where the sign will be located.
6. The zoning district of the parcel on which the sign is to be placed.
7. A statement that: "Any change in the information in this application, such as a change in address, shall be submitted to the Zoning Administrator within 7 days after the change."
8. The type of sign and/or sign structure as described in this Code.
9. The method of illumination.
10. The area per sign face and the aggregate area of the sign and/or sign structure.
11. Two copies of a detailed drawing (CAD), blueprint, sketch, blue line print or similar presentation, drawn to scale and dimensioned, showing elevations of the sign as proposed and its relationship to other existing and proposed signs or sign structures in the area. In the case of a freestanding sign, the drawing shall include a sketch site plan showing the location of the sign and the immediately surrounding landscape.
12. One copy of the stress sheets and calculations, if applicable, showing the structure as designed for dead load and wind pressure.
13. Signs in excess of 10 feet in height need to be signed and sealed by a Georgia registered engineer.
14. State GDOT permit if sign location is adjacent to a State or Federal Hwy.
15. Any other information deemed necessary by the Zoning Administrator to show compliance with this Code.

8-10.3 Permit Fees

Permit fees for signs shall be established by the Mayor and City Council from time to time. The permit fee must relate to the cost of issuing the permit and may vary based on the size, type and height of the sign.

8-10.4 Process for Issuing Permits

The Zoning Administrator shall be authorized to issue sign permits in compliance with this Code. The Zoning Administrator shall process all sign applications within 10 working days of a receipt of a complete sign permit application and the applicable sign permit fee. This section does not pertain to sign permits in historic districts, which may be subject to review by the Historic Preservation Commission.

8-10.5 Additional Permits required

For any sign involving illumination, it shall be unlawful for any person to connect a sign to electrical power without first having obtained an electric permit, if required by applicable city electrical code or

other code effective within its jurisdiction. The applicant for an electrical permit shall submit application materials as specified by the building inspector.

8-11 Types of Signs Permitted

8-11.1 Freestanding/ Ground Sign (Pole Sign/ Monument Sign):

- a. Pole mounted signs and monument signs shall be mounted perpendicular to the fronting streets.
- b. One sign may be mounted diagonally, upon submission and approval of the installation, and used in place of two separate free standing signs on corner lots.
- c. Free standing signs shall not be placed in locations that would cause any obstruction and/or interference with the vision or orderly movement of traffic.
- d. Two (2) free standing signs (on corner lots only) are the maximum number of signs permitted on one (1) parcel with the following exceptions:

Corner lots with at least 300 linear feet of road frontage along a public street are allowed an additional free standing sign along that same street. Two (2) signs total are allowed on the street with at least 300 linear feet of road frontage for a total of three (3) signs on the parcel. One hundred feet must be maintained between the second sign and any other free standing sign on the property, excluding directional signs.

- e. In no case shall more than two (2) free standing signs be placed along a single public street.
- f. All freestanding/ground signs shall have a landscaped area around the base which extends a minimum distance of three feet in all directions. Such landscape area shall be completely covered by natural drought tolerant ground cover and shrubs, hedges or similar vegetative materials.

8-11.2 Under Canopy Sign:

A sign hang from a canopy or ceiling of an arcade covered walkway. It may be rigid or may swing. The swinging sign must be removed during a storm event. Such sign is limited to not more than two faces and shall not extend beyond the face of the canopy to which it is attached.

8-11.3 Wall Sign:

A wall sign may be flush mounted or hand painted. Such a sign may be applied to a canopy/awning, mansard or building face. A wall sign may not extend more than 18 inches from the wall or façade of the building to which it is attached and shall not extend above the roof or parapet of a building. A marquee sign may be used in place of a wall sign for buildings and establishments, such as theaters, for which they are “historically appropriate”. An applicant proposing to erect a marquee sign, is responsible for documenting its past usage on the subject building, or its common usage on buildings of the same era, for an identical or similar use. Said documentation shall be provided to the Zoning Administrator for review and approval and may be submitted to the Historic Preservation Commission, if applicable, for review.

8-11.4 Portable Signs

Electrical connections to portable signs shall comply with the National Electric Code. All power supplies to portable signs shall meet the National Electric Code and be approved by the City Building Official. Any sign that does not conform to the International Building Code with regard to wind resistance, electric

wiring and other construction standards shall be considered in violation of these regulations. Signs placed on or painted on motor vehicles or trailers and parked with the purpose of providing a sign not otherwise allowed in this ordinance are considered to be portable signs and shall conform to the requirements of this Code. A-frame signs, inflatable signs, and other substantial signs, as determined by the Zoning Administrator, are considered portable signs. Inflatable signs designed to move or gyrate in order to draw additional attention are prohibited.

8-11.5 Non-Profit Signs

Signs erected on a temporary basis by a community, not-for-profit organization may be allowed for a period of 14 consecutive days and no more than 30 days in a calendar year. Such signs may contain any lawful message.

8-11.6 Roof Signs

One (1) roof sign is allowed on the rear roof of a principal building, provided that the building's rear wall and roof are substantially oriented (at least 75%) toward limited access portions of state highways. Roof signs are allowed a maximum area of 50% of the face of the building's rear wall.

8-12 Design Standard Matrix

Design Standard Matrix for Signs in Residential Zoning Districts

Signs in R1, R2, R3, RA and RC					
Type of Sign	Quantity	Max Area	Location	Max Height	Illumination
Nameplates	1 per dwelling unit	3 sq.ft	On building face	-	Not allowed
Wall or Ground Sign	1 per entrance to subdivision, farm or ranch	12 sq.ft.	Entrance	5 feet	Allowed
	----- 1 per school, church, institution, lodge etc.	----- 60 sq.ft.	----- Entrance	----- 5 feet	----- Allowed
Directional Sign	As needed	6 sq. ft	10 ft front yard setback	-	Not Allowed

Design Standard Matrix for Signs in Non-Residential Zoning Districts

Signs in CBD, GB, and I					
Type of Sign	Quantity	Max Area	Location	Max Height	Illumination
Wall (Marquee Sign in CBD only)	1 per road frontage	10% of the area of the front of the building or business (the width of the building x height of the first floor's ceiling)	Front or side building face	-	Allowed except between the hours of 11 p.m. and dawn
Projecting	1 per business (max 4 sq.ft per face)	0.5 sq.ft per linear foot of building	From building	-	Allowed except between the hours of 11 p.m. and dawn
Monument	1 per road frontage	100 sq.ft including signage and structure	10 ft front yard setback	8 feet	Allowed except between the hours of 11 p.m. and dawn
Freestanding/Ground	1 per road frontage separated by a distance of 30 feet and located at least 30 feet from the point where the street right-of-ways intersect.	70 sq.ft for parcels less than 1 acre; 120 sq.ft for parcels 1 to less than 3 acres; 250 sq.ft for parcels of 3 acres or more.	10 ft front yard setback	25 feet	Allowed except between the hours of 11 p.m. and dawn
Directory	1 per building	16 sq. ft	On building face	-	Allowed except between the hours of 11 p.m. and dawn
Name Plates	1 per business	3 sq. ft	At the entrance of the business	-	Not Allowed
Directional	As needed	6 sq. ft	10 ft front yard setback	-	Not Allowed
Portable	1 per principle building/business for 14 consecutive days up to 30 days total per calendar year				

8-13 Special Purpose Signs Requiring Permits

a. Gas Station Fuel Pricing Signs

1. One Fuel Pricing sign shall be permitted per road frontage with a maximum of two signs per Gas Station. It shall be affixed to a permanent sign structure or to a building and shall not be located closer than 10 feet to any property line. The price sign shall be included in the total areas of signage otherwise permitted.
2. Prohibited lighting for electronic fuel price signs shall include: lamps or bulbs in excess of 30 watts; exposed reflectorized lamps or bulbs; lamps or bulbs that are not covered by a lens, filter or sunscreen; and lamps or bulbs that scroll, flash, zoom, twinkle or sparkle.
3. No more than 12 square feet per sign face.
4. If part of a ground sign, the fuel price sign shall be included in the total area of the sign.
5. Signs placed on fuel pumps shall not exceed three square feet per sign face and a total of six square feet per sign.

b. Grand Opening Banner

One banner may be placed on the building of a newly opened location pursuant to the following:

1. Display is limited to four weeks.
2. The banner shall not exceed 30 percent of the total front area of a building or establishment.
3. The banner shall not be higher than 15 feet above finished grade, and must be placed on the building on the dominant street front.
4. The banner shall not extent more than six (6) inches from the front face of the building.
5. No banner shall be erected or attached to awnings, marquees, over sidewalks, sheds, fences, covers or any other shelter not important to the structural support of the building or establishment.
6. Banners shall be made of color fast material, and shall be securely fastened so as not to become a safety hazard.

c. Drive-Through Window Signs

Signs used at locations in conjunction with service at a drive-through window may be permitted as long as the size of the menu board does not exceed seven feet in height or 24 square feet in size. A maximum of two signs per drive-through window is allowed.

d. Special Event Non-Roadway Banner Signs

Special banner signs for special events, in accordance with this section may be permitted by the Zoning Administrator if it is determined that the sign meets the following criteria:

1. The sign provides notice to the general public of a public meeting or other public event; and
2. The sign shall be temporary, for a limited period of no more than 14 days prior to the advertised event and it must be removed no later than the second day after the event.
3. Each sign shall be limited to 20 square feet in area.
4. The sign will not conceal or obstruct adjacent land uses or signs.
5. The sign will not conflict with the principal permitted uses of the site or adjoining sites.
6. The sign will not interfere with, or obstruct the vision of, or distract, motorists, bicyclists or pedestrians.
7. The sign will be installed and maintained in a safe manner.
8. The approval or disapproval of such sign shall not be based on the content of the message contained in the sign.
9. The Zoning Administrator shall render a decision within 10 days after an application is made for this type of sign for a special event. Such a decision shall be deemed an administrative decision and any person adversely affected has the right to appeal the decision to the City Council in writing within 10 days of the written rendering of the decision by the Zoning Administrator.

e. Subdivision Identification/Entrance Signs

Residential subdivision identification/entrance signs shall be located only at the entrance to the subdivision and subject to the following standards:

1. Such signs may either be one double faced sign or two signs where there are two walls at the entrance and where the signs are permanently affixed to the walls at each entrance of the subdivision.
2. Each sign area shall be no greater than 36 square feet in area.
3. Such subdivision entrance signs are permitted in all residential zoning districts.
4. Such subdivision entrance sign may be erected within rights-of-way or median strips adjacent to the subdivision if approved by the Zoning Administrator. A subdivision entrance sign may also be located within the setbacks of private property within the subdivision or adjacent to the subdivision.
5. Any such sign erected within a right-of-way or setback shall be at least ten feet from a paved roadway and signs located within a median shall be at least five feet from any pavement.
6. Any such signs approved by the Zoning Administrator for location within the right-of-way or median, if such right-of-way or median is not within the jurisdiction of the City, shall obtain written permission from the governmental entity controlling the right-of-way or median to erect the sign in the requested location.
7. Any signs proposed to be located on adjacent private property shall be approved and permitted by the owners of the adjacent property. Any such signs lying on private property shall be considered an additional permitted sign without regard to other applicable sections of this Code.

f. Construction Signs

Temporary construction signs identifying where an approved active on-site development project is underway, provided that such signs meets the following criteria:

1. One temporary sign, non-illuminated, with a sign area of not more than 32 square feet;
2. Construction signs may be installed at the time of submission of a building permit application. It must be removed within three (3) days of expiration of the building permit or building permit application or when the project obtains certificate of occupancy and in no case may be posted longer than six (6) months.

g. Awning Signs

1. No portion of any sign projecting over a public sidewalk shall be less than eight feet above the sidewalk. No awning shall be closer than 18 inches from the curb line.
2. The maximum sign area of an awning sign shall be half the width of the awning. Signs consisting of one line of letters not exceeding twelve inches in height may be painted, placed or installed upon the hanging border only of any awning erected and maintained in accordance with this Code. Any identification emblem, insignia initial or other similar feature not exceeding an area of eight square feet, may be painted, placed or installed elsewhere on any awning provided that any sign, insignia or other such similar item shall comply with all other provisions of this Code.
3. One additional sign, no greater than 2.5 square feet, may be attached to the bottom of the awning, provided that said sign hangs no lower than eight (8) feet above the sidewalk.

h. Window Signs

1. Plastic signs or signs painted on the glass may be placed upon windows when limited to 20 percent of the aggregate glass area, per tenant space or main use space.
2. Signs displayed from the inside of the glass, but which are visible from the outside shall be considered window signs.

i. Time and Temperature Signs

Signs giving time and temperature information shall be permitted when attached to or made part of an otherwise permitted sign. Such signs shall not be larger than 20 percent of the permitted area of the sign to which they are attached. Such signs shall be counted as part of the permitted area of the sign to which they are attached.

j. Manual Changeable Copy Signs:

Changeable copy information signs shall be permitted when attached to or made part of an otherwise permitted monument sign. Such signs shall be limited to two manual changeable copy message signs per parcel and shall be counted as part of the permitted sign area of the sign to which it is attached. The changeable copy element of the sign shall not exceed 50% of the total sign area.

k. Changeable Copy Marquee Event Signs for theatres, auditoriums, convention centers, sports fields and arenas, and regional attraction facilities:

1. Content: the name, logo, address of the field or building and occupant to which the sign is accessory and other information pertinent to on-site events and performances.
2. Maximum total area of changeable copy event signage shall be pursuant the zoning district regulations Chapters Three and Four.
3. Each individual location or business shall not have more than two manual or electronic message sign faces.
4. Maximum height of changeable copy event signage shall be pursuant the zoning district regulations in Table 5.1 of Chapter Five.
5. Monument event signs shall not be closer than 10 feet to any property line.
6. Prohibited lighting includes lamps or bulbs in excess of 30 watts; exposed reflectorized lamps or bulbs; lamps or bulbs not covered by a lens, filter, louver or sun screen; modes of operation that scroll, flash, zoom, twinkle, or sparkle.

l. Landmark or Historic Signs

Approval of the restoration, rehabilitation, or reconstruction of landmark or historic signs shall be based upon documentation of at least 25 year's prior existence and shall have existed as a character-defining feature of a landmark or historic building and/or historic event. Any landmark sign is subject to the final approval by the Zoning Administrator.

1. Landmark signs shall be classified as legal signs and shall be permitted to be maintained and repaired.
2. Landmark signs shall maintain not greater than the historic square footage dimensions.
3. Landmark signs placement shall leave street corners free of obstructions to allow for safe movement of traffic and placement of utilities.
4. Landmark signs shall be exempt from dimensional, height and area requirements of this section.

m. Mural Signs:

Mural signs shall be permitted on any walls of a building, and shall be of such a design as to compliment the architectural style of the subject building and shall be in keeping with the general character of the zoning district.

n. Commercial and Non-commercial Messages:

Notwithstanding anything contained in these sign regulations to the contrary, any sign erected pursuant to the provisions of this Code may, at the option of he applicant, contain either a non-commercial message unrelated to the business located on the premises where the sign is erected, or a commercial message related to the business located on the business premises. Either the commercial or non-commercial message may occupy the entire sign face or a portion thereof. For the purposes of these regulations, non-commercial messages, by their very nature, shall never be deemed "off-premise" signs.

8-14 Signs Not Requiring a Permit

a. Sidewalk Signs

Use of sidewalk signs, not exceeding two square feet per face, for uses in the Central Business District, shall be allowed, on the sidewalk portion of the public right-of-way, subject to meeting the following criteria:

1. Valet parking signs. The location of such a sign must be approved by the Zoning Administrator and the Police Chief. The sign must be removed during hours when the approved valet parking queue is not in use. Plain, unmarked traffic control cones may be used for queuing purposes, but must be removed when the valet parking queue is not in use.
2. Ground floor uses only may have one sidewalk sign immediately adjacent to the building they occupy in areas where the sidewalk is a minimum of four feet in width after the sign is placed, and subject to review and approval by the Zoning Administrator. All such signs must be removed when the use is not open.
3. In the event that a sidewalk sign does not strictly conform to any of the above requirements, it may be removed from the public right-of-way by the City, and held by the City until the owner of the sign shall pay a fine to the City as follows: first offense = \$25.00, second offense = \$50.00, third and any additional offenses \$100.00 each.

b. Automated Teller Machine (ATM) Panels

c. Directional Signs, with a maximum height of five feet and six square feet sign area.

d. Flags

Flags may be displayed on any real property in the City in accordance with the following rules:

1. One United States national and two additional flags may be flown on any individual parcel of property. The United States national flag may be any United States national flag officially approved by Congress. The maximum total square feet of the flag(s) shall be 180 square feet.

e. Hours of Operation Signs with a maximum area of one square foot.

f. Traffic or other municipal signs, legal notices, danger signs, such as “no trespassing”, “danger”, and such temporary emergency or non-advertising signs as may be approved by the Chief of Police.

g. Residential and Professional Name Plates, one per building with a maximum area of two square feet.

h. Real Estate Signs – one sign per parcel, establishment, dwelling unit, shall not be illuminated and removed within 10 days after the transaction is completed. Real estate signs in all zoning districts except I shall not exceed 32 square feet. In the I Zoning District real estate signs shall not exceed 64 square feet.

i. Temporary Signs denoting the architect, engineer, contractor, lending agency or subcontractor on the premises of work under construction, no more than 16 square feet in area.

j. Tenant Panels

k. Temporary Political Signs shall be removed within 10 days after the date of the election.

l. Bulletin Boards and directories for public, non-profit or religious facilities, located on the premises of the facility and not exceeding 12 square feet in area, attached to the building.

m. Memorial Signs or Tablets.

n. Signs not visible from the street, such as inside a building or backyard.

o. Signs erected by the City on public right-of-way.

p. Seasonal displays or decorations not advertising a product, service or establishment.

q. Garage Sale Signs

r. Non-illuminated religious emblems

8-15 Prohibited Signs

The following signs, or sign features, are prohibited within the City of Lakeland. However, certain exceptions as noted here are allowed. It shall be unlawful for any persons to erect prohibited signs or use prohibited sign features. Further, any sign not expressly permitted or provided for in this Code, is also prohibited.

a. Abandoned Signs

b. Absence of Permit. Any sign for which a permit has not been issued and which is not a permitted sign is prohibited.

c. Banners and Wind Signs. Any banner sign other than special event banners or except as specified in this Code.

d. Off-Premises Signs/Billboards

e. Roof Signs. A sign erected on the roof, or above the roof, or on the parapet, except as specified in this Code.

f. Flashing signs

g. Neon Signs

h. Revolving Signs.

i. Strobe, Laser and Searchlight Signs.

j. Signs on Benches or Trash Cans. Signs attached to, drawn to, or painted on benches and/or trash cans are prohibited.

k. Signs causing traffic confusion.

This would be a sign or other advertising matter erected at any intersection or street right-of-way in a manner obstructing free and clear vision; or at any location where, by any reason of position, shape, or color, it may interfere with, obstruct the view of, or be confused with any authorized traffic sign, a traffic

signal, or traffic device, or which makes use of the words “stop”, “look”, “drive-in”, “danger” or any other word, phrase, symbol, or character in a manner as to interfere with, mislead, or confuse vehicular traffic.

I. Vehicular Signs (Portable or Trailer Signs)

Signs placed on vehicles or trailers that are parked in the street, public right-of-way or private property for the primary purpose of displaying the sign for advertising a commercial enterprise.

m. Private signs in public right-of-way. Privately owned signs purchased to further a public purpose are exempt from these regulations with approval of the Zoning Administrator.

n. Signs attached to trees, shrubs, or plants or signs destroying vegetation.

8-16 Removal and Disposition of Signs

It shall be unlawful to erect, use or maintain a sign or sign structure when it does not comply with the requirements of this Code. The City is authorized to remove unlawful signs and sign structures pursuant to the provisions of this Code. Unauthorized signs are subject to removal pursuant to the following provisions:

a. Temporary Signs

The City finds that, in view of the inexpensive nature of these signs and the administrative burden which would be imposed by elaborate procedural prerequisites prior to removal, any procedure other than summary removal of these signs when unlawfully erected and maintained would defeat the purpose of regulating such signs. The Zoning Administrator, or designee, or any code enforcement officer, is hereby authorized to remove such signs when unlawfully erected and maintained, subject to the provisions contained herein. After removal of a sign pursuant to this section, and in addition to any notice of violation, citation or summons issued, a notice will be sent, either by hand delivery or by first-class mail to the occupant of the property from which the sign was removed, or if the sign identifies a party other than the occupant of the property, the party so identified. The notice shall advise that the sign has been removed and shall state that the sign may be retrieved within 30 days of the date of the notice upon payment of the fee established therefore, and that, if the sign is not retrieved within 30 days, it will be disposed by the City.

b. Permanent Signs

Signs and sign structures not subject to removal pursuant to the provisions above, which are or have been erected or maintained unlawfully, are subject to all remedies available at law or equity to it to remove signs or sign structures which are or have been unlawfully erected or maintained.

c. Unsafe Signs

Notwithstanding the provisions above, any sign which is declared to be a unsafe sign by the Zoning Administrator, shall be removed or made to conform to the current Building Code immediately, upon notice, by the Zoning Administrator.

d. Responsibility of Maintenance; Abandoned Signs

1. All signs shall be properly maintained. Exposed surfaces shall be cleaned and painted, if paint is required. Defective or damaged parts shall be replaced.

2. If any sign regulated in this section is found to be abandoned or the business advertised has moved from the property where the sign is located, the owner, agent or responsible person shall be

responsible to remove the sign, cover the sign with a plain fabric cover or place a blank copy panel in the sign frame within 30 days of the abandonment or relocation of the business.

3. Upon the failure, neglect or refusal of any owner, agent, or responsible person to remove or repair any sign in violation of the provisions of this Code, within 30 days after written notification by the Community Development Director, the City is hereby authorized and empowered to effect the removal of the sign which is in violation.

e. Responsibility for Cost of Repair or Removal; Lien Right

When the City has affected the repair or removal of a sign or has paid for the repair or removal of the sign, the actual cost of the action, plus an administrative charge, shall be charged to the owner of the property. The charge shall be due and payable to the City within 30 days following written notice, given to the property owner, of the amount due. If the amount is not paid by the property owner, then such amount due to the City shall become a lien upon the property of the owner, and the Zoning Administrator may cause the filing of such lien with the Clerk of the Court.

8-17 Amortization of Non-Conforming Signs

a. All lawfully existing signs or sign structures on June 12, 2012, which are not otherwise permitted herein (non-conforming), shall be allowed to remain operational including change of copy, and may be repaired, but not replaced, for five years following their installation date, which in no event shall be later than June 12, 2015, at which time the sign or sign structure be removed, replaced or modified to comply with then-current sign requirements.

Chapter Nine

Non-Conforming Development

Hardships, Variances

Board of Appeals

The purpose of this Chapter is to provide mechanisms for obtaining relief from the provisions of this Code, where hardship would otherwise occur. Two forms of hardship are addressed: (1) hardships that would be caused if non-conforming development were required to immediately come into compliance with this Code and (2) hardships that may be caused in particular cases by the imposition of the Code's development design standards.

9-1 Existing Non-Conforming Development

Existing uses or structures which are inconsistent with the character, natural resources, and adopted Zoning Map of the City shall be eliminated upon redevelopment. Historic and archaeological resources as identified in the Historic Preservation Ordinance are deemed to be consistent with the character of the City, its natural resources and the Zoning Map and are therefore considered to be conforming development.

Exceptions may be made if all three of the following conditions are met:

- a. The existing use or structure is destroyed by accident or act of God; and
- b. Neighboring land owners within a 300 feet radius support the rebuilding to prior state; and
- c. Such rebuilding does not pose a serious health or safety threat to the public.

9-2 Continuation of Existing Non-Conforming Development

9-2.1 Non-Conforming Lot of Record

A legal non-conforming Lot of Record in any district may be used for development, provided all required setbacks can be met.

9-2.2 Non-Conforming Uses

1. A lawful use of a building or land existing on June 12, 2012, may be continued although such use does not conform to the provisions of this Code, and such use may be extended throughout the building. If such a use is discontinued for a continuous period of not less than six months (180 days), every future use of such building or land shall be in conformance with the provisions of this Code.
2. For the purpose of this Chapter, a use shall be deemed discontinued if all activities related to such use have ceased for a continuous period of not less than six months (180 days). The determination that a used has ceased shall be made by the Zoning Administrator, who shall consider, among other things, the consumption of utility services at the property, the existence and maintenance of any required business licenses, and advertising to the public of any activities on the property.

3. Such non-conforming uses of land, buildings and structures shall not be enlarged, expanded, moved or otherwise altered in any manner except in conformance with this Code.

9-2.3 Non-Conforming Buildings and Structures

1. No non-conforming building shall be enlarged, expanded, moved or otherwise altered in any manner except in conformance with this Code.
2. A non-conforming building destroyed by more than 50 percent of its assessed value shall not be reconstructed except in accordance with the provisions of this Code. A non-conforming building destroyed by a declared natural disaster to less than 50 percent of its assessed value may be reconstructed as originally constructed.
3. Nothing in this Chapter shall prevent the strengthening or restoration to a safe condition of any part of any building or structure declared unsafe by the Zoning Administrator.

9-2.4. Buildings and Structures under Construction

To avoid undue hardship, nothing in this Code shall be deemed to require a change in the plans, construction, or designated use of any building or structure for which a development or building permit was lawfully applied and issue, or a preliminary or final subdivision plat or site plan was approved, prior to the effective date of this Code June 12, 2012, or amendment hereto, unless

1. Such permit or approval has not on its own terms expired prior to this effective date.
2. Actual building construction commenced prior to the expiration of such permit or approval.
3. Actual building construction is carried on pursuant to such permit or approval.

9-2.5 Prior Variances

Variances lawfully authorized and granted prior to the effective date of this Code shall continue to be utilized provided the terms and conditions of that authorization are followed.

9-2.6 Reversions and Changes

1. Any non-conforming use, structure, building or non-conforming Lot of Record that is changed to a conforming state shall not be permitted to revert back to a non-conforming situation.
2. Any non-conforming use shall not be changed to another non-conforming use.

9-3 Variances

9-3.1 Authority

The Board of Appeals may grant a variance from the strict applications of the dimensional requirements of this Code. Use variances are not eligible under this Code.

9-3.2 Applicability

Any person desiring to undertake a development activity not in conformance with this Code may apply for a variance in conjunction with the application for development review. Such variance must be approved by the Board of Appeals prior to any further development approvals. In granting the variance, the Board of Appeals may prescribe appropriate conditions and safeguards.

9-3.3 Standards for Granting Variances

The Board of Appeals shall have the power to authorize upon application in specific cases such variances from the provisions as described in Chapter 9-3 where, in each case, the Board made specific findings of fact based directly upon the particular evidence presented supporting the written findings that:

a. The variance requested arises from a condition:

1. that is unique and peculiar to the property in question, structures and buildings involved;
2. that the particular physical surroundings, the shape, or topographical condition of the specific property involved would result in unnecessary hardship for the owner, lessee or occupant, as distinguished from a mere inconvenience, if the provisions of this Code are literally enforced;
3. that it is a condition not ordinarily found in the same zoning district, and
4. that the condition is created by the regulations of this Code, and not by an action or actions of the property owner or the applicant; and

b. The granting of the variance will not impair or injure other property or improvements in the neighborhood in which the subject property is located, nor impair an adequate supply of light or air to adjacent property, substantially increase the congestion in the public streets, increase the danger of fire, create a hazard to air navigation, endanger the public safety, or substantially diminish or impair property values within the neighborhood; and

c. The granted variance is the minimum variance necessary that will make possible the reasonable use of the land, buildings or structures; and

d. The variance is not opposed to the general spirit and intent of this Code or the Comprehensive Plan.

e. The Board of Appeals may impose or require such additional restrictions or standards as may be necessary to protect the health and safety of the workers, and residents of the community, and to protect the value and use of the property in the general neighborhood.

f. The Board of Appeals shall rescind and revoke a variance after giving due notice to all parties concerned and granting full opportunity of a public hearing, if the Board of Appeals finds that any of the terms, conditions, or restrictions upon which such a variance was granted, are not being complied with.

9-3.4 Notice of Variance Hearings

Before making its decision on a request for a variance or an appeal filed with the Board, the Board shall hold a public hearing.

The public notice shall be published by a notice in a newspaper of general circulation within the territorial boundaries of the City of Lakeland at least 15 days but not more than 45 days prior to the hearing. The notice shall state the name of the applicant, the date, time, place, and purpose of the hearing. A sign containing this information must also be placed in a conspicuous location of the property not less than 15 days prior to the hearing. A notice containing the name of the applicant, date, time, place, and purpose of the hearing shall also be sent to the applicant by mail to his last known address, and to all adjacent property owners (either directly adjoining or directly across a public right-of-way) not less than 15 days prior to the hearing.

9-3.5 Time Limit

The Board shall reach a decision following the public hearing within thirty (30) days.

9-4 Administrative Variances

The Zoning Administrator is hereby granted the power and authority to vary the Zoning Code for the City, only as provided in this Section. Generally, this procedure is to provide for an efficient and effective review and approval process for certain minor aspects of development in the City. Pursuant to the following, the Zoning Administrator may review and approve, approve with conditions, or deny:

9-4.1 Yard Setbacks

Any yard setback variance request that does not exceed ten percent (10%) of the code requirement (for example: where a rear yard setback is 15 feet and the variance request does not exceed 1.5 feet of relief for a reduction to a 13.5 foot setback).

9-4.2 Fences, Walls and Hedges

Any variance request for a fence, wall or hedge height or location, or other buffer screening matter.

9-4.3 Other Minor Code Variances

Any other minor technical or zoning code dimensional variance or any minor site plan revision or amendment for items including, but not limited to, signage, landscape, lighting, parking, driveways; and a change of use from one permitted use to another permitted use.

A minor code variance or site plan revision is one in which the requested change:

1. Does not increase or enlarge the density, intensity of use, foot print, or any dimension of the overall plan by more than five percent; and
2. Does not increase or enlarge the exterior foot print of commercial, industrial or multi-family residential buildings (five or more units) by more than 1,000 square feet of building; or more than 1,000 square feet of additional impervious area is requested; or
3. Does not increase or enlarge the foot print of single family or small multi-family (four or fewer dwelling units) buildings by more than 360 square foot of building, or nor more than 360 square foot of additional impervious area is requested; and
4. Where the scope and intent of any variance approved by the Board of Appeals, or scope and intent of any site plan previously approved by the City Council is not violated.

9-4.4 City Council Intent

By adopting this Section, the City Council intends that the Zoning Administrator shall use the provisions of this Chapter of this Code as a guide. Because the nature of the variances permitted is minor, the strict adherence to the hardship requirements shall not pertain to a variance granted by the Zoning Administrator. The Zoning Administrator shall be free to use reasonableness, as well as an awareness of community needs and aesthetics as a basis for all decisions.

9-5 Appeals

9-5.1 Responsibility

The Board of Appeals shall have the power to hear and decide appeals of alleged error in a decision of the Zoning Administrator made in the enforcement of the provisions of this Code.

9-5.2 Hearings, Appeals, Notice

Appeals to the Board of Appeals may be taken by a person aggrieved or by an officer or department of the City affected by a written decision of the Zoning Administrator in the interpretation of the City regulations covered in this Code.

Such appeals shall be filed no later than thirty (30) days after the date of notification of the decision appealed from, by filing with the Zoning Administrator and with the Board a notice of appeal specifying the grounds thereof. Every written notice of appeal shall refer specifically to the provision of the City's regulation and the interpretation claimed by the appellant which contradicts that of the Zoning Administrator. Upon receipt of the notice of appeal, the Zoning Administrator shall transmit to the Board of Appeals any and all papers constituting the record upon which the appeal is filed. A public hearing shall be set within 30 days of the date of receipt of notice.

9-5.3 Legal Proceedings Stayed

An appeal stays all legal proceedings in the furtherance of the action appealed from, unless the Zoning Administrator certifies to the Board that by reason of facts state in the appeals certificate, a stay would, in his/her opinion, cause imminent peril to life and property. In such a case, proceedings shall not be stayed other than by a restraining order which may be granted by the Board or by a court of record on application, on notice to the Zoning Administrator and on due cause shown.

9-5.4 Presentation of Evidence

The appellant, and any public agency, or private individual shall be entitled to present evidence on matters before the Board; and the Board may request technical services, advice, data, or factual evidence from the Zoning Administrator and the City Council for assistance in reaching decisions.

9-5.5 Extent of Board of Appeal's Power

The Board may, in conformity with the provisions of this Code, reverse or affirm, wholly or in part, or may modify the order, requirements, decisions, or determinations of the Zoning Administrator.

9-6 Appeals from the Board of Appeals

9-6.1 General

Any person who appeared before the Board of Appeals who is aggrieved by any decision of the Board, may present to the Court of Competent Jurisdiction a petition of issuance of a writ of certiorari, duly verified, setting forth that such a decision is illegal in whole or in part, specifying the grounds of the illegality. Such petition may also be filed by the City Council upon a finding that the decision of the Board is illegal. A petition for a writ of certiorari shall be filed in the manner and within the time provided by the Georgia Appellate Rules.

9-6.2 Petition for Rehearing by the City Council

1. Any person who appeared before the Board of Appeals and who is aggrieved by the issuance of a variance by the Board of Appeals may, prior to filing a petition of writ of certiorari in the Court of Competent Jurisdiction, present a petition to the City Council for a rehearing of the case. The petition of rehearing shall be filed with the City Clerk within 30 days of the decision of the Board of Appeals. The petition shall be accompanied by the filing fee as required by law. The filing of the petition shall stay all proceedings in relation to the variance including the issuance of building permits and certificates of occupancy by the City and construction of improvements to the subject property by the owner.
2. The City Council shall rehear the matter at a quasi-judicial hearing within 30 days of the filing of the petition. Notice of the time, place and subject matter of the rehearing shall be provided by the Zoning Administrator by regular mail to all persons to whom notice of the hearing before the Board of Appeals was sent. The notices shall be mailed not less than 15 days prior to the hearing scheduled before the City Council.
3. The applicant for the variance shall have the burden of proving by a preponderance of the evidence that competent substantial evidence exists to support each of the required findings set forth in Chapter Nine of this Code. Based upon evidence presented at the hearing, the City Council shall decide, whether or not competent substantial evidence exists to grant the variance.
4. Any person who appeared before the City Council who is aggrieved by the decision of the City Council may present to the Court of Competent Jurisdiction a petition for issuance of a writ of certiorari, duly verified, setting forth that such decision is illegal in whole or in part, specifying the grounds of illegality. A petition of a writ of certiorari shall be filed in the manner and within the time provided by the Georgia Appellate Rules.

9-7 Forms and Fees

All variances and appeals shall be made on forms provided by the Zoning Administrator, and all information required on such forms shall be provided by the applicant in addition to any other information the Zoning Administrator deems necessary for the review of the application. Forms shall be filed with the Zoning Administrator and be accompanied by a fee as determined from time to time by the City Council, payable to the City.

Chapter Ten

Administration, Procedure and Enforcement

10-1 Purpose

This chapter sets forth the application and review procedures for obtaining development permits, and certain types of permits. This chapter also specifies the procedures for the enforcement of Code provisions.

10-2 Withdrawal of Applications

An application for development review may be withdrawn at any time. There shall be no refund of any applicable fees unless such refund is approved by the Zoning Administrator.

10-3 Planning Commission

10-3.1 Membership/Residency

The Greater Lanier Planning Commission shall consist of five regular members. Two of the members shall be residents or business owners of the City, appointed by the City Council and three of the members shall be residents of the County, appointed by the Lanier County Board of Commissioners. The terms of the members shall be for four years. Any vacancy in a City – appointed membership shall be filled for the unexpired term by the City Council which shall also have the authority to remove any City – appointed member for cause, on written charges, after a public hearing.

All members shall serve without compensation, but may be reimbursed for actual expenses incurred in connection with their official duties.

All members shall have been continuous residents, property owners or business owners within the City for not less than six months prior to appointment.

10-3.2 Authority, Officers, and Meetings

a. The Planning Commission shall be an advisory board to the City Council and to the City administration in performing the duties and responsibilities as described in Section x below.

b. The Planning Commission shall elect a chairperson and vice-chair from among its members. The term of the chairman shall be one year with eligibility for re-election. The Chair shall preside at all meetings of the Planning Commission and other meetings and public hearings called by the Commission. The Chair shall call special meetings when required, transmit reports, plans and recommendations to the appropriate governing authority, and in general act as spokesperson for the Planning Commission. In the absence of the chair, the vice-chair shall act as chair.

c. The Zoning Administrator shall serve as Secretary to the Planning Commission in City matters and assist the Chair in the preparation of the agenda for the meetings, send out notices for regular and special called meetings, prepare and distribute minutes of the meetings and maintain files for the Commission.

d. The regular meeting shall be held on the 3rd Thursday of each month at 5:30 p.m. at a place designated by the Planning Commission.

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e. A quorum shall consist of three (3) members.

f. The order of business at all meetings shall be as follows:

1. Call to order
2. Roll Call
3. Approve minutes of previous meetings
4. Old Business
5. New Business
6. Adjournment

g. All meetings of the Planning Commission shall be open to the Public in compliance with the Georgia Open Meetings Act of 1988 and all records of the Planning Commission shall be public records.

10-3.3 Duties and Responsibilities

The Planning Commission shall:

a. Make recommendations to the City Council regarding proposed amendments to the text of the Greater Lanier County Comprehensive Plan;

b. Make Recommendations to the City Council regarding proposed amendments to the text of the City of Lakeland Land Development Code;

c. Make recommendations to the City Council regarding proposed amendments to the Character Area Maps of the Greater Lanier County Comprehensive Plan;

d. Make recommendations to the City Council regarding proposed amendments to the City of Lakeland Zoning Map in the form of zoning and rezoning;

e. Make recommendations to the City regarding proposed annexations into the City;

f. Consider and make recommendations regarding the proposed consistency of proposed developments with the various elements of the Greater Lanier County Comprehensive Plan and the City of Lakeland Zoning Code. Properly submitted requests to the Planning Commission which have not received an official action from the Planning Commission within sixty (60) days of the Planning Commission meeting at which the application was heard, shall be considered forwarded to the City Council with a recommendation of approval.

g. Conduct such public hearings as may be required to gather information necessary for the preparation, establishment and maintenance of the comprehensive plan;

h. Make other recommendations to the City Council and City administrative staff upon the request of either regarding zoning in the City and the regulation thereof by the City.

i. Conduct such hearings as may be necessary to perform the foregoing duties and responsibilities.

j. Attend and complete the required Planning Commission training within 1 year from appointment.

k. Have no more than three unexcused absences within a year. The Chair and the Zoning Administrator shall be notified of the cause of absence. Failure to comply will result in a recommendation by the Planning Commission to the proper governing authority that the seat be vacated.

I. Changes may be made to the By-Laws by the affirmative vote of a majority of four members.

10-4 Board of Appeals

10-4.1 Membership/Residency

The Board of Appeals shall consist of three regular members. The members shall serve for overlapping terms of four years. The Chair shall be elected by the Board from its membership. The Board shall adopt rules in accordance with the provisions of this ordinance for the conduct of its affairs.

Members shall have been continuous residents, property owners or business owners within the City for not less than six months prior to appointment.

10-4.2 Rules and Procedures

The Board shall elect one of its members as Chair, who shall serve for one (1) year or until he/she is re-elected or the successor is elected. The Board of Appeals shall appoint a secretary who may be an employee of the City of Lakeland. The Board shall have authority to adopt rules and procedures.

Regular meetings shall be held at a regular time and place to be determined by the Board of Appeals.

The Chair, or in his/her absence the acting Chair, may administer oaths and compel the attendance of witnesses by subpoena. The Board shall keep minutes of its proceedings, showing the vote of each member upon each question, of if absent or failing to vote, indicating such fact and shall keep records of its examination and other official actions, all of which shall be immediately filed in the office of the Board and shall be a public record. The decisions of the Board shall be by resolution which shall contain a statement of the grounds of its decision or action. The full text of the resolution shall be sent to the applicant. No application requesting the same relief in regard to the same property shall be received or heard by the Board for a period of 12 months following the date of said resolution.

The Board of Appeals shall be a quasi-judicial Board of the City and shall accordingly perform the duties and responsibilities in Section 10-4.3. below.

10-4.3 Duties and Responsibilities

The Board of Appeals shall have the following powers and duties:

a. To hear and decide appeals where it is alleged there is error in any order, requirement, decision, or determination made by the Zoning Administrator or other city employee in the enforcement of this Code.

b. To authorize, upon application, in specific cases, a variance from the terms of this Code as will not be contrary to the public interest, where, owing to special conditions, a literal enforcement of the provisions of this Code will in an individual case, result in unnecessary hardship, so that the spirit of this Code shall be observed, public safety and welfare secured, and substantial justice done. Such variance may be granted in such individual case of unnecessary hardship upon a finding by the Board of Appeals that:

1. There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape, or topography;
2. The application of this Code to this particular piece of property would create an unnecessary hardship;
3. Such conditions are peculiar to the particular piece of property involved; and that

4. Relief, if granted, would not cause substantial detriment to the public good or impair the purpose and intent of this Code, provided, however, that no variance may be granted for a use of land or building or structure that is prohibited in a given district by this Code.

c. To decide on other matters where a decision of the Board of Appeals may be specifically required by the provisions of this Code. In exercising these powers, the Board of Appeals may be reversed or affirm, wholly or in part, or may modify the order, requirements, decision, or determination, and to that end shall have all the powers of the officer from whom the appeal is taken and may issue or direct the issuance of a permit. The Board, in the execution of the duties for which appointed, may subpoena witnesses and in case of contempt may certify such fact to the Superior Court.

d. The Zoning Administrator shall provide such technical, administrative and clerical assistance and office space as is required by the Board to carry out its function under the provisions of this Code.

10-4.4 Certiorari from Decisions

Any person aggrieved by any decision of the Board of Appeals shall have the right of certiorari to the Superior Court within thirty (30) days after the decision of the Board is rendered.

10-5 Building and Development Permit Required

10-5.1 Generally

The Zoning Administrator shall administer and enforce the provisions of this Code.

10-5.2 Building & Development Permit Required

A building/development permit issued by the Zoning Administrator is required in advance of any construction, erection, moving, demolition, or alteration of any building or structure or any land development. No building or development permit shall be issued except in conformity with the provisions of this Code; however, a building permit legally issued before the adoption of this Code shall remain valid with the same qualifications as issued under this Code.

10-5.3 Building Permit without site plan review

A building permit may be issued for the following development activities in the absence of a development (site plan) review:

a. Development activity necessary to implement a valid site plan/planned development plan on which the start of construction took place prior to the adoption of this Code and has continued in good faith. Compliance with the development standards in this Code is not required if in conflict with the previously approved plan.

b. The construction or alteration of a one or two family dwelling on a lot of record approved prior to the adoption of this Code. Compliance with the development standards in this Code is not required if in conflict with the previously approved plat.

c. The alteration of an existing building or structure so long as no change is made to its gross floor area, its use, or the amount of impervious surface on the site.

d. The resurfacing of a vehicle use area that conforms to all requirements of this Code.

10-5.4 Post Permit/ Development Order Changes

After a permit or final site development approval has been issued, it shall be unlawful to change, modify, alter or otherwise deviate from the terms or conditions of the permit without first obtaining a modification to the permit. A modification may be applied to in the same manner as the original permit. A written record shall be entered upon the original permit/approval and maintained in the files of the Zoning Administrator.

10-6 Procedures for Review of Site Plans

10-6.1 Pre-Application Conference

Prior to filing for a minor, major or planned development site plan review, the developer shall meet with the Zoning Administrator and appropriate city staff to discuss the development review process. No person may rely upon any comment concerning a proposed development, or any expression of any nature about the proposal made by any participant at the pre-application conference as a presentation or implication that the proposal will be ultimately approved or rejected in any form.

10-6.2 Designation of Plans as Minor or Major Development Site Plans

For purposes of these review procedures, all development plans, including Planned Developments, shall be designated by the Zoning Administrator as either minor or major site plans according to the criteria below.

a. Development not required to undergo Site Plan Review (Exempt)

A single family or duplex project of up to four units for single family residences, up to five units for multi-family residences and up to 5,999 square feet of non-residential development, and which is not part of a residential, mixed use, or non-residential subdivision are specifically excluded from being designated either minor or major site plan.

b. Minor Site Plan

A plan shall be designated as a minor site plan if it is:

1. A single-family residential project of between five and ten lots;
2. A duplex or multi-family residential project of between six and 24 units;
3. A non-residential development of between 6,000 and 14,999 square feet;
4. A lodging project (hotel/motel/inn) of five units or less.

c. Major Site Plan

A plan shall be designated as a Major Site Plan if it is not an Exempt Development or a Minor Site Plan.

10-7 Review of Exempt Development (site plan review not required)

a. General Procedures

1. The applicant shall submit a building a site plan/permit application and applicable supporting documentation pursuant to Section..... to the Zoning Administrator.
2. After receipt of the above, the department shall:

- i. determine if the application is complete and proceed with the review; or
- ii. determine that the application is incomplete and notify the applicant of the deficiencies.

3. The Zoning Administrator shall review the site plan/building permit and shall determine whether the application complies with the requirements of this Code and the current edition of any applicable Georgia State minimum standard codes as required by the Georgia Uniform Codes Act.

4. Within five days of completion of review, the Zoning Administrator shall either:

- i) issue a development/building permit, with conditions as may be necessary; or
- ii) deny the application for failure to meet requirements of this Code.

b. Expiration of Development Permit for Exempt Development

A development permit/building permit for exempt development shall be valid for a period of six months unless the appropriate inspections have been performed.

10-8 Review of Minor Site Plans

10-8.1 General Procedures

a. The applicant shall submit a minor site plan and applicable supporting documentation pursuant to this Chapter to the Zoning Administrator along with the applicable fee as established by the City Council.

b. After receipt of the above, the Zoning Administrator shall:

1. determine that the application is complete and proceed with the review; or
2. determine that the application is incomplete and inform the applicant of the deficiencies. The applicant must submit a revised application, correcting the deficiencies, within 45 days, to proceed with the review.

c. The Zoning Administrator shall then review the minor site plan for compliance with this Code. This preliminary development review shall consist of land use and zoning compliance.

d. A copy of the minor site plan and supporting documentation shall at the same time be submitted to each reviewing department including, but not limited to: Engineering, fire, building, and utilities. Notice may also be sent to other agencies including the Health Department for intergovernmental review. Each departmental reviewer shall then submit written comments to the Zoning Administrator upon receipt.

e. The Zoning Administrator shall then finalize development review of the minor site development. Comments from reviewing departments and agencies shall be used to formulate a recommendation to the City Council whether or not the application complies with the requirements and with the site design standards of this Code.

f. The Zoning Administrator shall recommend that the development plan is either in compliance or not in compliance. If not in compliance, the Zoning Administrator shall specify in writing to the applicant the reasons therefore and the manner whereby the development plan may be brought into compliance.

g. If the Department determines that the minor site development plan conforms to the requirements of this Code, it shall place the plan on the next available consent agenda of the City Council, allowing for

required notice. If it does not conform, the Zoning Administrator shall explain the deficiency in the plan to the developer and inform him that a corrected plan may be submitted for approval.

10-8.2 Expiration of Minor Site Plan Approval

A development permit for a Minor Site Plan shall be valid for a period of one year and shall not be renewed.

10-9 Review of Major Site Plans

10-9.1 General Procedures

a. The applicant shall submit a major site plan and applicable supporting documentation to the Zoning Administrator.

b. After receipt of the above, the Department shall:

1. Determine that the application is complete and proceed with the review; or
2. Determine that the application is incomplete and inform the applicant of the deficiencies. The applicant must submit a revised application, correcting the deficiencies, within 45 days, to proceed with the review.

c. The Zoning Administrator shall review the Major Site Plan for compliance with this Code. This preliminary development review shall consist of land use and zoning compliance.

d. Concurrently with the Zoning Administrator's preliminary development review, a copy of the major site plan and supporting documentation shall be submitted to each reviewing department including, but not limited to: Engineering, fire, building, and utilities. Notice may also be sent to other agencies including the Health Department for intergovernmental review. Each departmental reviewer shall then submit written comments to the Zoning Administrator upon receipt.

e. The Zoning Administrator shall then finalize the development review of the major site plan. Comments from reviewing departments and agencies shall be used to formulate a recommendation to the City Council whether or not the application complies with the requirements and with the site design standards of this Code.

f. The Zoning Administrator shall recommend that the development plan is either in compliance or not in compliance. If not in compliance, the Zoning Administrator shall specify in writing to the applicant the reasons therefore and the manner whereby the development plan may be brought into compliance.

h. Upon completion of the compliance review, the Zoning Administrator shall notify the Planning Commission and City Council of the compliance recommendation and shall set a time and place for a public hearing to consider whether the development plan complies with the requirement and with the site design standards of this Code.

i. Notice of the public hearing shall be provided in the following format:

1. At least 15 but not more than 45 days prior to the date of the hearing, the notice of the hearing shall be published within a newspaper of general circulation within the boundaries of the City of Lakeland.
2. The subject property shall be posted in a conspicuous location on the property not less than 15 days prior to the date of hearing.

3. The notice shall state the time, place and purpose of the hearing.

j. At the hearing, the City Council shall hear from all interested parties, whether the Major Site Development Plan complies with the requirements and site design standards of this Code. The City Council shall consider the application, the written comments of each responding department, the recommendation of the Zoning Administrator, the recommendation of the Planning Commission, and the comments presented to the City Council during the course of the public hearing.

k. During the public hearing, the City Council may decide that additional information is necessary to complete its review and may continue the public hearing for this purpose. A continuance shall be to a date and time certain, shall not exceed 60 days and shall be announced at the public hearing. Not more than one continuance shall be granted for this purpose.

l. At the conclusion of the public hearing or within 30 days thereafter, the City Council shall determine whether the application is in compliance with the requirements and with the site design standards of this Code. The City Council shall adopt a resolution setting forth its determination.

m. The determination of the City Council shall be to either find the application:

1. In compliance;
2. In compliance subject to stated conditions or modifications; or
3. Not in compliance.

n. In the event of a determination of compliance, the plan shall be deemed approved and other necessary development permits may be issued.

o. In the event of a determination of in compliance subject to stated conditions or modifications, the applicant may submit a revised major site plan with supporting documentation within 45 days which complies with those conditions and modifications.

p. In the event of a determination of not in compliance, the application shall be rejected and the specific reasons for such determination with reference to the requirements or site design standards of this Code shall be stated in the resolution. The applicant may resubmit a revised major site plan to the department within 45 days without fee or charge to recommence major site development plan review.

10-9.2 Expiration of Major Site Plan Approval

A development approval for a major site plan shall be valid for a period of one year and may be renewed by the City Council for one additional year.

10-10 Procedures for PD Rezoning / PD site plan approval

10-10.1 Initial Application

In addition to information required for an application for rezoning in general, an applicant for PD zoning/site plan approval shall submit the following materials and data to the Zoning Administrator:

a. Legal documents demonstrating unified control over the proposed PD.

b. A PD rezoning/site plan application, which includes:

1. The title of the project (name);

2. The names of the professional planners, engineers and the developers;
3. A Preliminary and/or Final PD Site Plan which shall include a boundary and topographic survey of the proposed PD site and an inclusive list of all uses proposed to be located within the PD and on each parcel thereof;
4. Calculation of the gross acreage of each use and the proposed PD overall;
5. Any other matter deemed relevant by the Zoning Administrator to the development and use of the property.

10-10.2 Fees

Each applicant for a rezoning/site plan approval to PD shall pay a fee to the City for examination of the proposed PD application and related materials and the inspection of all required improvements shown on such plans. Such fee shall be determined by the City Council by resolution.

10-10.3 Procedure

Upon application for rezoning/site plan approval of land to a PD zoning district, submission of a Preliminary/Final PD Site Plan and other documents deemed appropriate by the applicant or required by the Zoning Administrator, appropriate city staff, the Planning Commission and City Council shall process and review the application as a rezoning of land as follows:

a. Pre-Application Meeting

The applicant and City staff shall jointly review the application, master development plan and all other documents associated with the application at a pre-application meeting. The purpose of this pre-application meeting is to discuss the application at an informal setting and identify all zoning and other regulations applicable to the property and to identify specifically those variations from the regulations which may be justified with this application.

b. Planning Commission

1. Following the pre-application meeting, upon receipt of a complete application and completion of the review by the Zoning Administrator, a rezoning/site plan approval review shall be conducted by the Planning Commission held as for other applications for rezoning.
2. The Planning Commission may require, prior to its recommendation to the City Council, evidence of the PD impact on traffic, water and sewer facilities in the area.
3. The Planning Commission shall either recommend to the City Council that the PD district rezoning be granted and that the application, the preliminary and/or final PD site plan, and any other required plans, drawings, renderings, elevations, maps and documents specifically included as part of the application, are approved, with or without conditions, or that the application is denied. In making the recommendation, the Planning Commission shall find that the application and the Preliminary and/or Final PD site plan, and any other required plans, drawings, renderings, elevations, maps and documents specifically included as part of the application, does or does not meet the requirements of this Code and specifically this Section.

c. Conditions

In approving a rezoning of land to a PD district classification, the Planning Commission may recommend and the City Council may approve a variation of the strict application of the development requirements of this Code and may instead impose appropriate conditions to otherwise attain the objectives of this Code. These conditions shall be binding upon the applicant and successors with interest in the PD. Deviations

from approved plans except in a manner described in this Code or failure to comply with any conditions shall constitute a violation of the respective PD ordinance and of this Code.

d. City Council

1. Upon completion of the Planning Commission review of the PD rezoning application, the Preliminary and/or Final PD site plan, and any other required plans, drawings, renderings, elevations, maps and documents specifically included as part of the application, the City Council shall schedule the application for public hearing.
2. Notice of the public hearing shall be provided according to the law for rezonings generally.
3. The City Council shall either approve the application, the Preliminary and/or Final PD Site Plan, and any other required plans, drawings, renderings, elevations, maps and documents specifically included as part of the application, with or without conditions or shall deny the application. Approval of an application shall take the form of an ordinance rezoning the property to a PD district. The Code shall identify the property by legal description, the Master Site Plan, individually as concept or in combination with a final PD Development Plan, the development documents and all conditions of approval. The ordinance shall provide that no development permits or orders shall be issued by the City until a final PD site plan has been approved as provided in this Section. The ordinance shall also state the expiration date for the Final PD Site Plan, if applicable.

The City Council may decide to deny the application. When an application is denied, the City Council shall state the reasons for the denial and indicate what further modifications to the Master Development Plan or other submitted documents must be made for approval.

e. Final PD Site Plan

1. Following the approval of the rezoning application and a Preliminary PD Site Plan by adoption of a PD ordinance by the City Council, the applicant shall submit a Final PD Site Plan to the City Council for approval. The Final PD Site Plan then shall be deemed the final development approval. The Final PD Site Plan approval shall be submitted and approved by the City within two years of the effective date of the initial Preliminary PD Zoning Ordinance unless a longer time is permitted by the City Council. The Final PD Site Plan shall implement the Preliminary PD Site Plan with all the changes, additions and conditions required and approved by the City Council.
2. Except for any areas of the PD site which are set aside and designated for future development, the Final PD Site Plan shall include:
 - A designation of land uses; and
 - The exact location and dimensions of all buildings, structures, infrastructure, utilities, and other improvements, including the number and location of all parking spaces and the location and dimension of landscape areas; and
 - The location of areas to be set aside for open space and conservation areas; and
 - Open space calculations and building pad areas, and calculations on attachments; and
 - The location, dimensions and appearance of all signage, lighting, fencing and buildings and a description of all exterior building materials; and
 - A statement of the covenants and restrictions proposed to be imposed upon the use of land, building and structures; and
 - A proposed plan of maintenance shall be provided to assure the continuing operation and maintenance of such areas, functions, and facilities s are not to be provided, operated or maintained at general public expense. Such statements shall be approved by the City Attorney.

3. Development Permits

Upon approval of the Final PD Site Plan, the City Council shall adopt a development ordinance adopting the Final PD Site Plan. The ordinance shall also state the expiration date for the Final PD Site Plan, which shall expire two years from the effective date of the Development Approval Ordinance if no development permits or orders have been issued to the development during that time. Two one-year extensions may be granted by the City Council upon application by the applicant.

10-10.4 Change or Modification

Any major changes or amendments to a Preliminary or Final PD Site Plan shall be processed as an amendment to the PD district zoning district under the same process as a new zoning application. Major changes or amendments shall include:

1. A change of twenty percent or more in the area of any land use designations shown on the Preliminary or Final PD Site Plan.
2. Any change in the list of proposed uses.
3. An increase in residential density of twenty percent or more.
4. An increase in non-residential square footage of twenty percent or more.
5. A change in the boundary of the PD district.
6. A change in the Final PD Site Plan or approval regarding any area(s) set aside and designated for future development.
7. Any other change determined by the Zoning Administrator to have a potentially significant impact on city services or the surrounding neighborhood.
8. An amendment of greater than 12 months to the originally approved time table of development.
9. Any change or amendment to a Final PD Site Plan which is not a major amendment shall be a minor amendment. Minor amendments may be approved by the City Council upon proper application for the amendment and after a public hearing. The City Council may require that notice of the minor amendment and public hearing be given to the surrounding property owners by posting or publication in the local newspaper of general circulation.

10-11 Submittal Standards for Site Plans

10-11.1 Application

Applications for any site plan review shall be available from the Zoning Administrator. A completed application shall be signed by all owners, and their agent if applicable, of the property which is the subject of the application. Signatures by other parties will be accepted only with notarized proof of authorization by the owners.

10-11.2 Submittal Requirements based on Exempt, Minor or Major Site Plan Designation

A tiered approach will be used to determine the information which must be submitted at the time of application. The greater the intensity of a project, based on its designation as exempt, minor or major, the greater the amount of information required. The following list describes the applicable submittal requirements for each specific category:

1. General plan requirements: mandatory for all site plans.
2. Minor review requirements: mandatory for minor and major site plans.
3. Major review requirements: mandatory only for major site plans.

4. Optional review requirements: these may be required for the review of any development plan on a case by case basis at the discretion of the Zoning Administrator or the City Engineer when additional data is needed.

10-11.3 General Plan Requirements

a. Scale

All plans shall be drawn to scale of one inch equals 100 feet, unless the Zoning Administrator determines that a different scale is sufficient or necessary for proper review of the proposal.

b. Size

The plans shall be 24 x 36 inches in size.

c. Numbering of Sheets

If multiple sheets are used, the sheet number and total number of sheets must be clearly marked on each.

d. Front Cover

The front cover of each plan shall include:

1. A general location map drawn to scale, showing the location of the proposed development together with principal roads, city limits and/or other pertinent information.
2. A complete legal description of the property.
3. The name, address and telephone number of the owner(s) of the property. Where a corporation or company is the owner of the property, the name and address of the president and secretary of the entity shall be known.
4. Name, business address and telephone number of those individuals responsible for the preparation of the drawing.
5. Each sheet shall contain a title block with the name of the development, stated and graphic scale, a north arrow and date.
6. The area of the property shown in acres.
7. The total number and type of residential units categorized according to number of bedrooms. The total number of residential units per acre (gross density), and also the total floor coverage calculations shall be given. The total number of square feet for any non-residential development divided by type of use.

e. Format

Unless a format is specifically called for below, the information required may be presented as text, graphically, on a map, plan, aerial photograph, or by other means which most clearly conveys the required information. It is the responsibility of the developer to submit the information in a form that allows ready determination of whether the requirements of this Code have been met.

f. Covenants

Restrictions pertaining to the type and use of existing or proposed improvements, open spaces, building lines, buffer strips and walls, and other restrictions of similar nature, shall require the establishments of restrictive covenants and such covenants shall be submitted with the final development plan.

g. Digital Plans

A digital site plan and digital boundary survey are required to be submitted with a major site plan application. The required digital file format for the site plan and boundary survey shall be specified by the Zoning Administrator. The digital version of the site plan and boundary survey must match the hard copy of the version as submitted. Updated digital site plan files shall be submitted by the applicant as they occur during the development review process. The survey shall be prepared and sealed by a licensed Georgia professional surveyor.

h. Floor Plan

For fire prevention review, a floor plan that includes all pertinent fire protection features must be submitted in hardcopy and digitally on a separate disc in the required format specified by the Fire Chief. The digital plans submitted must match the hard copy version.

i. Types of Plans not Permitted

Hand drawings or raster images, including scanned documents, are not permitted as a substitute for the digital site plan and boundary survey requirement.

j. Screening and buffering

Fences, walls and vegetative screening shall be provided where needed to protect the occupants of the site from undesirable views, lighting, noise, and other adverse effects of nearby property, and to protect the occupants of nearby property from like adverse effects produced by the development of the site.

k. Emergency access

Buildings, walls, landscaping and other site features shall be arranged and constructed to permit access by emergency vehicles to all buildings.

l. Location and design of entrances

Entrances to the site shall be located and designed to maximize public safety and convenience and to minimize negative traffic impacts on the property and surrounding areas. Access and lane improvements located both on and off-site shall be provided if necessary for public safety. Entrances shall also be coordinated with the existing and planned street pattern of off-site public and private roads.

m. Exterior lighting

Exterior lighting shall not produce glare on nearby property or otherwise interfere with the quiet enjoyment of nearby property or with public safety and convenience.

n. Other documentation

Other documentation as necessary to permit satisfactory review under the requirements of this Code and other applicable law as required by special circumstances in the determination of the Zoning Administrator.

10-11.4 Minor Site Plan Review Requirements

In addition to General Development Review Requirements, additional submittal requirements for Minor Site Plans are:

a. Identification of Public and Common Spaces

Location, names and widths of existing and proposed streets, highways, easements, building lines, alleys, parks, green spaces and other public spaces.

b. Proposed development activities and design

1. Area and percentage of total site area to be covered by impervious surface.
2. Grading plans specifically including perimeter grading.
3. Construction phase lines (if applicable), including total acreage in each phase and gross intensity (square feet) for non-residential and gross density (units) for residential in each phase.

c. Buildings and other structures

1. Building plan showing the location, dimensions, gross floor area and proposed use of buildings.
2. Architectural elevations of all sides of all buildings.
3. Building setback distances from property lines, abutting right-of-way centerlines, and adjacent buildings and structures.
4. Minimum floor elevations of buildings.
5. Number, height and type of residential units.
6. Floor area, height and types of office, commercial, industrial or other proposed uses.

d. Identification of Water and Waste Water Systems

Location of the nearest available public water supply and wastewater system and the proposed tie-in points, or an explanation of alternative systems to be used.

e. Location of Fire Hydrants

Exact locations of on-site and nearby existing and proposed fire hydrants.

f. Streets and Parking

1. The layout of all streets, sidewalks, bike paths, and driveways with paving and drainage plans and profiles showing existing and proposed elevations and grades of all public and private paved areas.
2. A parking and loading plan showing the total number and dimensions of proposed parking spaces, spaces reserved for handicapped parking, loading areas, proposed ingress and egress and projected on-site traffic flow.
3. The location of all exterior lighting.
4. The location and specifications of any proposed garbage dumpsters.

g. Landscaping

1. Location and dimensions of proposed buffer strips and landscaped areas including existing trees and vegetation to remain.
2. Description of plant materials existing and to be planted in buffer strips and landscaped areas.

h. Signs

1. A blue print or ink drawing showing the specifications of regulated signs, type of construction and attachment to the building or ground. The plan shall show all pertinent structural details, wind pressure requirements, and display materials in accordance with the requirements of this Code, including building and electrical codes. The plan shall clearly illustrate the type of sign or sign structure as defined in the Code, the design of the sign, including dimensions, colors and materials; the total sign area, the dollar value of the sign; maximum and minimum heights of the sign; and sources of illumination.
2. For ground signs and building signs, a plan, sketch, blueprint or similar presentation drawn to scale which clearly shows the location of the sign relative to property lines, rights-of-way, streets, alleys, sidewalks, vehicular access and parking areas and other existing ground signs on the parcel.
3. For building signs, the number, size, type and location of existing signs on the same parcel, except a single business unit in a multiple occupancy complex shall not be required to delineate the signs of other business units.

i. Land to be dedicated or reserved

Location of all land to be dedicated or reserved for all public and private uses including rights-of-way, easements, special reservations and the like.

j. Wells

Location of any on-site wells, and wells within 1,500 feet of any property line.

10-11.5 Major Site Plan Review Requirements

In addition to General and Minor Site Plan Review Requirements, additional submittal requirements for Major Site Plans are:

a. Name of Development

Every development shall be given a name by which it is legally known.

b. Master Plan

A master plan is required for a major development which is to be development in phases. A master plan shall provide the following information for the entire development:

c. Phasing Plan

A site plan for the first phases or phases for which current approval is sought.

d. Phasing Schedule

A phasing schedule including the sequence of each phase, approximate size of the area in each phase; and proposed phasing of construction of public recreation and common open space areas and facilities.

e. Plan Detail

Total land area, and approximate location and amount of open space included in each residential, office, commercial and industrial area.

f. Circulation

Approximate location of proposed and existing streets, sidewalks, bike paths as well as points of ingress and egress.

g. Vicinity Map

A vicinity map of the area within 300 feet surrounding the site showing:

1. Land use designations and boundaries.
2. Traffic circulation systems.
3. Major public facilities.
4. Municipal boundary lines

h. Topographic Survey

A topographic survey of the site clearly showing the location, identification and elevation of benchmarks, including the 100 year flood elevation and drainage or watershed boundaries.

i. Erosion and Sediment Control Plan

An erosion and sedimentation control plan that describes the type and location of control measures, the stage of development at which they will be put into place or used, and maintenance provisions.

j. Stormwater Drainage Plan

Stormwater drainage shall be accommodated on site or shall be removed from the site in a manner which does not adversely affect nearby property or the public storm drainage system.

A description of the proposed stormwater management system, including:

1. Channel, direction, flow rate, and volume of stormwater that will be conveyed from the site, with a comparison to existing or natural conditions.
2. Detention and retention areas, including plans for the discharge of contained waters, maintenance plans, and predictions of surface water quality changes.
3. Area of the site to be used or reserved for percolation including an assessment of the impact on groundwater quality.
4. Location of all water bodies to be included in the surface water management system (natural and artificial) with details of hydrography, side slopes, depths, and water-surface elevations or hydrographs.
5. Linkages with existing or planned stormwater management systems.
6. On- and off-site right-of-ways and easements for the system including locations and a statement of the nature of the reservation of all areas to be reserved as part of the stormwater management system.
7. The entity or agency responsible for the operation and maintenance of the stormwater management system.
8. The location of off-site water resource facilities such as works, surface water management systems, wells, or well fields that will be incorporated into or used by the proposed project, showing the names and addresses of the owners of the facilities.
9. Run-off calculations.

k. Other documentation

Other documentation as necessary to permit satisfactory review under the requirements of this Code and other applicable law as required by special circumstances in the determination of the Zoning Administrator.

10-12 Platting

10-12.1 Generally

Where a proposed minor development includes the subdivision of land, the issuance of a development permit shall be made contingent upon approval by the Zoning Administrator of a plat conforming to the approved site plan.

Where a proposed major development includes the subdivision of land, the issuance of a development permit shall be made contingent upon approval by the City Council of a plat conforming to the approved site plan.

10-12.2 Filing

After receiving plat-contingent site plan approval, the developer shall submit to the Zoning Administrator a plat conforming to the plan. Alternatively, the developer may submit a plat at any point during the development review to be processed concurrently. Five copies of the preliminary plat and any required supplementary material shall be submitted to the Zoning Administrator along with a written request for preliminary approval through City Council.

10-12.3 Data for Preliminary and Final Approval

Preliminary and Final Plats shall generally contain the following information:

- a.** Name of the proposed subdivision, location by county and city, the name, address and registration number of the surveyor preparing the plat and the date of the plat. A north arrow shall be included with a notation referencing the bearings to the magnetic north, astronomical north or grid north.
- b.** Boundary lines, bearings and distances; a legal description of the tract proposed to be subdivided according to the records in the Clerk of Superior Court of Lanier County.
- c.** Easements-location, width and purpose.
- d.** Streets on and adjacent to the tract-name; right-of-way width; location type, width and elevation of surfacing; any legally established centerline elevations, walks, curbs, gutters, culverts, etc.
- e.** Utilities on and adjacent to the tract – location, size and invert elevation of sanitary and storm sewers: location and size of water mains; location of gas lines, fire hydrants, electric and telephone poles and street lights; if water mains and sewers are not on or adjacent to the street, indicate the direction and distance to and size of nearest ones, showing invert elevation of sewers.
- f.** One soil percolation test hole per acre where the subdivision is not to be served by a public sewerage and, if required by the Zoning Administrator, other subsurface and soil conditions studies of the tract as specified by the Lanier County Health Department or the City Engineer.
- g.** Other conditions on the tract - water courses, marshes, wetlands, wooded areas, tree masses, major rock outcroppings, houses, barns, shacks and other significant features.

h. Other conditions on adjacent land - character and location of buildings, railroads, power lines, towers and other nearby nonresidential land uses or adverse influences; owners of adjacent unplatted land; for adjacent platted land refer to subdivision plat by name recordation data and number.

i. Proposed public improvements; highways or other major improvements planned by public authorities for future construction on or near the tract.

k. Topography of the area to be subdivided with a contour interval of five feet or less, based on sea level datum plane.

k. A vicinity map showing location of the tract with distances to intersections or to other obvious geographical locations.

l. Present tract designation according to official records, title under which proposed subdivision is to be recorded with names and addresses of owners and any mortgagor or holder of an encumbrance on the property to be subdivided, name and address of subdivision designer, notation stating acreage, scale, north arrow, datum, benchmarks, certification of registered land surveyor, date of survey.

10-12.4 Preliminary Plats

a. Information Required

The subdivision plat shall be at a minimum scale of 200 feet to one inch. It shall show all information required above in 10-12.3., and additionally the following:

1. Streets: Names, layout, right-of-way and roadway widths; similar data for alleys, if any.
2. Other rights-of-way or easements; location, width and purpose.
3. Location of all existing and proposed utilities, if not shown on other exhibits.
4. Lot lines, lot numbers and block numbers, lot size, lot width.
5. Sites, if any, to be reserved or dedicated for playgrounds or other public use, together with their purpose and the limitations or conditions of such dedications, if any.
6. Sites, if any, for open space, multiple-family dwellings, shopping centers, churches, industry or other nonpublic uses exclusive of single-family dwellings.
7. Minimum building setback lines.
8. Site data, including number of residential lots, typical lot size and areas in parks, etc.
9. Title, numerical scale, graphic scale, north arrow, indicating both magnetic and true north, date.

b. Other preliminary plans

The preliminary plat shall be accompanied by profiles showing existing ground surface and proposed street grades, including extensions for a reasonable distance beyond the limits of the proposed subdivision; typical cross sections of the proposed grading, roadway and sidewalk; and preliminary plan of the proposed sanitary and stormwater sewers with grades and sizes indicated. All elevations shall be based on sea level datum plane approved by the City Engineer.

c. Covenants

Draft of protective covenants, whereby the subdivider proposes to regulate land use in the subdivision and otherwise protect the proposed development.

d. Signatures

No preliminary plat shall be approved by City Council unless it is approved by the City Engineer, the County Board of Health and the Lakeland/Lanier Fire Department. These agencies shall approve with or without modification or disapprove the preliminary plat to the extent that each has jurisdiction. If the plat is rejected, the reviewing agency shall provide the Zoning Administrator with a written statement specifying all items where the plat fails to comply.

Spaces shall be provided for approval of all agencies listed herein, with wording the same or similar to the following:

APPROVED BY DEPARTMENT OF PUBLIC HEALTH, CITY OF LAKELAND, GEORGIA.

APPROVED BY CITY ENGINEER, CITY OF LAKELAND, GEORGIA

APPROVED BY ZONING ADMINISTRATOR, CITY OF LAKELAND, GEORGIA

e. Approval by City Council

Approval or disapproval of the preliminary plat shall be accomplished within 45 days after the plat is filed with the Zoning Administrator. If the preliminary plat is denied, the reasons for the denial shall be stated in a resolution denying the preliminary plat and the resolution shall be forwarded to the subdivider.

f. Approval Duration

Approved Preliminary plats are valid for one (1) year from the date of approval. If final plat or construction drawings have not been submitted within this period, preliminary plat approval becomes invalid and must be resubmitted.

10-12.5 Approval of Construction Drawings

Upon approval of the Preliminary Plat and before preparation of the final construction drawings for the minimum improvements required by these regulations, the subdivider shall receive tentative approval of said construction drawings from the City Engineer.

a. The design of all minimum improvements shall be under the direction of a Georgia registered engineer as defined in Section Two, Definitions, with all plans bearing his seal.

b. A certificate of approval from the DNR Environmental Protection Division shall accompany all city water and sewer connection plans.

c. A letter shall be provided by the subdivider stating a professional engineer as defined in Chapter Two, Definitions, is under contract to provide inspection services for the project and sign final certification upon completion.

d. If construction has not commenced within one (1) year of construction plan approval, said approval becomes invalid, at which time a new preliminary plat must be submitted per current regulations at the time of resubmittal.

10-12.6 Final Plats

The final plan shall conform to the approved preliminary plat and shall be submitted to the Zoning Administrator for approval by Lakeland City Council.

a. Filing

Filing the Final Plat with the Zoning Administrator shall include the following:

1. An application as provided by the Zoning Administrator showing:
 - i. the name and address of the person(s) developing the subdivision and the agent, if applicable;
 - ii. the zoning district of the property to be subdivided;
 - iii. any phased development;
 - iv. plans for serving the proposed subdivision with water and sewer.

a. The final plat shall be drawn in black ink on tracing cloth or other acceptable material, on sheets 18 inches wide by 24 inches long and shall be drawn to a minimum scale of 100 feet to one inch. Where necessary, the plat may be drawn on several sheets accompanied by an index sheet showing the entire subdivision. The final plat shall show the following:

1. Primary control points and benchmarks with necessary descriptions and locations of such control points, including all dimensions, angles, bearings and similar data necessary for proper location.
2. Track boundary lines, rights-of-way lines of streets, easements and property lines of residential lots and other sites with sufficient data to determine readily and to reproduce on the ground the location, bearing and length of every street line, lot line, boundary line and building line, whether curved or straight. This shall include, but not be limited to, the radius; length of arc; internal angles; bearings of the tangents and tangent distances for the centerline of curved streets and curved property lines that are not the boundary of curved streets. All dimensions shall be given to the nearest 1/100 of a foot and all angles shall be given to the nearest minute.
3. Name and right-of-way width of each street or other right-of-way.
4. Location, dimensions and purpose of any easements.
5. Number or letter to identify each lot and block.
6. Purpose for which sites, other than residential lots are dedicated or reserved.
7. Minimum building setback lines on all lots and other sites.
8. Location and description of monuments and markers.
9. Names of record owners of adjoining unplatted land.
10. Reference to recorded subdivision plats of adjoining platted land by record, name, date and number.
11. Title, numerical scale, graphic scale, north arrow and date.
12. Location map showing site in relation to city.
13. Certification by surveyor or engineer licensed in the State of Georgia, certifying to accuracy of survey and plat.

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The surveyor must also certify whether the property is located in a special flood hazard zone as recognized by the City of Lakeland, and indicate the informational source and zone of the property. If the property is located within a flood hazard zone then the limits of the zone must be shown.

14. Certification of title showing that applicant is land owner and that he dedicates streets, right-of way and any sites for public uses, similar to the following:

“The undersigned hereby acknowledge(s) this plat and allotment to be _____ free act and deed and hereby dedicate(s) to public use as streets, alleys, easements, parks, and open spaces forever, all areas so shown or indicated on said plat.”

Signed

15. Restrictive covenants or deed restrictions in form for recording.

16. A complete listing of the deviations from the approved preliminary plans by the subdivider.

17. Other data: Certificates of approval from the Lanier County Health Department and the City Engineer. The City engineer’s Certificate shall also indicate that all required improvements and installations required by these regulations have been completed in accordance with these standards; or a performance bond or certified check has been provided by the developer to satisfy the requirements of this Code.

18. A filing fee to cover the cost of investigation and review of the preliminary, tentative and final recording cost. The fees are as set by the Lakeland City Council.

b. No final plat shall be approved by City Council unless it is approved by the City Engineer, the City of Lakeland Board of Health and the Lakeland/Lanier Fire Department. These agencies shall approve with or without modification or disapprove the preliminary plat to the extent that each has jurisdiction. If the plat is rejected, the reviewing agency shall provide the Zoning Administrator with a written statement specifying all items where the plat fails to comply.

Spaces shall be provided for approval of all agencies listed herein, with wording the same or similar to the following:

APPROVED BY DEPARTMENT OF PUBLIC HEALTH, CITY OF LAKELAND, GEORGIA.

APPROVED BY CITY ENGINEER, CITY OF LAKELAND, GEORGIA

APPROVED BY ZONING ADMINISTRATOR, CITY OF LAKELAND, GEORGIA

“APPROVAL BY CITY COUNCIL

After all other approvals and certifications have been met; the City Council shall execute the following certificates, indicating final plat approval:

We hereby approve this plat to be recorded by the Clerk of Superior Court of Lanier County

“Mayor, Lakeland City Council”.

10-12.7 Plat Review by the Zoning Administrator

The Zoning Administrator shall, determine whether the plat conforms to the approved site plan. The plat shall be forwarded to the City Engineer, the Lanier County Health Department and the Lanier County Board of Education for comment during that time frame. If the Department determines that the plat so conforms, it shall place the plat on the next available consent agenda of the City Council, allowing for required notice. If it does not conform, the Zoning Administrator shall explain the deficiency in the plat to the developer and inform him that a corrected plat may be submitted for approval.

The original shall be drawn on sheets of cloth to a scale of one inch equals 100 feet as a minimum and shall correspond to plat book dimensions. When more than one sheet is required, an index sheet of the same size shall be filed showing the entire subdivision with sheets lettered in alphabetical order as a key. A two-inch margin shall be provided on the left side of the drawings and a one-half-inch margin shall be left on the other three sides.

10-12.8 Plat Review by the City Council

Review of the plat by the City Council shall be strictly limited to whether the plat conforms to the requirements of the Code. The Zoning Administrator shall make a recommendation regarding the plat to the City Council. A conforming plat shall be approved and the Zoning Administrator shall issue the development order allowing the development to proceed. The City Council shall return non-conforming plats to the developer with an explanation of the deficiencies and a notice that a corrected plat may be resubmitted for approval.

10-12.9 Relief from Platting Requirements due to Hardship

Where the City Council finds that because of topographic or other conditions peculiar to the site, literal enforcement of a provision of this ordinance may result, in an individual case, in unnecessary hardship to the developer, it may vary the regulations where, in the opinion of the City Council, such variation will not have the effect of nullifying the intent and purpose of these regulations. Any relief from the platting requirements shall be recorded in the minutes of the City Council meeting together with the reasoning used to justify it.

10-12.10 Plat Conditions.

In granting relief from and modifications to the platting requirements, the City Council may require such conditions as will secure substantially the objectives of the standards or requirements so varied or modified.

10-12.11 Plat Recordation

Plats approved by the City Council shall be submitted to the Clerk of Superior Court of Lanier County along with the appropriate filing fee within 45 days for recordation into the public records of Lanier County and the City of Lakeland, Georgia. If the applicant fails to comply, the plat approval is rendered invalid.

When the plat has been approved by the City Council, the prints and reproducibles will be distributed as follows:

Developer:	The original will be returned to the developer with the approval of the governing authorities certified thereon for filing with the Clerk of the Superior Court of Lanier County,
City Records:	one original and one copy
City Engineer:	one copy

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Building Inspector:	one copy
County Tax Assessor:	one copy
Lanier County Health Dept :	one copy
Police Dept:	one copy
Board of Education:	one copy
Fire Department:	one copy

In lieu of the completion of all improvements prior to submission of the final plat, the developer may post a bond, certified check, letter of credit, or other surety with the city, providing for and securing to the city the actual construction and installation of such improvements within a period specified by the planning commission and stated in the surety. The surety shall be with a company entered and licensed to do business in Georgia and it shall contain a provision for the maintenance of installations and improvements required by these regulations in the subdivision for a period of one year following the date of final acceptance. Said surety shall be approved by the city attorney prior to its acceptance. Said surety shall be made payable to the city and be in an amount equal to no less than 110 percent of the improvement and installation cost.

10-12.12 Plat Enforcement.

1. No plat or plan of subdivision within the City of Lakeland shall be filed or recorded in the office of the Clerk of the Superior Court of Lanier County until it has been approved by the City Council and such approval entered in writing on the plat by the Mayor of the City of Lakeland. The clerk of the superior court shall not file or record a plat of a subdivision which does not have the written approval of the City Council thereon. The filing or recording of a plat of a subdivision without such approval shall be punishable as provided in this Code of the City of Lakeland, Georgia.

3. Any violation of this ordinance shall be punishable as provided in this Code of the City of Lakeland, Georgia.

4. No building permit shall be issued for and no building or other structure shall be erected on any lot within the City of Lakeland unless the street giving access to the lot upon which said building is proposed to be placed shall be accepted or opened as, or shall have otherwise received the legal status of, a public street prior to that time, or unless such street corresponds in its location and line with a street shown on a subdivision plat approved by the City Council or with a street located and accepted by the City. Any building erected in violation of this section shall be deemed an unlawful structure, and the Building Inspector, City Attorney or other official designated by the City Council may bring appropriate action to enjoin such erection or cause it to be vacated or removed.

10-13 Procedures for Obtaining Miscellaneous Permits

Applications for any permit shall be made to the Zoning Administrator on a form provided by the Zoning Administrator and may be acted upon by the Zoning Administrator without public hearing or notice.

10-14 Building Permits

10-14.1 Generally

The erection, alteration, moving, demolition or reconstruction of any building or structure shall not be commenced without obtaining a building permit from the Zoning Administrator. Work activities shall not proceed without obtaining all the inspections required by the Zoning Administrator and the applicable Building Codes.

10-14.2 Information

a. Need for a Survey

No building permit shall be issued for development unless the application for a building permit is accompanied by a copy of a survey of the property on which the requested activity is to be permitted. The survey shall show the following:

1. The location of the proposed development activity.
2. The relationship of the proposed activity to all adjacent property lines, and as may be required, to all adjacent structures, improvements and natural features.
3. A minimum of two elevations along each roadway on which the proposed activity borders, the existing ground elevation at the approximate center of the proposed structure, the existing ground elevation along the side property lines adjacent to the proposed structure, and the proposed finished floor elevation of the proposed structure.
4. All surveys shall have been prepared, signed and sealed by a Georgia Registered Land Surveyors.

Exempt from the survey requirement are detached single family residential lots or parcels of land with an area of one acre or less, applications for interior modifications or construction, roof permits, and any other permit required activity that does not result in the expansion of any portion of the existing structure.

Accessory structures with a building value of less than \$10,000 shall also not be required to submit a survey, but shall instead be required to submit a scaled drawing indicating the location of the accessory structure and its compliance with minimum setback standards.

Copies of original surveys meeting the above requirements may be submitted with any application for building permit, provided that the survey still depicts the accurate location of all structures and improvements on the property.

b. Other Information

1. Drainage Information if applicable
2. Location and size of ingress/egress/driveways (copy of GDOT permit if applicable)
3. Water and Wastewater mains and services, both existing and proposed; or
4. Location of on-site well and septic
5. Location of fire hydrants
6. Proof that the building lot is a conforming or non-conforming lot of record.

10-14.3 Time Limitations of Building Permits

a. Expiration

Building Permits shall expire and become null and void if work authorized by such building permit is not commenced, having called for and received a satisfactory inspection within six months from the date of issuance of the permit, or if the work is not completed within eighteen months from the date of issuance

of the building permit, except that the time may be extended by the Zoning Administrator if any of the following occur:

1. a time schedule has been submitted and approved by the Zoning Administrator, predicated upon customary time for construction of similar buildings, prior to the issuance of the building permit, indicating a completion of construction in excess of 18 months; or
2. the developer furnishes the Zoning Administrator satisfactory written evidence that the delay is due to the unavailability of construction supplies or materials, and every effort has been made to obtain substitute materials equal to those called for in the specifications; or
3. the delay is due in to delay in delivery of construction supplies or materials; or
4. the delay is due to fire, weather conditions, civil commotion or strike.

b. Extension for Owner-Builder Building Permit

Notwithstanding the provisions of Section 10.14.3 above, an owner-builder building permit shall expire within 24 months from the date of issuance of the building permit if the work has not been completed. The time may be extended by the Zoning Administrator for a period not to exceed 18 months if any of the conditions outlined in Section 10-14.3 above occur.

c. No Inspections within Six Months

If construction, having called for an received a satisfactory inspection, has commenced within 6 months from the date of issuance of the permit, and is subsequently abandoned or suspended, not having called for and received a satisfactory inspection within the last 6 months, for reasons other than those enumerated in 10-14.3 above, the permit shall expire and become null and void unless the applicant demonstrates good cause at a hearing before the Board of Appeals as to reasons for the suspension or abandonment of the project. If the Board finds that good cause has been shown for the suspension or abandonment of the project, the applicant shall be allowed to continue the construction under the original permit. The decision of the Board shall be final.

d. Expired Building Permit

1. If the building permit becomes null and void or expires, the Zoning Administrator shall inspect the development and determine whether the development is unsafe and /or constitutes a nuisance. If the Zoning Administrator determines that the development is unsafe and constitutes a nuisance, the Zoning Administrator shall submit a report of this inspection to the City Council for action by the City Council.
2. In order to continue construction once a building permit becomes null and void or expires, the applicant shall reapply and obtain a new building permit covering the proposed construction before proceeding with construction. The applicant shall comply with all regulations in existence at the time application is made for a new building permit.

e. Cancellation of Permits

A demolition, building or development permit shall be cancelled by the Zoning Administrator when the method of demolition, construction or use violates any provisions contained in these regulations or any state or local ordinance or resolution. Upon such cancellation, any further work upon the demolition, construction, alteration, or repair on the structure or land shall be deemed a violation.

f. Denial of a Permit

When a permit is denied, the Zoning Administrator shall, within 10 days after submittal of the permit, provide in writing to the applicant the reasons for denying the permit.

g. Permits and Licenses Void when Issued in Conflict

Any permit or license issued in conflict with the provisions of this Code shall be null and void.

10-14.4 Certificate of Occupancy

A Certificate of Occupancy shall be issued by the Zoning Administrator in accordance with the following provisions:

a. Certificate of Occupancy Required

A certificate of Occupancy issued by the Zoning Administrator is required in advance of occupancy or use of:

1. A building hereafter erected.
2. A building hereafter altered so as to affect height, side, and front or rear yard.
3. Any building or premises where a change in the type of use will occur.

b. Issuance of Certificate of Occupancy

Upon payment of all fees, the Zoning Administrator shall sign and issue a Certificate of Occupancy if the proposed use of land or building is found to conform to the applicable provisions of this Code, and if the building, as finally constructed, substantially complies with the plan submitted and approved for the building permit. One (1) copy of all Certificates of Occupancy issued which contain a statement of the intended use of the applicable property and other pertinent information, signed by the owner or his agent shall be kept on file in the office of the Zoning Administrator.

c. Denial of Certificate of Occupancy

A Certificate of Occupancy shall not be issued unless the proposed use of a building or land conforms to the applicable provisions of this Code and substantially complies with the plans submitted for obtaining a building permit.

10-15 Sign Permit

The erection, alteration, reconstruction, or conversion of any sign shall not be commenced without first obtaining a Sign Permit from the Zoning Administrator.

10-16 Driveway Permit

Any person seeking to construct or reconstruct any curb cut or driveway on any City maintained public road in the City of Lakeland shall submit a permit application to the City Engineer accompanied by a non-refundable application fee as established by the City Council.

a. Application

Any person seeking a driveway permit shall submit the original and one copy of an application to the City Engineer. The application shall include the following information:

1. Name and address of the owner of the property on which the driveway is proposed to be located.
2. Except for one-and two family residences, a set of detailed plans for the proposed driveway or curb cut.
3. Except for one and two-family residences, estimated cost of construction/alteration.
4. Approval from Georgia Department of Transportation, if applicable.
5. All other information deemed necessary by the City Engineer for the reasonable review of the proposed driveway connection.

b. Procedure for Review

1. The City Engineer shall review the application and determine if it is complete.
2. If the City Engineer determines that the application is not complete, he shall notify the applicant in writing specifying the deficiencies. The applicant may resubmit the application correcting the deficiencies within 30 days of the notification without paying an additional application fee.
3. After the City Engineer has determined that an application is complete, the City Engineer shall approve, approve with conditions or deny the application based on the standards in **Chapter XX** of this Code. Notification of the decision shall be made to the applicant and filed in the office of the City Engineer.

c. Approval

Following approval of an application, the City Engineer shall issue a driveway permit which shall take effect on the date issued.

d. Curb cuts, driveways and culverts constructed without driveway permit

1. The City Engineer shall notify the Zoning Administrator of the existence of any curb cut, driveway or culvert on any City maintained public road, which was constructed after **DATE OF ADOPTION**, without the approval of the City Engineer and which the City Engineer has specifically found to be detrimental or injurious to surrounding property, substantially increases traffic and/ or endangers the public safety.
2. Upon receipt of such notification, the Zoning Administrator shall notify the owner of the curb cut, driveway or culvert by certified mail of the Engineer's finding of fact and that the curb cut, driveway or culvert must be brought into compliance with the requirements of this Code within 30 days of receipt of the notice. The notice shall specifically identify the nature of the violation. A permit issued pursuant to this Section shall be required. If the violation is not corrected within 30 days, the Zoning Administrator may initiate code enforcement action.

10-17 Excavation and Fill Permit

a. No person in control of a lot, parcel or tract of land within the City shall alter, excavate, fill or remove any of the land on its surface without first obtaining a permit to do so from the Zoning Administrator. A separate excavation and fill permit is not required if the excavation and/or fill is to be done in the course of a construction project for which a building permit is required and the details of such excavation and/or fill are clearly shown in the building permit application.

b. Application for an excavation and/or fill permit shall be submitted to the Zoning Administrator and shall contain the following:

1. The name and address of the person seeking the permit.
2. The legal description of the property.
3. A map showing the location and boundaries of the tract of land in question.
4. Where a survey or other topographical information is not available to the City, the applicant shall submit a statement of the topography, including the location of water courses or water bodies, of the property proposed to be excavated or filled.
5. The location and means of vehicular ingress and egress to the proposed excavation/fill.
6. The application shall include a statement for the proposed reclamation of any of the property at the conclusion of the excavation/fill operation.
7. The plans shall be accompanied by a statement indicating the nature, purpose and method of the proposed excavation/fill.

c. Permits to alter, excavate, fill or remove land on its surface within the limits of the City, or building permit which include such work, shall not be issued by the Zoning Administrator without first obtaining the approval of the City Engineer. The City Engineer shall not give his approval unless and until the applicant for such a permit shall have submitted to the Zoning Administrator plans and specifications covering the project and a description of the intended result. The City Engineer shall deny the application or permit if, in his judgment, the work will create a drainage problem.

d. No excavation of soil within the City shall be permitted except in the following specific cases:

1. Installation of utilities
2. Foundations of any building or structure or other on-site leveling or excavation where approved under a valid building permit.
3. Excavations relating to the accessory use of land and designed to be filled upon completion such as septic tanks, burial sites, etc.
4. Swimming pools where a building permit has been issued for the construction of the pool.
5. Excavation in conjunction with agricultural use of lands, where no excavation materials are sold, whether directly or indirectly, or transferred from one parcel of land to a non-contiguous parcel.
6. Subdivisions complying with this Code.
7. Excavation or leveling for private drives to provide ingress or egress.

e. Mining for minerals, stone or soil shall be unlawful within the City limits.

10-18 Temporary Events Permit

10-18.1 Temporary Events and Uses

The following outdoor uses and activities shall take place only with a special permit obtained from the Zoning Administrator.

- a. Temporary commercial sales activities;
- b. Exhibitions, displays, performances;
- c. Fairs, carnivals, bazaars, contests, rodeos;
- d. Any other activity tending to create or cause abnormally large or excessive crowds or traffic and posing a detrimental effect on the public health, safety and welfare.

10-18.2 Information Required

A Temporary Events Permit Application shall be provided to the Zoning Administrator with the following written information no less than 14 working days prior to the proposed event or activity:

- a. Name and business address of the applicant;
- b. Specific location of activities for which the permit is sought;
- c. Nature and purpose of activities for which the permit is sought;
- d. Specific location and physical dimensions of any structure, vehicle, tent or apparatus sought to be used in conjunction with permitted activities;
- e. Specific days and hours of activities sought to be permitted.
- f. Letters of objections and/or no objections as to the activities as described under i. through v. signed by all tenants and/or owners of businesses located on the property for which the permit is sought;
- g. No permit shall be issued for the requested activity unless the applicant reasonably establishes that the following concerns have been addressed in a manner that is consistent with the interests of the public health, safety, and welfare:
 - 1. traffic control
 - 2. Sanitation and litter control
 - 3. Restroom facilities
 - 4. Parking
 - 5. Crowd Control
 - 6. Liability insurance
 - 7. Signage
 - 8. Noise levels and noise control

10-18.3 Fire Chief Approval

Permits for temporary events within the limits of the City shall not be issued by the Zoning Administrator without first obtaining the approval of the Fire Chief. The Fire Chief shall not give his approval unless and until the applicant for such a permit shall have submitted to the Zoning Administrator plans and specifications covering 1 – 8 above. The Fire Chief shall deny the application or permit if, in his judgment, the work will create a fire hazard or hazard to public safety.

10-18.4 Maximum Number of Events

Not more than four temporary events in any 12-month period shall be held at the same location. Each event shall not exceed 10 consecutive days.

10-18.5 Fees

Each application seeking a temporary event permit shall be accompanied by a \$25.00 permit processing fee.

10-19 Temporary Construction Trailers and Containers Permit

A permit for the erection or use of any such temporary structure shall be obtained from the Zoning Administrator, provided, that no such temporary permit shall be issued unless and until sufficient bond, as established by the City Council to insure removal of the temporary structure, has been posted and a building permit for the construction of the permanent structure has first been obtained.

10-19.1 Temporary Construction Trailers

a. Temporary Office

A temporary or portable structure may be erected, or a trailer used, for business occupancy during the construction of a permanent main building, street, utility or other structure. Every temporary business office permit issued, shall become invalid and the temporary structure shall be removed within two weeks after the issuance of the Certificate of Occupancy on the permanent structure or within one year, whichever is earlier. A one six month extension of time may be allowed, and such extensions shall be in writing by the Zoning Administrator. In addition, in the event of unavoidable circumstances such as acts of God, strikes or similar hardships, other than financial or inability to obtain financing, a second extension not to exceed six months may be granted by the City Council.

b. Temporary Construction Office & Storage

A temporary or portable structure, or trailer, may be used for a temporary construction office and for the housing of tools, equipment, and materials. Any of the above used may be combined to meet the requirements of a job site after a building permit for the construction of the permanent structure has first been obtained. Every temporary construction office permit shall continue in force for a reasonable period so long as construction of the permanent structure is commenced and continued without delay.

c. Subdivision Sales Office.

Subdivision sales offices may be erected only after approval by the City Council as part of the site development plan approval, subject to such conditions as may be determined by the Commission to be necessary to insure termination of the use after a reasonable period by removal or conversion to a conforming use.

10-19.2 Temporary Construction Storage or Storage Containers

a. Permit Required

After first receiving a permit from the Zoning Administrator, a temporary construction storage or storage container may be erected or place at the site for the purposed of storage during the construction of a permanent building, street, utility, or other structure in any zoning district or during such special events as moving/relocation. Such a container shall only be used for the storage of tools, equipment, furniture or other materials during the construction of a permanent structure or for the duration of the moving event.

b. Maximum Number

One permit shall not permit more than three containers at a single construction site and not more than one container at a moving location.

c. Removal

No permit shall be issued unless the container removal date has been posted at the site. A permit shall expire 15 days following the issuance of a certificate of occupancy for the primary building or 15 days after the moving event and the container shall be removed at that time.

d. Location

A temporary construction storage or storage container shall be placed either on a driveway, in an approved parking area, or in the buildable portion of a construction site. The location shall not be within ten feet of a public right of way and shall interfere with or jeopardize the safety of the public.

e. The name, current phone number and current address of the company providing the container, and the date the container was placed on site, shall be clearly posted on the exterior of the container.

10-20 Walls and Fences Permit

10-20.1 Permit Required

No fence or wall shall be built, constructed, substantially rebuilt or reconstructed in the City unless a permit has been issued for the wall or fence. Normal repair and maintenance does not require a permit. Application for such permit shall be on forms prescribed by the Zoning Administrator. The fee for such permit shall be the same as for a regular building permit for the same cost of construction. Such permits shall be subject to all provisions applicable to regular building permits. Temporary vegetable or flower garden fences not exceeding three feet in height shall not require a permit.

10-20.2 Removal of Fence

If the Zoning Administrator determines that a wall or fence becomes a hazard, the owner or occupant of the property where the fence or wall is located shall be notified of that fact by certified mail. If the owner or occupant of the wall or fence is unknown and cannot be located, such notice may be posted on the wall or fence. If the wall or fence is not removed or repaired within 30 days of notice being given, then the Zoning Administrator may cause such wall or fence removed or repaired and the City shall have a lien on the property for the cost of such removal and repair.

10-20.3 Required Fencing

The mandatory fencing or walling provisions in Chapter Five (Supplemental Standards) shall only be applicable to property after application is made for the issuance of a building permit for a new principal building on the property, unless the City Council determines that, as to a building or buildings existing on the effective date of this Code, the lack of such fencing creates an unwarranted interference with the property use and enjoyment of neighboring properties and thus constitutes a public nuisance, which must be abated by the erection of the fence or wall mandated for new principal buildings in that zoning district.

a. Before the City Council may declare such a public nuisance, it shall hold a public hearing to consider the matter.

b. Notice of such public hearing shall be sent at least 15 days prior to the hearing, by certified mail, to the owner of the affected property, as shown on the most recent tax roll and the notice shall be published in the newspaper of general circulation no less than 15 and no more than 45 days prior to the public hearing.

c. If at such public hearing, the City Council determines that a public nuisance exists, it shall order the property owner or occupant to erect the required fence or wall within ninety days.

d. If such wall or fence is not built within ninety days, the City's remedies shall include, but not be limited to the following:

1. Appropriate legal action against the owner and/or occupant to compel compliance;
2. Appropriate legal or administrative action against the owner and/or occupant for code violation

10-21 Procedures for Annexations into the City

10-21.1 Application by Petition for Voluntary Annexation

An application for voluntary annexation of real property to be included within the corporate limits of the City shall be made by petition of the owner or owners of said real property.

a. A petition for voluntary annexation shall be filed with the Zoning Administrator accompanied by satisfactory evidence of ownership. The petition for voluntary annexation shall not be further considered by the City until the City Attorney has made a determination that all the owners of the subject property have appropriately signed the petition.

b. Upon a determination that the petition has been appropriately signed, the Zoning Administrator may require additional information of the petitioner including but not limited to:

1. a development plan for the subject property and a list of anticipated uses;
2. a schedule of development for the subject property;
3. an estimate of the direct public costs to provide capital facilities for City Utilities and other municipal services required by the development;
4. an estimate of the ad valorem taxation revenues to be generated by the subject property at the current mileage rates both prior to and after development;
5. an estimate of the residential population increase of the City after development.

10-21.2 Involuntary Annexation

The process and requirements for involuntary annexation are set forth in this Code. The following provisions shall also be followed in cases of involuntary annexation.

10-21.3 Process

a. Review by the Zoning Administrator

The Zoning Administrator shall form an opinion as to whether or not it is in the best public interest of the City for the City to annex the subject property. In forming such opinion the Zoning Administrator shall consider, among other things, the potential impact of development upon surrounding properties both within and outside the City, the cost to the City to provide municipal services to and within the subject property and the estimated ad valorem tax revenues and other revenues payable to the City to be generated by the subject property. The opinion of the Administrator shall be reported to the Planning Commission for its consideration.

b. Review by Planning Commission

The Planning Commission shall review the proposed annexation and shall make an advisory recommendation to the City Council as to the opinion of the Zoning Administrator and the consistency of the proposed annexation with the City's Comprehensive Plan. The Planning Commission shall include in its recommendation to the City Council any information which it deems is relevant to issues relating to the proposed annexation including the opinion of the Zoning Administrator and consistency with the City Comprehensive Plan.

c. Public Hearing before the City Council

A public hearing shall be conducted by the City Council to review and consider a proposal for voluntary annexation. Such hearing may be scheduled on the agenda of a regular City Council meeting.

d. Annexation Ordinance

1. Notice of the annexation shall be published at least 15 days, but not more than 45 days prior to the Public Hearing by the Commission, in a newspaper of general circulation published in the City. The notice shall give a brief general description of the subject property and shall include a map clearly showing the subject property. The notice shall also advise that the complete legal description of the property by metes and bounds and the draft ordinance itself may be obtained from the Zoning Administrator.
2. The proposed annexation ordinance shall be adopted with or without amendment after two readings either by title or in full on two separate days.

10-22 Procedures for Amendments to this Code

10-22.1 Generally

a. Text Amendment

A proposal to amend the text of this Code, which does not change the actual zoning map designation of a parcel or parcels of land, shall be referred to as a Text Amendment.

b. Zoning Map Amendment

A proposal to amend the zoning districts on the Official Zoning Map of the City shall be referred to as a Zoning Map Amendment. The term “rezoning” as used herein means the initial zoning of a parcel or parcels of land within the City as well as a change in the zoning classification of a parcel or parcels indicated on the City’s zoning map.

c. Initiation of Amendments

A proposed text or Zoning Map Amendment to this Code may be initiated by the City Council, Board of Zoning Appeals, the Planning Commission, and the Zoning Administrator or by application filed with the Zoning Administrator by a developer or citizen.

10-22.2 Application Procedure

Each request for an amendment of this Code shall be submitted on an application form available from the Zoning Administrator along with such fee as shall be established by the City Council. Such application may not be filed if the City Council has denied a similar application for text amendment or rezoning on the subject property within the previous 12 months.

10-22.3 Application

a. Required Information for Text Amendment

The applicant shall provide to the Zoning Administrator

b. Required Information for Rezoning

The applicant shall provide to the Zoning Administrator the following submittal information:

1. Legal names of each of the owners of the subject property including their contact addresses (no P.O. Boxes) and telephone numbers;
2. If any owner is a business entity such as a partnership, corporation or joint venture, the names and addresses of all partners and officers, as appropriate and their phone numbers;
3. The legal description of the subject property.
4. A copy of the deed or deeds conveying the subject property to the current owner;
5. A current survey of the property or portion of the property prepared by a Georgia registered professional surveyor.
6. If the applicant for a rezoning is a representative of the owner, evidence of agency in the form of a letter, affidavit or other document satisfactory to the City Attorney must be provided: and
7. Any other information required by the Zoning Administrator.

c. Complete Submittal

A submittal deemed complete by the Zoning Administrator shall be forwarded to the Planning Commission for consideration.

10-22.4 Public Notice of Planning Commission Consideration

The Planning Commission shall consider the proposed amendment at a meeting of the Planning Commission. The agenda of the meeting shall include a topical reference to the proposed amendment.

For each amendment to this Code, notice of the nature of the proposed change and the date, time and place of the public hearing before the City Council shall be published in a newspaper of general circulation within the City at least fifteen 15 days prior to the meeting with the Planning Commission and not more than 45 days prior to the public hearing before the City Council.

10-22.5 Review by Planning Commission

a. Upon the receipt of a complete application as noted above, the Zoning Administrator shall submit to the next Planning Commission any and all information submitted by the applicant, provided such application has been submitted a minimum of 30 days prior to the meeting. In addition, the City representative may submit any additional information deemed appropriate to the requested amendment.

b. All applicants seeking amendments to this Code shall have an opportunity to present facts, reports and/or evidence to the Planning Commission at the time of either their regularly scheduled meeting or at a special meeting. The Planning Commission shall hold and conduct, as appropriate to the requirements of this resolution, public meetings in accordance with the Georgia Open Meetings Act of 1988 (O.C.G.A. 50-14-1)

c. Upon consideration of the amendment application based on the adopted Standards for Zoning, the Planning Commission shall determine by a majority vote their recommendation to the City of Lakeland City Council and shall transmit that recommendation to the City Council.

The following zoning standards and criteria shall be utilized in making this recommendation:

1. Whether the proposed rezoning request will permit a use that is suitable, in view of the existing land use pattern of adjacent and nearby property.
2. Whether the proposed rezoning would result in the possible creation of an isolated district unrelated to adjacent and nearby districts.
3. Whether the proposed development would affect the existing population density pattern and lead to the possible increase or overtaxing of the load on public facilities.
4. Whether changed or changing conditions make the passage of the proposed amendment reasonable.
5. Whether the proposed change will adversely influence existing conditions in the neighborhood or the county at large.
6. Whether the proposed amendment would result in potential impacts on the environment, including but not limited to drainage, soil erosion and sedimentation, flooding, air quality, and water quality and quantity.
7. Whether the costs required of the public in providing, improving, increasing or maintaining public utilities, schools, streets and public safety necessities would be reasonable when considering the proposed change.
8. Whether the proposed change will be detrimental to the value or improvement of the development of adjacent or nearby property in accordance with existing requirements.

9. Whether the proposed change will constitute a grant of special privilege to the individual owner as contrasted with the adjacent or nearby neighborhood or with the general public.

10. The extent to which the zoning decision is consistent with the Greater Lanier County Comprehensive Plan as currently adopted.

The Planning Commission shall include in the recommendation to the City Council any information which it deems is relevant to issues relating to the proposed rezoning.

d. The Planning Commission may determine that additional specific technical information is needed regarding any potential environmental, fiscal or public service impacts. If such determination is made, the Planning Commission shall have the discretion to defer its recommendations upon preparation of a special study intended to analyze the potential impacts or the specific areas of concern. Where preparation of a special study has been required, no recommendation will be forwarded to the City Council until such study has been received and reviewed by the Planning Commission. The cost of any special study shall be borne by the applicant, unless the City Council approves the participation of public funds, as necessary or as being in the public interest.

e. Where no special studies are required, the Planning Commission shall then have 30 days from the date of the scheduled regular or special meeting at which the review of an application for text or map amendment were conducted to submit a final recommendation based on the adopted Zoning Standards to the City Council for consideration. If the Planning Commission fails to render a final recommendation within the 30 day period, the application shall be forwarded to the City Council for a public hearing and subsequent final action as appropriate to the requirements of this resolution.

10-22.6 Public Hearing before the City Council

The Zoning Administrator shall prepare and submit a written report to the City Council, which includes the recommendation of the Planning Commission. The report may also include a draft ordinance, which, if adopted by the City Council, would effect the proposed amendment.

a. Public Notice of Commission Consideration

Notice in the Newspaper

At least fifteen days, but not more than 45 days prior to the public hearing of the ordinance, the ordinance shall be advertised in a newspaper of general circulation in the City. The notice shall state:

1. The time, purpose and location of the public hearing;
2. The title of the proposed ordinance;
3. The location of the subject property;
4. The present zoning classification of the property or the current text of this Code;
5. The proposed zoning classification of the property or the proposed text of this Code;
6. The place within the City where the proposed ordinance may be inspected;
7. A statement that interested persons may appear at the public hearing and will be heard with respect to the ordinance;
8. A statement that any person who decides to appeal the determination may need to insure that a verbatim record of the proceedings is made which includes the testimony and evidence upon which the appeal is based;

9. A statement that the necessary arrangements will be made by the City for any handicapped person to attend the public hearing provided notice of the need to do so, is provided to the City not less than 48 hours prior to the public hearing;

Posting for a Rezoning

Notice of the proposed rezoning shall be posted not less than 15 days but not more than 45 days prior to the date of the public hearing in a conspicuous location of the property.

b. Review and Action by City Council

Following review and recommendation from the Planning Commission, the City Council, after conduct of a public hearing with public notice as is required by this Chapter, shall vote to:

1. Approve the proposed amendment; or
2. Approve the proposed amendment with conditions; or
3. Deny the proposed amendment; or
4. Defer the proposed amendment to a certain time; or
5. Refer the decision or application back to the Planning Commission for further investigation.

If the City Council votes to refer the amendment back to the Planning Commission for further investigation, the Zoning Administrator shall re-advertise the dates of the public hearing before the City Council in accordance with Section 10-22.6 above. No proposed amendment to this Code shall be approved except by the majority vote of the members of the City Council.

c. Public Hearings

Public hearings held by the City Council for consideration of proposed amendments shall be accomplished with the policies and procedures listed below:

1. The Chair shall indicate that a public hearing has been called for the consideration of the proposed amendment. Thereupon each application shall be considered on an individual basis.
2. When an application comes up for review, the Chair may request that a spokesperson for the group be chosen so that the entire presentation of the positions of those in support of/opposition to the petition shall not exceed a reasonable time.
3. The Zoning Administrator shall present a report on the application and present the recommendations.
4. The applicant shall be allowed a reasonable amount of time in which to present evidence to support the proposed amendment.
5. Those in favor of the proposed amendment shall be allowed a minimum of 10 minutes, or the amount of time as prescribed by State of Georgia law, to speak in favor of the proposed amendment.
6. Those who oppose the proposed amendment shall be allowed a minimum of 10 minutes, or the amount of time as prescribed by State of Georgia law, in which to speak in opposition to the proposed amendment.
7. The applicant may be allowed a reasonable amount of time in which to respond to any issues raised.
8. The Zoning Administrator may make additional comments.

9. The City Attorney may be asked to discuss any legal issues that have been raised.

10. The City Council may then pose questions to any party present and may discuss the proposed amendment.

11. After the above procedures have been completed, the Chair will indicate that the public hearing is formally closed.

12. Each speaker at the public hearing shall speak only to the merits of the proposed amendment under consideration and shall address remarks only to the City Council. Each speaker shall refrain from personal attacks on any other speaker or the discussion of facts or opinions irrelevant to the proposed zoning decision under consideration. The Chair may limit or refuse a speaker the right to continue if the speaker, after first being cautioned, continues to violate this subsection.

13. Nothing herein shall be construed as prohibiting the Chair from conducting the hearing in an orderly and decorous manner to assure that the public hearing on a proposed amendment to this Code is conducted in a fair and orderly manner.

10-22.7 City Clerk

The City Clerk shall, within 10 days from action of the City Council on each proposed amendment to this Code provide to the Zoning Administrator a signed and certified copy of each such ordinance.

10-22.8. Rezoning in Conjunction with Annexation

If the rezoning is for property to be annexed into the City, then:

a. The City shall complete the rezoning procedures as required by this Section, except for the final vote of the City Council, prior to adoption of the annexation ordinance, but no sooner than the date the notice of the proposed annexation is provided to the Lanier County Commission;

b. The rezoning public hearing shall be conducted prior to the annexation of the subject property into the City;

c. In addition to the other notice requirements of this Code Section, the City shall cause to be published within a newspaper of general circulation within the County wherein the property to be annexed is located, a notice of the hearing and as required shall place a sign on the property as required.

d. The zoning classification approved by the City following the hearing required by this Code shall become effective on the later of:

1. The date the zoning is approved by the City;
2. The date that the annexation becomes effective; or
3. Where a County has interposed an objection, the date provided for in the resolution of the objection.

10-22.9 Rezoning Consideration for a Halfway House, Drug Rehabilitation Center or other Facility for Treatment of Drug Dependency

a. When a proposed zoning decision relates to or will allow the location or relocation of a halfway house, drug rehabilitation center, or other facility for treatment of drug dependency, a public hearing shall be held on the proposed action. Such public hearing shall be held at least six months and not more than nine

months prior to the date of final action on the zoning decision. This hearing shall be in addition to any other hearing required by this Code. The City shall give notice of such hearing by:

1. Posting notice on the affected premises in the manner prescribed by Georgia Code; and
2. Publish in a newspaper of general circulation within the City a notice of the hearing at least 15 days and not more than 45 days prior to the date of the hearing.
3. Both the posted notice and the published notice shall include a prominent statement that the proposed zoning decision relates to or will allow the location or relocation of a halfway house, drug rehabilitation center or other facility for treatment of drug dependency. The published notice shall be at least six column inches in size and shall not be located in the classified section of the newspaper.

10-23 Public Notice Requirements

10-23.1 Notice by Mail

a. Method of Mailing

Where notice of a hearing or of a public hearing is required to be provided by mail, such notice shall be mailed by regular US Mail. Notice shall be deemed complete upon mailing regardless of whether or not the notice was actually received by the addressee.

b. Property Owners to Receive Mailed Notice

The City shall mail notices to abutting property owners of the subject property, whose names and addresses appear on the latest ad valorem tax rolls maintained by the Lanier County Tax Assessor. For property in condominium ownership, both the property owners association and the owners of the individual dwelling units located within the prescribed distance must be notified.

c. Content of Notice

The notice shall advise the addressee of the time, place and purpose of the hearing or public hearing and shall state the substance of the proposed action as it affects the addressee.

d. Proof of Mailing

The Zoning Administrator shall maintain a file including a copy of the mailed notice, the date of mailing, and the list of the addressees and their addresses.

10-23.2 Notice by Posting

a. Manner of Posting

Where a notice of a hearing or of a public hearing is required to be provided by posting, city staff shall cause the subject property to be posted with a sign, clearly visible from the nearest public street. The sign shall not be less than 24 x 24 inches in dimension.

b. Content of Public Notice

The sign shall advise of the time, place and purpose of the hearing or public hearing, the substance of the proposed action and the address, telephone number and business hours of the Zoning Administrator to which questions regarding the subject matter of the hearing or public hearing may be addressed.

c. Duration of Posting

Failure to provide posted notice continuously from the time posted notice is to begin until the public hearing which is the subject of the notice shall not be deemed as failure to give notice required by this Code and action taken by the City Council subsequent to such notice shall not be deemed void for lack of public notice. Lost signs or signs which become illegible for any reason shall be replaced as reasonably as soon as possible upon notification. Signs shall be removed within five days of the conclusion of the noticed public hearing.

d. Proof of Posting

The Zoning Administrator shall maintain a file including a photograph of the posted notice and the date the posted notice commenced.

10-23.3 Notice by Publication

1. Manner of Publication

Where notice of a hearing or public hearing is required to be provided by publication, city staff shall cause an advertisement to be published in accordance with the applicable provisions of this Code.

2. Proof of Publication

The affidavit of the publisher is appropriate for this purpose. Alternatively a copy of the published notice and the date the notice was published may be used as evidence.

3. Costs

All costs of publication shall be paid by the applicant or petitioner, and the costs so incurred by the City shall be included in the application fee to be charged upon submittal of the application.

10-24 Campaign Contributions

If the applicant has made, within two (2) years immediately preceding the filing of the request for an amendment to this Code, campaign contributions of a total of \$250 or more to any member of the City of Lakeland City Council or any member of the Greater Lanier Planning Commission, it shall be the duty of the applicant and the attorney representing the applicant to disclose the following in the application:

a. The name of the local government official to whom the campaign contribution or gift was made; and

b. The dollar amount of each campaign contribution made by the applicant to the local government official during the two (2) years immediately preceding the filing of the application for text or map amendment and the date of each contribution; and

c. An enumeration and description of each gift having a value of \$250 or more made by the applicant to the local government official during the two (2) years immediately preceding the filing of the application for the text or map amendment.

d. In the event that no such gift or contributions were made, the application shall state that clearly.

10-25 Conflict of Interest and Disclosure Rules

Any Lakeland City Council or Planning Commission member or city staff shall refrain from discussion of or voting upon any land development matter where the following exist:

a. Has any direct ownership or interest in any real property to be affected by a land development action by the Lakeland City Council; or

b. Has a ten (10) percent or more direct ownership interest in the total assets or capital stock in any business entity which has any direct ownership in any real property affected by a land development action by the Lakeland City Council; or

c. Has a spouse, parent, sibling or child with any interest as described in items a. and b. above.

The nature and extent of such interest shall be disclosed in writing to the Lakeland City Council and Planning Commission as soon as the affected party becomes aware of its existence.

The affected official, including City Council members and Planning Commission members, also shall recuse him/herself from voting on the land development action, shall not take part in discussions about, and shall not take any action on behalf of him/herself or anyone else to influence action on the land development proposal.

Any written disclosures made pursuant to this section which result in the inability of the City Council to obtain a quorum for the purpose of making a final decision on the land development proposal, shall result in the Mayor casting a vote to break the tie.

10-26 Public Hearing Record Standards

The City Clerk shall mechanically record the proceedings of all public hearings. If requested by any party, verbatim transcripts of the public hearing can be prepared, but only if requested and purchased in advance by the requesting party, who must arrange at his expense for a certified court reporter to record and transcribe the hearing and furnish the original of the transcript to the City Council for its records. The record of the public hearing and all evidence (e.g. maps, drawings, studies etc) submitted as part of the application and at the hearing shall be noted as such and shall become a permanent part of the particular amendment application file.

10-27 Enforcement of Code Provisions

The City Council shall enforce this Code according to the procedures set forth herein.

Table 10-1 Responsibilities for Recommending (X) and Final (XX) Action

Type of Application		Staff	Planning Commission/ Board of Appeals	City Council
Site Plan (SDP)	SFR: 4 lots or less MF: 5 units or less Non-Res: 5,999 sf or less (all thresholds are cumulative)	XX If 100% code compliant only; in case of unresolved issues after 60 days forward to City Commission for action	n/a	n/a
	<u>Minor:</u> SFR: 5-10 lots; MF: 6 - 24 units or less without platting; Non-Res: 6,000 to 14,999 sf Lodging: 5 units or less	X	n/a	XX Regular agenda No Public Hearing
	<u>Major:</u> SFR: 11 or more lots MF: 25 or more units NonRes: 15,000 sf or more Lodging : 6 or more units	X	X	XX Regular Agenda No Public Hearing
Amendments to Site Dev. Plan	Minor	XX	n/a	n/a
	Major	X	X	XX
<u>Minor Plats</u> 4 lots or less		XX	n/a	n/a
<u>Major Plats (Preliminary & Final):</u>		X	n/a	XX
<u>Exempt Plats</u>		XX	n/a	n/a
Permits: Building Permits, sign permits, land clearing permits etc		XX		
Telecommunications towers and antennas		X	X	XX
PD (Preliminary & Final)		X	X	XX Public Hearing
Zoning Map Amendment		X	X	XX Public Hearing
Land Development Code Text Amendment		X	X	XX Public Hearing
Variance		X	XX (Board of Appeals) Public Hearing	
Annexations		X	X	XX Public Hearing
Administrative Variance (10% or less of requirement)		XX		
Appeal of Administrative Decisions			XX (Board of Appeals) Public Hearing	