



# CHAPTER 1

## GENERAL PROVISIONS

1.01.00	TITLE	1-2
1.02.00	AUTHORITY	1-2
1.03.00	APPLICABILITY	1-2
1.03.1	Generally	1-2
1.03.2	Exemptions and Exceptions	1-2
1.04.00	PURPOSE AND INTENT	1-2
1.04.1	Intent	1-2
1.04.2	Purpose	1-2
1.05.00	RELATIONSHIP TO THE COMPREHENSIVE PLAN	1-3
1.06.00	MANAGER	1-3
1.07.00	DOCUMENTS ADOPTED BY REFERENCE	1-3
1.07.1	Greater Tift County Zoning Map	1-3
1.07.2	City of Tifton-Tift County Thoroughfare Plan	1-3
1.07.3	Georgia Storm Water Management Manual	1-4
1.07.4	Building and Construction Codes	1-4
1.07.5	Water Resource Protection Districts	1-4
1.07.6	(Reserved)	1-4
1.07.7	Technical Standards Manual	1-4
1.08.00	RULES OF INTERPRETATION	1-4
1.08.1	Generally	1-4
1.08.2	Responsibility for Interpretations	1-5
1.08.3	Rules for Boundary Interpretations	1-5
1.08.4	Rules of Construction	1-5
1.08.5	Computation of Time	1-6
1.09.00	ACRONYMS AND DEFINITIONS	1-6
1.09.1	Acronyms	1-6
1.09.2	Definitions	1-7

1.01.00 TITLE

This code shall be known as and entitled the "Tift County Unified Development Code" and may be referred to as the "UDC."

1.02.00 AUTHORITY

This UDC is enacted pursuant to the requirements and authority of Article IX, Section 2, Paragraph 4, of the Georgia Constitution and the amendments thereto.

1.03.00 APPLICABILITY

1.03.01 Generally

- A. This UDC shall apply to unincorporated Tift County.
- B. No buildings, structures, or land shall be used or occupied! and no building, structure, or part thereof shall be erected, constructed, reconstructed, moved, enlarged, or structurally altered unless in conformity with the regulations of this UDC.
- C. A change of use shall conform to the standards, criteria, requirements, and procedures of this UDC.

1.03.02 Exemptions and .Exceptions

The following general conditions or circumstances are exempt from the provisions and requirements of the UDC:

- A. Buildings or structures that are legally under construction on the date of adoption of the UDC!
- B. Buildings or structures for which a building permit has been issued as of the effective date of this UDC, provided that construction commences prior to the expiration of the building permit, and continues until completed!
- C. Development pursuant to an approved development plan or subdivision plat approved prior to the effective date of this UDC! or
- D. The use of property lawfully approved prior to the effective date of this UDC.

1.04.00 PURPOSE AND INTENT

1.04.01 Intent

These regulations are enacted to promote the proper location, height, bulk, number of stories, and size of buildings and other structures, sizes of yards, courts, and the use of other open spaces, density and distribution of population, and the use of buildings, structures, and land for trade, industry, residence, recreation, agriculture, forestry, conservation, sanitation, protection against floods, and public activities.

1.04.02 Purpose

The purpose of these regulations is to:

- A. Lessen congestion in the streets.
- B. Secure safety from fire, panic, and other dangers.
- C. Promote health and the general welfare.

- D. Provide adequate light and air.
- E. Prevent the overcrowding of land.
- F. Avoid undue concentration of population.
- G. Prevent urban sprawl.
- H. Assure the provision of required streets, utilities, and other facilities and services.
- I. Assure the adequate provision of safe and convenient traffic access and circulation, both vehicular and pedestrian.
- J. Assure the provision of space for recreational, educational, and other public purposes.
- K. Promote desirable living conditions and the sustained stability of neighborhoods.
- L. Protect against blight and decline.
- M. Secure economy in governmental expenditures.
- N. Conserve the value of buildings.
- O. Encourage the most appropriate use of land, buildings, and structures.
- P. Assure that land is developed in conformity with the Comprehensive Plan.

#### 1.05.00 RELATIONSHIP TO THE COMPREHENSIVE PLAN

The Greater Tift County Comprehensive Plan is the official development policy and implementation guide for the County to coordinate and direct physical and economic development, related public investment, and, to provide reasonable regulations for the development of private property in the interest of public health, safety, and welfare. This UDC is designed to implement all provisions of the Comprehensive Plan for the development and use of land.

#### 1.06.00 MANAGER

The County Manager is the chief administrative official of Tift County. For the purposes of this UDC, the term "Manager" is used to refer to the County Manager. The County Manager is assigned to administer, interpret, and implement the standards, criteria, and procedures of this UDC for the elected body. The County Manager may delegate such responsibilities in writing to County staff as he/she feels appropriate. Throughout this UDC, the term "Manager" is used to indicate the responsibility for specified actions, except where specified actions are reserved or specifically delegated by law to another official. In all instances, "Manager" means the "County Manager, or his/her designee."

#### 1.07.00 DOCUMENTS ADOPTED BY REFERENCE

##### 1.07.01 Greater Tift County Zoning Map

The Greater Tift County Zoning Map, together with all explanatory matter thereon, is hereby adopted by reference and declared to be a part of this UDC.

##### 1.07.02 City of Tifton-Tift County Thoroughfare Plan

The City of Tifton-Tift County Thoroughfare Plan, together with all explanatory matter thereon, is hereby adopted by reference and declared to be a part of this UDC.

1.07.03 Georgia Storm Water Management Manual

The Georgia Storm water Management Manual (GSMM) is hereby adopted by reference and declared to be a part of this UDC. The GSMM provides the data and requirements to be implemented in Tift County to control storm water runoff and protect water quality.

1.07.04 Building and Construction Codes

Each building and construction code listed in Sections 1.07.04 (A) through (H) is hereby adopted by reference as if set forth in its entirety. The following codes as required by the laws and statutes of the State of Georgia to include any attachments, future editions, and amendments as adopted by the Georgia Department of Community Affairs.

- A. ICC International Building Code with Georgia Amendments.
- B. National Electric Code with Georgia Amendments.
- C. ICC International Fuel Gas Code with Georgia Amendments.
- D. ICC International Mechanical Code with Georgia Amendments.
- E. ICC International Plumbing Code with Georgia Amendments.
- F. ICC International Residential Code with Georgia Amendments.
- G. ICC International Energy Conservation Code with Georgia Amendments.
- H. ICC International Fire Code with Georgia Amendments.
- I. Optional Codes may be individually adopted.

1.07.05 Water Resource Protection. Districts

The map depicting groundwater and water resource protection districts in Tift County is hereby adopted by reference and declared to be part of this UDC.

1.07.06 (Reserved)

1.07.07 Technical Standards Manual

The Technical Standards Manual containing the engineering and design standards for Tift County, GDOT and other agencies is hereby adopted by reference and declared to be part of this UDC as Chapter 7.

1.08.00 RULES OF INTERPRETATION

1.08.01 Generally

- A. Specific provisions of this UDC shall be followed in lieu of general provisions that may be in conflict with the specific provision.
- B. In the interpretation and application of this UDC all standards, provisions, and requirements shall be liberally construed in favor of the objectives and purposes of Tift County and shall not be construed to limit nor repeal any other powers granted under State statutes.
- C. Where provisions of this UDC conflict with other regulations, the more stringent restrictions shall be applied.

1.08.02 Responsibility for Interpretations

- A. In the event that any question arises concerning the application of regulations, standards, definitions, development criteria, or any other provision of this UDC, the Manager shall be responsible for interpretation. In the interpretation of this UDC, the Manager shall be guided by the Greater Tift County Comprehensive Plan, as appropriate, and applicable State law.
- B. Responsibility for interpretation by the Manager as set forth in this section shall be limited to standards, regulations, and requirements of this UDC, and shall not be construed to include interpretation of any technical codes adopted by reference in this UDC. Interpretation shall not be construed to override the authority assigned to the Board of Commissioners, or to any other board or committee appointed by the Tift County Commissioners, or official named in other sections or chapters of this UDC.

1.08.03 Rules for Boundary Interpretations

Interpretations regarding boundaries of zoning districts shall be made in accordance with the following:

- A. Boundaries shown as following or approximately following any street shall be construed, as following the centerline of the street.
- B. Boundaries shown as following or approximately following any platted lot line or other property line shall be construed as following such line.
- C. Boundaries shown as following or approximately following the shoreline of a river, stream, lake or other water body shall be construed as following such shoreline.

1.08.04 Rules of Construction

- A. Words used in the present tense include the future tense.
- B. Words used in the singular include the plural, and words used in the plural include the singular.
- C. The masculine gender includes the feminine and the neuter.
- D. The word "person" includes a firm, partnership, company, corporation, or association as well as individuals.
- E. The word "shall" is always mandatory; the word "may" or "should" is permissive.
- F. "Or" may be read "and," may be read "or," if the sense requires it.
- G. The term "written" or "in writing" shall include any representation of words, letters, or figures, whether by printing or otherwise.
- H. The term, "day" means a calendar day.
- I. The term "month" means a calendar month.
- J. The word "week" shall mean seven (7) days.
- K. The word "year" shall mean a calendar year.

1.08.05 Computation of Time

When a number of days is prescribed for the exercise of any privilege or the discharge of any duty, and if the last day falls on Saturday or Sunday, the person having such privilege or duty shall have through the following Monday to exercise the privilege or to discharge the duty. When the last day prescribed for such action falls on a public and legal holiday as provided for in O.C.G.A., section 1-4-1, the person having the privilege or duty shall have through the following day to exercise the privilege or to discharge the duty! however, when the following day is a Saturday or Sunday, the person shall have through the following Monday to exercise the privilege or to discharge the duty.

1.09.00 ACRONYMS AND DEFINITIONS

Words and phrases shall be construed according to the common and approved usage of the language! but technical words and phrases and such others as may have acquired a peculiar and appropriate meaning in law shall be construed and understood according to such meaning. The following terms are specifically defined for purposes of this UDC.

1. 09.01. Acronyms

**ADA** - Americans with Disabilities Act

**ASHTO** — American Association of State Highway and Transportation Officials

**BMP** - Best Management Practices

**DBH** - Diameter at Breast Height

**DHR** - Department of Human Resources

**DNR**, - Department of Natural Resources

**DRI** - Development of Regional Impact

**EPD** - Georgia Environmental Protection Division

**FAA** - Federal Aviation Administration

**FCC** - Federal Communications Commission

**FEMA** — Federal Emergency Management Agency

**FHBM** - Flood Hazard Boundary Map

**FIRM** - Flood Insurance Rate Map

**GIS** - Geographic Information System

**GDOT** - Georgia Department of Transportation

**GSMM** - Georgia Stormwater Management Manual

**HVAC** - Heating, Ventilation, and Air Conditioning

**ICC** - International Codes Council

**ITE** - Institute of Transportation Engineers

**MSL** - Mean Sea Level

**NOI** - Notice of Intent

**NWI** — National Wetland Inventory

**O.C.G.A.** - Official Code of Georgia Annotated

**SDRC** - Staff Development Review Committee

**SGRC** - South Georgia Regional Commission

**TMA** -Henry Tift Myers Airport.

**UDC** - Unified Development Code

**USAGE** - United States Army Corps of Engineers

**ZBA** - Zoning Board of Appeals

1.09.02 Definitions

**Abutting.** Immediately adjacent or contiguous.

**Acceleration/deceleration lanes.** Paved exits and entrances off of a major thoroughfare onto private property for the purpose of expediting the free flow of traffic.

**Accessory.** A use or structure which is incidental and subordinate to the principal use or structure, and which is located on the same lot as the principal use or structure.

**Addition to an existing building.** Any walled and roofed expansion to the perimeter of a building in which the addition is connected by a common load bearing wall other than a firewall. Any walled and roofed addition which is connected by a firewall or is separated by independent perimeter load bearing walls is new construction.

**Adult entertainment establishments.** Any commercial establishment, which has as its primary purposes or business the offer for sale of any book, publication, or film which depicts nudity, or sexual conduct or engages in services such as bath houses, wrestling parlors or like activity, including a night club, restaurant, cabaret, lounge, or other establishment which features adult entertainment.

**Adult entertainment.** Performances by topless and/or bottomless dancers, strippers, or similar entertainers, where such performances are characterized by the display or exposure of specific anatomical areas.

**Agriculture.** The production, keeping or maintenance, for sale, lease, or personal use, of plants and animals useful to man, including but not limited to forages and sod crops, grains and seed crops! dairy animals and dairy products, poultry and poultry products! livestock, including beef cattle, sheep, swine, horses, ponies, mules, goats, or any mutations or hybrids thereof, including the breeding and grazing of any or all such animals, bees and apiary products, fur animals, trees and forest products, fruits of all kinds, including grapes, nuts and berries, vegetables, nursery, floral, ornamental and greenhouse products. Lands devoted to a soil conservation or forestry management program. Retail selling of products raised on the premises shall be considered a normal accessory activity provided that space adequate for the parking of customer's vehicles shall be provided off the public right-of-way.

**Airport definitions**

**Control zone.** Airspace extending upward from the surface of the earth which may include one or more airports and is normally a circular area of five statute miles in radius, with extensions where necessary to include instrument approach and departure paths.

**Decision height.** The height at which a decision must be made during an IDS instrument approach, to either continue the approach or to execute a missed approach.

**Instrument runway.** A runway having an existing instrument approach procedure utilizing air navigation facilities or area type navigation equipment! for which an instrument approach procedure has been approved or planned.

**Minimum descent altitude.** The lowest altitude, expressed in feet above mean sea level, to which descent is authorized on final approach or during circle-to-land maneuvering in execution of a standard instrument approach procedure, where no electronic glide slope is provided.

**Minimum enroute altitude.** The altitude in effect between radio fixes which ensures acceptable navigational signal coverage and meets obstruction clearance requirements between those fixes.

**Runway.** A defined area on an airport prepared for landing and takeoff of aircraft along its length.

**Visual runway.** A runway intended solely for the operation of aircraft using visual approach procedures with no straight-in instrument approach procedure and no instrument designation indicated on an FAA approved airport layout plan, a military service's approved military airport layout plan, or by any planning document submitted to the FAA by a competent authority. (Ord. of 6-2-75, § 5) & 2005

**Alley.** A public right-of-way, not intended to and shall not provide the primary means of access to abutting property, but used for service access to the rear or side properties otherwise abutting a public street.

**Animals.** Animals useful to man, including but not limited to. dairy animals! poultry! livestock, including beef cattle, sheep, swine, horses, ponies, mules, goats or any mutation or hybrid thereof, including the breeding and grazing of any or all such animals! bees and small fur animals, except dogs and cats.

**Animal Hospital, Veterinary Clinic.** An establishment in which a licensed veterinarian provides diagnosis, treatment, or prevention of animal diseases, which may include overnight care limited to convalescence. An animal hospital does not include a kennel or boarding of well animals and is limited to domestic pets.

**Appeal.** A request for a review of the county's interpretation of any provision of the UDC.

**Architect.** A qualified person registered and currently licensed or otherwise authorized to practice architecture in the State of Georgia.

**Architectural planter.** A decorative container within which plantings may be placed.

**Basement.** The portion of a building having its floor sub-grade (below ground-level) as determined by the International Building Code or International Residential Code.

**Best Management Practices (BMPs).** A practice or combination of practices, including structural improvements and nonstructural actions, based on sound science and professional judgment, to be the most effective and practicable means of achieving the identified goal.

**Boarding or rooming house.** A building dedicated to the lodging, with or without meals, of non-transient persons for compensation.

**Bond.** A written instrument issued or executed by a bonding, surety, or insurance company licensed to do business in the state, guaranteeing that the person bonded shall faithfully fulfill and satisfy all requirements of this UDC, made payable to the County for costs and expenses which result from nonperformance or failure of the person bonded to satisfy the requirements of this UDC.

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

**Buffer (Waterway).** The area of land immediately adjacent to the banks of state waters in its natural state of vegetation, which facilitates the protection of water quality and aquatic habitat.

**Buffer area! Buffer strip.** A landscaped open area and/or screened area designed to separate incompatible uses.

**Building.** Any structure built for support, shelter, or enclosure for any occupancy or storage.

**Building height.** The vertical distance of a building measured from the average elevation of the finished lot grade along the front of the building to the highest point of the building.

**Building line.** A line beyond which no foundation wall or part of the structure of any building shall project, except as set forth in Chapter 4 of this UDC.

**Business entity.** Any corporation, partnership, limited partnership firm, enterprise, franchise, association, or trust.

**Care home.** An orphanage, rest home, nursing home, convalescent home, or similar use established to render domiciliary care, but not including facilities for the care of mental patients, alcoholics, drug addicts and not including nursery schools.

**Personal care home.** A building or group of buildings, a facility or place in which is provided two (2) or more beds and other facilities and services, including room, meals and personal care for non-family ambulatory adults for compensation.

**Family personal care home.** A home for adults in a family-type residence, non-institutional in character, which offers care to two (2) through six (6) persons.

**Group personal care home.** A home for adult persons in a residence or other type building(s), which offers care to seven (7) through fifteen (15) persons.

**Congregate personal care home.** A home for adults which offer care to sixteen (16) or more persons.

**Club, or lodge, private.** An incorporated or unincorporated association for civic, social, cultural, religious, fraternal, literary, political, recreational, or like activities, operated for the benefit of its members and not open to the general public.

**Comprehensive Plan.** The most recent adopted Comprehensive Plan of the elected body of Tift County.

**Condominium.** A building containing three (3) or more individually owned dwelling units and related, jointly owned common areas as defined by the laws of the State of Georgia.

**Conservation easement.** An agreement between a landowner and a governmental agency or land trust that permanently protects the land by limiting the amount and type of development that is permissible, while leaving the remainder of the fee interest in private ownership.

**Construction.** Any activity which either:

- (1) Is of a type for which an application for a building permit must be made prior to the commencement of any improvements! or
- (2) Involves soil preparation for and pavement of any vehicle use area! or
- (3) Constitutes any activity for which a land disturbance permit is required pursuant to Chapter 3 of this UDC.

**County.** The County of Tift, a political subdivision of the State of Georgia.

**Crosswalk.** A right-of-way within a block dedicated to public use for pedestrian use only and so designed as to provide access to adjacent streets or lots.

**Curb Cut.** The providing of ingress and/or egress between property and an abutting public street.

**Cut.** A portion of land surface or area from which earth has been removed or will be removed by excavation! the depth below the original ground surface to the excavated surface! and also known as excavation.

**Day care/nursery.** An agency, organization, or individual providing daytime care, training, education, treatment or supervision for children under fourteen (14) years of age, where such children are not related by blood, marriage or adoption to an owner or operator of the facility.

**Density.** The total number of dwelling units divided by the gross site area.

**Developed area.** The portion of a lot, excluding public rights-of-way, upon which buildings, structures, pavement, landscape materials, and/or their other improvements have been or are to be located.

**Development.** Any manmade change to improved or unimproved real estate, including, but not limited to, building or other structures, mining, dredging, filling, grading, paving, excavating, drilling operations, or permanent storage of materials.

**Diameter at breast height (DBH).** A forestry term that takes the thickness measurement of a tree at four and one-half (4.5) feet above the ground.

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

**Dwelling unit.** A single unit providing complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.

**Dwelling, manufactured home.** A new or used structure, transportable in one or more sections, which, in the traveling mode, when erected on site, is 400 or more square feet and which is built on a permanent chassis and designed to be used as a dwelling unit 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 and with respect to which the manufacturer voluntarily files a certification required by the Secretary of Housing and Urban Development and complies with the standards established under the National Manufactured Housing construction and Safety Standards Act of 1974, 42 U.S.C. Section 5401, seq. For the purpose of the administration of this UDC, the term manufactured home shall not be interpreted to include mobile homes. For the purposes of this definition, singlewide shall be construed as any manufactured or mobile home having a width of between 8 and 16 feet and is transported entirely in one section. These were built on or after June 15, 1976 which are required to have a HUD label attached.

**Dwelling, mobile home.** A new or used structure, transportable in one or more sections, which, in the traveling mode when erected on site, is 400 or more square feet and which is built on a permanent chassis and designed to be used as a dwelling unit with or without permanent foundation when connected to the required utilities and includes the plumbing, heating, air conditioning and electrical systems contained therein. These were built prior to June 15, 1976 and do not meet current Department of Housing and Urban Development manufactured home codes.

**Dwelling, multi-family.** A building either designed, constructed, altered, or used for more than two adjoining dwelling units, with each dwelling unit having a fire rated party wall or party floor connecting it to at least one other dwelling unit in the building. This includes apartments, condominiums, or any other type of multi-family structure.

**Dwelling, single family attached.** One of a series of two or more single family dwelling units built on separate lots attached to another dwelling unit on an adjoining lot by a fire rated common wall.

**Dwelling, single family.** A detached building used and either designed or constructed for one dwelling unit.

**Dwelling, two family, or duplex.** A building either designed, constructed, altered, or used for two adjoining dwelling units that are connected by a fire rated common wall and/or if two stories in height by a fire rated common floor.

**Easement.** A grant by the owner of land for the use of such land by others, including public usage, for a specific purpose or purposes.

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

**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 or texture of the building material! the type and style of all windows, doors, and signs! and other appurtenant architectural fixtures, features, details or elements relative to the foregoing.

**Facade.** Any face of a building. The dominant facade of the building is where its principal entrance is located and which may not face the street upon which its legal address is located.

**Farm.** A bona fide farm is the primary or principal use of land and buildings for the purpose of conducting agricultural activities including, raising, harvesting, or storing of crops! feeding, breeding, or managing livestock or poultry! producing or storing feed for use in the production of livestock! or the production of plants, trees or timber. The term farm includes the residence of the owner or operator of the farm.

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

**Flood and flooding.** A general and temporary condition of partial or complete inundation of normally dry land areas from: (Refer to Flood Damage Prevention Ordinance adopted July 12, 2010, effective date September 29, 2010)

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

**Area of shallow flooding.** A designated AO zone on a community's flood insurance rate map (FIRM) with base flood depths from one (1) to three (3) feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and indeterminate, and where velocity flow may be evident.

**Area of special flood hazard.** The land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year.

**100 Year Flood Plain.** The area that will be inundated by a flood event having a 1 percent chance of being equaled or exceeded in any given year. This event is also referred to as the base flood or 100-year flood.

**Base Flood elevation.** The computed elevation to which the floodwaters are anticipated to rise during a base flood or 100 year flood. Base Flood Elevations (BFEs) are shown on FEMA's Flood Insurance Rate Maps (FIRM).

**Elevated building.** A nonbasement building built to have the lowest floor elevated above the ground level by means of fill, solid foundation perimeter walls, pilings, columns (posts and piers), and shear walls adequately anchored so as not to impair the structural integrity of the building during a flood event.

**Existing construction.** Pertaining to the regulation of structures as set forth in Section 3.02.00, means any structure for which the start of construction commenced before April 3, 1978.

**Existing manufactured home park or subdivision.** Pertaining to the regulation of structures as set forth in Section 3.02.00 a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum the installation of utilities, the construction of streets, and final site grading or the pouring of concrete pads) was completed before April 3, 1978.

**Expansion to an existing manufactured home park or subdivision.** The preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed, including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads.

**Flood hazard boundary map (FHBM).** An official map of a community, issued by the federal emergency management agency, where the boundaries of the areas of special flood hazard have been defined as ~~zone A~~.

**Flood insurance rate map (FIRM).** An official map of a community, on which the Federal Emergency Management Agency has delineated both the areas of special flood hazard and the risk premium zones applicable to the community

**Flood insurance study.** The official report provided by the federal emergency management agency. The report contains flood profiles, as well as the flood boundary floodway map and the water surface elevation of the base flood.

**Floodplain.** Any land area susceptible to flooding.

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

**New construction.** Pertaining to the regulation of structures as set forth in Section 3.02.00, means structures for which the start of construction commenced on or after April 3, 1978.

**Floor.** The top surface of an enclosed area in a building (including basement), i.e., top of slab in concrete slab construction or top of wood flooring in wood construction. The term "floor" does not include the floor of a garage used solely for parking vehicles.

**Floor area, gross.** The total number of square feet of floor area in a building determined by horizontal measurements between the exterior faces of walls, excluding basement areas, attic, porches, carports, and garages.

**Governing authority.** The Tift County Board of Commissioners.

**Grade.** The point of elevation of the finished surface of the ground immediately surrounding the building or structure.

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

**Highest adjacent grade.** The highest natural elevation of the ground surface, prior to construction, next to the proposed walls of a structure.

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

**Ground cover.** Natural mulch or low growing plants other than deciduous varieties installed for the purpose of providing a continuous cover over the surface of the ground.

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

**Hazardous waste.** Any solid waste, by reason of its toxic, caustic, corrosive, abrasive, or otherwise injurious properties, which may be detrimental to the health of any person handling or otherwise coming into contact with such material or substance. The U.S. Environmental Protection Agency has developed a list of hazardous wastes based upon corrosively, reactivity and toxicity.

**Historic structure.** Any structure that is:

- (1) Listed individually in the National Register of Historic Places (a listing maintained by the United States Department of Interior) or preliminarily determined by the secretary of the interior as meeting the requirements for individual listing on the National Register!
- (2) Certified or preliminarily determined, by the secretary of the interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the secretary to qualify as a registered historic district.
- (3) Individually listed on a state inventory of historic places and determined as eligible by states with historic preservation programs which have been approved by the secretary of the interior, or
- (4) Individually listed on a local inventory of historic places and determined as eligible by communities with historic preservation programs that have been certified either:
  - a. By an approved state program as determined by the secretary of the interior, or
  - b. Directly by the secretary of the interior in states without approved programs.

**Home occupation.** Any business occupation or profession customarily conducted entirely within a dwelling and carried on by an occupant thereof, which use is clearly incidental and secondary to the use of the dwelling for residential purposes.

**Hospital.** Any institution receiving in-patients, or a public institution receiving outpatients, and authorized under Georgia law to render medical, surgical, and/or obstetrical care. The term "hospital" shall include a sanitarium for the treatment and care of senile psychotics, drug addiction or alcohol treatment, but shall not include office facilities for the private practice of medicine or dentistry.

**Industrialized Building:** Any structure or component thereof which is wholly or in substantial part made, fabricated, formed or assembled in manufacturing facilities for installation or assembly and installation on a building site and has been manufactured in such a manner that all parts or processes cannot be inspected at the installation site without disassembly, damage to, or destruction thereof. OCGA 110-2-1-.01 (Does not apply to manufactured or mobile homes which are constructed under the requirements of the U. S. Department of Housing and Urban Development and bears a HUD insignia of approval)

**Junkyard.** Use of property for outdoor storage, keeping, abandonment, sale, or resale of junk including scrap metal, rags, paper or other scrap materials, used lumber, salvaged house wrecking, and structural steel materials and equipment, or for the dismantling, demolition, or abandonment of automobiles or other vehicles or machinery or parts thereof

**Kenel,** means any licensed facility, other than an animal shelter, where animals not owned by the proprietor thereof are sheltered, boarded, fed, held, trained, exercised or similarly maintained in return for a fee or other compensation.

**Land disturbing activity.** Any activity which may result in soil erosion from water or wind and the movement of sediments into state water or onto-lands within the-state, including, but not limited to, clearing, dredging, grading, excavating, transporting, and filling of land but not including bona fide agricultural practices.

**Landscape.** The placement of plant material(s) in an area, including trees, shrubs, vines, lawn grasses, ground cover, and other living plant material.

**Landscape architect.** A design professional registered and currently licensed or otherwise authorized to practice landscape architecture in the State of Georgia, as defined in O.C.G.A. § 43-23-1, providing the services therein defined.

**Landscape designer.** A person engaged in the design of landscaping for residential and nonresidential sites, but not a licensed profession authorized to practice landscape architecture.

**Lot.** A parcel of land described by metes and bounds or by reference to a recorded plat of survey in instrument or instruments recorded in the deed records in the office of the Clerk of the County Superior Court, and which is held in a single ownership by one (1) person or in common ownership by more than one (1) person.

**Lot of record.** A lot which is part of a subdivision recorded in the office of the Clerk of the Superior Court of Tift County, or a parcel described by metes and bounds, the description of which has been so recorded prior to the adoption of this UDC.

**Lot width.** The distance between the side lot lines, measured along the front yard setback line as established by this UDC, or if no setback line is established, the horizontal distance between the side lot lines measured along the street right-of-way line.

**Lot, corner.** A lot having frontage on two (2) or more public streets at their intersection.

**Lot, through.** A lot other than a corner lot, having frontage on more than one (1) street! or a corner lot having frontage on three (3) or more streets.

**Lumen.** A quantitative unit measuring the amount of light emitted by a light source.

**Manufactured Housing Park.** An area, under single ownership and not subdivided into customary lots planned for individual ownership, containing three or more manufactured homes used as living facilities having a defined space, or an area containing three (3) or more spaces designed or intended for parking of manufactured homes to be used as living facilities for rent or lease.

**Mean sea level.** The average height of the sea for all stages of the tide. It is used as a reference for establishing various elections within the floodplain. For purposes of this UDC, the term is synonymous with National Geodetic Vertical Datum (NGVD).

**National Geodetic Vertical Datum (NGVD) of 1929.** A vertical control used as a reference for establishing varying elevations within the floodplain.

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

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

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

**Newspaper or periodical production, sales, and distribution.** The operation of newspaper or periodical business including the production, sales, and distribution thereof, including all necessary presswork. Such term includes but is broader than newspaper or periodical publishing.

**Newspaper or periodical publishing.** This term is narrower in scope than newspaper or periodical production, sales and distribution. The term does not include presswork, sales, or distribution and is limited to the composition, layout, and non-presswork printing of a newspaper or periodical.

**Night club (lounge).** Places of entertainment open at night, usually serving food and alcoholic beverages, and providing music and space for dancing.

**Open space.** Undeveloped land suitable for passive recreation, conservation, or fallow land.

**Permit.** The authorization necessary to carry out construction or a land disturbing activity under the provisions of this UDC.

**Person.** The term "person" shall include a corporation, firm, partnership, association, organization, trust, and any other group acting as a unit, as well as an individual, including parties of interest.

**Planning Commission.** As utilized in this UDC, the Planning Commission shall mean the Greater Tift County Planning Commission as duly appointed by the member governments of Tift County, Georgia.

**Plat.** A map, generally of a subdivision, showing the location, boundaries, and ownership of individual properties.

- (1) **Plat, preliminary.** The first stage of plat or subdivision plan review, as described Chapter 4 of this UDC.
- (2) **Plat, final.** The final stage of plat or subdivision plan review, as described in Chapter 4 of this UDC.

**Premises.** Whenever the term "premises" is used, it shall mean place or places.

**Principal building.** The building containing or to contain the predominant use of a lot.

**Principal use.** The primary purpose for which a lot or the main building thereon is designed, arranged, or intended, and for which it is or may be used, occupied, or maintained.

**Protective covenant.** A private contract existing between the land subdivider or developer and subsequent property owners of a particular defined area limiting design and usage of similarly situated properties. These instruments are generally publicly recorded with a particular land subdivision, and maintenance and enforcement of the contract is between the private parties.

**Real property.** Any tract or parcel of land and, if developed, any buildings or structures located on the land.

**Recreational vehicle.** A vehicle which is one or more of the following:

- (1) Built on a single chassis!
- (2) Less than four hundred square feet when measured at the largest horizontal projection;
- (3) Designed to be self-propelled or permanently towable by a light duty truck and
- (4) Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

**Religious facility.** A building in which persons regularly assemble for religious worship intended primarily for purposes connected with such worship, or for propagating a particular form of religious belief.

**Residence.** The term "residence" shall be construed to mean the place adopted by a person as his place of habitation, and to which, whenever he is absent, he has the intention of returning.

**River/stream bank.** The rising ground, bordering a river or a stream, which serves to confine the water to the natural channel during the normal course of flow.

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

**School.** A facility where persons regularly assemble for the purpose of instruction or education including any playgrounds, stadiums, or other structures and grounds used in conjunction therewith. This shall include but not be limited to public and private schools used for primary, secondary, or post-secondary education.

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

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

**Setback.** The shortest distance between the defined boundary and the principal building or structure on a lot.

**Shopping center.** Two (2) or more commercial establishments planned and managed as a single unit.

**Shrub.** A woody plant normally characterized by persistent wood stems, low stature and branching near its base.

**Sidewalk.** The term "sidewalk" shall mean any portion of a street between the curb line and the adjacent property line, intended for the use of pedestrians, but shall not include any unimproved areas between the curb line and improved walkways.

**Sign.** Any surface, fabric, or device bearing lettered, pictorial, or sculptured matter designed to convey information visually and exposed to public view! or any structure (including billboard or poster panel) designed to carry the above visual information.

**Abandoned Sign.** A sign which no longer serves the purpose for which it was intended and has been in such a state for at least six months. It does not include a change of advertiser.

**Advertising device.** Any structure or device erected or intended for the purpose of displaying advertising situated upon or attached to real property.

**Area of sign.** The area within a continuous perimeter enclosing the limits of writing, representation, emblem or any figure of similar character, together with any frame, other material, open space or color forming an integral part of the display or used to differentiate such sign" from the background against which it is placed. The sign area of painted or affixed wall signs when composed of letters only is the sum of the areas of the smallest contiguous rectangles, each capable of containing one such letter. For double-faced signs, only the largest display face shall be measured in computing the sign area.

**Banner.** Means a sign, with or without characters, letters, illustrations, or ornamentation, applied to cloth, paper, or fabric of any kind, with only such material for a backing.

**Bulletin board.** A sign used to announce meetings or programs to be held on the premises of a church, community recreation center, school, auditorium, library, museum, or similar non-commercial places of public assembly.

**Bunting.** A long colored strip of cloth or other pliable material used for festive decorations and containing no commercial or non-commercial message, logo, or emblem and must be attached to the structure.

**Construction sign.** A sign erected and maintained on premises announcing the proposed or existing construction of a building or project.

**Directional sign.** Any sign located on the premises to direct the public to any parking areas, facility, or service located on the premises, or to direct traffic on the premises.

**Elevated sign.** A freestanding sign that has at least twelve (12) feet of clearance from ground level up to the bottom edge of the message area of the sign.

**Flag.** A usually rectangular piece of fabric of distinctive design that is used as a symbol of a government, as a signaling device, or as a decoration.

**Freestanding sign.** A single sign that stands unconnected to any permanent structures.

**Ground sign.** A freestanding sign that does not have at least twelve (12) feet of clearance from ground level up to the bottom edge of the message area of the sign.

**Identification sign.** A sign used to identify only the name of the individual, family, organization, or enterprise occupying the premises.

**Illuminated sign, direct.** A sign illuminated by an external light source directed primarily toward such sign.

**Illuminated sign, indirect.** A sign illuminated by an internal light source.

**Off-premises sign.** A sign that is not located upon the premises of the business or entity indicated or advertised. This includes products advertised in conjunction with a business or entity. In addition, off-premises signs may display noncommercial messages or noncommercial speech.

**On-premises sign.** A sign, other than a temporary sign, which may identify, advertise or promote a product or service, a person, place, activity, event or idea or any other thing located or obtainable on or at the location where the sign is located! and, in addition, on-premises signs may display noncommercial messages or noncommercial speech.

**Point of business sign.** A sign which directs attention to a business, profession, or industry located upon the premises where the sign is displayed, to type of products sold, manufactured, or assembled, and/or to service or entertainment offered on said premises, but not a sign pertaining to the preceding if such activity is only minor and incidental to the principal use of the premises.

**Political Sign.** A sign identifying or urging voter support for a particular election issue, Political party, or candidate for public office

**Portable sign.** Any sign:

That is capable of being moved or intended to be moved from one location to another.  
Removal of wheels does not indicate permanence.

- That is considered a portable sign in the normal course of commerce, even though the sign may be temporarily or permanently affixed to the ground.
- The design of which indicates it is capable of being moved or intended to be moved from one location to another.

That is not permanently affixed to a building or the ground.

That is used in such a manner as to be portable.

That is attached to, mounted on, painted or drawn on any vehicles, whether motorized or drawn or any moveable sign structure which may be designed for transport, which is placed, parked on or maintained at one particular location for the express purpose and intent of promotion or for conveying an advertising message for a limited time.

**Principal identification sign.** A permanent sign with the purpose of identifying the business premises or marketing the product or service obtainable on the premises where the sign is located.

**Real estate sign.** A temporary sign erected by the owner or his agent, advertising the real property upon which the sign is located for rent, lease or sale.

**Sign face.** The part of a sign that is or can be used for advertising purposes.

**Snipe sign.** A temporary sign or poster affixed to a tree, fence, telephone pole, public benches, streetlights, public property, or public right-of-way, except government and political signs.

**Temporary sign.** A sign of a nonpermanent design or construction used to announce the occurrence of a limited duration event or activity.

**Wall sign.** Any sign that shall be affixed parallel to the wall or painted on the wall of any building in such a manner as to read parallel to the wall on which it is mounted, in such a way that the wall becomes the supporting structure for, or forms the background surface of the sign provided, however, said wall sign shall not project more than 12 inches from the face of the building and shall not project above the top of the wall or beyond the end of the building.

**Window sign.** A sign installed inside a window and intended to be viewed from outside premises.

**Slope.** The relationship between a vertical distance and a horizontal distance perpendicular to the horizontal distance at the extremity thereof, e.g., a slope of twenty to one (20/1) expresses the relationship of a horizontal line of twenty units measure (feet, yards, etc.) to a vertical line perpendicular thereto of one unit of the same measure (feet, yards, etc.).

**Small tree/understory tree.** A self-supporting woody plant of a species which under normal conditions will develop a single or multiple trunks of a caliper diameter of at least two (2) inches at a height of six (6) inches above ground level and a maximum height at normal maturity of twenty-five (25) feet or less.

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

**Start of construction.** The date the development permit was issued, provided the actual start of construction, repair, reconstruction, or improvement was within 180 days of the permit data. The actual start means the first placement of permanent construction of a structure (including a manufactured home) on a site, such as the pouring of slabs or footings, installation of piles, construction of columns, or any work beyond the stage of excavation or the placement of a manufactured home on a foundation. Permanent construction does not include initial land preparation, such as clearing, grading and filling. For a substantial improvement, the actual start of construction means the first alteration of any wall ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

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

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

**State.** The terms "state" and "the state" shall mean the State of Georgia.

**Street.** Any and all public or private rights-of-way located which are utilized for public vehicular or pedestrian right-of-way purposes including streets, highways, roads, avenues, parkways, boulevards, alleys, and their approaches.

**Arterial Street.** A street which is designated as such, on the Major Thoroughfare Plan and which is intended to provide swift and safe movement of traffic through the city and county.

**Collector Street.** A street which is designated as such on the Major Thoroughfare Plan and which is intended to collect traffic from local streets and direct it safely to arterial streets.

**Cul-de-sac.** A street having only one (1) end open for access to another street, the other end being terminated by a turnaround.

**Local Street.** A street used for local circulation in areas providing access to abutting property.

**Public Street.** Right-of-way dedicated to the city, county, state or federal government or owned by the city, county, state or federal government for public street purposes.

**Private Street.** Right of way which has not been dedicated to the city, county, state or federal government or owned by the city, county, state or federal government for public street purposes.

**Street tree.** Any tree or shrub the trunk of which is located within the right-of-way of a street.

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

**Structure.** Anything constructed or erected with a fixed location on or in the ground, or attached to something having a fixed location on the ground.

**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 (50%) of the market value of the structure before the damage occurred.

**Substantial improvement.** Any combination of repairs, reconstruction, alteration, or improvements to a structure taking place during a five-year period, in which the cumulative cost equals or exceeds fifty percent (50%) of the market value of the structure prior to the improvement. The market value of the-structure is the appraised value of the structure prior to the start of the initial repair or improvement, or in the case of damage, the value of the-structure prior to the damage occurring. For the purposes of this definition, substantial improvement is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term does not, however, include any project for improvement of a structure required to comply with existing health, sanitary, or safety code specifications which are solely necessary to ensure safe living conditions.

**Substantially improved existing manufactured home parks or subdivisions.** Any combination of repairs, reconstruction(s), rehabilitation or improvement of the streets, utilities, and pads that equals or exceeds forty percent (40%) of the value of the streets utilities and pads before the repair, reconstruction or improvement commenced.

**Telecommunications facilities.** The providing or offering for rent, sale, or lease, or in exchange for other value received, of the transmittal of voice, data, image, graphics and video programming information between or among points of wire, cable, fiber optics, laser, microwaves, radio, satellite or similar facilities, including towers and tall structures, with or without benefit of any closed transmission median.

**Tourist home.** A dwelling in which sleeping accommodations are provided or offered to transient visitors for compensation.

**Tree.** A self-supporting woody plant of a species which has developed (or which under normal conditions will develop) a single or multiple trunks of a caliper diameter of two (2) inches or more at a height of six (6) inches above ground level and an overall height at maturity of at least twenty (20) feet.

**Trout streams.** All streams or portions of streams within the watershed as designated by the game and fish division of the state department of natural resources under the provisions of the state water quality control act, O.C.G.A. § 12-5-20 et seq. Streams designated as primary trout waters are defined as water supporting a self-sustaining population of rainbow, brown or brook trout. Streams designated as secondary trout waters are those in which there is no evidence of natural trout reproduction, but are capable of supporting trout throughout the year.

**Utility.** Public, private water or sewer piping systems, water or sewer pumping stations, electric power lines, fuel pipelines, telephone lines, roads, driveways, bridges, river/lake access facilities, storm water systems and railroads or other utilities identified by a local government.

**Variance.** A grant of relief from the requirements of this UDC which permits construction in a manner otherwise prohibited by this UDC where specific enforcement would result in unnecessary hardship

**Vegetative erosion and sedimentation control measures.** Measures for the stabilization of erodible or sediment-producing areas by covering the soil with:

- (1) Permanent seeding, sprigging, or planting, producing long-term vegetative cover!
- (2) Temporary seeding, producing short-term vegetative cover! or
- (3) Sodding, covering areas with a turf of perennial sod-forming grass such practices can be found in the publication Manual for Erosion and Sediment Control in Georgia.

**Vehicle use area.** Any ground surface area, except public rights-of-way, used by any type of vehicle whether moving or at rest, including, but not limited to, driving, parking, loading, unloading, including vehicular uses under, on, or within buildings.

**Vines.** Any of a group of woody or herbaceous plants which may climb by twining or which normally requires support to reach mature form.

**Visibility triangle.** The area of land described as either of the following:

- (1) The triangular area of property on each side of a driveway formed by the intersection of the driveway and the public right-of-way line and the third side being a line connecting the ends of the two (2) other sides! or
- (2) The triangular area of property located at a corner formed by the intersection of two (2) or more public rights-of-way with two (2) sides of the triangular area along the abutting public right-of-way lines, measured from their point of intersection, and the third side being a line connecting the ends of the two (2) other sides.

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

**Wetlands.** Those areas that are inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas. The ecological parameters designating wetlands include hydric soils, hydrological vegetation, and hydrological conditions involving a temporary or permanent source of water to cause soil saturation. For the purposes of this UDC, the 1987 National Wetlands Inventory shall serve to define these potential areas.

**Yard, front.** That area of a lot lying between the abutting street right-of-way line and the principal building of the lot and extending across the front of a lot from side lot line to side lot line.

**Yard, rear.** That area of a lot extending across the rear of a lot from side lot line to side lot line and lying between the rear lot line and the principal building on the lot.

**Yard, side.** That area of a lot between the side lot line and the principal building on the lot extending from the front yard to the rear yard.