

STATE OF GEORGIA

CITY OF HIRAM

ORDINANCE NO. 2023-01

**TEXT AMENDMENT ADOPTING A UNIFIED DEVELOPMENT ORDINANCE FOR
THE CITY OF HIRAM, GEORGIA (UDO) AND FOR OTHER PURPOSES**

WHEREAS, the City Council is charged with the responsibility of protecting the health, safety, and welfare of the residents of the City of Hiram, Georgia;

WHEREAS, in doing so, the City Council may adopt ordinances relating to the regulations of land use for properties located within the City of Hiram as submitted by any person having an interest in the City;

WHEREAS, the Paulding County Planning Commission provided for and advertised a public hearing regarding text amendments to the City of Hiram Zoning Ordinance which would create the Unified Development Ordinance of the City of Hiram ("UDO");

WHEREAS, the notice for the public hearing was published in the Dallas New Era, the official legal organ for the City;

WHEREAS, on November 29, 2022, the Paulding County Planning Commission held a public hearing on the proposed UDO for the purpose of receiving public comment on the proposal and discussing said amendments in a public forum, whereafter the Planning Commission unanimously recommended approval of the proposed UDO;

WHEREAS, the City Council provided for and advertised a public hearing regarding proposed UDO;

WHEREAS, the notice for the public hearing was published in the Dallas New Era, the official legal organ for the City;

WHEREAS, on February 28, 2023, the City Council held a public hearing on the proposed UDO for the purpose of receiving public comment on the proposal and discussing said amendments in a public forum;

WHEREAS, the City Council has considered the proposed UDO and believes the enactment thereof is in the best interests of the City of Hiram;

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council that the City of Hiram Unified Development Ordinance is hereby enacted as follows:

SECTION 1: City of Hiram Unified Development Ordinance, Title 1 "Administration," Title 2 "Zoning," Title 4 "Signs," Title 5 "Telecommunications," and the Appendix thereto are hereby enacted as set forth on the attached Exhibit A.

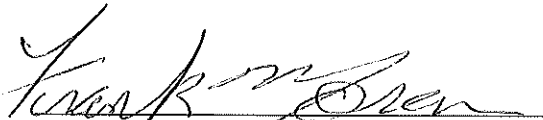
SECTION 2: The UDO shall be effective upon passage.

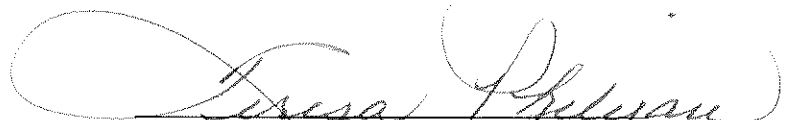
SECTION 3: The sections, subsections, paragraphs, sentences, clauses and phrases of this UDO are severable, and if any section, subsection, paragraph, sentence, clause or phrase shall be declared illegal by the valid judgment or decree of any court of competent jurisdiction, such illegality shall not affect any of the remaining section, subsections, paragraphs, sentences, clauses and phrases of this UDO.

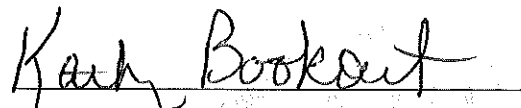
SECTION 4: All ordinances and parts of ordinances in conflict herewith are expressly repealed.

SECTION 5: All other aspects of the Code of Ordinances of the City of Hiram, Georgia shall remain in full force and effect.

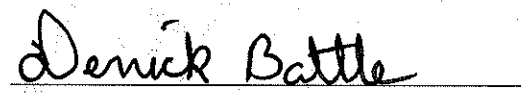
SO ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF HIRAM THIS
7TH DAY OF MARCH, 2023.



Mayor Frank Moran


Mayor Pro Tem Teresa Philyaw, Post 1


Councilmember Kathy Bookout, Post 2


Councilmember Melissa R. Bayardelle, Post 3


Councilmember Derrick Battle, Post 4


Councilmember Doris Devey, Post 5


Attest: 
Melissa Chosewood, City Clerk



EXHIBIT A

Unified Development Ordinance

City of Hiram, GA

First Edition

Adopted/First Edition: _____March 7, 2023_____

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Title 1

Administration

TITLE 1: ADMINISTRATION

Chapter 100. General Provisions.

Section 100-10. Title.

This Ordinance shall be known as "The Unified Development Ordinance ("UDO") of the City of Hiram, Georgia." It consists of five Titles: Title 1: Administration; Title 2: Zoning; Title 3: Development, Title 4: Signs and Title 5: Telecommunications.

Title 1 is intended to implement regulations generally applicable to the City of Hiram, and also to specifically address administrative regulations, including definitions, enforcement and penalties applicable to Titles 2, 3, 4 and 5. Title 2 will serve as the City of Hiram's Zoning Ordinance, and is intended to constitute a Zoning Ordinance within the meaning of Georgia Law. Changes to the text of Title 2 including Title 1 as it relates to Title 2, as well as Official Zoning Map amendments and other zoning actions addressed therein, shall comply with the public notice and hearing procedures provided therein and state law. Title 3 is intended to regulate development and permitting activities in the City of Hiram. Title 4 is intended to regulate signage in the City of Hiram. Title 5 is intended to regulate telecommunications in the City of Hiram. Neither Title 1, Title 3, Title 4 nor Title 5 is intended to constitute a zoning ordinance or zoning regulations.

Section 100-20. Purpose

The Unified Development Ordinance is enacted by the Hiram City Council in order to promote the public health, safety, morals, convenience, order, prosperity and general welfare of the present and future inhabitants and residents of the City of Hiram, Georgia. It is intended to achieve the following purposes:

- 100-20.01 To guide and regulate the orderly growth, development, redevelopment, and preservation of The City of Hiram in accordance with the adopted Paulding County Comprehensive Land Use Plan and with long-term objectives, principles, and standards deemed beneficial to the interest and welfare of the people,
- 100-20.02 To protect the established character and the social and economic well-being of both private and public property by establishing business growth-oriented e-commerce land uses and updated service delivery strategies to meet the needs and desires of the incorporated city limits of the City of Hiram, Georgia,
- 100-20.03 To promote, in the public interest, the efficient utilization of land,
- 100-20.04 To promote the preservation of open space,
- 100-20.05 To provide for adequate light, air, convenience of access, and safety from fire, flood, and other dangers,
- 100-20.06 To reduce or minimize congestion in the public streets,
- 100-20.07 To facilitate the creation of a convenient, attractive, and harmonious community with a view to fostering a balanced tax base of business and residential interests,
- 100-20.08 To encourage an aesthetically attractive environment, both built and natural, and to provide for regulations that protect and enhance these aesthetic considerations,

- 100-20.09 To provide a basis for establishing the future need for law enforcement and fire protection, transportation, water, sewage, flood protection, schools, parks, recreational facilities, and other public facilities and services,
- 100-20.10 To promote safety and reduce congestion in travel and transportation, to protect against overcrowding of land, undue density of population in relation to the community facilities existing or available, obstruction of light and air, and loss of life or health from fire, flood, wind, subsidence or other dangerous conditions that could be mitigated by proper construction standards,
- 100-20.11 To encourage economic development that provides desirable employment and expands the tax base,
- 100-20.12 To ensure the perpetual conservation, preservation and enjoyment of the unique natural and physical resources of the City, including forested areas, watersheds, streams, viewsheds, and archaeological sites and the protection of water quality as the City grows,
- 100-20.13 To achieve compliance with all applicable state and federal laws and regulations, 100-20.14 To provide for and promote housing for all income groups and all citizens within the City,
- 100-20.15 To establish high quality standards for buildings, land development, and subdivision regulations for the protection of the environment and the security of buyers and users of developed property in The City of Hiram,
- 100-20.16 To provide adequate and safe construction standards for streets, sidewalks, drainage, utilities and other public improvements,
- 100-20.17 To provide a method of administration and procedure that ensures due process and equal protection for the citizens and property owners of The City of Hiram,
- 100-20.18 To establish a just balance between the rights of owners of property and the public interest of all the citizens of The City of Hiram,
- 100-20.19 To provide for protection of the constitutional rights and obligations of all citizens within the City,
- 100-20.20 To provide penalties for a violation and remedies for enforcement hereof; and for other purposes.

Section 100-30. Jurisdiction.

This Ordinance shall apply to all incorporated areas of The City of Hiram, Georgia.

Section 100-40. Application of Ordinance.

The provisions of this Unified Development Ordinance shall apply throughout the incorporated area of the City. The City may enter into agreements with cities within the City, or other municipalities, to carry out the purpose of this Unified Development Ordinance. These agreements may include, but are not limited to, enforcement of provisions, resolution of disputes, and cooperative monitoring and management of the separate storm sewer system and management programs. Except as hereinafter provided, as of the date of adoption of the Unified Development Ordinance the following shall apply:

- 100-40.01 **Development Activity.**
Any person proposing to rezone property, secure permits, undertake any land disturbance activity, construct, demolish, expand or modify a structure or a building for occupancy, develop or subdivide land within incorporated areas of The City of Hiram, Georgia, or undertake any other development permission or activity shall pay a fee, unless waived, and make application to the appropriate City of Hiram, or Paulding County department and shall comply with all regulations set forth in this UDO.
- 100-40.02 **Use.**
Unless legally obtained vested rights or allowance pursuant to Court order, no building, structure, premises or land shall be used or occupied and no building or part thereof shall be erected, remodeled, extended, enlarged, constructed, or altered in a manner except in conformity with the regulations herein specified for the district in which it is or is to be located.
- 100-40.03 **Lots.**
Unless properly varied as provided for herein, no lot shall be reduced in size so that minimum lot width or depth, size of yards, lot area per family or any other requirement of this ordinance is not maintained. This limitation shall not apply when a portion of a lot has been lawfully acquired for public purpose or for unbuildable lots used exclusively for subdivision identification signage or subdivision entrance landscape features or stormwater facilities.
- 100-40.04 **Pending Application for Building Permits and Land Disturbance Permits.**
Nothing in this UDO shall be deemed to require a change in the plans, construction, or designated use of any building or structure or land disturbance for which development or building permits were lawfully applied for or approved, prior to the effective date of this UDO or amendment thereto, provided:
- A. Such permit has not by its own terms expired prior to such effective date.
 - B. Actual building construction is commenced and completed prior to the expiration of such permit or pursuant to a valid extension as provided for herein.
 - C. Actual building construction is carried on pursuant to said permit and limited to and in strict accordance with said permit unless otherwise properly varied hereunder.
 - D. No renewals or extensions of building permits shall be authorized except in accordance with Paulding County Code [Section 18-70\(a\)](#).

Section 100-50. Relationship to Existing Ordinances and Plans.

- 100-50.01 Whenever the provisions of this UDO impose more restrictive standards than are required in or under any other statute, ordinance or resolution, these standards shall prevail, unless otherwise specified in this UDO or otherwise restricted or preempted by State or Federal law. Whenever the provisions of any other statute, ordinance, or resolution impose more restrictive standards than are required herein, the requirements of such regulations shall prevail, unless otherwise specified in this UDO.
- 100-50.02 In those instances where development standards for a parcel of land or a specific project have been lawfully established as a condition of approval for a rezoning, variance, permit, or other formal action by the Hiram City Council, the

Zoning Board of Appeals, or any other authorized body, the requirements of such conditions shall control.

100-50.03 Nothing herein shall repeal the conditions of use, operation, or site development accompanying zoning approval(s) or special use(s), variances or permits issued under previous ordinances or resolutions. Modification or repeal of such past conditions of approval may be accomplished as authorized and provided by this UDO. All Special Use Permits, variances, exceptions, modifications and waivers heretofore granted by the Hiram City Council, shall remain in full force and effect, and all terms, conditions and obligations heretofore imposed by the Hiram City Council, shall remain in effect.

100-50.04 The Paulding County Comprehensive Plan is the official development policy and implementation guide for the City 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 UDO is designed to implement all provisions of that Plan for the development and use of land.

100-50.05 **Documents Adopted by Reference.**

- A. Paulding Future Development Map. The Paulding Future Development Map, together with all explanatory matter thereon, is hereby adopted by reference and declared to be a part of this UDO.
- B. The City of Hiram Official Zoning Map. The City of Hiram Official Zoning Map, together with all adopted zonings and variance actions and explanatory matter thereon, is hereby adopted by reference and declared to be a part of this UDO.
- C. Building and Construction Codes. All building and construction codes are listed City Code [Section 10-3](#).
- D. Abatement of Unsafe Structures. All requirements for Abatement of Unsafe Structures are listed in City Code 22-118, et seq.

Section 100-60. Effective Date.

100-60.01 The UDO shall take effect and shall be in force upon its adoption by the Council of the City of Hiram, Georgia.

100-60.02 Unless legally obtained vested rights or allowance pursuant to Court order any subdivision or other activity for which a valid and complete application for a Development Permit has been received prior to the adoption of this UDO may, at the developer's option, proceed to completion and building permits may be issued as though this UDO had not been adopted, provided that the Development Permit is or can be issued within 90 calendar days of the date of adoption and all time frames associated with said permit are observed.

100-60.03 Any subdivision or other activity for which a Development Permit has been issued prior to the adoption of this UDO may, at the developer's option, proceed to completion and building permits may be issued as though this UDO had not been adopted, provided all time frames associated with said permit are observed.

- 100-60.04 Unless vested rights shall have been lawfully established, any subdivision or other activity for which a Grading Only Permit shall have been issued prior to adoption of this UDO shall be brought into conformance with this UDO. Subsequently the Grading Only Permit must conform to this UDO.
- 100-60.05 The adoption of this UDO shall not be construed to affect the validity of any building permit lawfully issued prior to the adoption of this UDO.
- 100-60.06 Pending Application for Building Permits. Except as may be required by Federal or State law, nothing in this UDO shall be deemed to require a change in the plans, construction, or designated use of any building or structure for which building permits were lawfully applied for or approved, prior to the effective date of this UDO or amendment thereto, provided:
- A. Such permit has not by its own terms expired prior to such effective date.
 - B. Actual building construction is commenced prior to the expiration of such permit.
 - C. Actual building construction is carried on pursuant to said permit and limited to and in strict accordance with said permit.
 - D. No renewals or extensions of said permit shall be authorized beyond the time period authorized in the Paulding County Code, [Section 18-70\(a\)](#) following the effective date of this UDO.

Section 100-70. Amendments.

- 100-70.01 This UDO may be amended from time-to-time by ordinance of the Council of the City of Hiram, Georgia. Such amendments shall be effective as of their date of adoption unless otherwise stated in the adopting ordinance.
- 100-70.02 No amendment to this UDO shall be construed to affect the validity of any building permit lawfully issued prior to the adoption of said amendment.
- 100-70.03 Any amendment adopted shall automatically be added to Appendix 3.0 "List of Amendments".
- 100-70.04 The City Council may adopt a resolution impose a moratorium as to any or all of these ordinances which shall be effective for no more than six months in order to review and revise, as necessary, the provisions set forth herein.

Section 100-80. Duties of the Community Development Department.

- 100-80.01 Unless otherwise specified in any article, chapter, or section of this UDO, the UDO shall be administered, interpreted, and enforced by the City Manager of the City of Hiram, Georgia, or their designee.
- 100-80.02 All other ordinances or regulations referenced herein, such as the Fire Prevention and Life Safety Codes, Property Maintenance Ordinance, Building Technical Codes, health, transportation, water and sewer regulations, shall be administered by the directors or designees of the departments responsible for such regulations, as established by the City Council.
- 100-80.03 The City Manager, or their designee, shall have the authority to carry out all duties necessary to administer the UDO, including all duties otherwise delegated

to the Divisions of the City Government. In addition, the City Manager, or their designee shall have the following authority:

- A. Prepare and maintain records of amendments to the UDO, and make the most recently adopted version available to the public within a reasonable length of time.
- B. To approve and accept final subdivision plat revisions on behalf of the City of Hiram, Georgia.
- C. In response to a written request by the property owner or owner's authorized agent, to approve or deny requests for administrative variances as provided in [Section 290-80](#) of the UDO.

100-80.04

In particular, the Divisions of the Department of Planning and Development, in coordination with the City of Hiram City Manager, shall have the following powers and duties under the UDO.

- A. The Planning and Zoning Division and its Manager shall perform the following duties:
 - 1. Maintain current land use maps and files of all amendments to the Paulding County 2017 Comprehensive Plan, Future Development Map and related maps and policies.
 - 2. Prepare, compile, and recommend land use and other resource and facility plans to the City Council.
 - 3. Prepare recommendations on all zoning amendments for consideration by the City Council, and generally provide for the application, noticing and hearing requirements of the amendment process.
 - 4. Prepare recommendations on all requests for variances from the provisions of Title 2, 4 and 5 of the UDO, and generally provide for the application, noticing and hearing requirements of the zoning variances process.
 - 5. Prepare and maintain the City of Hiram Official Zoning Map, maintain accurate records of zoning map amendments, and make the most recently adopted version available to the public within a reasonable length of time.
 - 6. Prepare and maintain data, maps or other information regarding population, employment and economic characteristics of the City and land development activities, economic development, including subdivisions and building permits.
 - 7. In response to a written request by the property owner or owner's authorized agent, issue a statement identifying the current zoning of a parcel of land. The fee for such a zoning certification shall be established by the City Council.
 - 8. The Planning and Zoning Division Manager or his or her designee shall serve as secretary to the Paulding County Planning Commission and Zoning Board of Appeals, shall take and prepare its minutes and shall forward the minutes to the City of Hiram.
- B. The Development Division and its Manager shall perform the following duties:
 - 1. Provide for the orderly and safe development of land in the City through the provisions of the City regulations and other application regulations or standards as may be adopted by the City Council.

2. To coordinate with other applicable departments on the review and final decisions regarding land disturbance permits and other development requests authorized in this UDO adopted by the City of Hiram.
 3. Enforce the regulations and standards of this UDO.
 4. Review plans and enforce development compliance with the Georgia Metropolitan River Protection Act, as amended.
- C. The Building and Permit Division and its Manager shall perform the following duties:
1. Provide for the orderly and safe development of buildings in the City through the provisions of the City regulations and other application regulations or standards as may be adopted by the City Council.
 2. To coordinate with other applicable departments on the review and final decisions regarding building permits authorized in the Technical Codes adopted City of Hiram Code [Section 10-3](#).
 2. Enforce the regulations and standards of this UDO.
 3. Enforce the Technical Codes adopted by the City of Hiram adopted by City of Hiram Code [Section 10-3](#).

Section 100-90. Fees.

- | | |
|-----------|---|
| 100-90.01 | Application filing, permit, inspection, and other fees shall be as may be established from time-to-time by the City Council. |
| 100-90.02 | Application fees, if any, shall be submitted with the application. Failure to pay a required application fee shall cause the application to be returned to the applicant without acceptance for review or consideration by the City. |
| 100-90.03 | Permit and inspection fees, if any, shall be submitted as a prerequisite to issuance of the permit. Nonpayment as a result of submission of refused credit card online or by a check having insufficient funds on account, or for any other reason, shall cause the permit to be voided and re-issuance subject to penalty as provided by law or as may be established by the City Council. |
| 100-90.04 | The City may charge a re-inspection fee separate and apart from the other fees collected for permits and inspections for those properties which fail an inspection of the Building Technical Codes at the fault of the builder. Said schedule of fees for re-inspections as established from time-to-time by the City Council. |
| 100-90.05 | Following the approval of development plans, and prior to authorization to begin construction, the developer shall provide the Community Development Department such fees as may be established from time-to-time by the City of Hiram. |
| 100-90-6 | Prior to approval of a Final Plat or Certificate of Occupancy, the developer shall provide to the Community Development Department such recording fees and proof of tender of performance and/or maintenance bonds as shall be required by this UDO or established from time-to-time by the City Council. |

Chapter 110. Definitions.

Section 110-10. Rules of Interpretation.

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

- 110-10.01 Words used in the present tense include the future tense.
- 110-10.02 The word "shall" is always mandatory, and the word "may" is permissive.
- 110-10.03 Words used in the singular include the plural and words used in the plural include the singular.
- 110-10.04 Words in the masculine gender shall include the feminine.
- 110-10.05 The word "person" includes the words "individuals," "firms," "partnerships," "corporations," "associations," "governmental bodies" and all other legal entities.
- 110-10.06 The word "lot" shall be construed to include "parcel."
- 110-10.07 The word "erected" includes the words "constructed", "moved", "located" or "relocated."
- 110-10.08 The word "zoning map" means the Official Zoning Map of the City of Hiram, Georgia.
- 110-10.09 The words "used" or "occupied" include the words "intended, arranged or designed to be used or occupied."
- 110-10.10 Use of the word "and" is inclusive and requires that all of the component phrases so connected must be present or fulfilled for sufficiency.
- 110-10.11 Use of the word "or" is not exclusive (as in "either ... or"), and requires that at least one of the component phrases so connected must be present or fulfilled for sufficiency. The word "or" may allow more than one component phrase to be present or fulfilled, as is implied by the common term "and/or."

Section 110-20. Rules of Precedence.

The following rules set forth the order of precedence that determines which definition applies in a specific instance within the provisions of this UDO:

- 110-20.01 When definitions are provided within an individual chapter or section of this UDO, those definitions are to be applied within said chapter or section. If the same term or phrase is also defined in this section, the definition in this section shall not apply in that instance.
- 110-20.02 When no definitions are provided within an individual title, chapter or section of this UDO, words and phrases used in this Ordinance shall have the meaning established by the definitions provided in Section 110-40, General Definitions or Section 110-50, Definitions by Category.
- 110-20.03 When definitions are provided that are specific to Soil Erosion, Sedimentation and Pollution Control, Floodplain Management, and Stormwater Management they are listed in Section 110-50, Definitions by Category below.
- 110-20.04 Except as specifically defined herein, all words used in this Ordinance shall be as defined in the most recent edition of Merriam-Webster Dictionary. Words not

defined herein or in the above-referenced book shall be construed to have the meaning given by common and ordinary use, and shall be interpreted within the context of the sentence, section and article in which they occur.

- 110-20.05 Whenever a conflict of definitions is considered to exist or an interpretation of these definitions is necessary, the Community Development Director shall resolve the conflict and interpret the definition. The action of the Community Development Director shall be recorded.

Section 110-30. Abbreviations.

As used in this UDO, the following abbreviations represent the terms set forth below.

ARC: Atlanta Regional Commission

BMP: Best Management Practice

CLOMA: Conditional Letter of Map Amendment

CLOMR: Conditional Letter of Map Revision

CPESC: Certified Professional in Erosion and Sediment Control

DBH: Diameter at Breast Height

DRI: Development of Regional Impact

EPA: U.S. Environmental Protection Agency

EPD: Georgia Department of Natural Resources, Environmental Protection Division.

EV: Electric Vehicle

FAA: The Federal Aviation Administration

FCC: The Federal Communications Commission

FEMA: Federal Emergency Management Agency

FIS: Flood Insurance Study

FIRM: Flood Insurance Rate Map

GDOT: Georgia Department of Transportation

GRTA: Georgia Regional Transportation Authority

HLP: House Location Plan

ICC: International Code Council

LEED: Leadership in Energy and Environmental Design, as administered by the Green Building Certification Institute

LOMA: Letter of Map Amendment

LOMR: Letter of Map Revision

MPH: Miles per Hour

NAICS: North American Industry Classification System

NOI: Notice of Intent

NOT: Notice of Termination

NOV: Notice of Violation

NPDES: National Pollutant Discharge Elimination System

NTU: Nephelometric Turbidity Units

NWGRC: Northwest Georgia Regional Commission

O.C.G.A.: The Official Code of Georgia Annotated

PCDOT: Paulding County Department of Transportation

Sf: Square feet

UDO: Unified Development Ordinance of the City of Hiram, Georgia

Section 110-40. General Definitions.

In order to bring flexibility, clarity and breadth to the City of Hiram UDO, an effort has been made to align the definitions and uses listed in the Base and Overlay Districts of this UDO with similar terms from the North American Industry Classification System (NAICS). References to the NAICS codes shall mean those codes assigned to businesses in the 2022 NAICS manual published by the United States Office of Management and Budget. NAICS codes are provided for reference purposes in parentheses following certain definitions for uses that employ the NAICS system as an aid in interpretation and determination of those specific uses included in general class of uses. The full NAICS listing can be found at <https://www.census.gov/naics/>. The uses listed here in reference to NAICS classification are not exhaustive, exclusive, or final, but are referenced only for guidance and clarity.

For the purpose of this Unified Development Ordinance, the following definitions shall apply, except where otherwise provided in Section 110-20.

Accessory Retail Sales and Services: Retail sales and services accessory to the operation of an office building or institutional use, certain limited industrial and e-Commerce uses, motel, hotel, apartment development, conducted wholly within the building housing the use to which such activities are accessory, provided that the floor space used or to be used for such secondary uses shall be limited to a total of 25 square feet per dwelling unit in an apartment development or 25 square feet per room in a hotel or motel, or 10% of the net floor area in an office building or institutional use, and provided that:

1. Every public entrance to such a use shall be from a lobby, hallway or other interior portion of the primary use structure;
2. No show window, merchandise shall be stored or displayed outside of the primary advertising, or display shall be visible from the exterior of the primary use structure; and no use structure.
3. No merchandise shall be stored or displayed outside of the primary use structure.

However, the requirements of (1) and (2) above shall not apply to restaurants and cafeterias secondary to a hotel or motel and office building or institutional use; these secondary uses may be located in a structure other than the primary use structure. The following secondary uses are permitted: barbershops, beauty shops, laundry and dry cleaning pickup and distribution stations and other similar personal service establishments; drugstores; bookstores; florists; convenience food stores; gift shops; cafeterias and restaurants; private clubs; laundry facilities for the convenience of residents; newsstands. However, the total net floor space for such secondary building or structure uses shall be limited to 6,000 square feet.

Accessory Structures and Uses: Uses subordinate to the principal use or building on a lot and serving a purpose customarily incidental to the use of the principal building, provided any such use is established with or after the construction of the principal building. Such uses include: garbage pads, heating and air conditioning units, Jacuzzis, tennis courts, swimming pools (private), playhouses, playgrounds, and the like.

Adult Day Care (ADC): The provision of a comprehensive plan of services that meets the needs of aging adults as defined in paragraph (g) of these definitions under a social model, as defined in paragraph (II) of these definitions. This term shall not include programs which provide day habilitation and treatment services exclusively for individuals with developmental disabilities.

Adult Day Center: A facility serving aging adults that provides adult day care or adult day health services, as defined, for compensation to three or more persons. Adult day centers may operate in more than one location if classified and approved by the Georgia Department of Community Health as a mobile adult day center. This term shall not include a respite care services program.

Adult Day Health Services (ADHS): The provision of a comprehensive plan of services that meets the needs of aging adults under a medical model as defined in Chapter 111-8-1 of Rules and Regulations for Adult Day Centers. This term shall not include programs which provide day habilitation and treatment services exclusively for individuals with developmental disabilities.

Aerospace Product and Parts Manufacturing (33641): This industry comprises establishments primarily engaged in one or more of the following: (1) manufacturing complete aircraft, missiles, or space vehicles; (2) manufacturing aerospace engines, propulsion units, auxiliary equipment or parts; (3) developing and making prototypes of aerospace products; (4) aircraft conversion (i.e., major modifications to systems); and (5) complete aircraft or propulsion systems overhaul and rebuilding (i.e., periodic restoration of aircraft to original design specifications).

Agriculture: Land shall be considered used for agriculture if the raising of crops or animals is a principal use of the property.

Airport Operations (48811): This industry comprises establishments primarily engaged in (1) operating international, national, or civil airports or public flying fields or (2) supporting airport operations (except special food services contractors), such as rental of hangar space, air traffic control services, baggage handling services, and cargo handling services.

Alcoholic Beverage: means and includes all alcohol, distilled spirits, beer, malt beverage, wine or fortified wine.

Alignment: The arrangement of objects along a straight line.

Ambulance Service (621910): This industry comprises establishments primarily engaged in providing transportation of patients by ground or air, along with medical care. These services are

often provided during a medical emergency but are not restricted to emergencies. The vehicles are equipped with lifesaving equipment operated by medically trained personnel

Ambulatory Health Care Services (621): Industries in the Ambulatory Health Care Services subsector provide health care services directly or indirectly to ambulatory patients and do not usually provide inpatient services. Health practitioners in this subsector provide outpatient services, with the facilities and equipment not usually being the most significant part of the production process.

Amenity: Any and all structures, including recreational facilities, located within a community which are designed and intended for the common use and enjoyment of all residents.

Amusement and Recreation Industries, Other (713990): This industry comprises establishments (except amusement parks and arcades; gambling industries; golf courses and country clubs; skiing facilities; marinas; fitness and recreational sports centers; and bowling centers) primarily engaged in providing recreational and amusement services.

Amusement and Theme Parks (713110): This industry comprises establishments, known as amusement or theme parks, primarily engaged in operating a variety of attractions, such as mechanical rides, water rides, games, shows, theme exhibits, refreshment stands, and picnic grounds. These establishments may lease space to others on a concession basis.

Animal Production and Aquaculture (112): Industries in the Animal Production and Aquaculture subsector raise or fatten animals for the sale of animals or animal products and/or raise aquatic plants and animals in controlled or selected aquatic environments for the sale of aquatic plants, animals, or their products. The subsector includes establishments, such as ranches, farms, and feedlots, primarily engaged in keeping, grazing, breeding, or feeding animals. These animals are kept for the products they produce or for eventual sale. The animals are generally raised in various environments, from total confinement or captivity to feeding on an open range pasture.

Animal Shows: Exhibitions of domestic or large animals for a maximum of seven days.

Apartment: A room or suite of two or more rooms occupied or suitable for occupancy as a dwelling unit for one family in a multiple dwelling or any other building not a single-family dwelling or two-family dwellings.

Apartment Building: A building designed for or occupied exclusively by three or more families with separate housekeeping facilities for each family.

Apparel Manufacturing (315): Industries in the Apparel Manufacturing subsector group establishments with two distinct manufacturing processes: (1) cut and sew (i.e., purchasing fabric and cutting and sewing to make a garment) and (2) the manufacture of garments in establishments that first knit fabric and then cut and sew the fabric into a garment. The Apparel Manufacturing subsector includes a diverse range of establishments manufacturing full lines of ready-to-wear apparel and custom apparel: apparel contractors, performing cutting or sewing operations on materials owned by others; jobbers, performing entrepreneurial functions involved in apparel manufacturing; and tailors, manufacturing custom garments for individual clients. Knitting fabric, when done alone, is classified in the Textile Mills subsector, but when knitting is combined with the production of complete garments, the activity is classified in the Apparel Manufacturing subsector.

Appliance Repair and Maintenance: This industry comprises establishments primarily engaged in repairing and servicing household appliances without retailing new appliances, such as refrigerators, stoves, washing machines, clothes dryers, and room air-conditioners.

Architectural Style: Showing the influence of shapes, materials, detailing or other features associated with a particular architectural style.

Art Dealers (459920): This industry comprises establishments primarily engaged in retailing original and limited edition art works. Included in this industry are establishments primarily engaged in displaying works of art for retail sale in art galleries.

Ashlar: A dressed or squared stone and the masonry built of such hewn stone. It may be coursed, with continuous horizontal joints or random, with discontinuous joints.

Asphalt Paving, Roofing, and Saturated Materials Manufacturing (32412): This industry comprises establishments primarily engaged in (1) manufacturing asphalt and tar paving mixtures and blocks and roofing cements and coatings from purchased asphaltic materials and/or (2) saturating purchased mats and felts with asphalt or tar from purchased asphaltic materials.

Automotive Body, Paint, and Interior Repair and Maintenance (811121): This U.S. industry comprises establishments primarily engaged in repairing or customizing automotive vehicles, such as passenger cars, trucks, and vans, and all trailer bodies and interiors; and/or painting automotive vehicles and trailer bodies.

Automotive Equipment Rental and Leasing (5321): This industry group comprises establishments primarily engaged in renting or leasing passenger cars and trucks without drivers and utility trailers. These establishments generally operate from a retail-like facility. Some establishments offer only short-term rental, others only longer-term leases, and some provide both types of services.

Auto Brokers Office: An establishment wherein an individual or individuals are engaged primarily in acting as agents and/or brokers in selling or buying motor vehicles.

Backyard Chickens: The keeping of a female pullet or hen of the *Gallus gallus domesticus* (roosters prohibited) which may be raised for the purpose of providing food or companionship as a pet.

Bar: Shall be an establishment that does not meet the definition of a restaurant, nightclub, lounge, farm winery, micro-brewery, tasting room or hotel, and serves alcoholic beverages for consumption on premises. The establishment derives 50% or more total annual gross revenue from the sale of alcoholic beverages for consumption on the premises, or pursuant to State law. A licensee of a bar shall obtain and keep in force and affect a food service permit.

Basic Chemical Manufacturing (3251): This industry group comprises establishments primarily engaged in manufacturing chemicals using basic processes, such as thermal cracking and distillation. Chemicals manufactured in this industry group are usually separate chemical elements or separate chemically-defined compounds.

Bay: One unit of a building that consists of a series of similar units; commonly defined as the number of vertical divisions within a building façade.

Beer and Wine Retailers, excluding Liquor (445320): This industry comprises establishments primarily engaged in retailing packaged alcoholic beverages, such as ale, beer, and wine but excluding liquor.

Beverage Manufacturing (3121): This industry group comprises establishments primarily engaged in manufacturing soft drinks and ice; purifying and bottling water; and manufacturing brewery, winery, and distillery products.

Biohazards: Any biological or chemical substance that is dangerous to humans, animals, or the environment. This can include body fluids, human tissue and blood, and recombinant DNA.

Board of Commissioners: The Board of Commissioners of Paulding County, Georgia.

Boarding Services, Pet (812910): This industry comprises establishments primarily engaged in providing pet care services (except veterinary), such as boarding, grooming, sitting, and training pets.

Boat Building (336612): This industry comprises establishments primarily engaged in building boats. Boats are defined as watercraft not built in shipyards and typically of the type suitable or intended for personal use. Included in this industry are establishments that manufacture heavy-duty inflatable rubber or inflatable plastic boats (RIBs).

Botanical Gardens (712130): This industry comprises establishments primarily engaged in the preservation and exhibition of live plant and animal life displays.

Bowling Centers (713950): This industry comprises establishments engaged in operating bowling centers. These establishments often provide food and beverage services.

Breeder: A person who offers for sale litters of animals. A household which sells two litters during a 12-month period, even if the litters are produced from different animals, will not be considered a hobby breeder and will be subject to the registration procedures applicable to animal establishments and breeders as designated in Paulding Code Chapter 14, [Article II](#).

Breweries: A premises where beer and malt beverage are manufactured.

Buffer: A barrier which is created by the use of evergreen trees or other acceptable plant or vegetative material alone or in combination with berms, fencing, or walls used to physically separate or screen one use or property from another so as to visually shield or block noise, lights, or dissimilar uses.

Buffer, Natural/Undisturbed: An existing natural barrier, which contains a stand of evergreen trees or other acceptable vegetative material with a density or intensity, which in the opinion of the Planning staff meets the intent of the definition of buffer.

Buffer, Planted/Landscaped: A planted natural barrier which contains a stand of evergreen trees or other acceptable vegetative material with a density or intensity which meets the intent of the definition of buffer.

Buffer Area: An area set aside to give additional setback from adjacent structures or types of land use.

Building: Any structure designed or built for the support, enclosure, shelter, or protection of persons, animals or personal property of any kind.

Building Height: The vertical distance to the highest point of the roof for flat roofs; to the deck line for mansard roofs; and to the average height between eaves and the ridge of the gable, hip, and gambrel roofs, measured from the curb level if the building is not more than ten feet from the front lot line or from the grade in all other cases.

Building Material and Garden Equipment and Supplies Dealer (444): Industries in the Building Material and Garden Equipment and Supplies Dealers subsector retail new building material and garden equipment and supplies from fixed point-of-sale locations. Establishments in this subsector have display equipment designed to handle lumber and related products and garden equipment and supplies that may be kept either indoors or outdoors under covered areas. The staff is usually knowledgeable in the use of the specific products being retailed in the construction, repair, and maintenance of the home and associated grounds.

Business Schools and Computer and Management Training (6114): This industry group comprises establishments primarily engaged in one of the following: (1) offering courses in office

procedures and secretarial and stenographic skills and may offer courses in basic office skills, such as word processing; (2) conducting computer training (except computer repair); or (3) offering an array of short duration courses and seminars for management and professional development. Instruction may be provided in diverse settings, such as the establishment's or client's training facilities, educational institutions, the workplace, or the home, and through diverse means, such as correspondence, television, the Internet, or other electronic and distance-learning methods. The training provided by these establishments may include the use of simulators and simulation methods.

Caliper: The standard for trunk measurements of nursery stock. Caliper of the trunk shall be taken at six inches above the ground for trees up to and including four-inch caliper size, and 12 inches above the ground for trees larger than four-inch caliper.

Canopy: A roofed structure constructed of fabric or other material placed so as to extend outward from a building providing a protective shield for doors, windows and other openings, supported by the building and supports extended to the ground directly under the canopy or cantilevered from the building.

Car Washes (811192): This U.S. industry comprises establishments primarily engaged in cleaning, washing, and/or waxing automotive vehicles, such as passenger cars, trucks, and vans, and trailers.

Cement and Concrete Product Manufacturing (3273): This industry group comprises establishments primarily engaged in one of the following: (1) manufacturing portland, natural, masonry, pozzolanic, and other hydraulic cements; (2) acting as batch or mixing plants, manufacturing concrete delivered to a purchaser in a plastic and unhardened state; (3) manufacturing concrete pipe, brick, and block; or (4) manufacturing other concrete products (except block, brick, and pipe).

Cemeteries (812220): This industry comprises establishments primarily engaged in preparing the dead for burial or interment and conducting funerals (i.e., providing facilities for wakes, arranging transportation for the dead, selling caskets and related merchandise). Funeral homes combined with crematories are included in this industry.

Center: A facility providing a local place for a particular activity or service.

Charitable Organization Collection Receptacle: An unattended container, located outdoors, for the purpose of collecting donations of clothing, books, personal or household items, or other goods. Such term shall not include containers used for the purpose of collecting monetary donations.

Check Cashing Services: Any business, company, corporation, establishment, organization, private enterprise, shop or store whose primary service is that of check cashier, as defined by [O.C.G.A. § 7-1-700](#), as may be amended from time to time.

Child Care Learning Center: Any place operated by an individual or any business entity recognized under Georgia law wherein are received for pay for group care, for fewer than 24 hours per day without transfer of legal custody, seven or more children under 18 years of age and which is required to be licensed. Child Care Learning Center also includes any day care center previously licensed by the Georgia Department of Human Resources and transferred pursuant to Code Section 20-1A-1 et seq.

Church: A place where persons regularly assemble for religious worship.

Circuses and Carnivals: Provision of games, eating and drinking facilities, live entertainment, animal exhibitions or similar activities in a tent or other temporary structure for a maximum of seven days. This classification excludes events conducted in a permanent entertainment facility.

City: The City of Hiram, Georgia.

City Council: The City Council of the City of Hiram, Georgia.

Civic and Social Organizations (81341): This industry comprises establishments primarily engaged in promoting the civic and social interests of their members.

Clay Product and Refractory Manufacturing (3271): This industry group comprises establishments primarily engaged in (1) shaping, molding, glazing, and firing pottery, ceramics, and plumbing fixtures, and electrical supplies made entirely or partly of clay or other ceramic materials or (2) shaping, molding, baking, burning, or hardening clay refractories, nonclay refractories, ceramic tile, structural clay tile, brick, and other structural clay building materials.

Clothing and Clothing Accessories Retailers (4581): This industry comprises establishments primarily engaged in retailing general or specialized lines of new clothing and clothing accessories, such as hats and caps, costume jewelry, gloves, handbags, ties, wigs, toupees, and belts. These establishments may provide basic alterations, such as hemming, taking in or letting out seams, or lengthening or shortening sleeves.

Coin-Operated Laundries and Drycleaners (812310): This industry comprises establishments primarily engaged in (1) operating facilities with coin-operated or similar self-service laundry and drycleaning equipment for customer use on the premises and/or (2) supplying and servicing coin-operated or similar self-service laundry and drycleaning equipment for customer use in places of business operated by others, such as apartments and dormitories.

Colleges, Universities, and Professional Schools (6113). This industry comprises establishments primarily engaged in furnishing academic courses and granting degrees at baccalaureate or graduate levels. The requirement for admission is at least a high school diploma or equivalent general academic training. Instruction may be provided in diverse settings, such as the establishment's or client's training facilities, educational institutions, the workplace, or the home, and through diverse means, such as correspondence, television, the Internet, or other electronic and distance-learning methods. The training provided by these establishments may include the use of simulators and simulation methods.

Commencement: The issuance of a land disturbance permit or building permit for a project approved by the City Council with an approved amendment.

Commercial and Industrial Machinery and Equipment Rental and Leasing (5324): This industry group comprises establishments primarily engaged in renting or leasing commercial-type and industrial-type machinery and equipment. Establishments included in this industry group are generally involved in providing capital or investment-type equipment that clients use in their business operations. These establishments typically cater to a business clientele and do not generally operate a retail-like or storefront facility.

Commercial Banking (522110): This industry comprises establishments primarily engaged in accepting demand and other deposits and making commercial, industrial, and consumer loans. Commercial banks and branches of foreign banks are included in this industry.

Commercial Development: Any development which is not a single-family residential subdivision.

Community Living Arrangement: Any residence, whether operated for profit or not, that undertakes through its ownership or management to provide or arrange for the provision of daily personal services, supports, care, or treatment exclusively for two or more adults who are not

related to the owner or administrator by blood or marriage and whose residential services are financially supported, in whole or in part, by funds designated through the Department of Human Resources, Division of Mental Health, Developmental Disabilities, and Addictive Diseases. A Community Living Arrangement is also referred to as a "residence".

Common Space: Any and all landscaped areas within the community which do not have any building with heated floor area located thereon which are intended for the common use and enjoyment of all residents.

Common Storage Facility: A facility, internally located within a residential development, to provide secure space (i.e. rooms, compartments, lockers, containers or paved outdoor space) for storage of personal items, boats, travel trailers, and/or vehicles of residents only.

Community Fair: A festival or fair, provided any activity is conducted at least 200 feet from any property line; any event shall not exceed 21 days.

Community Garden: A shared, semi-public space where people in the surrounding neighborhood share the work and harvest of maintaining a garden space for growing fruits and vegetables.

Computer and Electronic Product Manufacturing (334): Industries in the Computer and Electronic Product Manufacturing subsector group establishments that manufacture computers, computer peripherals, communications equipment, and similar electronic products, and establishments that manufacture components for such products.

Computer Systems Design and Related Services (54151): This industry comprises establishments primarily engaged in providing expertise in the field of information technologies through one or more of the following activities: (1) writing, modifying, testing, and supporting software to meet the needs of a particular customer; (2) planning and designing computer systems that integrate computer hardware, software, and communication technologies; (3) on-site management and operation of clients' computer systems and/or data processing facilities; and (4) other professional and technical computer related advice and services.

Computing Infrastructure Providers, Data Processing, Web Hosting, and Related Services (518): This industry comprises establishments primarily engaged in providing computing infrastructure, data processing services, Web hosting services (except software publishing), and related services, including streaming support services (except streaming distribution services). Data processing establishments provide complete processing and specialized reports from data supplied by clients or provide automated data processing and data entry services.

Conference Center: A facility used for conferences and seminars, with accommodations for sleeping, food preparation and eating, recreation, entertainment, resource facilities, and meeting rooms.

Construction (23): The Construction sector comprises establishments primarily engaged in the construction of buildings or engineering projects (e.g., highways and utility systems). Establishments primarily engaged in the preparation of sites for new construction and establishments primarily engaged in subdividing land for sale as building sites also are included in this sector.

Container Restaurant: A container restaurant is any eating facility that is confined within a transportable, modular container less than 450 square feet for use as pop-up food or a catering unit and contribute to an overall thematic design of neighboring uses.

Contiguous: Next to, abutting, or touching and having a boundary, or portion thereof, which is common or coterminous.

Copy Shops (561439): This U.S. industry comprises (1) establishments generally known as

copy centers or shops primarily engaged in providing photocopying, duplicating, blueprinting, and other document copying services, without also providing printing services (e.g., offset printing, quick printing, digital printing, prepress services) and (2) establishments (except private mail centers) engaged in providing a range of office support services (except printing services), such as document copying services, facsimile services, word processing services, on-site PC rental services, and office product sales.

Corporate, Subsidiary, and Regional Managing Offices (551114). This U.S. industry comprises establishments (except government establishments) primarily engaged in administering, overseeing, and managing other establishments of the company or enterprise. These establishments normally undertake the strategic or organizational planning and decision-making role of the company or enterprise. Establishments in this industry may hold the securities of the company or enterprise.

Corral: A small enclosure for restricting animals as distinguished from a fence.

Corridor: All land within the buffer areas established adjacent to reservoirs or perennial streams within a water supply watershed.

County: Paulding County.

Couriers and Express Delivery Services (492110): This industry comprises establishments primarily engaged in providing air, surface, or combined mode courier and express delivery services of parcels, but not operating under a universal service obligation. These parcels can include goods and documents, but the express delivery services are not part of the normal mail service. These services are generally between metropolitan areas, urban centers, or international, but the establishments of this industry form a network that includes local pick-up and delivery to serve their customers' needs.

Cover: Vegetative or earth materials that provide natural shelter for animal life, or the factors that provide such shelter.

Craftsman Style: The common features of the Craftsman style include low-pitched gable (triangular) roofs, overhanging eaves with exposed rafters and beams, heavy, tapered columns, patterned window panes and a covered front porch.

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

Curve: Any portion of a street right-of-way layout that is not straight or has an arc.

Customer: Any owner of premises receiving any City utility system service or any end-user thereof, including any and all persons, natural or artificial, including any individual firm, association or trust and any or private corporation organized or existing under the laws of this or any other state or country.

Deck: A roofless accessory attached or detached platform without exterior walls, generally constructed of wood, which adjoins a residence. Rails or safety features shall not be deemed to be exterior walls.

Development or Single Development: Any project or group of related projects constructed or planned for construction on a single parcel or on contiguous parcels under single ownership.

Development Plan: Any plan as determined by the zoning administrator which shows substantial information and intent to develop the property affected in a specific manner.

Diameter at Breast Height (DBH): The standard of tree size (for trees existing on a site). The tree trunk is measured at a height of four and a half feet above the ground. If a tree splits into multiple trunks below four and a half feet, measure the trunk at its most narrow point beneath the split.

Diet and Weight Reducing Centers (812191): This U.S. industry comprises establishments primarily engaged in providing non-medical services to assist clients in attaining or maintaining a desired weight. The sale of weight reduction products, such as food supplements, may be an integral component of the program. These services typically include individual or group counseling, menu and exercise planning, and weight and body measurement monitoring.

Distance: The measurement in lineal feet from the closest point of the sign to the nearest property line or to the closest point of another sign, as the case may be.

Dormitories: Building or space in a building in which group sleeping accommodations are provided for more than 16 persons who are not members of the same family in one room or a series of closely associated rooms under joint occupancy and single management, with or without meals, but without individual cooking facilities.

Drinking Places (722410): This industry comprises establishments known as bars, taverns, nightclubs, or drinking places primarily engaged in preparing and serving alcoholic beverages for immediate consumption. These establishments may also provide limited food services.

Drip Line: An imaginary vertical line that extends from the outermost branches of a tree's canopy to the ground.

Drive-in Motion Picture Theaters (512132): This U.S. industry comprises establishments primarily engaged in operating drive-in motion picture theaters.

Drycleaning and Laundry Services (812320): This industry comprises establishments primarily engaged in one or more of the following: (1) providing drycleaning services (except coin-operated); (2) providing laundering services (except linen and uniform supply or coin-operated); (3) providing drop-off and pick-up sites for laundries and/or drycleaners; and (4) providing specialty cleaning services for specific types of garments and other textile items (except carpets and upholstery), such as fur, leather, or suede garments; wedding gowns; hats; draperies; and pillows. These establishments may provide all, a combination of, or none of the cleaning services on the premises.

Dwelling: A building designed, arranged or used for permanent living and/or sleeping quarters (excludes mobile home).

Dwelling, Attached Cottage: A one-family dwelling with at least three, but no more than four, attached units in which each unit has at least two exterior walls and each unit is separated from any other unit by one or more vertical common fire resistance-rated walls. Cottages are exclusively single-story but may include a second story bonus room. .

Dwelling, Duplex: A building designed or arranged to be occupied by two families living independently of each other.

Dwelling, Multifamily: A dwelling containing three or more dwelling units, including single-level units located in a multistory building. This definition does not include a townhouse.

Dwelling, Single-Family Detached: A building designed or arranged to be occupied by one family only.

Dwelling, Townhouse: One of a series of three or more attached single-family dwelling units where each unit functions for use as an independent housekeeping unit with its own private entrance and each unit is located on its own separate lot in fee simple ownership.

Dwelling Unit: One or more rooms physically arranged so as to create an independent housekeeping establishment for occupancy by one family with separate toilets and facilities for cooking and sleeping.

Easement: A grant of one or more of the property rights by the property owner to and/or for use by the public, a corporation, or another person or entity, and recorded in the Clerk's office of Superior Court.

Eave: The underside of a sloping roof projecting beyond the wall of a building.

Electric Vehicle Charging Station: An infrastructure facility composed of one or more parking spaces located together that is primarily engaged in providing electricity for use in electronic charging and recharging of plug-in electric vehicles (EV).

Electronic Shopping and Mail-Order Houses: This industry comprises establishments primarily engaged in retailing all types of merchandise using non-store means, such as catalogs, toll free telephone numbers, or electronic media, such as interactive television or the Internet. Included in this industry are establishments primarily engaged in retailing from catalog showrooms of mail-order houses.

Electronics and Appliance Retailers (449210): This industry comprises establishments primarily engaged in one of the following: (1) retailing an array of new household-type appliances and consumer-type electronic products, such as televisions, computers, electronic tablets, and cameras; (2) specializing in retailing a single line of new consumer-type electronic products; (3) retailing these new products in combination with repair and support services; (4) retailing new prepackaged or downloadable computer software (without publishing); and/or (5) retailing prerecorded audio and video media, such as downloadable digital music and video files (without production or publishing), CDs, and DVDs.

Elementary and Secondary Schools (6111): This industry comprises establishments primarily engaged in furnishing academic courses and associated course work that comprise a basic preparatory education. A basic preparatory education ordinarily constitutes kindergarten through 12th grade. This industry includes school boards and school districts.

Elevation: A mechanically accurate, "head-on" drawing of a face of a building or object, without any allowance for the effect of the laws of perspective. Any measurement on an elevation will be in a fixed proportion, or scale, to the corresponding measurement on the real building.

Emission Inspection Station: A motor vehicle dealership, garage, service station, or other establishment designated or operated by the Department of Natural Resources and which has been issued by the Director a Certificate of authorization as an emission inspection station authorized to carry out the emission inspections required by [O.C.G.A. §12-9-40 et al.](#)

Explosives Manufacturing (325920): This industry comprises establishments primarily engaged in manufacturing explosives.

Extended Stay Hotel or Motels: Any hotel or motel in which fifty percent or greater of all guest rooms have facilities for both the storage and preparation of food and which are designed or utilized for weekly or monthly occupancy.

Exterminating and Pest Control Services (561710): This industry comprises establishments primarily engaged in exterminating and controlling birds, mosquitoes, rodents, termites, and other insects and pests (except for crop production and forestry production). Establishments providing fumigation services are included in this industry.

Façade: That portion of any exterior elevation on the building extending from grade to top of the parapet, wall, or eaves and the entire width of the building elevation.

Family: One or more related persons by blood, legal adoption, or marriage or not more than three persons not related, occupying a dwelling and living as a single housekeeping unit, as distinguished from persons occupying a boardinghouse, rooming house or hotel, as herein defined. Maximum residential occupancy for a residential dwelling unit will be calculated by the number of residents per square foot of floor space as per the currently adopted International Property Maintenance Code.

Family Child Care Learning Home: A private residence operated by any person who receives therein for pay for supervision and care fewer than 24 hours per day, without transfer of legal custody, at least three but not more than six children under 13 years of age who are not related to such persons and whose parent(s) are not residents in the same private residence as the provider and which is required to be licensed; provided, however, that the total number of unrelated children cared for in such home, for pay and not for pay, may not exceed six children under 13 years of age at one time, except that a provider may care for two additional children three years of age or older for two designated one hour periods daily upon approval by the Department of Human Resources.

Farm Machinery and Equipment (except Automotive and Electronic) Repair Maintenance Services (811310): This sector comprises of establishments that are engaged primarily in the repair or maintenance of machinery used in farming and other agricultural uses. Such equipment includes but is not limited to plows, harvesters, planters, hay balers, and the like.

Farm Winery: A winery which makes at least 40 percent of its annual production from agricultural produce grown in the state where the winery is located and: (A) Is located on premises, a substantial portion of which is used for agricultural purposes, including the cultivation of grapes, berries, or fruits to be utilized in the manufacture or production of wine by the winery; or (B) Is owned and operated by persons who are engaged in the production of a substantial portion of the agricultural produce used in its annual production

Fertilizer Manufacturing (32531): This industry comprises establishments primarily engaged in one or more of the following: (1) manufacturing nitrogenous or phosphatic fertilizer materials; (2) manufacturing fertilizers from sewage or animal waste; (3) manufacturing nitrogenous or phosphatic materials and mixing with other ingredients into fertilizers; and (4) mixing ingredients made elsewhere into fertilizers.

Final Plat: A finished drawing or drawings of the subdivision showing completely and accurately all legal and engineering information and certification necessary for recording. The finished drawing or drawings may consist of one or more drawings of the subdivision which together form the final plat, all of which must comply with the requirements of this UDO.

Finance and Insurance Offices (52): The Finance and Insurance sector comprises establishments primarily engaged in financial transactions (transactions involving the creation, liquidation, or change in ownership of financial assets) and/or in facilitating financial transactions.

Financial Transactions Processing, Reserve, and Clearinghouse Activities (522320): This industry comprises establishments primarily engaged in providing one or more of the following: (1) financial transaction processing (except central bank); (2) reserve and liquidity services (except central bank); and/or (3) check or other financial instrument clearinghouse services (except central bank).

Fitness and Recreational Sports Centers (713940): This industry comprises establishments primarily engaged in operating fitness and recreational sports facilities featuring exercise and other active physical fitness conditioning or recreational sports activities, such as swimming, skating, or racquet sports.

Flea Market: Any event whose primary service is that of a flea market, as defined by [O.C.G.A. § 10-1-360](#), as may be amended from time to time.

Floor Area, Gross: The floor area within the inside perimeter of the exterior walls of the building under consideration, exclusive of vent shafts and courts, without deduction for corridors, stairways, closets, the thickness of interior walls, columns or other features. The floor area of a building, or portion thereof, not provided with surrounding exterior walls shall be the usable area under the horizontal projection of the roof or floor above.

Floor Area (Space), Net: The total of all floor areas of a building, excluding stairwells and elevator shafts, equipment rooms, interior vehicular parking or loading; and all floors below the first or ground floor, except when used or intended to be used for human habitation or service to the public.

Florists (459310): This industry comprises establishments known as florists primarily engaged in retailing cut flowers, floral arrangements, and potted plants purchased from others. These establishments usually prepare the arrangements they sell.

Fluid Power Pump and Motor Manufacturing (333996): This U.S. industry comprises establishments primarily engaged in manufacturing fluid power (i.e., hydraulic and pneumatic) pumps and motors.

Food and Beverage Retailers except Liquor Retailers (445): Industries in the Food and Beverage Stores subsector usually retail food and beverage merchandise from fixed point-of-sale locations. Establishments in this subsector have special equipment (e.g., freezers, refrigerated display cases, refrigerators) for displaying food and beverage goods. They have staff trained in the processing of food products to guarantee the proper storage and sanitary conditions required by regulatory authority.

Food Manufacturing (311): Industries in the Food Manufacturing subsector transform livestock and agricultural products into products for intermediate or final consumption. The industry groups are distinguished by the raw materials (generally of animal or vegetable origin) processed into food products. The food products manufactured in these establishments are typically sold to wholesalers or retailers for distribution to consumers, but establishments primarily engaged in retailing bakery and candy products made on the premises not for immediate consumption are included.

Food Services and Drinking Places (722): Industries in the Food Services and Drinking Places subsector prepare meals, snacks, and beverages to customer order for immediate on-premises and off-premises consumption. There is a wide range of establishments in these industries. Some provide food and drink only, while others provide various combinations of seating space, waiter/waitress services, and incidental amenities, such as limited entertainment. The industries in the subsector are grouped based on the type and level of services provided. The industry

groups are Special Food Services, such as food service contractors, caterers, and mobile food services; Drinking Places (Alcoholic Beverages); and Restaurants and Other Eating Places.

Forestry and Logging (113): Industries in the Forestry and Logging subsector grow and harvest timber on a long production cycle (i.e., of 10 years or more). Long production cycles use different production processes than short production cycles, which require more horticultural interventions prior to harvest, resulting in processes more similar to those found in the Crop Production subsector. Industries in this subsector specialize in different stages of the production cycle. Reforestation requires production of seedlings in specialized nurseries. Timber production requires natural forest or suitable areas of land that are available for a long duration. The maturation time for timber depends upon the species of tree, the climatic conditions of the region, and the intended purpose of the timber. The harvesting of timber (except when done on an extremely small scale) requires specialized machinery unique to the industry. Establishments gathering forest products, such as gums, barks, balsam needles, rhizomes, fibers, Spanish moss, and ginseng and truffles, are also included in this subsector.

Freight Transportation Arrangement (488510): This industry comprises establishments primarily engaged in arranging transportation of freight between shippers and carriers. These establishments are usually known as freight forwarders, marine shipping agents, or customs brokers and offer a combination of services spanning transportation modes.

Frontage, Lot: The distance for which the front property line of the lot and the street line are coincident.

Funeral Homes and Funeral Services (812210): This industry comprises establishments primarily engaged in preparing the dead for burial or interment and conducting funerals (i.e., providing facilities for wakes, arranging transportation for the dead, selling caskets and related merchandise). Funeral homes combined with crematories are included in this industry.

Furniture and Home Furnishing Retailers (4491): Industries in the Furniture and Home Furnishings Stores subsector retail new furniture and home furnishings from fixed point-of-sale locations. Establishments in this subsector usually operate from showrooms and have substantial areas for the presentation of their products. Many offer interior decorating services in addition to the sale of products.

Furniture and Related Product Manufacturing (337): Industries in the Furniture and Related Product Manufacturing subsector make furniture and related articles, such as mattresses, window blinds, cabinets, and fixtures. The processes used in the manufacture of furniture include the cutting, bending, molding, laminating, and assembly of such materials as wood, metal, glass, plastics, and rattan. However, the production process for furniture is not solely bending metal, cutting and shaping wood, or extruding and molding plastics. Design and fashion trends play an important part in the production of furniture. The integrated design of the article for both esthetic and functional qualities is also a major part of the process of manufacturing furniture. Design services may be performed by the furniture establishment's work force or may be purchased from industrial designers.

Gable: The portion, above eave level, of an end wall of a building with a pitched or gambrel roof. In the case of a pitched roof this takes the form of a triangle. The term is also used sometimes to refer to the whole end wall.

Garage: A structure or any portion thereof in which one or more automobiles are housed, kept, or repaired, not including exhibition or showrooms, or storage of cars for sale.

Gasoline Stations (4571): Industries in the Gasoline Stations subsector retail automotive fuels (e.g., gasoline, diesel fuel, gasohol, alternative fuels) and automotive oils or retail these products

in combination with convenience store items. These establishments have specialized equipment for storing and dispensing automotive fuels.

General Automotive Repair (811111): This U.S. industry comprises establishments primarily engaged in providing (1) a wide range of mechanical and electrical repair and maintenance services for automotive vehicles, such as passenger cars, trucks, and vans, and all trailers or (2) engine repair and replacement.

General Freight Trucking (4841): This industry group comprises establishments primarily engaged in providing general freight trucking. General freight trucking establishments handle a wide variety of commodities, generally palletized, and transported in a container or van trailer. The establishments of this industry group provide a combination of the following network activities: local pick-up, local sorting and terminal operations, line-haul, destination sorting and terminal operations, and local delivery.

General Merchandise Retailers (455): Industries in the General Merchandise Stores subsector retail new general merchandise from fixed point-of-sale locations. Establishments in this subsector are unique in that they have the equipment and staff capable of retailing a large variety of goods from a single location. This includes a variety of display equipment and staff trained to provide information on many lines of products.

General Warehousing and Storage (493110): This industry comprises establishments primarily engaged in operating merchandise warehousing and storage facilities. These establishments generally handle goods in containers, such as boxes, barrels, and/or drums, using equipment, such as forklifts, pallets, and racks. They are not specialized in handling bulk products of any particular type, size, or quantity of goods or products.

Gift, Novelty, and Souvenir Retailers (459420): This industry comprises establishments primarily engaged in retailing new gifts, novelty merchandise, souvenirs, greeting cards, seasonal and holiday decorations, and curios. This definition and use does not involve any uses defined under the Sexually Oriented Business ordinance or cigar shop, smoke shop, vape shop and tobacco store definitions adopted in the Code of Ordinances.

Glass and Glass Product Manufacturing (32721): This industry comprises establishments primarily engaged in manufacturing glass and/or glass products. Establishments in this industry may manufacture glass and/or glass products by melting silica sand or cullet, or from purchased glass.

Golf Courses (713910): This industry comprises (1) establishments primarily engaged in operating golf courses (except miniature) and (2) establishments primarily engaged in operating golf courses, along with dining facilities and other recreational facilities that are known as country clubs. These establishments often provide food and beverage services, equipment rental services, and golf instruction services.

Grade: An average level of the finished surface of the ground adjacent to the exterior walls of the building or structure.

Greenhouse, Nursery, and Floriculture Production (1114): This industry group comprises establishments primarily engaged in growing crops of any kind under cover and/or growing nursery stock and flowers. "Under cover" is generally defined as greenhouses, cold frames, cloth houses, and lath houses. The crops grown are removed at various stages of maturity and have annual and perennial life cycles. The nursery stock includes short rotation woody crops that have growth

Grocery and Convenience Retailers (4451): This industry group comprises establishments primarily engaged in retailing a general line of food products. Includes Vending Machine

Operators

Guest House: Guest houses are accessory buildings limited to one (1) such structure per lot and shall not include manufactured, mobile or modular structures. The minimum lot size is two (2) acres and shall be limited to the total area of all structures (existing and proposed) to be not more than twenty (20) percent of the total lot area. The Guest House requires a Special Use Permit and is subject to the following at minimum:

Hair, Nail, and Skin Care Services (81211): This industry comprises establishments primarily engaged in one or more of the following: (1) providing hair care services; (2) providing nail care services; and (3) providing facials or applying makeup (except permanent makeup).

Handicapped: With respect to a person, means having:

- A. A physical or mental impairment that substantially limits one or more of such person's major life activities so that such person is incapable of living independently;
- B. A record of having such an impairment; or
- C. Being regarded as having such an impairment, but such term does not include current, illegal use of or addiction to a controlled substance.

Hardware Retailers (444140): This industry comprises establishments known as hardware stores primarily engaged in retailing a general line of new hardware items, such as tools and builders' hardware.

Hardwood Tree: Any tree that is not coniferous (cone bearing). This definition is based on the colloquialism, and does not necessarily reflect any true qualities of the tree.

Health and Personal Care Retailers (456): Industries in the Health and Personal Care Stores subsector retail health and personal care merchandise from fixed point-of-sale locations. Establishments in this subsector are characterized principally by the products they retail, and some health and personal care stores may have specialized staff trained in dealing with the products. Staff may include pharmacists, opticians, and other professionals engaged in retailing, advising customers, and/or fitting the product sold to the customer's needs.

Height: The measure in linear feet from the highest point on an object to the unaltered elevation of the ground at the base of the object or directly beneath the object. At the election of the permit holder, the height of a sign may be measured from the highest point on the sign to the level of the nearest road from which the sign is intended to be viewed. When referring to a tower or other structure, a distance measured from the finished grade of the parcel to the highest point on the tower or other structure, including the base pad and any antenna.

Heliports: Landing and takeoff places for a helicopters.

Historic Sites: Refers to the location of a significant event, a prehistoric or historic occupation or activity, or a building or structure, whether standing, ruined, or vanished, where the location itself possesses historic, cultural, or archeological value regardless of the value of any existing structure (habitation sites, funerary sites, rock shelters, village sites, hunting and fishing sites, ceremonial sites, petroglyphs, rock carvings, gardens, grounds, battlefields, ruins of historic buildings and structures, campsites, trails, areas of land, cemeteries, designed landscapes, and natural features, such as springs and rock formations, and land areas having cultural significance).

Hobby Breeder: A person who offers for sale one litter of animals during a 12-month period per household. A household which sells two litters during a 12-month period, even if the litters are produced from different animals, will not be considered a hobby breeder and will be subject to the registration procedures applicable to animal establishments and breeders as designated in Paulding Code Chapter 14, [Article II](#).

Hog and Pig Farming (112210): This industry comprises establishments primarily engaged in raising hogs and pigs. These establishments may include farming activities, such as breeding, farrowing, and the raising of weanling pigs, feeder pigs, or market size hogs.

Home Occupation: An occupation carried on within a dwelling unit for gain or support, meeting the requirements of Section 230-30.

Hospitals (622): Industries in the Hospitals subsector provide medical, diagnostic, and treatment services that include physician, nursing, and other health services to inpatients and the specialized accommodation services required by inpatients. Hospitals may also provide outpatient services as a secondary activity. Establishments in the Hospitals subsector provide inpatient health services, many of which can only be provided using the specialized facilities and equipment that form a significant and integral part of the production process.

Hotels and Motels (721110): This industry comprises establishments primarily engaged in providing short-term lodging in facilities known as hotels, motor hotels, resort hotels, and motels. The establishments in this industry may offer food and beverage services, recreational services, conference rooms, convention services, laundry services, parking, and other services.

I-Dining: An establishment where food and/or beverages are sold in a form ready for consumption, where all or a significant portion of the consumption takes place or is designed to take place outside the confines of the restaurant and where ordering and pickup of food may take place from an automobile.

Includes: Denotes a partial definition.

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.

Installation: The assembly of an industrialized building on-site and the process of affixing the industrialized building, component, or system to land, a foundation, footings, or an existing building.

Intermediate Care Home: A facility which admits residents on medical referral; it maintains the services and facilities for institutional care and has a satisfactory agreement with a physician and dentist who will provide continuing supervision including emergencies; it otherwise complies with Chapter 111-8-47 of the Georgia Rules of Department of Community Health Healthcare Facility Regulation.

Junior Colleges (6112). This industry comprises establishments primarily engaged in furnishing academic, or academic and technical, courses and granting associate degrees, certificates, or diplomas below the baccalaureate level. The requirement for admission to an associate or equivalent degree program is at least a high school diploma or equivalent general academic training. Instruction may be provided in diverse settings, such as the establishment's or client's training facilities, educational institutions, the workplace, or the home, and through diverse means,

such as correspondence, television, the Internet, or other electronic and distance-learning methods. The training provided by these establishments may include the use of simulators and simulation methods.

Kennel: Any premises where any person engages in the business of boarding, breeding, buying, letting for hire, training for a fee, or selling animals.

Kidney Dialysis Centers (621492): This U.S. industry comprises establishments with medical staff primarily engaged in providing outpatient kidney or renal dialysis services.

Lake: A body of water one acre or more in surface area, created either by a manmade or natural dam or other means of water impoundment.

Land Use Permit: An official authorization for use of land not to exceed two years which has been granted by the City Council in accord with this UDO.

Leather and Hide Tanning and Finishing (316110): This industry comprises establishments primarily engaged in one or more of the following: (1) tanning, currying, and finishing hides and skins; (2) having others process hides and skins on a contract basis; and (3) dyeing or dressing furs.

Lime and Gypsum Product Manufacturing (3274): This industry group comprises establishments primarily engaged in (1) manufacturing lime from calcitic limestone, dolomitic limestone, or other calcareous materials or (2) manufacturing gypsum products.

Linen Supply (812331): This industry comprises establishments primarily engaged in supplying, on a rental or contract basis, laundered items, such as table and bed linens; towels; diapers; and uniforms, gowns, or coats of the type used by doctors, nurses, barbers, beauticians, and waitresses.

Local Messengers and Local Delivery (492210): This industry comprises establishments primarily engaged in providing local messenger and delivery services of small items within a single metropolitan area or within an urban center. These establishments generally provide point-to-point pick-up and delivery and do not operate as part of an intercity courier network.

Lot: Contiguous parcels of land legally platted and recorded as a legal lot of record, in single or common ownership, and not divided by a public street. Also, a portion of a subdivision, or any other parcel of land and identified by a tract number, lot number or symbol of an approved subdivision plat properly recorded, and which is or may in the future be offered for sale, conveyance, transfer or improvement. In determining the area and dimensions of a lot, no part of the right-of-way of a road or crosswalk may be included.

Lot, Corner: A lot fronting on two streets at their intersection. When the frontage of one street exceeds the frontage of the other, the one with the least frontage shall be deemed the front of the lot. The side yard setback for a corner lot shall be 25 feet in all zoning districts except where otherwise noted herein.

Lot, Double Frontage: Any lot, other than a corner lot, which has frontage on two streets.

Lot Depth: The average horizontal distance between the front and rear lot lines, measured in the general direction of the side lot lines.

Lot Frontage: The distance for which the front property line of the lot and the street line are coincident.

Lot of Record: A lot which is part of a lawfully created subdivision, a plat of which has been recorded in the records of the Clerk of Superior Court of Paulding County; or a parcel of land, the deed of which has been recorded in the same office as of the effective date of this ordinance.

Lot, Width: The distance between side lot lines measured at the front building line.

Maintenance: Routine care for a building, structure or site that does not involve design alterations.

Manufacture: The process of making, fabricating, constructing, forming, or assembling a product from raw, unfinished, or semi-finished materials.

Manufactured (mobile) Home: A structure, transportable in one or more sections, 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 herein. (Reference 42 USC 5402[6] [24CFR 3280.2(a) (16)] and the Official Code of Georgia Annotated 8-2-131[2].)

Manufactured Home Park: A parcel of land which has been planned and improved for the placement of manufactured homes and/or mobile homes for non-transient use in accordance with requirements of this Ordinance.

Massage Therapy: The application of a system of structured touch, pressure, movement, and holding to the soft tissue of the body in which the primary intent is to enhance or restore health and well-being. The term includes complementary methods, including without limitation the external application of water, superficial heat, superficial cold, lubricants, salt scrubs, or other topical preparations and the use of commercially available electromechanical devices which do not require the use of transcutaneous electrodes and which mimic or enhance the actions possible by the hands; the term also includes determining whether massage therapy is appropriate or contraindicated, or whether referral to another health care provider is appropriate. Massage therapy shall not include the use of ultrasound, fluidotherapy, laser, and other methods of deep thermal modalities.

Materials Recovery Facilities (562920): This industry comprises establishments primarily engaged in (1) operating facilities for separating and sorting recyclable materials from nonhazardous waste streams (i.e., garbage) and/or (2) operating facilities where commingled recyclable materials, such as paper, plastics, used beverage cans, and metals, are sorted into distinct categories.

Medical Equipment and Supplies Manufacturing (33911): This industry comprises establishments primarily engaged in manufacturing medical equipment and supplies. Examples of products made by these establishments are surgical and medical instruments, surgical appliances and supplies, dental equipment and supplies, orthodontic goods, ophthalmic goods, dentures, and orthodontic appliances.

Merchant Wholesalers, Durable Goods (423): Industries in the Merchant Wholesalers, Durable Goods subsector sell capital or durable goods to other businesses. Merchant wholesalers generally take title to the goods that they sell; in other words, they buy and sell goods on their own account. Durable goods are new or used items generally with a normal life expectancy of three years or more. Durable goods merchant wholesale trade establishments are engaged in wholesaling products, such as motor vehicles, furniture, construction materials, machinery and equipment (including household-type appliances), metals and minerals (except petroleum), sporting goods, toys and hobby goods, recyclable materials, and parts.

Merchant Wholesalers, Nondurable Goods (424): Industries in the Merchant Wholesalers, Nondurable Goods subsector sell nondurable goods to other businesses. Nondurable goods are items generally with a normal life expectancy of less than three years. Nondurable goods merchant wholesale trade establishments are engaged in wholesaling products, such as paper and paper products, chemicals and chemical products, drugs, textiles and textile products,

apparel, footwear, groceries, farm products, petroleum and petroleum products, alcoholic beverages, books, magazines, newspapers, flowers and nursery stock, and tobacco products.

Miscellaneous Store Retailers (except Tobacco Stores) (459999): This U.S. industry comprises establishments primarily engaged in retailing miscellaneous specialized lines of merchandise (except motor vehicle and parts dealers; building material and garden equipment and supplies dealers; food and beverage retailers; furniture, home furnishings, electronics, and appliance retailers; general merchandise retailers; health and personal care retailers; gasoline stations and fuel dealers; clothing, clothing accessories, shoe, and jewelry retailers; sporting goods, hobby, and musical instrument retailers; book retailers and news dealers; florists; office supplies, stationery, and gift retailers; used merchandise retailers; pet and pet supplies retailers; art dealers; manufactured (mobile) home dealers; and tobacco, electronic cigarette, and other smoking supplies retailers).

Mobile Food Vending Unit: Any motorized vehicle, designed to be portable and not permanently attached to the ground from which food is peddled, vended, sold for sale or given away.

Motion Picture Theater (except Drive-Ins) (512131): This U.S. industry comprises establishments primarily engaged in operating motion picture theaters (except drive-ins) and/or exhibiting motion pictures or videos at film festivals, and so forth.

Motor Vehicle: An automotive vehicle not operated on rails for use on highways.

Motor Vehicle and Parts Dealers (441): Industries in the Motor Vehicle and Parts Dealers subsector retail motor vehicles and parts from fixed point-of-sale locations. Establishments in this subsector typically operate from a showroom and/or an open lot where the vehicles are on display. The display of vehicles and the related parts require little by way of display equipment. The personnel generally include both the sales and sales support staff familiar with the requirements for registering and financing a vehicle as well as a staff of parts experts and mechanics trained to provide repair and maintenance services for the vehicles. Specific industries included in this subsector identify the type of vehicle being retailed.

Motor Vehicle Body and Trailer Manufacturing (33621): This industry comprises establishments primarily engaged in (1) manufacturing motor vehicle bodies and cabs or (2) manufacturing truck, automobile and utility trailers, truck trailer chassis, detachable trailer bodies, and detachable trailer chassis. The products made may be sold separately or may be assembled on purchased chassis and sold as complete vehicles.

Motor Vehicle Manufacturing (3361): This industry group comprises establishments primarily engaged in (1) manufacturing complete automobiles, light duty motor vehicles, and heavy duty trucks (i.e., body and chassis or unibody) or (2) manufacturing motor vehicle chassis only.

Motor Vehicle Parts Manufacturing (3363): This industry group comprises establishments primarily engaged in manufacturing motor vehicle gasoline engines and engine parts, motor vehicle electrical and electronic equipment, motor vehicle steering and suspension components (except springs), motor vehicle brake systems, motor vehicle transmission and power train parts, motor vehicle seating and interior trim, motor vehicle metal stampings, and other motor vehicle parts and accessories. This industry group includes establishments that rebuild motor vehicle parts.

Motor Vehicle Towing (488410): This industry comprises establishments primarily engaged in towing light or heavy motor vehicles, both local and long-distance. These establishments may provide incidental services, such as storage and emergency road repair services.

Motorcycle, Bicycle, and Parts Manufacturing (336991): this U.S. industry comprises establishments primarily engaged in manufacturing motorcycles, bicycles, tricycles and similar equipment, and parts.

Museums, Historical Sites, and Similar Institutions (712): Industries in the Museums, Historical Sites, and Similar Institutions subsector engage in the preservation and exhibition of objects, sites, and natural wonders of historical, cultural, and/or educational value.

Nature Parks and Other Similar Institutions (712190): This industry comprises establishments primarily engaged in the preservation and exhibition of natural areas or settings.

Newspaper Publishers (513110): This industry comprises establishments known as newspaper publishers. Establishments in this industry carry out operations necessary for producing and distributing newspapers, including gathering news; writing news columns, feature stories, and editorials; and selling and preparing advertisements. These establishments may publish newspapers in print or electronic form, including exclusively on the Internet.

Nonmetallic Mineral Mining and Quarrying (2123): This industry group comprises establishments primarily engaged in developing mine sites, or in mining or quarrying nonmetallic minerals (except fuels). Also included are certain well and brine operations, and preparation plants primarily engaged in beneficiating (e.g., crushing, grinding, washing, and concentrating) nonmetallic minerals.

Nursing Home: A facility which admits patients on medical referral only and for whom arrangements have been made for continuous medical supervision; it maintains the services and facilities for skilled nursing care, rehabilitative nursing care, and has a satisfactory agreement with a physician and dentist who will be available for any medical and/or dental emergency and who will be responsible for the general medical and dental supervision of the home; it otherwise complies with Chapter 111-8-56 of the Georgia Rules of Community Health.

Office Supplies and Stationary Retailers (459410): This industry comprises establishments primarily engaged in one or more of the following: (1) retailing new office supplies, stationery, and school supplies; (2) retailing a combination of new office equipment, furniture, and supplies; and (3)) retailing new office equipment, furniture, and supplies in combination with selling new computers.

Offices of Real Estate Agents and Brokers (531210): This industry comprises establishments primarily engaged in acting as agents and/or brokers in one or more of the following: (1) selling real estate for others; (2) buying real estate for others; and (3) renting real estate for others.

Open Space: Any and all areas within the community which are left in a natural, undisturbed state and are intended for the common use and enjoyment of all residents. Buffers, including stream buffers, may be considered open space, but neither detention ponds nor any part of the right-of-way may be considered open space.

Outpatient Care Centers except Kidney Dialysis Centers (6214): This industry group comprises establishments with medical staff primarily engaged in providing a range of outpatient services, such as family planning, diagnosis and treatment of mental health disorders and alcohol and other substance abuse, and other general or specialized outpatient care. This use does not include Kidney Dialysis Centers.

Overlay District: A district that applies supplementary regulations to land previously classified as belonging to a specific zoning district or land-use category.

Package: Bottle, can, keg, barrel, or other original consumer container.

Paint, Coating, and Adhesive Manufacturing (3255): This industry group comprises establishments primarily engaged in one or more of the following: (1) mixing pigments, solvents, and binders into paints and other coatings; (2) manufacturing allied paint products; and (3) manufacturing adhesives, glues, and caulking compounds.

Paper Manufacturing (322): Industries in the Paper Manufacturing subsector make pulp, paper, or converted paper products. The manufacturing of these products is grouped together because they constitute a series of vertically connected processes. More than one is often carried out in a single establishment. There are essentially three activities. The manufacturing of pulp involves separating the cellulose fibers from other impurities in wood or used paper. The manufacturing of paper involves matting these fibers into a sheet. The manufacturing of converted paper products involves converting paper and other materials by various cutting and shaping techniques and includes coating and laminating activities.

Parcel Delivery Locker: A secure container that allows parcel delivery services to store parcels delivered to a centralized mail box for the surrounding community in which the lockers are located.

Park: Any lands or facility owned, operated, controlled or managed by any county, city, state, or federal government or any governmental entity in and upon which recreational activities or places are provided for the recreation and enjoyment of the general public.

Parking Lots and Garages (812930): This industry comprises establishments primarily engaged in providing parking space for motor vehicles, usually on an hourly, daily, or monthly basis and/or valet parking services.

Parking Space: An area which has for its exclusive purpose the parking of a vehicle which complies with the adopted design standards.

Paulding County or County: Refers to a political subdivision chartered and enabled pursuant to the laws of the State of Georgia, any department, board, or commission of such County, any elected or appointed official, or any employee or designee thereof.

Pawnbrokers: Any person engaged in whole or in part in the business of lending money on the security of pledged goods, or in the business of purchasing tangible personal property on the condition that it may be redeemed or repurchased by the seller for a fixed price within a fixed period of time, or in the business of purchasing tangible personal property from persons or sources other than manufacturers or licensed dealers as a part of or in conjunction with the business activities described in in O.C.G.A. § 44-12-130, or as it may be amended from time to time.

Personal and Household Goods Repair and Maintenance (811490): This industry comprises establishments primarily engaged in repairing and servicing personal or household-type goods without retailing new personal or household-type goods (except home and garden equipment, appliances, furniture, and footwear and leather goods). Establishments in this industry repair items, such as garments; watches; jewelry; musical instruments; bicycles and motorcycles; and motorboats, canoes, sailboats, and other recreational boats.

Personal Care Home: Any dwelling, whether operated for profit or not, which undertakes through its ownership or management to provide or arrange for the provision of housing, food service, and one or more personal services for two or more adults who are not related to the owner or administrator by blood or marriage.

Pet and Pet Supplies Retailers (459910): This industry comprises establishments primarily engaged in retailing pets, pet foods, and pet supplies.

Pet Care (except Veterinary) Services (812910): This industry comprises establishments primarily engaged in providing pet care services (except veterinary), such as boarding, grooming, sitting, and training pets.

Petroleum Refineries (324110): This industry comprises establishments primarily engaged in refining crude petroleum into refined petroleum. Petroleum refining involves one or more of the following activities: (1) fractionation; (2) straight distillation of crude oil; and (3) cracking.

Pharmaceutical and Medicine Manufacturing (32541): This industry comprises establishments primarily engaged in one or more of the following: (1) manufacturing biological and medicinal products; (2) processing (i.e., grading, grinding, and milling) botanical drugs and herbs; (3) isolating active medicinal principals from botanical drugs and herbs; and (4) manufacturing pharmaceutical products intended for internal and external consumption in such forms as ampoules, tablets, capsules, vials, ointments, powders, solutions, and suspensions.

Photofinishing Laboratories (812921): This U.S. industry comprises establishments (except those known as "one-hour" photofinishing labs) primarily engaged in developing film and/or making photographic slides, prints, and enlargements.

Planning Commission: The Paulding County Planning Commission.

Plat: A map, plan, or layout, to scale of the incorporated city lot, section, sub-division or development indicating the location and boundaries of properties, and prepared by a registered land surveyor. Should the plat be recorded, it shall meet the minimum State of Georgia Plat Act requirements, and as may be amended from time to time.

Pollution or pollutants: The manmade or man-induced alteration of the chemical, physical, biological and radiological integrity of water or air. The contamination or other alteration of any water's physical, chemical or biological properties by the addition of any constituent and includes but is not limited to, a change in temperature, taste, color, turbidity, or odor of such waters, or the discharge of any liquid, gaseous, solid, radioactive, or other substance into any such waters as will or is likely to create a nuisance or render such waters harmful, detrimental or injurious to the public health, safety, welfare, or environment, or to domestic, commercial, industrial, agricultural, recreational, or other legitimate beneficial uses, or to livestock, wild animals, birds, fish or other aquatic life.

Premises: Any building, lot, parcel of land, or portion of land whether improved or unimproved including adjacent sidewalks and parking strips.

Primary Metal Manufacturing (331): Industries in the Primary Metal Manufacturing subsector smelt and/or refine ferrous and nonferrous metals from ore, pig or scrap, using electrometallurgical and other process metallurgical techniques. Establishments in this subsector also manufacture metal alloys and superalloys by introducing other chemical elements to pure metals. The output of smelting and refining, usually in ingot form, is used in rolling, drawing, and extruding operations to make sheet, strip, bar, rod, or wire, and in molten form to make castings and other basic metal products.

Principal Use: The primary purpose for which land or a building is used.

Printing (32311): This industry comprises establishments primarily engaged in printing on apparel and textile products, paper, metal, glass, plastics, and other materials, except fabric (grey goods). The printing processes employed include, but are not limited to, lithographic, gravure, screen, flexographic, digital, and letterpress. Establishments in this industry do not manufacture the stock that they print, but may perform postprinting activities, such as folding, cutting, or laminating the materials they print, and mailing.

Private: Any building, structure, or use owned, operated and/or intended for the restricted use of a particular person, group, or class.

Private Mail Centers (561431): This U.S. industry comprises (1) establishments primarily engaged in providing mailbox rental and other postal and mailing (except direct mail advertising) services or (2) establishments engaged in providing these mailing services along with one or more other office support services, such as facsimile services, word processing services, on-site PC rental services, and office product sales.

Produce Stand, Temporary: A structure not greater than one thousand (1,000) square feet for the purpose of seasonal sales of agricultural products.

Professional, Scientific, and Technical Services (541): Industries in the Professional, Scientific, and Technical Services subsector group establishments engaged in processes where human capital is the major input. These establishments make available the knowledge and skills of their employees, often on an assignment basis, where an individual or team is responsible for the delivery of services to the client. The individual industries of this subsector are defined on the basis of the particular expertise and training of the services provider.

Project: The improvements associated with the approval of a rezoning, including but not limited to the development of a residential subdivision or commercial development, construction of a structure, renovation of a tenant space, or active operation of the use granted.

Psychiatric and Substance Abuse Hospitals (622210): This industry comprises establishments known and licensed as psychiatric and substance abuse hospitals primarily engaged in providing diagnostic, medical treatment, and monitoring services for inpatients who suffer from mental illness or substance abuse disorders. The treatment often requires an extended stay in the hospital. These establishments maintain inpatient beds and provide patients with food services that meet their nutritional requirements. They have an organized staff of physicians and other medical staff to provide patient care services. Psychiatric, psychological, and social work services are available at the facility. These hospitals usually provide other services, such as outpatient services, clinical laboratory services, diagnostic X-ray services, and electroencephalograph services.

Public: Any building, structure, or use owned and/or operated by the federal government, state of Georgia, the City of Hiram, Paulding County or other County, any municipality, the Paulding County School District or any authority, agency, board, or commission of the above governments, that is necessary to serve a public purpose, such as but not limited to the following: government administrative buildings, post offices, police and fire stations, libraries and publicly operated museums, public health facilities and public hospitals, public works camps, parks and community centers, public roads and streets, schools, airports, water and sanitary sewerage intake, collection, pumping, treatment, and storage facilities, emergency medical facilities, and jails and correctional facilities.

Public Administration (92): The Public Administration sector consists of establishments of federal, state, and local government agencies that administer, oversee, and manage public programs and have executive, legislative, or judicial authority over other institutions within a given area. These agencies also set policy, create laws, adjudicate civil and criminal legal cases, and provide for public safety and for national defense. In general, government establishments in the Public Administration sector oversee governmental programs and activities that are not performed by private establishments. Establishments in this sector typically are engaged in the organization and financing of the production of public goods and services, most of which are provided for free or at prices that are not economically significant.

Racetracks (711212): This U.S. industry comprises establishments primarily engaged in operating racetracks. These establishments may also present and/or promote the events, such as auto, dog, and horse races, held in these facilities.

Radio and Television Broadcasting (5151): This industry group comprises establishments primarily engaged in operating broadcast studios and facilities for over-the-air or satellite delivery of radio and television programs. These establishments are often engaged in the production or purchase of programs or generate revenues from the sale of air time to advertisers, from donations and subsidies, or from the sale of programs.

Recreational Building: Recreational buildings are accessory buildings limited to one such structure per lot and shall not include manufactured, mobile or modular structures. The minimum lot size is 10 acres and shall be limited to the total area of all structures (existing and proposed) to be not more than 20 percent of the total lot area and meeting the requirements of Section 230-30.

Recyclable Material Merchant Wholesalers (423930): This industry comprises establishments primarily engaged in the merchant wholesale distribution of automotive scrap, industrial scrap, and other recyclable materials. Included in this industry are auto wreckers primarily engaged in dismantling motor vehicles for the purpose of wholesaling scrap.

Recycling Center: A center or location designed for sorting or collection of recyclables from designated recycling collection locations and other private entity sources.

Refrigerated Warehousing and Storage (493120): This industry comprises establishments primarily engaged in operating refrigerated warehousing and storage facilities. Establishments primarily engaged in the storage of furs for the trade are included in this industry. The services provided by these establishments include blast freezing, tempering, and modified atmosphere storage services.

Religious Organizations (813110): This industry comprises (1) establishments primarily engaged in operating religious organizations, such as churches, religious temples, and monasteries, and/or (2) establishments primarily engaged in administering an organized religion or promoting religious activities.

Rental and Leasing Services (532): Industries in the Rental and Leasing Services subsector include establishments that provide a wide array of tangible goods, such as automobiles, computers, consumer goods, and industrial machinery and equipment, to customers in return for a periodic rental or lease payment. The subsector includes two main types of establishments: (1) those that are engaged in renting consumer goods and equipment and (2) those that are engaged in leasing machinery and equipment often used for business operations. The first type typically operates from a retail-like or storefront facility and maintains inventories of goods that are rented for short periods of time. The latter type typically does not operate from retail-like locations or maintain inventories, and offers longer-term leases. These establishments work directly with clients to enable them to acquire the use of equipment on a lease basis, or they work with equipment vendors or dealers to support the marketing of equipment to their customers under lease arrangements. Equipment lessors generally structure lease contracts to meet the specialized needs of their clients and use their remarketing expertise to find other users for previously leased equipment. Establishments that provide operating and capital (i.e., finance) leases are included in this subsector.

Repair: Any minor change to a property that is not construction, removal, demolition or alteration and that does not change exterior architectural appearance.

Residence: A house, apartment, mobile home, boardinghouse or rooming house, duplex, or other multifamily housing, for human dwelling, or any property zoned therefore.

Residential Build-To-Rent: A single-family residential community in which 80% or more of the units are occupied by tenants rather than owners.

Residential Business: An occupation or business which is conducted entirely within a dwelling, or customary accessory building, is carried on by the occupant(s) of the dwelling, is clearly incidental and secondary to the use of the dwelling for residential dwelling purposes, and which can only be conducted subject to approval of a Land Use Permit by the City Council subject to meeting the standards in Section 230-50.

Residential Industrialized Building: An industrialized building that is a dwelling unit designed and constructed in compliance with the Georgia State Minimum Standard One and Two Family Dwelling Code which is wholly or in substantial part, made, fabricated, formed, or assembled in a manufacturing facility and cannot be inspected at the installation site without disassembly, damage to, or destruction thereof. Any such structure shall not contain a permanent metal chassis and shall be affixed to permanent load-bearing foundation. The term shall not include manufactured homes as defined by the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 U.S.C. Section 5401, et seq.

Retirement Communities (Independent Living): A managed housing complex designed for older adults who are generally able to live independently and care for themselves. Limited or no personal or healthcare services are offered; however, activities and socialization opportunities may be provided.

Reupholstery and Furniture Repair (811420): This industry comprises establishments primarily engaged in one or more of the following: (1) reupholstering furniture; (2) refinishing furniture; (3) repairing furniture; and (4) repairing and restoring furniture.

Right-of-Way: The real property owned and controlled by a governmental agency for maintaining public infrastructure, including streets, sidewalks, pathways, mass transit rail lines, drainage ditches and structures, shoulders, traffic control devices, and vegetative buffers. The width of the right-of-way outside the pavement of any given street or road can be determined by the City Manager's officer, or their designee.

Rural Business: An occupation or business which is conducted within a dwelling, an accessory structure, or outside, and which is carried on by a resident of the property, and which is clearly incidental and secondary to the use of the property for the residential dwelling purposes, and which can only be conducted subject to approval of a Land Use Permit by the City Council. Rural businesses may be less restrictive than a residential business in regard to access by the public, size, visibility, number of employees, and types of businesses. Rural businesses are subject to standards set forth in Section 230-50.

RV (Recreational Vehicle) Parks and Campgrounds (721211): This U.S. industry comprises establishments primarily engaged in operating sites to accommodate campers and their equipment, including tents, tent trailers, travel trailers, and RVs (recreational vehicles). These establishments may provide access to facilities, such as washrooms, laundry rooms, recreation halls, playgrounds, stores, and snack bars.

Safe Exchange Zones: Designated areas within a community that are under 24 hour video surveillance at which an individual can conduct child custody exchanges, face to face online sales, or any other meeting where the individual feels the need for recorded video surveillance.

Sawmills (321113): This U.S. industry comprises establishments primarily engaged in sawing dimension lumber, boards, beams, timbers, poles, ties, shingles, shakes, siding, and wood chips from logs or bolts. Sawmills may plane the rough lumber that they make with a planing machine to achieve smoothness and uniformity of size.

Schools and Instruction, Other (6116): This industry group comprises establishments primarily engaged in offering or providing instruction (except academic schools, colleges, and universities; and business, computer, management, technical, or trade instruction). Instruction may be provided in diverse settings, such as the establishment's or client's training facilities, educational institutions, the workplace, or the home, and through diverse means, such as correspondence, television, the Internet, or other electronic and distance-learning methods. The training provided by these establishments may include the use of simulators and simulation methods.

Scientific Research and Development Services (5417): This industry group comprises establishments engaged in conducting original investigation undertaken on a systematic basis to gain new knowledge (research) and/or the application of research findings or other scientific knowledge for the creation of new or significantly improved products or processes (experimental development). Techniques may include modeling and simulation. The industries within this industry group are defined on the basis of the domain of research; that is, on the scientific expertise of the establishment.

Shared Workspaces/Co-working Spaces: A facilitated environment which contains desks or other workspaces and facilities and is used by a recognized membership who share the site in order to interact and collaborate with each other. These spaces may or may not be occupied by individuals working for the same company or the same project at the same time.

Septic Tank: An underground cavity with watertight walls into which flows the effluent of sanitary water closets and from which effluent does not come to the surface of the ground.

Sexually Oriented Business: Any adult bookstore, adult business, an adult cabaret, adult dancing establishment, adult motion picture theater, adult mini-motion picture theater, adult hotel or motel, adult motion picture arcade, adult video store, bath house and massage parlors, erotic entertainment/dance establishment, encounter center or rap establishment, or escort bureau, or introduction service as defined in the Ordinance regarding Adult Entertainment Establishments in the City of Hiram, Georgia, as adopted by the Mayor and Council of the City of Hiram, Georgia and as amended or may be amended in the future, and the premises on which defined establishments operate or on which defined activities occur.

Shared Workspaces/Co-working Spaces: A facilitated environment which contains desks or other workspaces and facilities and is used by a recognized membership who share the site in order to interact and collaborate with each other. These spaces may or may not be occupied by individuals working for the same company or the same project at the same time.

Shopping Center: A group of commercial establishments, planned, developed, owned and managed as a unit, with off-street parking provided on the property and related in its location, size and type of shops to the trade area which the unit serves.

Silviculture: A branch of forestry which deals with the establishment, development, care and reproduction of stands of timber.

Slope: A degree of deviation of surface from the horizontal usually expressed in percent or degree.

Small Wireless Facility: Radio transceivers; surface wave couplers; antennas; coaxial, fiber optic, or other cabling; power supply; backup batteries; and comparable and associated equipment, regardless of technological configuration, at a fixed location or fixed locations that enable communication or surface wave communication between user equipment and a

communications network and that meet both of the following qualifications:

- A. Each wireless provider's antenna could fit within an enclosure of no more than six cubic feet in volume; and
- B. All other wireless equipment associated with the facility is cumulatively no more than 28 cubic feet in volume, measured based upon the exterior dimensions of height by width by depth of any enclosure that may be used. The following types of associated ancillary equipment are not included in the calculation of the volume of all other wireless equipment associated with any such facility:
 - 1. Electric meters;
 - 2. Concealment elements;
 - 3. Telecommunications demarcation boxes;
 - 4. Grounding equipment;
 - 5. Power transfer switches;
 - 6. Cut-off switches; and
 - 7. Vertical cable runs for connection of power and other services.

Such term shall not include a pole, decorative pole, or support structure on, under, or within which the equipment is located or collocated or to which the equipment is attached and shall not include any wireline backhaul facilities or coaxial, fiber optic, or other cabling that is between small wireless facilities, poles, decorative poles, or support structures or that is not otherwise immediately adjacent to or directly associated with a particular antenna.

Small Outdoor Entertainment Venue: An area and/or amphitheater with a stage for weekend musical or other non-sexually oriented business performances not to exceed ten performers for less than 250 patrons.

Soffit: The underside of an architectural structure such as an arch, a balcony, or overhanging eaves.

Solar Power Electric Generation (221114): This industry comprises establishments primarily engaged in operating solar electric power generation facilities. These facilities use energy from the sun to produce electric energy. The electric energy produced in these establishments is provided to electric power transmission systems or to electric power distribution systems.

Special Exception Use: A use that, owing to some special characteristics attendant to its operation or installation, is permitted in a district subject to review and sign off by the zoning administrator or his or her designee that the site-specific requirements for maintaining such special exception use are met, and subject to special requirements, as set forth in the specific zoning district section. The Zoning Administrator or his or her designee shall maintain a written record of such review and sign off, which shall be a public record.

Special Use Permit: A use permitted in a particular zoning district upon approval by the City Council in accordance with provisions of this Ordinance.

Specialty Food Retailers (4452): This industry group comprises establishments primarily engaged in retailing specialized lines of food.

Sporting Goods, Hobby, Musical Instrument, and Book Retailers (459): Industries in the Sporting Goods, Hobby, Musical Instrument, and Book Stores subsector are engaged in retailing and providing expertise on the use of sporting equipment or supplies for other specific leisure activities, such as needlework and musical instruments. Book stores are also included in this subsector.

Storage Yards: The use of land to store material, equipment, or vehicles, and any structures associated with the outdoor storage.

Story: That portion of a building included between the surface of any floor and the surface of the floor next above it, or if there is no floor above it, the space between such floor and the ceiling above it. A basement shall be counted as a story if its ceiling is over six feet above the average level of the finished ground surface adjoining exterior walls of such story, or if it is used for business or dwelling purposes.

Street: A way for vehicular traffic, whether designated as an avenue, road, boulevard, highway, expressway, lane, alley or other way.

Street, Alley: A minor way, public or private, used for service access to the back or side of properties otherwise abutting on a street.

Street, Cul-de-sac: A minor street having one end open to traffic and the other end terminated with a turn-around radius, i.e. circle for turning around at the end.

Street, Boulevard: A divided street designed to handle traffic volumes in excess of normal neighborhood traffic generation that is configured as a divided street with one or two lanes of traffic in each direction separated by a raised median.

Street, Dead End: A stub street in a subdivision which may at a later time be continued into another portion of the subdivision.

Street, Interstate: A street shown on the GDOT Functional Classification Application (<https://itos.maps.arcgis.com/apps/webappviewer/index.html?id=962a2591f91a4303aeafe016ba8db96b>) which provides divided highways with full control of access, offering the highest level of mobility.

Street, Local: A street shown on the GDOT Functional Classification Application (<https://itos.maps.arcgis.com/apps/webappviewer/index.html?id=962a2591f91a4303aeafe016ba8db96b>) which provides access to residential and non-residential developments,

Street, Major Collector: A street shown on the GDOT Functional Classification Application (<https://itos.maps.arcgis.com/apps/webappviewer/index.html?id=962a2591f91a4303aeafe016ba8db96b>) which provides collection and distribution of traffic between minor collectors or local roads and arterial streets.

Street, Minor Collector: A street shown on the GDOT Functional Classification Application (<https://itos.maps.arcgis.com/apps/webappviewer/index.html?id=962a2591f91a4303aeafe016ba8db96b>) which provides collection of traffic from surrounding local roads to permit convenient movement of traffic.

Street, Principal Arterial: A street shown on the GDOT Functional Classification Application (<https://itos.maps.arcgis.com/apps/webappviewer/index.html?id=962a2591f91a4303aeafe016ba8db96b>) which provides primary function of efficient movement of through traffic between and around areas of a City or County often with limited controlled access.

Street, Residential: A street which provides circulation and access to abutting property in residential areas.

Streetscape: All physical elements that may be viewed along a street.

Street Fairs: Temporary provision of games, eating and drinking facilities, live entertainment, or similar, temporary activities not requiring the use of roofed structures.

Street Furniture and Tree Planting Zone: The portion of a continuous sidewalk located immediately adjacent to the curb reserved for the placement of street trees and street furniture including utility-and-light poles, waste-receptacles, fire hydrants, traffic signs, traffic control boxes, newspaper boxes, transit shelters, bicycle racks, seating and similar elements in a manner that

does not obstruct pedestrian access or motorist visibility. Such elements, where installed, shall be a type specified by the manager of the Community Development Department in accordance with uniform design standards utilized by the manager for placement of such objects in the public right-of-way.

Subdivision:

- A. (verb) Any division or re-division of a lot, tract or parcel, regardless of its existing or future use, into two or more lots, tracts or parcels for the purpose, whether immediate or future, of sale, legacy or building development. This includes all division of land involving a new street or change in existing streets and includes re-subdivision and, where appropriate to the context, relates to the process of subdividing or to the land or area subdivided; provided, however, that the following are not included within this definition:
1. The combination or re-combination of portions of previously platted lots where the total number of lots is not increased and the resultant lots are equal to the standards set forth in these regulations.
 2. The division of land into parcels of ten acres or more where all of such parcels have frontage on a City maintained road; provided, however, in such cases a final plat shall be submitted to the development control committee for approval.
- B. (noun). Where appropriate to the context, the term "subdivision" also may be used in reference to the aggregate of all lots held in common ownership at the time of division.

Substantial Progress: The documented installation of physical project improvements valued at 50% or more of the total project cost. Physical improvements include, but are not limited to the installation of utilities, stormwater facilities, roadways, construction of structures, or renovation of existing structures. Total project cost may be confined to the phase of a project represented on an approved site plan.

Support Activities for Rail Transportation (488210): This industry comprises establishments primarily engaged in providing specialized services for railroad transportation including servicing, routine repairing (except factory conversion, overhaul, or rebuilding of rolling stock), and maintaining rail cars; loading and unloading rail cars; and operating independent terminals.

Taxi Services (485310): This industry comprises establishments primarily engaged in providing passenger transportation by automobile or van, not operated over regular routes and on regular schedules. Establishments of taxicab owner/operators, taxicab fleet operators, or taxicab organizations are included in this industry.

Technical and Trade Schools (6115). This industry comprises establishments primarily engaged in offering courses in office procedures and secretarial and stenographic skills and may offer courses in basic office skills, such as word processing. In addition, these establishments may offer such classes as office machine operation, reception, communications, and other skills designed for individuals pursuing a clerical or secretarial career. Instruction may be provided in diverse settings, such as the establishment's or client's training facilities, educational institutions, the workplace, or the home, and through diverse means, such as correspondence, television, the Internet, or other electronic and distance-learning methods. The training provided by these establishments may include the use of simulators and simulation methods.

Telephone Call Centers (56142): This industry comprises (1) establishments primarily engaged in answering telephone calls and relaying messages and (2) establishments primarily engaged in providing telemarketing services, such as promoting products or services by telephone; taking orders by telephone, facsimile, email, or other communication modes; and soliciting contributions or providing information by telephone. Telephone call centers provide these services on behalf of

clients and do not own the products or provide the services that they are representing, or they serve other establishments of the same enterprise.

Temporary Impound Lot: An establishment used for the short-term storage of damaged or confiscated vehicles.

Tent: A temporary or permanent structure having a roof and/or walls of fabric.

Theater Companies and Dinner Theaters (711110): This industry comprises (1) companies, groups, or theaters primarily engaged in producing the following live theatrical presentations: musicals; operas; plays; and comedy, improvisational, mime, and puppet shows and (2) establishments, commonly known as dinner theaters, engaged in producing live theatrical productions and in providing food and beverages for consumption on the premises. Theater groups or companies may or may not operate their own theater or other facility for staging their shows.

Tobacco, Electronic Cigarette, and Other Smoking Supplies Retailers (459991): This U.S. industry comprises establishments primarily engaged in retailing cigarettes, cigars, tobacco, pipes, and other smokers' supplies.

Topography: The physical land surface relief describing the terrain elevation and slope.

Traditional-Style: Traditional-style houses mix various elements drawn from colonial, farmhouse and neoclassical styles. They are typically two stories in height, have symmetrically placed windows, simple rooflines, overhanging eaves, front-facing gables, large covered porches supported by columns and use building materials such as brick, wood, stucco and stone.

Trailer, Camping: Any portable structure or vehicle designed for highway travel which is used or intended to be used for either living, sleeping, cooking or eating purposes, and which does not include all of the following facilities: a flush water closet, a lavatory, a bath or shower, and kitchen sink.

Transportation Equipment Manufacturing (336999): This U.S. industry comprises establishments primarily engaged in manufacturing transportation equipment (except motor vehicles, motor vehicle parts, boats, ships, railroad rolling stock, aerospace products, motorcycles, bicycles, armored vehicles and tanks).

Tree: Any living, self-supporting, woody perennial plant which normally obtains a trunk diameter of at least two inches and a height of at least ten feet and typically has one main stem or trunk and many branches.

Truck Transportation (484): Industries in the Truck Transportation subsector provide over-the-road transportation of cargo using motor vehicles, such as trucks and tractor trailers. The subsector is subdivided into general freight trucking and specialized freight trucking. This distinction reflects differences in equipment used, type of load carried, scheduling, terminal, and other networking services. General freight transportation establishments handle a wide variety of general commodities, generally palletized, and transported in a container or van trailer. Specialized freight transportation is the transportation of cargo that, because of size, weight, shape, or other inherent characteristics, requires specialized equipment for transportation.

Trucking Terminals, Independently Operated (488490): This industry comprises establishments primarily engaged in providing services (except motor vehicle towing) to road network users.

Used Merchandise Retailers (except Flea Markets) (459510): This industry comprises establishments primarily engaged in retailing used merchandise, antiques, and secondhand goods (except motor vehicles, such as automobiles, RVs, motorcycles, and boats; motor vehicle parts; tires; and mobile homes).

Utilities: Public or 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.

Variance: A modification of the literal provisions of this ordinance which the Zoning Board of Appeals is permitted to grant when strict enforcement of said provisions would cause undue hardship owing to circumstances unique to the individual property on which the variance is sought.

Virtual Kitchens: A food service establishment with minimal on-site work space, that delivers food directly to patrons. A virtual kitchen establishments have a kitchen on-site, no patron seating available on-site may or may not have space on-site dedicated to facilitating deliveries (management office, administrative office, break room, etc...).

Waste Treatment and Disposal (56221): This industry comprises establishments primarily engaged in (1) operating waste treatment or disposal facilities (except sewer systems or sewage treatment facilities) or (2) the combined activity of collecting and/or hauling of waste materials within a local area and operating waste treatment or disposal facilities. Waste combustors or incinerators (including those that may produce byproducts, such as electricity), solid waste landfills, and compost dumps are included in this industry.

Water, Potable: Any water which, according to recognized standards, is safe for human consumption.

Water Supply Watershed: The drainage area (watershed) of lands upstream of a governmentally-owned public drinking water intake or water supply reservoir.

Wine: Any alcoholic beverage containing not more than 21 percent alcohol made from fruits, berries, or grapes either by natural fermentation or by natural fermentation with brandy added. The term "wine" includes, but is not limited to, all sparkling wines, champagnes, combinations of such beverages, vermouths, special natural wines, rectified wines, and like products. The term "wine" does not include cooking wine mixed with salt or other ingredients so as to render it unfit for human consumption as a beverage. A liquid shall first be deemed to be a wine at the point in the manufacturing process when it conforms to the definition of wine contained in this section.

Yard: An open space on the same lot with a principal building open, unoccupied, and unobstructed by buildings or structures from ground to sky except where encroachments and accessory buildings are expressly permitted.

Yard, Front: An open, unoccupied space on the same lot with a principal building, extending the full width of the lot, and situated between the street and the front line of the building projected to the side lines of the lot.

Yard, Rear: An open, unoccupied space on the same lot with a principal building, extending the full width of the lot and situated between the rear line of the lot and the rear line of the building projected to side lines of the lot.

Yard, Side: An open, unoccupied space on the same lot with a principal building, situated between the building and the side lot line of the lot and extending from the front yard to the rear yard. Any lot line not a rear line or a front line shall be deemed a side line.

Zoning Administrator: The Director of the Community Development Department or his/her designated representative.

Zoning Board of Appeals: The Zoning Board of Appeals of Paulding County, Georgia.

Zoning District: Refers to the zoning designation of parcels of land as per [Chapter 210](#) of this UDO.

Zoning Ordinance: The zoning regulations enacted by the City Council and set forth in the UDO.

Section 110-50. Definitions by Category/Chapter.

- 110-50.01 Reserved.
- 110-50.02 Reserved.
- 110-50.03 Reserved.
- 110-50.04 The following definitions are to be applied in Chapter 600, Sign Ordinance.

Words and phrases used in this Chapter shall have the meanings set forth in this section. Words and phrases not defined in this section, but defined in the Title 2: Zoning of this UDO or Title 3: Development, shall be given the meanings set forth in such Title. All other words and phrases shall be given their common, ordinary meaning, unless the context clearly requires otherwise. Section headings or captions are for reference purposes only and shall not be used in the interpretation of this Section.

Abandoned Sign: Any sign that contains or exhibits broken panels, visible rust, visible rot, damaged support structures, or missing letters or which is otherwise dilapidated, unsightly, or unkept, and for which no person accepts maintenance responsibility. Also, any sign associated with a business that has ceased operations for 30 days or more.

Animated Sign: Any sign, or part of a sign, that uses any movement or change of lighting or color to depict action or create a special effect or scene.

Applicant: A business, company, person, or owner who formally applies for a sign application, a temporary sign, billboard for the City of Hiram.

Audible Sign: Any sign which emits a sound.

Awning/Canopy Sign: Any sign that is part of, or attached to, an awning, canopy or other fabric, plastic or structural protective cover over a door, entrance, window, or outdoor service area. A marquee is not a canopy.

Banner: A sign other than a flag with or without characters, letters, illustrations or ornamentation applied to cloth, paper, plastic, or fabric that is intended to be hung either with a frame or without a frame. Neither flags nor canopy signs are considered banners.

Beacon: Any light with one or more beams directed into the atmosphere or directed at one or more points not on the same lot as the light source; also, any light with one or more beams that rotate or more.

Bootleg Sign: Sign, placard, poster, card, banner, or other indication of the interests of any person, group, business, or organization on any post, pole, fence, or tree, including, but not limited to, light and telephone poles, on any street, sidewalk, thoroughfare, or public right-of-way other than signs erected or caused to be erected by the City of Hiram.

Billboard: An off-premise, freestanding sign with an area of more than 120 square feet and not larger than 672 square feet.

Billboard Review Application (BRA): Application provided by county to review proposed signs for compliance to this chapter.

Changeable Copy Sign: Any sign that incorporates changing lights, lettering, or images to form a sign message or messages, whether such changes are accomplished electronically or manually. Any graphics and messages shall not change more than one time per minute.

Director: The City Manager or Operations Director of the City of Hiram Public Works Department, or his or her designee for a particular purpose.

Directory Sign: A single sign for multiple businesses, offices, professionals, industries, or other entities located within a planned center.

Drive-through/Drive-in Facility: A location where products and/or services are distributed to, or business is transacted with, a person seated in a motor vehicle.

Electronic Sign: A sign whose message may be changed at intervals by computer controller, microprocessor controller, or by remote control, and whose message is displayed through the use of LED, LCD, plasma, or other similar type panels or screens, including devices known as commercial electronic message signs and similar devices.

Entry Wall Sign: Any single faced sign attached to or erected and confined within the limits of an exterior wall generally along the perimeter of a development.

Fall Zone: An area equal to 133 percent of the height of the structure in every direction.

Festoon: Includes, pennants, flags, banner, streamers, inflatable devices, string so lights, figures/characters or other similar device.

Flag: Any fabric or bunting containing colors, patterns, or symbols used as a symbol of a government, entity, or other organization.

Flashing Sign: A sign, the illumination of which is not kept constant in intensity at all times when in use and which exhibits marked changes in lighting effects.

Gateway Sign: A sign approved by the City Manager or the Public Works Operations Director of the City of Hiram placed or constructed wholly or partially within right-of-way at key entry points to the City of Hiram, established communities, and other city facilities. These signs are specifically to provide unique identity and distinct characteristics of the city, community, or public facility with an overall common theme.

Height: The measure in linear feet from the highest point on an object to the unaltered elevation of the ground at the base of the object or directly beneath the object.-At the election of the permit holder, the height of a sign may be measured from the highest point on the sign to the level of the nearest road from which the sign is intended to be viewed.

Home Occupation Sign: A sign for an approved home occupation on a residential parcel of land, with advertising for services or products legally offered on the premises where the sign is located.

Illuminated Sign, External: A sign illuminated by an external light source. Such source cannot be a device that changes color, flashes, or alternates.

Illuminated Sign, Internal: A sign illuminated by an internal light source. Such source cannot be a device that changes color, flashes, or alternates.

Instructional Signs: A sign used to give direction or instruction to the public, such as, but not limited to "enter," "exit," "no parking," "drive through," "rest rooms," and so forth. Instructional signs shall be a monument sign with a sign face not to exceed four square feet in size and three feet in height.

Kiosk Sign: A free-standing and multiple sided structure owned by the City and located in public rights-of-way that displays directional information to residential and commercial developments.

LED Sign: An electronically controlled sign utilizing light-emitting diodes to form some or all of the sign message.

Marquee, Marquee Sign: Any permanent roof-like structure projecting beyond a building or extending along and projecting beyond the wall of the building, generally designed and constructed to provide protection from the weather.

Menu Sign: A sign or sign structure which is fully enclosed or otherwise protected from the elements, including, but not limited to, a box, shadow box, or cabinet, attached to a wall, or freestanding, which is used generally for the purpose of displaying restaurant menus or announcements of activities within the establishment for which the menu or announcement is displayed. A menu display may be used for a restaurant without drive-through service and for transient lodging facilities which have restaurant facilities open to the general public in addition to the registered guests.

Mobile Sign: A sign which is attached to, mounted on, pasted on, painted or drawn on any vehicle (whether motorized or drawn), which is placed, parked or maintained at one particular location for the express purpose and intent of promotion.

Monument Sign: A freestanding sign mounted directly upon the ground and not attached to or a part of or supported by a building and designed in such a manner that the base of the sign face is flush with the supporting solid base which is flush with the ground. The base shall be at least as wide as the sign.

Moving Sign: A sign which revolved, rotates, swings, undulates, or otherwise attracts attention through the structural movement of parts.

Multi-tenant: One of more buildings, located on a single premise, containing two or more separate and distinct individual establishments, which occupy separate portions of the building and which are physically separated from each other by walls.

Off-premise Sign: A sign which identifies, advertises, or promotes a product, service, person, place activity, event, idea or any other thing located or obtainable elsewhere other than the lot where such sign is located and not principally sold on the lot on which it is located.

On-premise Sign: A sign which identifies advertises or promotes a product, service, person, place, activity, event, idea or any other thing located or obtainable on or at the lot where such sign is located.

Out-of-store Marketing Device: An out-of-store marketing device is any facility or equipment which is located outside of a primary building on a site zoned for non-residential uses, which is used for the primary purpose of providing a product or service at the device location without the other's or agent's immediate presence, and which is manufactured to include a color, form, graphic illumination, symbol, and/or writing thereon to communicate information regarding the product or service provided thereby to the public. Examples of out-of-store marketing devices include: fuel pumps, bank ATM units, vending machines, newspaper racks, drink machines, ice boxes, and phone booths. Where signs integral to such out-of-store marketing devices are too small to be legible to the traveling public from rights-of-way and are otherwise non-removable without damage to the equipment's surface, they do not require a SRA and are not subject to overall sign limitations for the lot on which they appear.

Pennant, Streamer: Any lightweight plastic, fabric, or other material, whether containing a message of any kind or not, suspended from a rope, wire, or string, usually in a series, designed to move in the wind.

Permanent Sign: Any sign which, when installed, is intended for permanent use. A permanent freestanding sign shall be of a type and construction as not to be easily or readily removed from the lot on which it has been erected.

Permitted: Authorized in accordance with the terms of the chapter.

Person: A natural or legal person, including a firm, organization, partnership, trust, or corporation.

Portable Sign: A sign which is not permanently affixed to the ground or to a structure, including, but not limited to, signs on trailers or signs mounted or painted on vehicles which are parked in such a manner as to serve the purpose of a sign.

Principal Building: The building in which the principal use of the lot is conducted. Non-residential lots with multiple principal uses may have multiple principal buildings, but storage buildings, garages, and other structures with clear accessory uses shall not be considered principal buildings.

Projecting Sign: Any sign which is projected from the wall of a building or structure.

Public Sign: Any sign erected by or caused to be erected by a governmental entity including kiosk directional signs through the City of Hiram, public utility, or railroad and gateway signs.

Roof Sign: Any sign erected and constructed wholly on and over the roof of a building, or supported by the roof structure.

Sign: Any device, fixture, placard, or structure affixed to, supported by, or suspended by a stationary object, building or the ground that uses any color, form, graphic illumination, symbol, or writing to communicate information of any kind to the public.

Signs During Vacancy: Signs permitted for developments with vacant lots, units, and/or tenant spaces.

Sign Face: That part of a sign that is or can be used for advertising purposes.

Standard Informational Sign: A sign with an area of not greater than four square feet, with a sign face made for short term use, containing no reflecting elements, flags, or projections and which, when erect, stands at a height not greater than three feet and is mounted on a stake or metal frame with a thickness or diameter not greater than one and one-half inches. Off-premise standard informational signs are prohibited. Permits are not required.

Suspended Sign: A sign which is suspended from an eave or soffit of a building. (Must provide eight or more feet of ground clearance.)

Temporary Sign: Any sign that is not permanently mounted.

Tri-vision Sign: A sign designed with a series of triangular slats that mechanically rotate in sequence with one another to show three different sign messages in rotation.

Wall Sign: Any sign attached parallel to a wall, painted, on the wall surface or erected and confined within the limits of an outside wall of any building or structure, which is supported by such wall or building and which displays only one sign surface. No wall sign shall extend more than 12 inches from any wall, building, or structure.

Window Sign: Any sign that is placed inside a window or upon the window panes or glass, either inside or outside the building, and is visible from the exterior of the structure.

Zoning Ordinance: The zoning regulations enacted by the City Council and set forth in Title 2 of this UDO.

110-50.05 The following definitions are to be applied in Chapter 700, Telecommunication Towers and Antennas.

Alternative Tower Structure: Manmade trees, clock towers, bell steeples, light poles and similar alternative-design mounting structures that camouflage or conceal the presence of antennas or towers.

Antenna: Any exterior apparatus designed for telephonic, radio, or television communications through the sending and/or receiving of electromagnetic waves.

FAA: The Federal Aviation Administration.

FCC: The Federal Communications Commission.

Governing Authority: The City Council of Hiram, Georgia.

Preexisting Towers And Antennas: The meaning set forth in Section XX article III, section A(4), of this ordinance.

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

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 radio and television transmission towers, microwave towers, common-carrier towers, cellular telephone towers, alternative tower structures, and the like.

110-50.06 The following definitions are to be applied in Chapter 710, Small Wireless Facilities and Antennas.

As used in this article, the following terms have the following meanings as set forth hereafter. In the event that any federal or state law containing definitions used in this article is amended, including specifically but without limitation O.C.G.A. § 36-66C-2 et seq., the definition in the referenced section, as amended, shall control.

Antenna: Means

- A. Communications equipment that transmits, receives, or transmits and receives electromagnetic radio frequency signals used in the provision of wireless services or other wireless communications; or
- B. Communications equipment similar to equipment described in part (A) used for the transmission, reception, or transmission and reception of surface waves. Such term shall not include television broadcast antennas, antennas designed for amateur radio use, or satellite dishes for residential or household purposes. Such term shall also not include those antennas subject to Chapter 700, entitled "Telecommunications Towers and Antennas" of this UDO.

Applicable Codes: Uniform building, fire, safety, electrical, plumbing, or mechanical codes adopted by a recognized national code organization to the extent such codes have been adopted by the State of Georgia or the City or are otherwise applicable in the City.

Applicant: Any person that submits an application.

Application: A written request submitted by an applicant to the City for a permit to:

- A. Collocate a small wireless facility in a right-of-way; or

- B. Install, modify, or replace a pole or decorative pole in a right-of-way on which a small wireless facility is or will be collocated.

Authority Pole: A pole owned, managed, or operated by or on behalf of the City. Such term shall not include poles, support structures, electric transmission structures, or equipment of any type owned by an electric supplier.

Collocate or Collocation: To install, mount, modify, or replace a small wireless facility on or adjacent to a pole, decorative pole, or support structure.

Communications Facility: The set of equipment and network components, including wires and cables and associated equipment and network components, used by a communications service provider to provide communications services.

Communications Service Provider: A provider of communications services.

Communications Services: Cable service as defined in 47 U.S.C. § 522(6); telecommunications service as defined in 47 U.S.C. § 153(53); information service as defined in 47 U.S.C. § 153(24), as each such term existed on January 1, 2019; or wireless services.

Consolidated Application: An application for the collocation of multiple small wireless facilities on existing poles or support structures or for the installation, modification, or replacement of multiple poles and the collocation of associated small wireless facilities.

Decorative Pole: An authority pole that is specially designed and placed for aesthetic purposes.

Electric Supplier: Any electric light and power company subject to regulation by the Georgia Public Service Commission, any electric membership corporation furnishing retail service in this state, and any municipality which furnishes such service within this state.

Eligible Facilities Request: An eligible facilities request as set forth in 47 C.F.R. § 1.40001(b)(3), as it existed on January 1, 2019.

FCC: The Federal Communications Commission of the United States.

Fee: A one-time, nonrecurring charge based on time and expense.

Historic District: Means

- A. Any district, site, building, structure, or object included in, or eligible for inclusion in, the National Register of Historic Places maintained by the secretary of the interior of the United States in accordance with section VI.D.1.a.i—v of the Nationwide Programmatic Agreement codified by 47 C.F.R. Part 1;
- B. Any area designated as a historic district under Article 2 or Chapter 10 of Title 44, the [Georgia Historic Preservation Act](#); or
- C. Any area designated as a historic district or property by law prior to April 26, 2019.

Law: Includes any and all federal, state, or local laws, statutes, common laws, codes, rules, regulations, orders, or ordinances.

Micro Wireless Facility: A small wireless facility not larger in dimension than 24 inches in length, 15 inches in width, and 12 inches in height that has an exterior antenna, if any, no longer than 11 inches.

Permit: A written authorization, in electronic or hard copy format, required to be issued by the City to initiate, continue, or complete the collocation of a small wireless facility or the installation, modification, or replacement of a pole or decorative pole upon which a small wireless facility is collocated.

Person: An individual, corporation, limited liability company, partnership, association, trust, or other entity or organization, including an authority.

Pole: A vertical pole such as a utility, lighting, traffic, or similar pole made of wood, concrete, metal, or other material that is lawfully located or to be located within a right-of-way, including without limitation a replacement pole and an authority pole. Such term shall not include a support structure, decorative pole, or electric transmission structure.

Rate: A recurring charge.

Reconditioning Work: The activities associated with substantially painting, reconditioning, improving, or repairing authority poles.

Replace, Replacement Or Replacing: To replace a pole or decorative pole with a new pole or a new decorative pole, similar in design, size, and scale to the existing pole or decorative pole consistent with 47 C.F.R. § 1.40001(b)(7) as it existed on January 1, 2019, in order to address limitations of, or change requirements applicable to, the existing pole to structurally support the collocation of a small wireless facility.

Replacement Work: The activities associated with replacing an authority pole.

Right-of-Way: Means, generally, property or any interest therein, whether or not in the form of a strip, which is acquired for or devoted to a public road; provided, however, that such term shall apply only to property or an interest therein that is under the ownership or control of the City and shall not include property or any interest therein acquired for or devoted to an interstate highway or the public rights, structures, sidewalks, facilities, and appurtenances of buildings for public equipment and personnel used for or engaged in administration, construction, or maintenance of public roads or research pertaining thereto or scenic easements and easements of light, air, view and access.

Small Wireless Facility: Means radio transceivers; surface wave couplers; antennas; coaxial, fiber optic, or other cabling; power supply; backup batteries; and comparable and associated equipment, regardless of technological configuration, at a fixed location or fixed locations that enable communication or surface wave communication between user equipment and a communications network and that meet both of the following qualifications: (i) each wireless provider's antenna could fit within an enclosure of no more than six cubic feet in volume; and (ii) all other wireless equipment associated with the facility is cumulatively no more than 28 cubic feet in volume, measured based upon the exterior dimensions of height by width by depth of any enclosure that may be used. The following types of associated ancillary equipment are not included in the calculation of the volume of all other wireless equipment associated with any such facility: electric meters; concealment elements; telecommunications demarcation boxes; grounding equipment; power transfer switches; cut-off switches; and vertical cable runs for connection of power and other services. Such term shall not include a pole, decorative pole, or support structure on, under, or within which the equipment is located or collocated or to which the equipment is attached and shall not include any wireline backhaul facilities or coaxial, fiber optic, or other cabling that is between small wireless facilities, poles, decorative poles, or support structures or that is not otherwise immediately adjacent to or directly associated with a particular antenna.

State: The State of Georgia.

Support Structure: A building, billboard, water tank, or any other structure to which a small wireless facility is or may be attached. Such term shall not include a decorative pole, electric transmission structure, or pole.

Wireless Infrastructure Provider: Any person, including a person authorized to provide telecommunications services in this state, that builds, installs, or operates small wireless facilities, poles, decorative poles, or support structures on which small wireless facilities are or are intended to be used for collocation but that is not a wireless services provider.

Wireless Provider: A wireless infrastructure provider or a wireless services provider.

Wireless Services: Any services provided to the public using licensed or unlicensed spectrum, including the use of Wi-Fi, whether at a fixed location or mobile.

Wireless Services Provider: A person that provides wireless services.

Wireline Backhaul Facility: An aboveground or underground wireline facility used to transport communications data from a telecommunications demarcation box associated with small wireless facility to a network.

110-50.07 The following definitions are to be applied in Chapter 720, An Ordinance for a Broadband Ready Community.

As used in this article, the following terms have the following meanings as set forth hereafter. In the event that any federal or state law containing definitions used in this article is amended, including specifically but without limitation O.C.G.A. § 36-66C-2 et seq., the definition in the referenced section, as amended, shall control.

Applicant: A person applying for a permit for a broadband network project.

Broadband Network Project: Any deployment of broadband services.

Permit: Any local permit, license, certificate approval, registration, or similar form of approval required by policy, administrative rule, regulation, ordinance, or resolution with respect to a broadband network project.

Political Subdivision: A county, municipal corporation, consolidated government, or local authority.

Chapter 120. Modifications, Waivers, Appeals and Judicial Review.

Section 120-10. Process.

120-10.01 This Chapter outlines the appeals process in all cases of this UDO.

Section 120-20. Zoning Board of Appeals.

120-20.01 The Zoning Board of Appeals shall have the power to hear any appeal of an administrative decision of the Zoning Administrator in the enforcement of Title 2, Title 4 or Title 5 of this UDO pursuant to [Chapter 290](#).

120-20.02 The Zoning Board of Appeals shall have the power to grant variances to the terms of Title 2, Title 4 or Title 5 of this UDO pursuant to [Chapter 290](#).

Section 120-30. Development Waiver Review Committee.

120-30.01 The Development Waiver Review Committee shall have the power to hear appeals of decisions and interpretations of the Plan Review Committee, and consider variances from the Title 3 of the UDO pursuant to Chapter 395.

Section 120-40. Construction Board of Adjustment and Appeals.

120-40.01 The Paulding County Construction Board of Adjustment and Appeals shall have the power to hear any appeal of an interpretation of the City of Hiram Technical Codes by the Building Official pursuant to the Code of the City of Hiram, Georgia Chapter 10, [Article I](#).

Section 120-50. State Fire Marshal.

120-50.01 The State Fire Marshal shall have the power to hear any appeal of an interpretation of the International Fire Code by the County Fire Marshal pursuant to O.C.G.A. § 25-2-12(e)(1).

Section 120-60. Judicial Review.

120-60.01 Any person, aggrieved by a decision or order of the Hiram City Council regarding this UDO after exhausting their administrative remedies, shall have the right to appeal the decision to a court of competent jurisdiction within 30 days of the date the decision by the City Council was rendered.

Chapter 130. Enforcement and Penalties.

Section 130-10. Enforcement of the Unified Development Ordinance.

The provisions of this ordinance shall be administered by the City Manager, or their designees, in coordination with the Paulding County Community Development Division, and enforced in coordination with the Police Department and Code Enforcement, with the powers provided in the laws of the State of Georgia and in the charter and resolutions of the City of Hiram. For the purpose of serving citations for violations of this ordinance, such citations may be referred to the Police Department of the City of Hiram for service.

Section 130-20. Building Permit Required.

It shall be unlawful to commence the construction of any building, or to commence the moving or alteration of any building which requires a permit in accordance with the policies and procedures of the Paulding County Community Development Department until a permit for such work has been issued.

Section 130-30. Application for Building Permit

All applications to the Planning and Zoning Division for building permits shall be accompanied by a site plan and survey, as applicable; however, accessory buildings located in agricultural and residential areas may be excluded if setbacks and other requirements can be determined. The site plan or survey must include:

- 130-30.01 The actual dimensions of the lot to be built upon;
- 130-30.02 The size of the building to be erected;
- 130-30.03 The location of the building on the lot;
- 130-30.04 The location of existing structures on the lot, if any;
- 130-30.05 The number of dwelling units the building is designed to accommodate;
- 130-30.06 The setback lines of buildings on adjoining lots;
- 130-30.07 The layout of off-street parking and loading spaces;
- 130-30.08 Such other information as may be requested for determining whether the provisions of this ordinance are being observed; and
- 130-30.09 Certification by the applicant that he or she has complied or will comply with the applicable health department regulations and all other applicable ordinances of the City of Hiram and Paulding County.

Section 130-40. Violation and Penalties.

Any person, firm, corporation, or any agent, servant, employee, officer, or contractor for any person, firm, or corporation who shall violate any provision, requirement, term, or condition of this ordinance shall be subject to punishment as set forth in the City of Hiram Code [Section 1-12](#). Each day of any violation of this ordinance shall constitute a separate offense. The violation of any provision, requirement, term, or condition of this ordinance shall also constitute a nuisance and any person aggrieved thereby may abate the same or the same may be abated as a public nuisance. Continuous violation thereof may be restrained in a court of equity having jurisdiction thereof, and such remedy shall not be the exclusive remedy for any violation.

Section 130-50. Prosecution.

Any violations of this ordinance may be tried before the Municipal Court of the City of Hiram, upon a citation. Each citation shall state the time and place at which the accused is to appear for trial, shall identify the offense with which the accused is charged, shall have an identifying number by which it shall be filed with the Municipal Court, shall indicate the identity of the accused and the date of service, and shall be signed by the city officer who completes and serves it. In any case necessary, the city solicitor is designated as prosecuting attorney.

Section 130-60. Development Inspections and Enforcement.

- 130-60.01 The various departments and divisions will periodically inspect the projects for which permits have been issued to determine if the activities are being conducted in accordance with the approved construction plans. If, through inspection, it is deemed that a person engaged in the permitted activities as defined herein has failed to comply with the approved plan, with permit conditions, or with the provisions of these regulations, a written notice to comply shall be served upon that person. The notice shall set forth the measures necessary to achieve compliance and shall state the time within which such measures must be completed. If the person engaged in the land-disturbing activity fails to comply within the time specified, he or she shall be deemed in violation of these regulations.
- 130-60.02 The various departments and divisions shall have the power to conduct such investigations as they may reasonably deem necessary to carry out duties as prescribed in these regulations, and for this purpose to enter at reasonable times upon any property, public or private, for the purpose of investigation and inspecting the sites.
- 130-60.03 No person shall refuse entry or access to any authorized representative or agent of the City of Hiram or Paulding County who requests entry for the purpose of inspection, and who presents appropriate credentials, nor shall any person obstruct, hamper or interfere with any such representative or agent while in the process of carrying out his or her official duties.
- 130-60.04 **Stop-work Orders.** Upon notice from the directors, or their designees, of the various departments, work on any project that is being done contrary to the provisions of these regulations or in a dangerous or unsafe manner, shall be immediately stopped. Such notice shall be in writing and shall be given to the owner of the property, his or her authorized agent or the person or persons in charge of the activity on the property, and shall state the conditions under which work may be resumed. Where an emergency exists, no written notice shall be required.
- 130-60.05 **Bond Forfeiture and Lien.** If, through inspection, it is determined that a person engaged in permitted activities has failed to comply with the approved construction plans, a written notice to comply shall be served upon that person. The notice shall set forth the measures necessary to achieve compliance with the plan and shall state the time within which such measures must be completed. If the person(s) engaged in the land-disturbing activity fails to comply within the time specified, he or she shall be deemed in violation of these regulations and, in addition to other penalties, shall be deemed to have forfeited his or her bond. The Community Development Director, in conjunction with the City Attorney, may call the bond

or any part thereof to be forfeited and may use the proceeds to hire a contractor to complete the work and bring it into compliance.

In the event that either the performance or maintenance securities fail for any reason to cover the costs of bringing a project into compliance with approved construction plans, including any deficiency as to form or execution of the securities, then all real estate of the project held by the subdivider/person is subject to being charged for the costs and such costs shall be a lien upon such real estate for the benefit of the City of Hiram, Georgia. The lien shall be filed with the records of the Paulding County Superior Court Clerk. The lien shall be assessed coequal to and enforced in the same manner as liens for state and county and city ad valorem property taxes by issuance of a fi. fa. and levy and sale as set forth in Title 48 of the Official Code of Georgia. The lien shall have a duration of ten years.

- 130-60.06 **Monetary Penalties.** Any person violating any provisions of these regulations, permitting conditions, or stop-work order shall be subject to citation by the Hiram Police Department, Sheriff, deputies or any other duly authorized officer and deemed liable for a monetary penalty not to exceed \$1,000.00 per day, by a sentence of imprisonment not exceeding 60 days in jail, or both fine and jail, or work alternative. Each day during which the violation or failure or refusal to comply continues shall constitute a separate violation.

Section 130-70. Penalties.

- 130-70.01 **Failure to Obtain a Permit.** If any person commences any activity requiring a permit as prescribed in these regulations without first obtaining said permit, the person shall be subject to revocation of his or her business license, work permit or other authorization for the conduct of a business and associated work activities within the jurisdictional boundaries of the City of Hiram. Additionally, the person shall be subject to citation by the City of Hiram Police Department, Sheriff's Deputies or any other duly authorized officer for performing activities without the required permit.
- 130-70.02 **Monetary Penalties.** Any person violating any provisions of these regulations, permitting conditions, or stop-work order shall be subject to citation by the City of Hiram Police Department, Sheriff's Deputies or any other duly authorized officer which violations shall be punishable as set forth in City of Hiram [Section 1-12](#). Each day during which the violation or failure or refusal to comply continues shall constitute a separate violation.

Chapter 140. Legal Status Provisions.

Section 140-10. Legal Status Provisions.

Whenever the regulations of this UDO require a greater width or size of yards, courts, or other open spaces, or require a lower height of buildings or smaller number of stories, or require a greater percentage of lot to be left unoccupied, or impose other more restrictive standards that are required in or under any other ordinance or statute, the regulations and requirements of this ordinance shall govern.

Whenever the provisions of any other statute or ordinance require more restrictive standards than are required by this ordinance, the provisions of such statute or ordinance shall govern.

Section 140-20. Severability.

If any article, section, provision or clause of any part of this UDO shall be declared invalid or unconstitutional, or if the provisions of any part of this UDO as applied to any particular situation or set of circumstances shall be declared invalid or unconstitutional, such invalidity shall not be construed to effect the portions of this UDO not so held to be invalid, or the application of this UDO to other circumstances not so held to be invalid. It is hereby declared as the intent that this UDO would have been adopted had such invalid portion not been included herein.

Section 140-30. Effective Date.

This ordinance shall take effect and be in force from and after its adoption, the public welfare of the City of Hiram demanding.

ADOPTED ____ DAY OF _____, 2022.

Mayor, Hiram City Council

ATTEST:

Clerk, Hiram City Council

Title 2

Zoning

Chapter 200. General Provisions.

Section 200-10. Purpose.

This Title 2 is intended to implement the purposes set forth in Section 100-20, and further is enacted for the purposes of regulating within the City of Hiram the location, height, bulk, number of stories and size of buildings and other structures; the sizes of yards, courts, and other open spaces; the density and distribution of population; and the uses of buildings, structures, and land for trade, industry, residence, recreation, mining, agriculture, forestry, conservation, sanitation, protection against floods, public activities, and boundaries thereof; defining certain terms used herein; providing for the method of administration and amendment; defining the powers and duties of the Zoning Board of Appeals; providing penalties for violations, repealing conflicting ordinances; and for other purposes.

Section 200-20. Authority.

This Title 2 is enacted pursuant to the City of Hiram's authority to adopt plans and exercise the power of zoning granted by the Constitution of the State of Georgia, Article 9, Section 2; pursuant to Chapters 66 and 70 of Title 36 of the Official Code of Georgia Annotated; by the Georgia Planning Act of 1989; by City of Hiram's authority to enact regulations and exercise powers granted by local laws and by the City's general police powers; and by other powers and authority provided by applicable federal, state, and local laws.

Section 200-30. Incorporation of Official Zoning Map.

200-30.01 The location and boundaries of the Zoning Districts are hereby established as shown on the set of maps entitled "Official City of Hiram Zoning Map" which are hereby made a part of this UDO. The Official City of Hiram Zoning Map may be amended from time to time and shall be kept in the office of the City Zoning Administrator and the Paulding County Community Development Department, Planning and Zoning Division where they shall be maintained and made available for public inspection.

200-30.02 Certified copies of said maps shall be prepared by the City of Hiram City Manager, or their designee.

Section 200-40. Division of City into Zoning Districts.

200-40.01 For the purpose of this ordinance, the City of Hiram is divided into the following zoning districts designated as follows:

A-1	Agricultural District
ER	Estate Residential District
R-1	Rural Residential District
R-2	Suburban Residential District
R-3	Sewered Suburban Residential District
MPR	Master Planned Residential
OSRD	Open Space Residential District
RD	Duplex District
MHP	Manufactured Home Park District
R-55	Active Adult Residential District
LRO	Low Rise Office District

O-I	Office-Institutional District
NB	Neighborhood Business District
B-1	General Business District
PSC	Planned Shopping Center District
B-2	Highway Business District
ECR	E-Commerce Retail District
ECBP	E-Commerce Business Park District
B2CL	Business to Consumer Logistics District
AML	Advanced Manufacturing Logistics District
I-1	Light Industrial District
I-2	Heavy Industrial District
AB	Agricultural Business District

Section 200-50. Rules for Determining Boundaries.

200-50.01 Where uncertainty exists with respect to the location of the boundaries of any zoning district as shown on the Official Zoning Map of the City of Hiram, Georgia, the following rules shall apply:

- A. Where a zoning district boundary line is shown as approximately following a corporate limits line, a militia district line, a land lot line, a lot line, or the center line of a street, a city road, a state highway, an interstate highway, or a railroad right-of-way or such lines extended, then such lines shall be construed to be the zoning district boundary lines.
- B. Where a zoning district boundary line is shown as being set back from a street, a city road, a state highway, an interstate highway, or a railroad right-of-way, and approximately parallel thereto, then such zoning district boundary line shall be construed as being at the scaled distance from the center line of the street, city road, state highway, interstate highway, or railroad right-of-way and as being parallel thereto.
- C. Where a zoning district boundary line divides a lot, the location of the line shall be the scaled distance from the lot lines. In this situation, the requirements of the zoning district in which the greater portion of the lot lies shall apply to the balance of the lot except that such extension shall not include any part of a lot that lies more than 50 feet beyond the zoning district boundary line.
- D. In the case of a through lot fronting on two approximately parallel streets that is divided by a zoning district boundary line paralleling the streets, the restrictions of the zoning district in which each frontage of the through lot lies shall apply to that portion of the through lot.

Section 200-60. Relationship to Comprehensive Plan.

200-60.01 Role of the Comprehensive Plan.

The Paulding County 2017 Comprehensive Plan, consisting of its Future Development Map and related policies, as may be amended from time to time, is hereby established as the official policy of the City concerning designated future land uses, and as a guide to decisions regarding the appropriate manner in which property shall be zoned in the incorporated area of the City of Hiram.

200-60.02 Relationship between Comprehensive Plan and Zoning.

The Paulding County 2017 Comprehensive Plan does not change the existing zoning districts in the City of Hiram, does not effectuate an amendment to the City of Hiram Official Zoning Map, and does not itself permit or prohibit any existing land uses. Instead, the Comprehensive Plan establishes a broad planning policy for current and future land uses and should be consulted as a guideline for making decisions about applications to amend the City of Hiram Official Zoning Map and text of the UDO.

Section 200-70. Zoning Certification.

Upon request, the City Manager or his or her designee shall have authority to issue written zoning certifications stating the existing zoning of a particular parcel of property. Requests to the City Manager or the City Manager's designee shall be in writing, accurately identify the subject property, and be accompanied by a fee established by the City Council.

Section 200-80. Zoning Classification of Abandoned Right-of-Way.

Undeveloped property which has been formally abandoned by the city will be subject to the same zoning district, including any conditions established prior to annexation. However, if the zoning district within the City of Hiram cannot be determined from existing records or by the City Manager, or their designee, a public hearing, as specified in [Section 280-60](#) will be conducted to establish the appropriate zoning classification for the property.

Chapter 210. Base Districts.

Section 210-10. A-1 Agricultural District.

210-10.01 Purpose and Intent.

The A-1 District is comprised of land having a predominantly rural character and provides locations for large parcels of undeveloped land, agricultural uses, and single-family residential uses on larger tracts of land. These areas are generally within or on the edge of properties delineated for residential categories. A-1 is appropriate in the Conservation and Rural Character areas of the Future Development Map of the Paulding County, Georgia 2017 Comprehensive Plan as may be amended.

210-10.02 Permitted Uses.

Within the A-1 District, the following uses are permitted:

- A. Backyard Chicken
- B. Botanical Gardens
- C. Breeders
- D. Golf Courses
- E. Greenhouse, Nursery, and Floriculture Production
- F. Nature Parks and Other Similar Institutions
- G. Public Administration
- H. Public Elementary and Secondary Schools
- I. Public Utilities
- J. Riding Stables
- K. Single-family Detached Dwellings, including Residential Industrialized Buildings, with a minimum 1,100 square feet of heated living area

210-10.03 Special Exception Uses.

Within the A-1 District, the following uses are permitted as a Special Exception provided specified conditions enumerated in [Section 230-30](#) are satisfied:

- A. Accessory Structures and Uses
- B. Animal Production and Aquaculture excluding Hog and Pig Farming
- C. Boarding Services, Pet
- D. Community Living Arrangements
- E. Electric Vehicle Charging Station
- F. Family Child Care Learning Home
- G. Forestry and Logging
- H. Guest House
- I. Home Occupations
- J. Kennels
- K. Personal Care Home
- L. Produce Stands, Temporary
- M. Recreational Buildings
- N. Religious Organizations with attendant Educational and Recreational Buildings and Cemeteries
- O. Small Cell Wireless Facilities
- P. Temporary Uses
- Q. Wild and Exotic Animals

- 210-10.04 **Special Use Permits.**
Within the A-1 District, the following uses are permitted with a Special Use Permit provided specified conditions enumerated in [Section 230-40](#) are met and have obtained approval by the City Council:
- A. Cemeteries
 - B. Hog and Pig Farming
 - C. RV (Recreational Vehicle) Parks and Campgrounds
 - D. Shooting Ranges, Outdoor
 - E. Telecommunication Towers
- 210-10.05 **Land Use Permits.**
Within the A-1 District, the following uses are permitted with a Land Use Permit provided specified conditions enumerated in [Section 230-50](#) are met and have obtained approval by the City Council:
- A. Residential Businesses
 - B. Rural Businesses
- 210-10.06 **Lot Size, Area and Setback Requirements*.**
*Unless otherwise specified; also subject to approval by the Office of Environmental Health
- | | |
|--|----------------------------------|
| A. Minimum Lot Size: | 217,800 square feet (Five acres) |
| B. Minimum Public Road Frontage: | 30 feet |
| C. Minimum Lot Width at Building Line: | 125 feet |
| D. Minimum Front Yard Setback: | 50 feet |
| E. Minimum Side Yard Setback: | 25 feet |
| F. Minimum Rear Yard Setback: | 30 feet |
| G. Maximum Building Height: | 45 feet |
- 210-10.07 **Off-street Parking.**
Off-street Parking shall be in accordance with [Chapter 260](#) of the UDO.
- 210-10.08 **Required Buffers.**
Required Buffers shall be in accordance with [Section 240-140](#) of the UDO.
- 210-10.09 **Sign Regulations.**
Signage shall be in accordance with [Title 4: Signs](#) of the UDO

Section 210-20. ER Estate Residential District.

210-20.01 Purpose and Intent.

The ER District is intended to preserve open space in rural environments by encouraging larger than average lots of at least 108,900 square feet (two and ½ acres) or more for single-family detached residential uses in areas where public sanitary sewer may not be available; therefore, served by septic tanks and subject to the approval by the Office of Environmental Health. Streets in an ER development may be unpaved private roads or paved public roads. Paved public roads and project access improvements may be served by swale ditches in lieu of curb and gutter and no sidewalks or streetlights will be required. The ER District is appropriate in the Conservation Character Area and Rural Character Area of the Future Development Map of the Paulding County, Georgia, 2017 Comprehensive Plan as may be amended.

210-20.02 Permitted Uses.

Within the ER District, the following uses are permitted:

- A. Amenity Areas
- B. Golf Courses
- C. Nature Parks and Other Similar Institutions
- D. Public Administration
- E. Public Elementary and Secondary Schools
- F. Public Utilities
- G. Riding Stables
- H. Single-family Detached Dwellings, including Residential Industrialized Buildings, with a minimum 1,600 square feet of heated living area

210-20.03 Special Exception Uses.

Within the ER District, the following uses are permitted as a Special Exception provided specified conditions enumerated in [Section 230-30](#) are satisfied:

- A. Accessory Structures and Uses
- B. Animal Production and Aquaculture excluding Hog and Pig Farming
- C. Backyard Chickens
- D. Community Living Arrangements
- E. Electric Vehicle Charging Station
- F. Family Child Care Learning Home
- G. Forestry and Logging
- H. Guest House
- I. Home Occupations
- J. Recreational Buildings
- K. Religious Organizations with attendant Educational and Buildings and Cemeteries
- L. Small Cell Wireless Facilities

210-20.04 Special Use Permits.

Within the ER District, the following uses are permitted with a Special Use Permit provided specified conditions enumerated in [Section 230-40](#) are met and have obtained approval by the City Council:

- A. Cemeteries

B. Telecommunication Towers

210-20.05 **Land Use Permits.**

Within the ER District, the following uses are permitted with a Land Use Permit provided specified conditions enumerated in [Section 230-50](#) are met and have obtained approval by the City Council:

- A. Residential Businesses
- B. Rural Businesses

210-20.06 **Lot Size, Area and Setback Requirements*.**

*Unless otherwise specified; also subject to approval by the Office of Environmental Health

- A. Minimum Lot Size: 108,900 square feet (Two and ½ acres)
- B. Minimum Public Road Frontage: 100 feet
- C. Minimum Lot Width at Building Line: 125 feet
- D. Minimum Front Yard Setback: 50 feet
- E. Minimum Side Yard Setback: 25 feet
- F. Minimum Rear Yard Setback: 30 feet
- G. Maximum Building Height: 45 feet

210-20.07 **Off-street Parking.**

Off-street Parking shall be in accordance with [Chapter 260](#) of the UDO.

210-20.08 **Required Buffers.**

Required Buffers shall be in accordance with [Section 240-140](#) of the UDO.

210-20.09 **Sign Regulations.**

Signage shall be in accordance with [Title 4: Signs](#) of the UDO

210-20.10 **Mandatory Homeowners Association.**

The ER District shall require a mandatory Homeowners Association. The association shall also include declarations and bylaws including rules and regulations, which at a minimum shall regulate and control the following:

- A. Exterior items such as fences, lawn ornaments and restrictions on removal of landscaped areas and buffers.
- B. Maintenance of privately owned streets, detention ponds, stormwater drainage features and easements, common spaces, entrance features, amenities and mail kiosks.

Section 210-30. R-1 Rural Residential District.

210-30.01 **Purpose and Intent.**

The R-1 District is composed of certain lands and structures in the city having a very low density, predominantly single-family character and additional open area, where it is desirable and likely that such similar development will occur. New streets and project access improvements may be served by swale ditches in lieu of curb and gutter and no sidewalks or streetlights will be required. R-1 is appropriate in the Conservation Character Area and Rural Character Area of the Future Development Map of the Paulding County, Georgia, 2017 Comprehensive Plan as may be amended.

210-30.02 **Permitted Uses.**

Within the R-1 District, the following uses are permitted:

- A. Amenity Areas
- B. Golf Courses
- C. Nature Parks and Other Similar Institutions
- D. Public Administration
- E. Public Elementary and Secondary Schools
- F. Public Utilities
- G. Single-family Detached Dwellings, including Residential Industrialized Buildings, with a minimum 1,600 square feet of heated living area

210-30.03 **Special Exception Uses.**

Within the R-1 District, the following uses are permitted as a Special Exception provided specified conditions enumerated in [Section 230-30](#) are satisfied:

- A. Accessory Structures and Uses
- B. Animal Production and Aquaculture excluding Hog and Pig Farming
- C. Backyard Chickens
- D. Community Living Arrangements
- E. Electric Vehicle Charging Station
- F. Family Child Care Learning Home
- G. Forestry and Logging
- H. Guest House
- I. Home Occupations
- J. Recreational Buildings
- K. Religious Organizations with attendant Educational and Recreational Buildings and Cemeteries
- L. Small Cell Wireless Facilities

210-30.04 **Special Use Permits.**

Within the R-1 District, the following uses are permitted with a Special Use Permit provided specified conditions enumerated in [Section 230-40](#) are met and have obtained approval by the City Council:

- A. Cemeteries
- B. Telecommunication Towers

- 210-30.05 **Land Use Permits.**
Within the R-1 District, the following uses are permitted with a Land Use Permit provided specified conditions enumerated in [Section 230-50](#) are met and have obtained approval by the City Council:
- A. Residential Businesses
 - B. Rural Businesses
- 210-30.06 **Lot Size, Area and Setback Requirements*.**
*Unless otherwise specified; also subject to approval by the Office of Environmental Health
- A. Minimum Lot Size: 43,560 square feet (One acre)
 - B. Minimum Public Road Frontage: 100 feet
 - C. Minimum Lot Width at Building Line: 125 feet
 - D. Minimum Front Yard Setback: 40 feet
 - E. Minimum Side Yard Setback: 20 feet; 25 feet if corner lot
 - F. Minimum Rear Yard Setback: 25 feet
 - G. Maximum Building Height: 45 feet
- 210-30.07 **Off-street Parking.**
Off-street Parking shall be in accordance with [Chapter 260](#) of the UDO.
- 210-30.08 **Required Buffers.**
Required Buffers shall be in accordance with [Section 240-140](#) of the UDO.
- 210-30.09 **Sign Regulations.**
Signage shall be in accordance with [Title 4: Signs](#) of the UDO
- 210-30.10 **Landscaping Requirement.**
All R-1 District platted subdivision developments shall include a minimum of one tree planted in the yard of each unit. The trees shall be a minimum two-inch caliper DBH when planted.
- 210-30.11 **Mandatory Homeowners Association.**
The R-1 District shall require a mandatory homeowners association. The association shall also include declarations and bylaws including rules and regulations, which at a minimum shall regulate and control the following:
- A. Exterior items such as fences, lawn ornaments and restrictions on removal of landscaped areas and buffers.
 - B. Maintenance of privately owned streets, detention ponds, stormwater drainage features and easements, common spaces, entrance features, amenities and mail kiosks.

Section 210-40. R-2 Suburban Residential District.

210-40.01 **Purpose and Intent.**

The R-2 District is composed of certain lands and structures in the city having a low density, predominantly single-family character and additional open area, where it is desirable and likely that such similar development will occur. This District emphasizes suburban-urban development rather than rural activities; however, it is recognized that agriculture and the raising of poultry and livestock may still be an activity in this district, and provision is, therefore, made for limited forms of such activity with appropriate safeguard for nearby residences. R-2 is appropriate in the Conservation Character Area, Rural Character Area and Community Residential Character Area of the Future Development Map of the Paulding County, Georgia, 2017 Comprehensive Plan as may be amended.

210-40.02 **Permitted Uses.**

Within the R-2 District, the following uses are permitted:

- A. Amenity Areas
- B. Golf Courses
- C. Nature Parks and Other Similar Institutions
- D. Public Administration
- E. Public Elementary and Secondary Schools
- F. Public Utilities
- G. Single-family Detached Dwellings, including Residential Industrialized Buildings, with a minimum 1,100 square feet of heated living area

210-40.03 **Special Exception Uses.**

Within the R-2 District, the following uses are permitted as a Special Exception provided specified conditions enumerated in [Section 230-30](#) are satisfied:

- A. Accessory Structures and Uses
- B. Ambulance Service
- C. Animal Production and Aquaculture excluding Hog and Pig Farming
- D. Backyard Chickens
- E. Community Living Arrangements
- F. Electric Vehicle Charging Station
- G. Family Child Care Learning Home
- H. Forestry and Logging
- I. Guest House
- J. Home Occupations
- K. Recreational Buildings
- L. Religious Organizations with attendant Educational and Recreational Buildings and Cemeteries
- M. Small Cell Wireless Facilities

210-40.04 **Special Use Permits.**

Within the R-2 District, the following uses are permitted with a Special Use Permit provided specified conditions enumerated in [Section 230-40](#) are met and have obtained approval by the City Council:

- A. Cemeteries
- B. Telecommunication Towers

- 210-40.05 **Land Use Permits.**
Within the R-2 District, the following uses are permitted with a Land Use Permit provided specified conditions enumerated in [Section 240-50](#) are met and have obtained approval by the City Council:
- A. Residential Businesses
 - B. Rural Businesses
- 210-40.06 **Lot Size, Area and Setback Requirements*.**
*Unless otherwise specified; also subject to approval by the Office of Environmental Health
- A. Minimum Lot Size: 20,000 square feet
 - B. Minimum Public Road Frontage: 30 feet
 - C. Minimum Lot Width at Building Line: 100 feet; 75 feet in curve/cul-de-sac
 - D. Minimum Front Yard Setback: 35 feet
 - E. Minimum Side Yard Setback: 15 feet; 25 feet if corner lot
 - F. Minimum Rear Yard Setback: 25 feet
 - G. Maximum Building Height: 45 feet
- 210-40.07 **Off-street Parking.**
Off-street Parking shall be in accordance with [Chapter 260](#) of the UDO.
- 210-40.08 **Required Buffers.**
Required Buffers shall be in accordance with [Section 240-140](#) of the UDO.
- 210-40.09 **Sign Regulations.**
Signage shall be in accordance with [Title 4: Signs](#) of the UDO
- 210-40.10 **Landscaping Requirement.**
All R-2 District platted subdivision developments shall include a minimum of one tree planted in the yard of each unit. The trees shall be a minimum two-inch caliper DBH when planted.
- 210-40.11 **Mandatory Homeowners Association.**
The R-2 District shall require a mandatory homeowners association. The association shall also include declarations and bylaws including rules and regulations, which at a minimum shall regulate and control the following:
- A. Exterior items such as fences, lawn ornaments and restrictions on removal of landscaped areas and buffers.
 - B. Maintenance of privately owned streets, detention ponds, stormwater drainage features and easements, common spaces, entrance features, amenities and mail kiosks.

Section 210-50. R-3 Sewered Suburban Residential District.

210-50.01 **Purpose and Intent.**

The R-3 District, formerly known as R-2 with Sewer and hereby renamed R-3, is established to provide locations for single-family residential uses on lots in areas which are urbanizing and where public sewer is available to the development. R-3 is appropriate in the Community Residential Character Area of the Future Development Map of the Paulding County, Georgia, 2017 Comprehensive Plan as may be amended. Any existing stipulations regarding such R-2 with Sewer shall remain in force and effect.

210-50.02 **Permitted Uses.**

Within the R-3 District, the following uses are permitted:

- A. Amenity Areas
- B. Golf Courses
- C. Nature Parks and Other Similar Institutions
- D. Public Administration
- E. Public Elementary and Secondary Schools
- F. Public Utilities
- G. Single-family Detached Dwellings, including Residential Industrialized Buildings, with a minimum 1,800 square feet of heated living area

210-50.03 **Special Exception Uses.**

Within the R-3 District, the following uses are permitted as a Special Exception provided specified conditions enumerated in [Section 230-30](#) are satisfied:

- A. Accessory Structures and Uses
- B. Community Living Arrangements
- C. Electric Vehicle Charging Station
- D. Family Child Care Learning Home
- E. Home Occupations
- F. Religious Organizations with attendant Educational and Recreational Buildings and Cemeteries
- G. Residential Build-To-Rent
- H. Small Cell Wireless Facilities

210-50.04 **Special Use Permits.**

Within the R-3 District, the following uses are permitted with a Special Use Permit provided specified conditions enumerated in [Section 230-40](#) are met and have obtained approval by the City Council:

- A. Cemeteries
- B. Telecommunication Towers

210-50.05 **Land Use Permits.**

Within the R-3 District, the following uses are permitted with a Land Use Permit provided specified conditions enumerated in [Section 230-50](#) are met and have obtained approval by the City Council:

- A. Residential Businesses

- 210-50.06 **Lot Size, Area and Setback Requirements*.**
 *Unless otherwise specified; also subject to approval by the Office of Environmental Health
- A. Minimum Lot Size: 15,000 square feet
 - B. Minimum Public Road Frontage: 30 feet
 - C. Minimum Lot Width at Building Line: 85 feet; 75 feet in curve/cul-de-sac
 - D. Minimum Front Yard Setback: 30 feet
 - E. Minimum Side Yard Setback: 10 feet; 25 feet if corner lot
 - F. Minimum Rear Yard Setback: 25 feet
 - G. Maximum Building Height: 45 feet
- 210-50.07 **Off-street Parking.**
 Off-street Parking shall be in accordance with [Chapter 260](#) of the UDO.
- 210-50.08 **Required Buffers.**
 For any subdivision a 75-foot buffer where adjacent to city roads and a 50-foot buffer on the remaining perimeter of the property shall be indicated. The required perimeter buffer shall be included in the common area and maintained by the mandatory Homeowner's Association. Whether the buffer is undisturbed or landscaped will be identified by the applicant and subject to approval by the City. Additional required Buffers shall be in accordance with [Section 240-140](#) of the UDO.
- 210-50.09 **Sign Regulations.**
 Signage shall be in accordance with [Title 4: Signs](#) of the UDO
- 210-50.10 **Required Public Improvements.**
 The following are required for any R-3 developments, which are platted as a subdivision:
- A. Underground utilities;
 - B. Street lights;
 - C. Sidewalks on at least one side of each residential street and entrance drive.
- 210-50.10 **Landscaping Requirement.**
 All R-3 District platted subdivision developments shall include a minimum of two trees planted in the yard of each unit. The trees shall be a minimum two-inch caliper DBH when planted.
- 210-50.11 **Greenspace Requirement.**
 A platted R-3 District subdivision shall be designed to include at least 10% of the total area designated for open space or public use. 100% of the open space must be located outside of the flood plain as defined by the City. The open space areas must be defined and delineated on specific site plans for the subdivisions as open space or public use and must be accompanied by an appropriate deed and protective covenants stating the open space is perpetual. The required open space shall remain undeveloped or be developed and landscaped by the developer in accordance with an approved landscape plan through the City. The recreational and/or amenities areas of the subdivision may not be calculated as a portion of the greenspace requirement, unless such recreational areas are

pervious in nature. Additionally, at least 50% of the designated greenspace area must be contiguous in nature.

210-50.12 **Mandatory Homeowners Association.**

The R-3 District shall require a mandatory homeowners association. The association shall also include declarations and bylaws including rules and regulations, which at a minimum shall regulate and control the following:

- A. Exterior items such as fences, lawn ornaments and restrictions on removal of landscaped areas and buffers.
- B. Maintenance of privately owned streets, detention ponds, stormwater drainage features and easements, common spaces, entrance features, amenities and mail kiosks.

210-50.13 **Sewer.**

For the sole purpose of zoning, sanitary sewer, including conveyance and treatment shall be deemed available to the property if:

- A. The proposed development is within the designated sewer service areas as shown on the Coppermine WRF Service Areas Map, the Pumpkinvine WRF Service Areas Map, the Sweetwater Drainage Basin Map (Sweetwater WRF or Cobb County Outfall); and
- B. The applicable water reclamation facility is not currently under an active sewer moratorium; and
- C. The conveyance system meets one of the following conditions:
 - 1. There is a connection point to an existing sanitary sewer system that can be reached by gravity with available capacity to serve the property located within 1,500 feet of the property, or
 - 2. A funded project is underway which extends sewer service to within 1,500 feet of the property which can be reached by gravity, or
 - 3. Sanitary sewer service has been provided for the property through an approved Development Agreement.

Section 210-60. MPR Master Planned Residential District.

210-60.01 **Purpose and Intent.**

The MPR District is intended to provide for the development of land in flexible, innovative, and creative ways with development standards tailored to the site on tracts of land consisting of at least 300 contiguous acres located on a standard road functionally classified as a major collector or higher functional classification and public sanitary sewer shall be available to the development. The MPR district shall be developed in pods connected by unloaded streets with sidewalks and shall include centralized amenities, public gathering spaces with at least 20% of the total area dedicated for open space to encourage the preservation of natural amenities of the land connected throughout the project by trails. Fifty percent of said open space must be located outside a floodplain and remain pervious and undisturbed as defined by the city. The density of residential development shall not exceed 2.0 units per acre of the overall development. The MPR district is appropriate in the Community Residential Character area of the Future Development Map of the Paulding County, Georgia, 2017 Comprehensive Plan as may be amended.

210-60.02 **Permitted Uses.**

Within the MPR District, the following uses are permitted:

- A. Amenity Areas
- B. Golf Courses
- C. Nature Parks and Other Similar Institutions
- D. Public Administration
- E. Public Elementary and Secondary Schools
- F. Public Utilities
- G. Single-family Detached Dwellings, including Residential Industrialized Buildings, with a minimum 1,800 square feet of heated living area

210-60.03 **Special Exception Uses.**

Within the MPR District, the following uses are permitted as a Special Exception provided specified conditions enumerated in [Section 230-30](#) are satisfied:

- A. Accessory Structures and Uses
- B. Commercial Uses permitted in the B-1 General Business District provided it does not comprise more than 15% of the overall development area acreage.
- C. Common Storage Facility
- D. Electric Vehicle Charging Station
- E. Family Child Care Learning Home
- F. Home Occupations
- G. Religious Organizations with attendant Educational and Recreational Buildings and Cemeteries
- H. Small Cell Wireless Facilities
- I. Townhouse Dwellings, including Residential Industrialized Buildings, with a minimum 1,400 square feet of heated living area provided they do not comprise more than 10% of the overall development area acreage.

- 210-60.04 **Special Use Permits.**
Within the MPR District, the following uses are permitted with a Special Use Permit provided specified conditions enumerated in [Section 230-40](#) are met and have obtained approval by the City Council:
- A. Cemeteries
 - B. Telecommunication Towers
- 210-60.05 **Land Use Permits.**
Within the MPR District, the following uses are permitted with a Land Use Permit provided specified conditions enumerated in [Section 230-50](#) are met and have obtained approval by the City Council:
- A. Residential Businesses
- 210-60.06 **Additional MPR District Requirements for Application for Amendments.**
At the time of application for MPR and in addition to those requirements listed [Section 280-30](#), the application shall contain those items listed below. In the event MPR zoning is approved, the property shall be developed in substantial conformity with the submittals provided by the applicant in its zoning application. Any failure to substantially conform with the approved submittals may result in the issuance of stop work orders, revocation of permits, denial of future permits, denial of certificates of occupancy, and/or the issuance of zoning violation citations. Zoning exhibit approval shall not constitute entitlement to permits.
- A. A site plan indicating a minimum of 300 contiguous acres of land.
 - B. A general location map indicating existing zoning on the site, adjoining roads, and the adjacent areas.
 - C. Proposed land uses for the site and the acreage to be devoted to each land use category.
 - D. Surveyed boundaries, prepared by a registered surveyor, of the entire tract and its relationship to adjoining properties and public right-of-way.
 - E. Identification of proposed pods including a report setting forth the proposed development schedule, indicating sequence of development of the various pods and the approximate time-period required for completion of each pod.
 - F. Lot layout design specific to the site.
 - G. Street layout configuration specific to the site.
 - H. Identification of areas dedicated for open space, not less than 20% of the total area. Fifty percent of said open space must be located outside a floodplain and remain pervious and undisturbed as defined by the city.
 - I. Except as authorized by the City for commercial or recreational uses a 75- foot buffer where adjacent to city roads and a 50-foot undisturbed buffer area on the remaining perimeter of the property and in between pods shall be indicated. Whether the buffer is undisturbed or landscaped will be identified by the applicant subject to approval by the City.
 - J. Existing topographic condition with contour intervals of ten feet or less; areas that have slopes greater than 30% shall be identified.
 - K. Location of any cemeteries or burial grounds, streams, lakes, swamps, wetlands, and the boundary and elevation of the 100-year floodplain if applicable, shall be identified.

- L. Locations of parks or common space, tree areas to be retained or added, and other open spaces. Designation of all land to be reserved or dedicated for public use or used as a planned recreational area.
- M. The minimum lot size for single-family detached building lots shall be not less than 12000 square feet.
- N. A note regarding the provision for a minimum eight-foot recreational path along one side of unloaded connector road and five-foot sidewalks on both sides of streets within pods is required.
- O. Color elevations of front, sides and rear of all typical units, including proposed exterior building materials, building heights and any other structures.
- P. Required Amenities.
 - 1. Community Center/Clubhouse or similar structure(s): Structure(s) totaling a minimum of 3,000 square feet or five 5 square feet per dwelling (whichever is greater) to serve the entire MPR community.
 - 2. Walking, bicycle and/or golf cart trails or sidewalks connecting all public spaces, pods, common spaces, mail kiosks and development entrances.
- Q. Optional Amenities.
 - 1. Athletic courts
 - 2. Commercial grade large playground
 - 3. Common storage facility
 - 4. Golf courses (except miniature, pitch-n-putt)
 - 5. Lake(s), developed in a manner in which the bodies of water form the central amenity around which the community is developed
 - 6. Swimming pools

210-60.07 **Lot Size, Area and Setback Requirements.**

- A. Single-family Detached Dwellings

1. Maximum Density:	Two units per gross acre
2. Minimum Lot Size:	12,000 sf minimum
3. Minimum Lot Width at Building Line:	75 feet
4. Minimum Front Yard Setback:	25 feet, except front-facing garages shall be setback a minimum of 27 feet
5. Minimum Side Yard Setback:	Eight feet
6. Minimum Rear Yard Setback:	20 feet
7. Maximum Building Height:	45 feet
8. Minimum Access:	Attached two-car garage
- B. Single-family Attached Dwellings (Townhouses)

1. Maximum Density:	Two units per gross acre
2. Maximum per Building:	Six units per building
3. Minimum Lot Size:	No minimum
4. Minimum Unit Width:	24 feet per dwelling unit
5. Internal Yard Requirements:	A 20-foot grassed or landscape strip shall located between all buildings and a 10-foot grassed or landscaped strip shall be provided between all

- | | |
|--------------------------------|---|
| | buildings and interior driveways
/streets |
| 6. Overall Front Yard Setback: | 20 feet |
| 7. Overall Side Yard Setback: | Zero feet between dwellings; 20 feet
between buildings |
| 8. Overall Rear Yard Setback: | 25 feet |
| 9. Maximum Building Height: | 45 feet |
| 10. Minimum Access: | Attached two-car garage |

C. Commercial Uses

- | | |
|--|---|
| 1. Minimum Tract Size: | No more than 15% of overall
development |
| 2. Minimum Lot Size: | 20,000 sf minimum |
| 3. Minimum Lot Width at Building Line: | 70 feet |
| 4. Minimum Front Yard Setback: | 40 feet |
| 5. Minimum Side Yard Setback: | Zero feet between units; 25 feet
between buildings |
| 6. Minimum Rear Yard Setback: | 15 feet; 50 if abutting residential use |
| 7. Maximum Building Height: | 45 feet |

210-60.08 **Architectural and Lot Landscape Standards.**

- A. Craftsman, traditional or any other standard architectural style may be utilized throughout an MPR development. House plans, including color elevations, of proposed homes, including exterior building materials, shall be submitted as an exhibit with an application for zoning. Houses shall be constructed in substantial compliance with approved elevations.
- B. All MPR developments shall include a minimum of two trees planted in the yard of each single-family detached unit and one tree planted in the yard of each single-family attached unit. The trees shall be a minimum two-inch caliper DBH when planted.

210-60.09 **Mandatory Homeowner's Association for Single-Family Detached and Attached Developments.**

The MPR District shall require a mandatory homeowners association. The association shall also include declarations and bylaws including rules and regulations, which at a minimum shall regulate and control the following:

- A. Exterior items such as fences, lawn ornaments and restrictions on removal of landscaped areas and buffers.
- B. Maintenance of privately owned streets, detention ponds, stormwater drainage features and easements, common spaces, entrance features, amenities and mail kiosks.

210-60.10 **Off-street Parking.**

Off-street Parking shall be in accordance with [Chapter 260](#) of the UDO.

210-60.11 **Required Buffers.**

Except as authorized by the City for Commercial or recreational uses a 75-foot buffer where adjacent to city roads and a 50-foot buffer on the perimeter of the property and in between pods shall be indicated. The required perimeter buffer

shall be included in the common area and maintained by the mandatory Homeowner's Association. Whether the buffer is undisturbed or landscaped will be identified by the applicant and subject to approval by the City. Additional required Buffers shall be in accordance with [Section 240-140](#) of the UDO.

210-60.12 **Sign Regulations.**

Signage shall be in accordance with [Title 4: Signs](#) of the UDO

210-60.13 **Sewer.**

For the sole purpose of zoning, sanitary sewer, including conveyance and treatment shall be deemed available to the property if:

- A. The proposed development is within the designated sewer service areas as shown on the Coppermine WRF Service Areas Map, the Pumpkinvine WRF Service Areas Map, the Sweetwater Drainage Basin Map (Sweetwater WRF or Cobb County Outfall); and
- B. The applicable water reclamation facility is not currently under an active sewer moratorium; and
- C. The conveyance system meets one of the following conditions:
 - 1. There is a connection point to an existing sanitary sewer system that can be reached by gravity with available capacity to serve the property located within 1,500 feet of the property, or
 - 2. A funded project is underway which extends sewer service to within 1,500 feet of the property which can be reached by gravity, or
 - 3. Sanitary sewer service has been provided for the property through an approved Development Agreement.

Section 210-70. OSRD Open Space Residential Development District.

210-70.01 **Intent.**

The OSRD District promotes development strategies for large tracts of land that can help communities preserve open space and natural areas in residential housing developments. The OSRD strategically allows the clustering of houses and structures on less environmentally sensitive areas, which in-turn preserves groundwater, floodplains, wetlands, streams, steep slopes, woodlands and wildlife habitat. The clustering of houses and structures also reduces the amount of infrastructure required to serve the development and lessens potential erosion and sedimentation impacts. The OSRD promotes interconnected greenways and corridors throughout the development and supports contiguous greenspace with adjacent communities. Walking trails, bike paths, public gathering places, use of parks and community facilities, as focal points are requirements of an OSRD. Other OSRD standards to promote coherent aesthetics within the community include landscaping requirements, underground utilities, recreational amenities, streetlights, sidewalks, and primary building setbacks. In addition, plans for OSRD approval by the governing authority shall require the provision of a public sewage disposal system as approved by city and state authorities.

An OSRD development must consist of a minimum of 50 contiguous acres of land with at least 40% of the total area designated for open space.

210-70.02 **Purpose.**

The Open Space Residential Development District is a residential district that provides for the proper development of larger tracts of land in a coordinated, well planned manner. The features of this district include the following:

- A. To provide for the preservation of greenspace as a nonstructural stormwater runoff and watershed protection measure.
- B. To provide a residential zoning district that permits flexibility of design in order to promote environmentally sensitive and efficient uses of the land.
- C. To preserve in perpetuity unique or sensitive natural resources such as groundwater, floodplains, wetlands, streams, steep slopes, woodlands and wildlife habitat.
- D. To permit clustering of houses and structures on less environmentally sensitive soils which will reduce the amount of infrastructure, including paved surfaces and utility easements, necessary for residential development.
- E. To reduce erosion and sedimentation by minimizing land disturbance and removal of vegetation in residential development.
- F. To promote interconnected greenways and corridors throughout the community.
- G. To promote contiguous greenspace with adjacent jurisdictions.
- H. To encourage interaction in the community by clustering houses and orienting them closer to the street, providing public gathering places and encouraging use of parks and community facilities as focal points in the neighborhood.
- I. To encourage street designs that reduce traffic speeds and reliance on main arteries.

- J. To promote construction of convenient landscaped walking trails and bike paths both within the subdivision and connected to neighboring communities, businesses, and facilities to reduce reliance on automobiles.
- K. To conserve scenic views and reduce perceived density by maximizing the number of houses with direct access to and views of open space.
- L. To preserve important historic and archaeological sites.

210-70.03 **Permitted Uses.**

Within the OSRD District, the following uses are permitted:

- A. Amenity Areas
- B. Golf Courses
- C. Nature Parks and Other Similar Institutions
- D. Public Administration
- E. Public Elementary and Secondary Schools
- F. Public Utilities
- G. Single-family Detached Dwellings, including Residential Industrialized Buildings, with a minimum 2,000 square feet of heated living area

210-70.04 **Special Exception Uses.**

Within the OSRD District, the following uses are permitted as a Special Exception provided specified conditions enumerated in [Section 230-30](#) are satisfied:

- A. Accessory Structures and Uses
- B. Electric Vehicle Charging Station
- C. Family Child Care Learning Home
- D. Home Occupations
- E. Religious Organizations with attendant Educational and Recreational Buildings and Cemeteries
- F. Small Cell Wireless Facilities

210-70.05 **Special Use Permits.**

Within the OSRD District, the following uses are permitted with a Special Use Permit provided specified conditions enumerated in [Section 230-40](#) are met and have obtained approval by the City Council:

- A. Cemeteries
- B. Telecommunication Towers

210-70.05 **Land Use Permits.**

Within the OSRD, the following uses are permitted with a Land Use Permit provided specified conditions enumerated in [Section 230-50](#) are met and have obtained approval by the City Council:

- A. Residential Businesses

210-70.06 **Guidelines for Review.**

The review of the OSRD District shall consider the following general intentions, objectives, and purpose prior to approval by the governing authority:

- A. Whether the development will be compatible with the topography, hydrology, and other natural features of the land, and whether any unusual topographic or other natural features will be affected.

- B. Whether the character, design, and layout of the proposed uses will be adequate and appropriate to encourage a desirable living environment.
- C. Whether the development will adversely affect any adjacent properties.
- D. Whether the development will be able to preserve the natural amenities of streams, wooded areas, wetlands, and other similar features.
- E. Whether the existing and or proposed streets, utilities, and other public services are adequate to serve the development.
- F. Whether protective deed covenants are established to provide for the perpetual maintenance, security, and the continuation of dedicated area.

210-70.07 **Lot Size, Area and Setback Requirements*.**

*Unless otherwise specified; also subject to approval by the Office of Environmental Health

- A. Minimum Lot Size: 12,000 square feet lot with public sewer
- B. Minimum Public Road Frontage: 30 feet
- C. Minimum Lot Width at Building Line: 80 feet
- D. Minimum Front Yard Setback: 25 feet
- E. Minimum Side Yard Setback: 8 feet; 25 feet if corner lot
- F. Minimum Rear Yard Setback: 25 feet
- G. Maximum Building Height: 45 feet
- H. Minimum Access: Attached two-car garage

210-70.08 **Ownership of Development Site.**

The tract of land to be subdivided may be held in single and separate ownership or in multiple ownership. If held in multiple ownership, however, the site shall be developed according to a single plan with common authority and common responsibility.

210-70.09 **Site Development Plan.**

At the time of application for OSRD, the site development plan shall contain the following:

- A. A general location map indicating existing zoning on the site, adjoining roads, and the adjacent areas.
- B. Proposed land uses for the site and acreage to be devoted to each land use category.
- C. General vegetation characteristics.
- D. General soil types.
- E. Surveyed boundaries, prepared by a registered surveyor, of the entire tract and its relationship to adjoining properties and public right-of-way.
- F. Standard lot layout.
- G. General street layout configuration.
- H. A 75-foot buffer where adjacent to city roads and a 50-foot buffer area on the remaining perimeter of the property shall be indicated. The required perimeter buffer shall be included in the common area and maintained by the mandatory Homeowner's Association. Whether the buffer is undisturbed or landscaped will be identified by the applicant and subject to approval by the City.

- I. Existing topographic condition with contour intervals of 10 feet or less; areas that have slopes greater than 15% shall be identified.
- J. Location of any streams, lakes, swamps, wetlands and the boundary and elevation of the 100-year floodplain if applicable, shall be identified
- K. Locations of parks or common space, tree areas to be retained or added, and other open spaces. Designation of all land to be reserved or dedicated for public use or used as a planned recreational area.
- L. All primary and secondary conservation areas labeled by type, as described in subsection 210-70.10 below.
- M. Potential connections with existing greenspace and trails.
- N. A report setting forth the proposed development schedule, indicating sequence of development of these various sections thereof and the approximate time-period required for completion of each phase. A soil erosion plan prepared by a registered engineer or soil scientist indicating all of the techniques that will be employed during construction must be provided prior to land disturbance.
- O. The minimum lot size for building in the development shall not be less than 10,000 square feet and the minimum house size shall not be less than 2,000 square feet of heated area.
- P. A note regarding the provision for sidewalks on one side of all streets.

210-70.10 Standards to Determine Open Space.

Open Space is the portion of the conservation subdivision that has been set aside for permanent protection. Activities within the Open Space are restricted in perpetuity through the use of an approved legal instrument.

- A. The minimum restricted Open Space shall comprise at least 40% of the gross tract area.
- B. The following are considered Primary Conservation Areas and are required to be included within the Open Space, unless the applicant demonstrates that this provision would constitute an unusual hardship and be counter to the purposes of this Chapter.
 - 1. The regulatory 100-year floodplain;
 - 2. Buffer zones of at least 75 feet width along all perennial and intermittent streams;
 - 3. Slopes above 25% of at least 5,000 square feet contiguous area;
 - 4. Wetlands that meet the definition used by the Army Corps of Engineers pursuant to the Clean Water Act;
 - 5. Populations of endangered or threatened species, or habitat for such species, and,
 - 6. Archaeological sites, cemeteries and burial grounds.
- C. The following are considered Secondary Conservation Areas and should be indicated within the Open Space to the maximum extent feasible.
 - 1. Important historic sites;
 - 2. Existing healthy, native forests of at least one acre of contiguous area;
 - 3. Individual existing healthy trees greater than 8 inches caliper, as measured from the outermost drip line;

4. Other significant natural features and scenic view sheds such as ridgelines, peaks and rock outcroppings, particularly those that can be seen from public roads;
 5. Prime agricultural lands of at least five acres of contiguous area; and,
 6. Existing trails that connect the tract to neighboring areas.
- D. Above-ground utility right-of-way and small areas of impervious surface may be included within the protected Open Space, but cannot be counted towards the 40% minimum area requirement (exception: historic structures and existing trails may be counted). Large areas of impervious surface shall be excluded from the Open Space.
 - E. At least 75% of the Open Space shall be in a contiguous tract. The Open Space should adjoin any neighboring areas of Open Space, other protected areas, and non-protected natural areas that would be candidates for inclusion as part of a future area of protected Open Space.
 - F. The Open Space shall be directly accessible to the largest practicable number of lots within the subdivision. Non-adjoining lots shall be provided with safe, convenient access to the Open Space.

210-70.11

Permitted Uses of Open Space.

Uses of Open Space may include the following:

- A. Conservation of natural, archaeological or historical resources;
- B. Meadows, woodlands, wetlands, wildlife corridors, game preserves or similar conservation-oriented areas;
- C. Walking or bicycle trails, provided they are constructed of porous paving materials;
- D. Passive recreation areas;
- E. Active recreation areas, provided they are limited to no more than 10% of the total Open Space and are not located within Primary Conservation Areas. Active recreation areas may include impervious surfaces. Active recreation areas in excess of this limit must be located outside of the protected Open Space.
- F. Agriculture, horticulture, silviculture or pasture uses, provided that all applicable Best Management Practices are used to minimize environmental impacts, and such activities are not conducted within Primary Conservation Areas.
- G. Nonstructural stormwater management practices;
- H. Easements for drainage, access and underground utility lines; or
- I. Other conservation-oriented uses compatible with the purposes of this Section.

210-70.12

Prohibited Uses of Open Space.

- A. Golf courses;
- B. Roads, parking lots and impervious surfaces, except as specifically authorized in the previous Sections; and,
- C. Agricultural and forestry activities not conducted according to accepted Best Management Practices;

210-70.13 **Ownership and Management of Open Space.**

- A. Ownership of Open Space. The applicant must identify the owner of the Open Space who is responsible for maintaining the Open Space and facilities located thereon. If a Homeowners Association is the owner, membership in the association shall be mandatory and automatic for all homeowners of the subdivision and their successors. If a Homeowners Association is the owner, the Homeowners' Association shall have lien authority to ensure the collection of dues from all members. The responsibility for maintaining the Open Space and any facilities located thereon shall be borne by the owner.
- B. Management Plan. Applicant shall submit a Plan for Management of Open Space and Common Facilities ("Plan") that:
 - 1. Allocates responsibility and guidelines for the maintenance and operation of the Open Space and any facilities located thereon, including provisions for ongoing maintenance and for long-term capital improvements;
 - 2. Estimates the costs and staffing requirements needed for maintenance and operation of, and insurance for, the Open Space and outlines the means by which such funding will be obtained or provided;
 - 3. Provides that any changes to the Plan be approved by the City Council; and
 - 4. Provides for the enforcement of the Plan.
- C. In the event the party responsible for maintenance of the Open Space fails to maintain all or any portion in reasonable order and condition, the City of Hiram may assume responsibility for its maintenance and may enter the premises and take corrective action, including the provision of extended maintenance. The costs of such maintenance may be charged to the owner, Homeowner's Association, or to the individual property owners that make up the Homeowner's Association, and may include administrative costs and penalties. Such costs shall become a lien on all subdivision properties.

210-70.14 **Legal Instrument for Permanent Protection.**

- A. The Open Space shall be protected in perpetuity by a binding legal instrument that is recorded with the deed. The instrument shall be one of the following:
 - 1. A permanent conservation easement in favor of either:
 - (a) A land trust or similar conservation-oriented non-profit organization with legal authority to accept such easements. The organization shall be bona fide and in perpetual existence and the conveyance instruments shall contain an appropriate provision for retransfer in the event the organization becomes unable to carry out its functions; or
 - (b) A governmental entity with an interest in pursuing goals compatible with the purposes of this ordinance.
 - (c) Provided however, if the entity accepting the easement is not the City of Hiram, then a right of enforcement favoring the City of Hiram, Georgia shall be included in the easement.

2. A permanent restrictive covenant for the conservation purposes in favor of a governmental entity; or,
3. An equivalent legal tool that provides permanent protection if approved by the City Manager, and City of Hiram Attorney's Office.
4. The instrument for permanent protection shall include clear restrictions on the use of the Open Space. These restrictions shall include all restrictions contained in this Chapter, as well as any further restrictions the applicant chooses to place on the use of Open Space.

210-70.15 Landscaping Requirement.

All OSRD developments shall include a minimum of two trees planted in the yard of each unit. The trees shall be a minimum two-inch caliper DBH when planted.

210-70.16 Required Public Improvements.

The following are required for any OSRD developments, which are platted as a subdivision:

- A. Underground Utilities;
- B. Street Lights;
- C. Sidewalks on at least one side of each residential street and entrance drive as set forth herein above;
- D. Permanent Entrance Monuments made of all-weather material with associated landscaping;

210-70.17 Required Amenities.

An amenity package subject to approval by the Community Development Planning and Zoning Division shall be required.

210-70.18 Off-street Parking.

Off-street Parking shall be in accordance with [Chapter 260](#) of the UDO.

210-70.19 Required Buffers.

For any subdivision a 75-foot buffer where adjacent to city roads and a 50-foot buffer on the remaining perimeter of the property shall be indicated. The required perimeter buffer shall be included in the common area and maintained by the mandatory Homeowner's Association. Whether the buffer is undisturbed or landscaped will be identified by the applicant and subject to approval by the City. Additional required Buffers shall be in accordance with [Section 240-140](#) of the UDO.

210-70.20 Sign Regulations.

Signage shall be in accordance with [Title 4: Signs](#) of the UDO

210-70.21 Sewer.

For the sole purpose of zoning, sanitary sewer, including conveyance and treatment shall be deemed available to the property if:

- A. The proposed development is within the designated sewer service areas as shown on the Coppermine WRF Service Areas Map, the Pumpkinvine WRF

Service Areas Map, the Sweetwater Drainage Basin Map (Sweetwater WRF or Cobb County Outfall); and

B. The applicable water reclamation facility is not currently under an active sewer moratorium; and

C. The conveyance system meets one of the following conditions:

1. There is a connection point to an existing sanitary sewer system that can be reached by gravity with available capacity to serve the property located within 1,500 feet of the property, or
2. A funded project is underway which extends sewer service to within 1,500 feet of the property which can be reached by gravity, or
3. Sanitary sewer service has been provided for the property through an approved Development Agreement.

Section 210-80. RD Residential Duplex District.

210-80.01 **Purpose and Intent.**

The RD District, formerly known as R-5 and hereby renamed RD, is established to provide an area suitable for the placement of duplex dwellings. RD is appropriate in the Community Residential Character area of the Future Development Map of the Paulding County, Georgia, 2017 Comprehensive Plan as may be amended. Any existing stipulations regarding such R-5 shall remain in force and effect.

210-80.02 **Permitted Uses.**

Within the RD District, the following uses are permitted:

- A. Amenity Areas
- B. Duplexes, including Residential Industrialized Buildings, containing a minimum 1,100 square feet of heated living area per unit (2,200 square feet heated living area per building)
- C. Golf Courses
- D. Nature Parks and Other Similar Institutions
- E. Playgrounds
- E. Public Administration
- F. Public Utilities

210-80.03 **Special Exception Uses.**

Within the RD District, the following uses are permitted as a Special Exception provided specified conditions enumerated in [Section 230-30](#) are satisfied:

- A. Accessory Structures and Uses
- B. Community Living Arrangements
- C. Electric Vehicle Charging Station
- D. Family Child Care Learning Home
- E. Home Occupations
- F. Religious Organizations with attendant Educational and Recreational Buildings and Cemeteries
- G. Small Cell Wireless Facilities

210-80.04 **Special Use Permits.**

Within the RD District, the following uses are permitted with a Special Use Permit provided specified conditions enumerated in [Section 230-40](#) are met and have obtained approval by the City Council:

- A. Cemeteries
- B. Telecommunication Towers

210-80.05 **Land Use Permits.**

Within the RD District, the following uses are permitted with a Land Use Permit provided specified conditions enumerated in [Section 230-50](#) are met and have obtained approval by the City Council:

- A. Residential Businesses

- 210-80.06 **Lot Size, Area and Setback Requirements.**
- | | |
|--|--------------------------------|
| A. Minimum Lot Size: | 43,560 square feet (one acre) |
| B. Minimum Public Road Frontage: | 30 feet |
| C. Minimum Lot Width at Building Line: | 100 feet |
| D. Minimum Front Yard Setback: | 40 feet |
| E. Minimum Side Yard Setback: | 20 feet; 25 feet if corner lot |
| F. Minimum Rear Yard Setback: | 25 feet |
| G. Maximum Building Height: | 45 feet |
- 210-80.07 **Off-street Parking.**
Off-street Parking shall be in accordance with [Chapter 260](#) of the UDO.
- 210-80.08 **Required Buffers.**
For any subdivision a 75-foot buffer where adjacent to city roads and a 50-foot buffer on the remaining perimeter of the property shall be indicated. The required perimeter buffer shall be included in the common area and maintained by the mandatory Homeowner's Association. Whether the buffer is undisturbed or landscaped will be identified by the applicant and subject to approval by the City. Additional required Buffers shall be in accordance with [Section 240-140](#) of the UDO.
- 210-80.09 **Sign Regulations.**
Signage shall be in accordance with [Title 4: Signs](#) of the UDO
- 210-80.10 **Required Public Improvements.**
The following are required for any RD developments, which are platted as a subdivision:
- A. Underground utilities;
 - B. Street lights;
 - C. Sidewalks on at least one side of each residential street and entrance drive.
- 210-80.11 **Greenspace Requirement.**
An RD platted development containing more than three duplex structures must include at least 15% of the total area designated for open space or public use. One hundred percent of the open space must be located outside of the flood plain as defined by the City. The open space or public use areas must be defined and delineated on specific site plans for the subdivisions as open space and must be accompanied by an appropriate deed and protective covenants stating the open space is perpetual. The required open space shall remain undeveloped or be developed and landscaped by the developer in accordance with an approved landscape plan through the City.
- 210-80.12 **Landscaping Requirement.**
All RD developments containing more than three duplex structures shall include a minimum of one tree planted in the yard of each unit. The trees shall be a minimum two-inch caliper DBH when planted.

210-80.13 **Mandatory Homeowner's Association.**

All RD developments containing more than three duplex structures shall require a mandatory homeowners association. The association shall also include declarations and bylaws including rules and regulations, which at a minimum shall regulate and control the following:

- A. Exterior items such as fences, lawn ornaments and restrictions on removal of landscaped areas and buffers.
- B. Maintenance of privately owned streets, detention ponds, common spaces, stormwater drainage features and easements, entrance features, amenities and mail kiosks.

210-80.14 **Sewer.**

For the sole purpose of zoning, sanitary sewer, including conveyance and treatment shall be deemed available to the property if:

- A. The proposed development is within the designated sewer service areas as shown on the Coppermine WRF Service Areas Map, the Pumpkinvine WRF Service Areas Map, the Sweetwater Drainage Basin Map (Sweetwater WRF or Cobb County Outfall); and
- B. The applicable water reclamation facility is not currently under an active sewer moratorium; and
- C. The conveyance system meets one of the following conditions:
 - 1. There is a connection point to an existing sanitary sewer system that can be reached by gravity with available capacity to serve the property located within 1,500 feet of the property, or
 - 2. A funded project is underway which extends sewer service to within 1,500 feet of the property which can be reached by gravity, or
 - 3. Sanitary sewer service has been provided for the property through an approved Development Agreement.

Section 210-90. MHP Manufactured Home Park District.

210-90.01 **Purpose and Intent.**

The MHP District, formerly known as R-6 and hereby renamed MHP, is established to provide an area for the placement of manufactured homes. This district shall be composed of certain land in the City where the construction of a manufactured home park district will not be inappropriate to the existing development of the district wherein the manufactured home park district is proposed. In addition, the manufactured home park district should be harmonious with the existing development which is in place in the area where the district is proposed. The MHP District is appropriate in the Community Residential Character area of the Future Development Map of the Paulding County, Georgia, 2017 Comprehensive Plan as may be amended. Any existing stipulations regarding such R-6 shall remain in force and effect.

210-90.02 **Permitted Uses.**

Within the MHP District, the following uses are permitted:

- A. Golf Courses
- B. Manufactured (mobile) homes
- C. Nature Parks and Other Similar Institutions
- D. Playgrounds
- E. Public Administration
- F. Public Utilities

210-90.03 **Special Exception Uses.**

Within the MHP District, the following uses are permitted as a Special Exception provided specified conditions enumerated in [Section 230-30](#) are satisfied:

- A. Accessory Structures and Uses
- B. Amenity Area
- C. Electric Vehicle Charging Station
- D. Family Child Care Learning Home
- E. Home Occupations
- F. Religious Organizations with attendant Educational and Recreational Buildings and Cemeteries
- G. Small Cell Wireless Facilities

210-90.04 **Special Use Permits.**

Within the MHP District, the following uses are permitted with a Special Use Permit provided specified conditions enumerated in [Section 230-40](#) are met and have obtained approval by the City Council:

- A. Cemeteries
- B. Telecommunication Towers

- 210-90.05 **Land Use Permits.**
Within the MHP District, the following uses are permitted with a Land Use Permit provided specified conditions enumerated in [Section 230-50](#) are met and have obtained approval by the City Council:
- A. Residential Businesses
- 210-90.06 **Conditions of Operation.**
Each manufactured home park district shall provide the following minimum facilities on the site for the common use of all manufactured home occupants:
- A. Drives: Paved drives shall be provided to each manufactured home space, to laundry or other service buildings, and to recreation areas.
- B. Utilities: All utility services shall be underground provided; however, the Paulding County Planning Commission, subject to confirmation by the City Council, may indicate certain specific utility lines which may be left above ground based on the specific circumstances concerning the request after the Public Hearing on the application.
- C. Landscaping: Each development shall have adequate landscaping with shade trees and exterior screen planting approved by the County Planning staff.
- D. Amenity Area: Each development will provide a minimum recreation area of 500 square feet for each lot in the manufactured home park. Any recreation area so designated shall not be less than one acre in size.
- E. Storage Area: Each manufactured home park development shall provide a fenced area for the storage of boats, trailers, etc. The minimum area for the storage area shall be one-half acre for each 50 manufactured home spaces which are provided in the development.
- 210-90.07 **Improvements to Manufactured (mobile) Homes.**
- A. Any permanent additions to any manufactured (mobile) home located within the MHP District must be approved by the Paulding County Building and Permitting Division in the same manner as any other structure in the City of Hiram.
- B. The owner of the manufactured home park shall install a concrete patio or wooden deck on each manufactured home lot.
- 210-90.08 **Required Lot Area and Density.**
- A. No MHP District development shall be constructed or maintained on a lot or tract which has an average width of less than 400 feet or a total area of less than 15 acres.
- B. Each manufactured home space shall be a minimum 50 feet in width and shall provide a minimum 6,000 square feet in area. On cul-de-sacs or curb street designs, the width shall be at least 50 feet at the location of the manufactured home unit.
- C. Each manufactured home lot shall be defined by a marker at each corner. The density of each manufactured home park district shall not exceed five units per acre.
- D. Density is not calculated based upon gross acreage and is exclusive of any recreation area, sewage treatment plant area, wetlands area, streets, or other areas which are not useable as lots but which are included within the boundary survey of the manufactured home park.

- 210-90.09 **Yard Requirements.**
A. 10 feet of its individual lot line.
B. 40 feet from any exterior boundary of the development.
- 210-90.10 **Buffer Strip Requirement.**
For any development a 75-foot buffer where adjacent to city roads and a 50- foot buffer on the remaining perimeter of the property shall be indicated. The required perimeter buffer shall be included in the common area and maintained by the management of the manufactured home park. Whether the buffer is undisturbed or landscaped will be identified by the applicant and subject to approval by the City. Additional required Buffers shall be in accordance with [Section 240-140](#) of the UDO.
- 210-90.11 **Off-street Parking.**
A paved driveway, connecting to the interior street, shall be provided on each manufactured home park lot, sufficient in length and width to serve as two off-street parking spaces.
- 210-90.12 **Sewer and Water Supply.**
Sewage and water supply to the development shall be provided in accordance with the following:

A. Within the Coppermine WRF Service Area, the Pumpkinvine WRF Service area, the Sweetwater Drainage Basin or the Dallas Sewer District, connection to the public sewer system is required. Public sewer construction must be in accordance with Title 3 of the UDO. Sewer within the MHP will be private.

B. Connection to the public water supply is required. Public water construction must be in accordance with Title 3 of the UDO. A master meter for the development shall be placed at the City's right of way. Water lines within the development will be private. Private wells will not be allowed in the MHP District.
- 210-90-13 **Solid Waste.**
All parks shall provide fly-proof, watertight, rodent-proof containers for the disposal of refuse. Containers shall be provided in sufficient number and capacity to properly store all refuse. Refuse for parks shall be collected at least once a week.
- 210-90.14 **Sign Regulations.**
Signage shall be in accordance with [Title 4: Signs](#) of the UDO

Section 210-100. R-55 Active Adult Residential District.

210-100.01 **Purpose and Intent.**

The R-55 District is intended for single-family detached, attached cottage and/or multifamily residential uses of a medium density on land served by a sanitary sewage system on tracts of land consisting of no more than 100 contiguous acres located on a standard road functionally classified as a major collector or higher. R-55 is designed to serve the housing needs of senior residents who are 55 years of age and older. R-55 is appropriate in the Community Residential Character Area of the Future Development Map of the Paulding County, Georgia, 2017 Comprehensive Plan as may be amended.

Text amendments to the R-55 Active Adult Residential districts adopted on August 25, 2020 are applicable to rezoning requests filed on or after that date. Any conforming property previously zoned to the R-55 Active Adult Residential District will be considered vested.

210-100.02 **Permitted Uses.**

Within the R-55 District, the following uses are permitted:

- A. Amenity Areas
- B. Attached cottage dwellings, including Residential Industrialized Buildings with a minimum 1,100 square feet of heated living area
- C. Golf courses
- D. Nature Parks and Similar Institutions
- E. Playgrounds
- F. Public Administration
- G. Public Elementary and Secondary Schools
- H. Public Utilities
- I. Retirement Community (Independent Living) of three or more units, including but not limited to apartment buildings with the following amount of heated living space:
 - 1. One bedroom units, 1,000 square feet;
 - 2. Two bedroom units, 1,200 square feet;
 - 3. Three bedroom units, 1,400 square feet.
- J. Single-family Detached Dwellings, including Residential Industrialized Buildings, with a minimum 1,100 square feet of heated living area

210-100.03 **Special Exception Uses.**

Within the R-55 District, the following uses are permitted as a Special Exception provided specified conditions enumerated in [Section 230-30](#) are satisfied:

- A. Accessory Structures and Uses
- B. Electric Vehicle Charging Station
- C. Home Occupations
- D. Religious Organizations with attendant Educational and Recreational Buildings and Cemeteries
- E. Small Cell Wireless Facilities

210-100.04 **Special Use Permits.**

Within the R-55 District, the following uses are permitted with a Special Use Permit provided specified conditions enumerated in [Section 230-40](#) are met and have obtained approval by the City Council:

- A. Cemeteries
- B. Telecommunication Towers

210-100.05 **Lot Size, Area and Setback Requirements.**

A. Single-family Detached Dwellings

- 1. Minimum Tract Size: Five acres
- 2. Maximum Density: Four units per acre
- 3. Minimum Lot Size: 6,000 square feet
- 4. Minimum Lot Width at Building Line: 40 feet
- 5. Minimum Front Yard Setback: 10 feet, except front facing garages shall be setback a minimum of 15 feet
- 6. Minimum Side Yard Setback: 8 feet
- 7. Minimum Rear Yard Setback: 25 feet
- 8. Maximum Building Height: 30 feet

B. Attached Cottage Dwellings

- 1. Minimum Tract Size: Five acres
- 2. Maximum Density: Five units per acre
- 3. Minimum Public Road Frontage: 50 feet of 50 foot access easement to public road
- 4. Minimum Lot Size: No minimum
- 5. Minimum Unit Width: 28 feet
- 6. Internal Yard Requirements: A 20 foot grassed or landscape strip shall be located between all buildings and foot grassed or landscaped strip shall be provided between all buildings and interior driveways/streets
- 7. Overall Front Setback: 20 feet
- 8. Overall Side Setback: 20 feet
- 9. Overall Rear Setback: 25 feet
- 10. Maximum Building Height: 30 feet

C. Retirement Community (Independent Living)

- 1. Minimum Tract Size: 15 acres
- 2. Maximum Density: Five units per acre
- 3. Minimum Public Road Frontage: 50 feet of 50 foot access easement to public road
- 4. Minimum Lot Width at Building Line: 125 feet
- 5. Overall Front Yard Setback: 35 feet
- 6. Overall Side Yard Setback: 25 feet
- 7. Overall Rear Yard Setback: 25 feet
- 8. Maximum Building Height: 45 feet

210-100.06 **Amenities.**

Amenities are defined as any structures, including recreational facilities, located within the community, which are designed and intended for the common use and enjoyment of all residents.

A. Required Amenities

1. Community Center: A community center a minimum size of 2,000 square feet or five square feet per dwelling (whichever is greater) to serve the entire community
2. Walking, bicycle and/or golf cart trails or sidewalks connecting public spaces, common spaces, mail kiosks and development entrances

B. Optional Amenities

1. Athletic Courts
2. Lake(s), developed in a manner in which the bodies of water form the central amenity around which the community is developed
3. Swimming pools

210-100.07 **Architectural and Landscape Standards.**

- A. All single-family detached and attached cottage dwellings shall contain a master bedroom and bath on the main floor. Second story living square footage may not exceed 50% of the main level heated square footage.
- B. All single-family detached and attached cottage dwellings shall contain an attached garage. A minimum of two parking spaces per unit is required. The parking spaces must be in the driveway or the garage. All dwellings must have a two-car garage.
- C. All dwellings shall incorporate the following accessibility standards:
 1. Step free easy access to the dwelling unit.
 2. Easy passage feature requiring clear passage doorways 32 inches wide for easy passage to all living spaces throughout the dwelling.
 3. Easy step free access to the bedroom, bathroom, kitchen and gathering area on the main floor.
- D. Buildings shall be constructed of traditional design with brick, stone or fiber cement siding, shakes or shingles on the exterior. Color elevations of proposed house plans, including exterior building materials, shall be submitted as an exhibit with an application for zoning. Houses shall be constructed in substantial compliance with approved elevations. Vinyl accessories and trim are allowed; however, no vinyl siding is permitted.
- E. All grassed areas shall be sodded; excluding natural and landscaped areas unless otherwise specified.
- F. In single-family detached and attached cottage dwelling developments at least one 2-inch caliper DBH street tree shall be planted along the road frontage per lot.
- G. Projects must incorporate an area designated as common space or

recreational space.

- H. Structures over 30 feet in height are required to have elevators.
- I. A 50-foot undisturbed buffer where adjacent to city roads and along the remaining perimeter of the property shall be indicated. If there is not adequate undisturbed buffers on the existing property a landscape plan will be required.

210-100.08 **Required Public Improvements.**

The following are required for any R-55 developments:

- A. Single family detached and attached cottage dwellings
 - 1. All streets should be designed to general layout requirements for local streets as defined in the Development Regulations.
 - 2. Streetlights shall be provided on all streets
 - 3. Five-foot sidewalks shall be provided on both sides of each street
 - 4. Utilities shall be placed underground
 - 5. Water and sewer utilities shall be located in street rights-of-ways or easements located at the outer edge of street right-of-way
- B. Retirement Community (Independent Living)
 - 1. All streets should be designed to general layout requirements for local streets as defined in the Development Regulations.
 - 2. Streetlights shall be provided
 - 3. Five-foot sidewalks on both sides of each residential street and entrance drives shall be provided
 - 4. Utilities shall be placed underground
 - 5. All internal water and sanitary sewer systems shall be privately maintained with a Master Meter located on City right-of-way near the entrance to the development

210-100.09 **Mandatory Homeowner's Association.**

The R-55 District shall require a mandatory Homeowner's Association for single-family and attached cottage developments. The association shall publish and adhere to policies and procedures that demonstrate the community is intended to provide housing for persons 55 and over including maintaining surveys or affidavits verifying compliance with 55 and older occupancy requirements as permitted by 42 U.S.C. Section 3607, (b)(2)(c) of the federal Fair Housing Act. The association shall also include declarations and bylaws including rules and regulations, which at a minimum shall regulate and control the following:

- A. Restriction on homes being occupied, with at least 80% of the occupied units occupied by at least one resident who is age 55 or older;
- B. Restrictions on single-family detached and attached cottage residential use only and leasing of units. No more than 10% of the total units may be leased by individual owners at any one time;
- C. Exterior items such as fences, lawn ornaments and restrictions on removal of landscaped areas and buffers; and,

- D. Maintenance of privately owned streets, detention ponds, common spaces, stormwater drainage features and easements, entrance features, amenities and mail kiosks.

210-100.10 **Off-street Parking.**

Off-street Parking shall be in accordance with [Chapter 260](#) of the UDO.

210-100.11 **Required Buffers.**

For any subdivision a 75-foot buffer where adjacent to city roads and a 50-foot buffer on the remaining perimeter of the property shall be indicated. The required perimeter buffer shall be included in the common area and maintained by the mandatory Homeowner's Association. Whether the buffer is undisturbed or landscaped will be identified by the applicant and subject to approval by the City. Additional required Buffers shall be in accordance with [Section 240-140](#) of the UDO.

210-100.12 **Sign Regulations.**

Signage shall be in accordance with [Title 4: Signs](#) of the UDO

210-100.13 **Sewer.**

For the sole purpose of zoning, sanitary sewer, including conveyance and treatment shall be deemed available to the property if:

- A. The proposed development is within the designated sewer service areas as shown on the Coppermine WRF Service Areas Map, the Pumpkinvine WRF Service Areas Map, the Sweetwater Drainage Basin Map (Sweetwater WRF or Cobb County Outfall); and
- B. The applicable water reclamation facility is not currently under an active sewer moratorium; and
- C. The conveyance system meets one of the following conditions:
 - 1. There is a connection point to an existing sanitary sewer system that can be reached by gravity with available capacity to serve the property located within 1,500 feet of the property, or
 - 2. A funded project is underway which extends sewer service to within 1,500 feet of the property which can be reached by gravity, or
 - 3. Sanitary sewer service has been provided for the property through an approved Development Agreement.

Section 210-110 -- 130. Reserved.

Section 210-140. LRO Low Rise Office District.

210-140.01 **Purpose and Intent.**

The LRO District is comprised of land for low intensity professional offices and other non-retail commercial uses such as commercial banking, offices, and care services, which are on properties within or on the edge of an area transitioning from residential to light commercial. When located on the edge of a residential area, the LRO District should provide for office uses that are low in intensity to ensure compatibility with adjacent single-family detached dwellings and otherwise to implement the stated purpose and intent of this ordinance. LRO is appropriate in the Rural, Community Residential, Corridors and Crossroad Communities Character areas of the Future Development Map of the Paulding County, Georgia 2017 Comprehensive Plan as may be amended.

210-140.02 **Permitted Uses.**

Within the LRO District, the following uses are permitted:

- A. Commercial Banking
- B. Electric Vehicle Charging Stations
- C. Finance and Insurance Offices
- D. Golf Courses
- E. Kidney Dialysis Centers
- F. Museums, Historical Sites and Similar Institutions
- G. Offices of Real Estate Agents and Brokers
- H. Professional, Scientific and Technical Services
- I. Public Administration
- J. Public Elementary and Secondary Schools, Junior Colleges, Colleges, Universities and Professional Schools, Business Schools and Computer and Management Training and Technical and Trade Schools
- K. Public Utilities
- L. Radio and Television Broadcasting

210-140.03 **Special Exception Uses.**

Within the LRO District, the following uses are permitted as a Special Exception provided specified conditions enumerated in [Section 230-30](#) are satisfied:

- A. Accessory Structures and Uses
- B. Child Care Learning Center
- C. Civic and Social Organizations
- D. Private Elementary and Secondary Schools, Junior Colleges, Colleges, Universities and Professional Schools, Business Schools and Computer and Management Training and Technical and Trade Schools less than two acres
- E. Personal Care Homes
- F. Religious Organizations with attendant Educational and Recreational Buildings and Cemeteries
- G. Shared Workspaces/Coworking Spaces including limited (no more than 15% of gross floor space) food and beverage sales and excluding Sexually Oriented Businesses
- H. Small Cell Wireless Facilities

- 210-140.04 **Special Use Permits.**
Within the LRO District, the following uses are permitted with a Special Use Permit provided specified conditions enumerated in [Section 230-40](#) are met and have obtained approval by the City Council:
- A. Cemeteries
 - B. Private Elementary and Secondary Schools, Junior Colleges, Colleges, Universities and Professional Schools, Business Schools and Computer and Management Training and Technical and Trade Schools two acres and over
 - C. Telecommunication Towers
- 210-140.05 **Land Use Permits.**
Within the LRO District, the following uses are permitted with a Land Use Permit provided specified conditions enumerated in [Section 230-50](#) are met and have obtained approval by the City Council:
- A. Residential Dwellings Accessory to Commercial Uses
- 210-140.06 **Lot Size, Area and Setback Requirements*.**
*Unless otherwise specified; also subject to approval by the Office of Environmental Health
- A. Minimum Lot Size: 20,000 square feet
 - B. Minimum Public Road Frontage: 30 feet
 - C. Minimum Lot Width at Building Line: 100 feet; 75 feet in curve/cul-de-sac
 - D. Minimum Front Yard Setback: 30 feet
 - E. Minimum Side Yard Setback: 15 feet; 25 feet if corner lot
 - F. Minimum Rear Yard Setback: 25 feet; 35 feet if abutting residential use
 - G. Maximum Building Height: 30 feet
- 210-140.07 **Off-street Parking.**
Off-street Parking shall be in accordance with [Chapter 260](#) of the UDO.
- 210-140.08 **Required Buffers.**
Required Buffers shall be in accordance with [Section 240-140](#) of the UDO
- 210-140.09 **Sign Regulations.**
Signage shall be in accordance with [Title 4: Signs](#) of the UDO

Section 210-150. O-I Office – Institutional District.

210-150.01 **Purpose and Intent.**

The O-I District is established for activities not involving the general sale, storage, or processing of merchandise, but limited to offices, institutions and limited commercial activities. This district would normally be located in areas that are in transition from residential use to a nonresidential use, similar to the LRO district, but with slightly more intense uses. This zoning category would also serve as a buffer between residential development and commercial development. O-I is appropriate in the Rural, Community Residential, Corridors and Crossroad Communities Character areas of the Future Development Map of the Paulding County, Georgia 2017 Comprehensive Plan as may be amended.

210-150.02 **Permitted Uses.**

Within the O-I District, the following uses are permitted:

- A. Accessory Retail Sales and Services
- B. Ambulatory Health Care Services (except Outpatient Care Centers)
- C. Commercial Banking
- D. Drycleaning and Laundry Services (except Coin-operated)
- E. Electric Vehicle Charging Stations
- F. Finance and Insurance Offices
- G. Golf Courses
- H. Hospitals excluding Psychiatric and Substance Abuse Hospitals
- I. Kidney Dialysis Centers
- J. Museums, Historical Sites and Similar Institutions
- K. Offices of Real Estate Agents and Brokers
- L. Parcel Delivery Lockers
- M. Private Mail Centers
- N. Professional, Scientific and Technical Services
- O. Public Administration
- P. Public Elementary and Secondary Schools, Junior Colleges, Colleges, Universities and Professional Schools, Business Schools, Computer and Management Training and Technical and Trade Schools
- Q. Public Utilities
- R. Radio and Television Broadcasting
- S. Scientific Research and Development Services excluding any biohazards

210-150.03 **Special Exception Uses.**

Within the O-I District, the following uses are permitted as a Special Exception provided specified conditions enumerated in [Section 230-30](#) are satisfied:

- A. Accessory Structures and Uses
- B. Adult Day Centers
- C. Ambulance Service
- D. Assisted Living Community
- E. Child Care Learning Center
- F. Civic and Social Organizations
- G. Food Services and Drinking Places, excluding Bars
- H. Funeral Homes and Funeral Services
- I. Intermediate Care Home

- J. Nursing Homes
- K. Personal Care Homes
- L. Private Elementary and Secondary Schools, Junior Colleges, Colleges, Universities and Professional Schools, Business Schools, Computer and Management Training and Technical and Trade Schools
- M. Religious Organizations with attendant Educational and Recreational Buildings and Cemeteries
- N. Rental and Leasing Services (non-automotive)
- O. Shared Workspaces/Coworking Spaces including limited (no more than 15% of gross floor space) food and beverage sales and excluding Sexually Oriented Businesses
- P. Small Cell Wireless Facilities

210-150.04 Special Use Permits.

Within the O-I District, the following uses are permitted with a Special Use Permit provided specified conditions enumerated in [Section 230-40](#) are met and have obtained approval by the City Council:

- A. Cemeteries
- B. Private Elementary and Secondary Schools, Junior Colleges, Colleges, Universities and Professional Schools, Business Schools, Computer and Management Training and Technical and Trade Schools two acres and over
- C. Psychiatric and Substance Abuse Hospitals
- D. Telecommunication Towers

210-150.05 Land Use Permits.

Within the O-I District, the following uses are permitted with a Land Use Permit provided specified conditions enumerated in [Section 230-50](#) are met and have obtained approval by the City Council:

- A. Residential Dwellings Accessory to Commercial Uses

210-150.06 Lot Size, Area and Setback Requirements*.

*Unless otherwise specified; also subject to approval by the Office of Environmental Health

- | | |
|--|--|
| A. Minimum Lot Size: | 20,000 square feet with sewer,
otherwise 40,000 square feet |
| B. Minimum Public Road Frontage: | 30 feet |
| C. Minimum Lot Width at Building Line: | 100 feet; 75 feet in curve/cul-de-sac |
| D. Minimum Front Yard Setback: | 30 feet |
| E. Minimum Side Yard Setback: | 15 feet; 20 feet if abutting residential
use; 25 feet if corner lot |
| F. Minimum Rear Yard Setback: | 25 feet; 35 feet if abutting residential |
| G. Maximum Building Height: | 45 feet |

210-150.07 Off-street Parking.

Off-street Parking shall be in accordance with [Chapter 260](#) of the UDO.

210-150.08 Required Buffers.

Required Buffers shall be in accordance with [Section 240-140](#) of the UDO

210-150.09 Sign Regulations.

Signage shall be in accordance with [Title 4: Signs](#) of the UDO

Section 210-160. NB Neighborhood Business District.

210-160.01 **Purpose and Intent.**

The NB District is established to provide locations for limited commercial uses often located on an arterial or collector street providing convenience goods and services for residents of the service area. Areas zoned for NB should generally be located at or near the center of the neighborhood residential areas they serve. NB is appropriate in the Rural, Community Residential, Corridors and Crossroad Communities Character areas of the Future Development Map of the Paulding County, Georgia 2017 Comprehensive Plan as may be amended.

210-160.02 **Permitted Uses.**

Within the NB District, the following uses are permitted:

- A. Accessory Retail Sales and Services
- B. Ambulatory Health Care Services (except Outpatient Care Centers)
- C. Art Dealers
- D. Clothing and Clothing Accessories Retailers
- E. Coin-operated Laundries
- F. Commercial Banking
- G. Copy Shops
- H. Diet and Weight Reducing Centers
- I. Drycleaning and Laundry Services (except Coin-operated)
- J. Electric Vehicle Charging Stations
- K. Finance and Insurance Offices
- L. Fitness and Recreational Sports Centers
- M. Florists
- N. Food Services and Drinking Places (excluding Bars)
- O. Gift and Souvenir Retailers
- P. Golf Courses
- Q. Hair, Nail, Skin Care, Tanning Salons and Ear Piercing Services
- R. Health and Personal Care Retailers
- S. Hospitals (excluding Psychiatric and Substance Abuse Hospitals)
- T. Kidney Dialysis Centers
- U. Miscellaneous Store Retailers as identified in NAICS Code [453998](#)
- V. Museums, Historical Sites and Similar Institutions
- W. Office Supplies and Stationary Retailers
- X. Offices of Real Estate Agents and Brokers
- Y. Parcel Delivery Lockers
- Z. Personal and Household Goods Repair and Maintenance
- AA. Pet and Pet Supplies Retailers
- BB. Pet Care (except Veterinary) Services
- CC. Photofinishing Laboratories
- DD. Private Mail Centers
- EE. Professional, Scientific and Technical Services
- FF. Public Administration
- GG. Public Elementary and Secondary Schools, Junior Colleges, Colleges, Universities and Professional Schools, Business Schools, Computer and Management Training and Technical and Trade Schools

- HH. Public Utilities
- II. Schools and Instruction, other as identified in NAICS Code [6116](#)
- JJ. Used Merchandise Stores (except Flea Markets)

210-160.03 **Special Exception Uses.**

Within the NB District, the following uses are permitted as a Special Exception provided specified conditions enumerated in [Section 230-30](#) are satisfied:

- A. Accessory Structures and Uses
- B. Adult Day Centers
- C. Ambulance Service
- D. Assisted Living Community
- E. Charitable Organization Collection Receptacles
- F. Child Care Learning Center
- G. Civic and Social Organizations
- H. Food and Beverage Retailers
- I. Funeral Homes and Funeral Services
- J. Gasoline Stations
- K. Hardware Retailers
- L. Intermediate Care Home
- M. Private Elementary and Secondary Schools, Junior Colleges, Colleges, Universities and Professional Schools, Business Schools, Computer and Management Training and Technical and Trade Schools
- N. Religious Organizations with attendant Educational and Recreational Buildings and Cemeteries
- O. Rental and Leasing Services (non-automotive)
- P. Shared Workspaces/Coworking Spaces including limited (no more than 15% of gross floor space) food and beverage sales and excluding Sexually Oriented Businesses
- Q. Small Cell Wireless Facilities
- R. Sporting Goods, Hobby, Musical Instrument and Book Retailers

210-160.04 **Special Use Permits.**

Within the NB District, the following uses are permitted with a Special Use Permit provided specified conditions enumerated in [Section 230-40](#) are met and have obtained approval by the City Council:

- A. Cemeteries
- B. Dormitories
- C. Private Elementary and Secondary Schools, Junior Colleges, Colleges, Universities and Professional Schools, Business Schools, Computer and Management Training and Technical and Trade Schools two acres and over
- D. Telecommunication Towers

210-160.05 **Land Use Permits.**

Within the NB District, the following uses are permitted with a Land Use Permit provided specified conditions enumerated in [Section 230-50](#) are met and have obtained approval by the City Council:

- A. Residential Dwellings Accessory to Commercial Uses

210-160.06 **Lot Size, Area and Setback Requirements*.**

*Unless otherwise specified; also subject to approval by the Office of Environmental Health

- | | |
|--|--|
| A. Minimum Lot Size: | 20,000 square feet with sewer,
otherwise 40,000 square feet |
| B. Minimum Public Road Frontage: | 30 feet |
| C. Minimum Lot Width at Building Line: | 100 feet; 85 feet in curve/cul-de-sac |
| D. Minimum Front Yard Setback: | 30 feet |
| E. Minimum Side Yard Setback: | 15 feet; 25 feet if corner lot or
abutting residential use |
| F. Minimum Rear Yard Setback: | 25 feet; 35 feet if abutting residential
use |
| G. Maximum Building Size: | 10,000 square feet of gross area
unless otherwise noted |
| H. Maximum Building Height: | 45 feet |

210-160.07 **Off-street Parking.**

Off-street Parking shall be in accordance with [Chapter 260](#) of the UDO.

210-160.08 **Required Buffers.**

Required Buffers shall be in accordance with [Section 240-140](#) of the UDO

210-160.09 **Sign Regulations.**

Signage shall be in accordance with [Title 4: Signs](#) of the UDO

Section 210-170. B-1 General Business District.

210-170.01 **Purpose and Intent.**

The B-1 District is composed of certain lands and structures in the City used primarily to provide for the retailing of goods and the furnishing of selected services to surrounding neighborhoods. Regulations within this district are intended to permit and encourage full development of necessary commercial use and at the same time protect nearby residential properties from possible adverse effects of such commercial activity. Any building or premises used for any of the permitted uses shall have not more than 40% of the total floor area of the building or premises devoted to storage or industry purposes incidental to the primary use. B-1 is appropriate in the Rural, Community Residential, Corridors and Crossroad Communities Character areas of the Future Development Map of the Paulding County, Georgia 2017 Comprehensive Plan as may be amended.

210-170.02 **Permitted Uses.**

Within the B-1 District, the following uses are permitted:

- A. Accessory Retail Sales and Services
- B. Ambulatory Health Care Services except Outpatient Care Centers
- C. Art Dealers
- D. Clothing and Clothing Accessories Retailers
- E. Coin-operated Laundries
- F. Commercial Banking
- G. Copy Shops
- H. Diet and Weight Reducing Centers
- I. Dry Cleaning and Laundry Services (except Coin-operated)
- J. Electric Vehicle Charging Stations
- K. Finance and Insurance Offices
- L. Fitness and Recreational Sports Centers
- M. Florists
- N. Food and Beverage Retailers
- O. Food Services and Drinking Places (excluding Bars)
- P. Gift and Souvenir Retailers
- Q. Golf Courses
- R. Grocery and Convenience Retailers
- S. Hair, Nail, Skin Care, Tanning Salons and Ear Piercing Services
- T. Health and Personal Care Retailers
- U. Hospitals excluding Psychiatric and Substance Abuse Hospitals
- V. Hotels and Motels
- W. Kidney Dialysis Centers
- X. Miscellaneous Store Retailers as identified in NAICS Code [453998](#)
- Y. Motion Picture Theaters (excluding Drive-in Theaters)
- Z. Museums, Historical Sites and Similar Institutions
- AA. Newspaper Publishers
- BB. Office Supplies and Stationary Retailers
- CC. Offices of Real Estate Agents and Brokers
- DD. Parcel Delivery Lockers
- EE. Parking Lots and Garages
- FF. Personal and Household Goods Repair and Maintenance
- GG. Pet and Pet Supplies Retailers

- HH. Pet Care (except Veterinary) Services
- II. Photofinishing Laboratories
- JJ. Private Mail Centers
- KK. Professional, Scientific and Technical Services
- LL. Public Administration
- MM. Public Elementary and Secondary Schools, Junior Colleges, Colleges, Universities and Professional Schools, Business Schools, Computer and Management Training and Technical and Trade Schools
- NN. Public Utilities
- OO. Re-upholstery and Furniture Repair
- PP. Schools and Instruction, other as identified in NAICS Code [6116](#)
- QQ. Sound Recording Studios
- RR. Theater Companies and Dinner Theaters
- SS. Tobacco, Electronic Cigarette, and other Smoking Supplies Stores
- TT. Used Merchandise Stores except Flea Markets

210-170.03 **Special Exception Uses.**

Within the B-1 District, the following uses are permitted as a Special Exception provided specified conditions enumerated in [Section 230-30](#) are satisfied:

- A. Accessory Structures and Uses
- B. Adult Day Centers
- C. Ambulance Service
- D. Assisted Living Community
- E. Auto Broker Office
- F. Automotive Parts, Accessories, and Tire Stores
- G. Automotive Body, Paint, and Interior Repair and Maintenance
- H. Beer and Wine Retailers
- I. Boarding Services, Pet
- J. Breweries
- K. Car Washes
- L. Charitable Organization Collection Receptacles
- M. Child Care Learning Center
- N. Civic and Social Organizations
- O. Electronics and Appliance Stores
- P. Emission Inspection Station
- Q. Funeral Homes and Funeral Services
- R. Gasoline Stations
- S. General Merchandise Retailers
- T. Hardware Retailers
- U. Intermediate Care Home
- V. Massage Therapy
- W. Nursing Home
- X. Private Elementary and Secondary Schools, Junior Colleges, Colleges, Universities and Professional Schools, Business Schools, Computer and Management Training and Technical and Trade Schools
- Y. Recycling Centers
- Z. Religious Organizations with attendant Educational and Recreational Buildings and Cemeteries
- AA. Rental and Leasing Services (non-automotive)

- BB. Shared Workspaces/Coworking Spaces including limited (no more than 15% of gross floor space) food and beverage sales (excluding Sexually Oriented Businesses)
- CC. Small Cell Wireless Facilities
- DD. Sporting Goods, Hobby, Musical Instrument and Book Retailers
- EE. Temporary Uses

210-170.04 **Special Use Permits.**

Within the B-1 District, the following uses are permitted with a Special Use Permit provided specified conditions enumerated in [Section 230-40](#) are met and have obtained approval by the City Council:

- A. Cemeteries
- B. Dormitories
- C. Private Elementary and Secondary Schools, Junior Colleges, Colleges, Universities and Professional Schools, Business Schools, Computer and Management Training and Technical and Trade Schools two acres and over
- D. Telecommunication Towers

210-170.05 **Lot Size, Area and Setback Requirements*.**

*Unless otherwise specified; also subject to approval by the Office of Environmental Health

- | | |
|--|--|
| A. Minimum Lot Size: | 20,000 square feet with sewer,
otherwise 40,000 square feet |
| B. Minimum Public Road Frontage: | 30 feet |
| C. Minimum Lot Width at Building Line: | 75 feet; 60 feet in curve/cul-de-sac |
| D. Minimum Front Yard Setback: | 40 feet |
| E. Minimum Side Yard Setback: | 10 feet; 25 feet if corner lot or
abutting residential use |
| F. Minimum Rear Yard Setback: | 15 feet; 40 feet if abutting residential |
| G. Maximum Building Height: | 45 feet |

210-170.06 **Off-street Parking.**

Off-street Parking shall be in accordance with [Chapter 260](#) of the UDO.

210-170.07 **Required Buffers.**

Required Buffers shall be in accordance with [Section 240-140](#) of the UDO

210-170.08 **Sign Regulations.**

Signage shall be in accordance with [Title 4: Signs](#) of the UDO

Section 210-180. PSC Planned Shopping Center District.

210-180.01 **Purpose and Intent.**

The PSC District is established to provide locations for retail commercial and service uses which are designed and oriented to serve several neighborhoods making up a community. Projects developed within the PSC zoning district should be done as planned, compact and unified centers. Projects developed within the PSC District should usually occupy a quadrant of an intersection, with ingress and egress only from major streets or State Highways within areas delineated for commercial development on the Future Land Use Plan. Regulations within this district are intended to permit and encourage full development of necessary commercial use, and at the same time protect nearby residential properties from possible adverse effects of such commercial activity. The PSC District is distinguished from other commercial districts by the pre-coordinated aspect of the category to allow planned centers and discourage commercial sprawl. PSC is appropriate in the Community Residential, Corridors and Crossroad Communities Character areas of the Future Development Map of the Paulding County, Georgia 2017 Comprehensive Plan as may be amended.

210-180.02 **Permitted Uses.**

Within the PSC District, the following uses are permitted:

- A. Accessory Retail Sales and Services
- B. Ambulatory Health Care Services (except Outpatient Care Centers)
- C. Art Dealers
- D. Clothing and Clothing Accessories Retailers
- E. Coin-operated Laundries
- F. Commercial Banking
- G. Copy Shops
- H. Diet and Weight Reducing Centers
- I. Dry Cleaning and Laundry Services (except Coin-operated)
- J. Electric Vehicle Charging Stations
- K. Finance and Insurance Offices
- L. Fitness and Recreational Sports Centers
- M. Florists
- N. Food Services and Drinking Places (except Bars)
- O. General Merchandise Retailers
- P. Gift and Souvenir Retailers
- Q. Golf Courses
- R. Grocery and Convenience Retailers
- S. Hardware Retailers
- T. Hair, Nail, Skin Care, Tanning Salons and Ear Piercing Services
- U. Health and Personal Care Retailers
- V. Hospitals (except Psychiatric and Substance Abuse Hospitals)
- W. Hotels and Motels
- X. Kidney Dialysis Centers
- Y. Miscellaneous Store Retailers as identified in NAICS Code [453998](#)
- Z. Motion Picture Theaters (except Drive-in Theaters)
- AA. Museums, Historical Sites and Similar Institutions
- BB. Newspaper Publishers

- CC. Office Supplies and Stationary Retailers
- DD. Offices of Real Estate Agents and Brokers
- EE. Parcel Delivery Lockers
- FF. Parking Lots and Garages
- GG. Personal and Household Goods Repair and Maintenance
- HH. Pet and Pet Supplies Retailers
- II. Pet Care (except Veterinary) Services
- JJ. Photofinishing Laboratories
- KK. Private Mail Centers
- LL. Professional, Scientific and Technical Services
- MM. Public Administration
- NN. Public Elementary and Secondary Schools, Junior Colleges, Colleges, Universities and Professional Schools, Business Schools, Computer and Management Training and Technical and Trade Schools
- OO. Public Utilities
- PP. Re-upholstery and Furniture Repair
- QQ. Schools and Instruction, other as identified in NAICS Code [6116](#)
- RR. Sound Recording Studios
- SS. Sporting Goods, Hobby, Musical Instrument and Book Retailers
- TT. Temporary Uses
- UU. Theater Companies and Dinner Theaters
- VV. Tobacco, Electronic Cigarette, and Other Smoking Supplies Retailers
- WW. Used Merchandise Stores (except Flea Markets)

210-180.03 **Special Exception Uses.**

Within the PSC District, the following uses are permitted as a Special Exception provided specified conditions enumerated in [Section 230-30](#) are satisfied:

- A. Accessory Structures and Uses
- B. Ambulance Service
- C. Auto Broker Office
- D. Automotive Parts, Accessories, and Tire Stores
- E. Automotive Body, Paint, and Interior Repair and Maintenance
- F. Beer and Wine Retailers
- G. Boarding Services, Pet
- H. Breweries
- I. Car Washes
- J. Charitable Organization Collection Receptacles
- K. Child Care Learning Center
- L. Civic and Social Organizations
- M. Electronics and Appliance Stores
- N. Emission Inspection Station
- O. Funeral Homes and Funeral Services
- P. Gasoline Stations
- Q. Greenhouse, Nursery, and Floriculture Production
- R. Massage Therapy
- S. Nursing Homes
- T. Private Elementary and Secondary Schools, Junior Colleges, Colleges, Universities and Professional Schools, Business Schools, Computer and Management Training and Technical and Trade Schools
- U. Recycling Centers

- V. Religious Organizations with attendant Educational and Recreational Buildings and Cemeteries
- W. Rental and Leasing Services (non-automotive)
- X. Small Cell Wireless Facilities
- Y. Temporary Uses

210-180.04 **Special Use Permits.**

Within the PSC District, the following uses are permitted with a Special Use Permit provided specified conditions enumerated in [Section 230-40](#) are met and have obtained approval by the City Council:

- A. Cemeteries
- B. Dormitories
- C. Private Elementary and Secondary Schools, Junior Colleges, Colleges, Universities and Professional Schools, Business Schools, Computer and Management Training and Technical and Trade Schools two acres and over
- D. Telecommunication Towers

210-180.05 **Lot Size, Area and Setback Requirements*.**

*Unless otherwise specified; also subject to approval by the Office of Environmental Health

- | | |
|--|--|
| A. Minimum Lot Size: | Five acres (or out parcels of a planned developed with no minimum lot size if design and layout are consistent with overall development) |
| B. Minimum Public Road Frontage: | 100 feet |
| C. Minimum Lot Width at Building Line: | 75 feet; 60 feet in curve/cul-de-sac |
| D. Minimum Front Yard Setback: | 40 feet |
| E. Minimum Side Yard Setback: | 10 feet; 25 feet corner lot or abutting residential use |
| F. Minimum Rear Yard Setback: | 15 feet; 40 feet abutting residential use |
| G. Maximum Building Height: | 45 feet |

210-180.06 **Off-street Parking.**

Off-street Parking shall be in accordance with [Chapter 260](#) of the UDO.

210-180.07 **Required Buffers.**

Required Buffers shall be in accordance with [Section 240-140](#) of the UDO

210-180.08 **Sign Regulations.**

Signage shall be in accordance with [Title 4: Signs](#) of the UDO

Section 210-190. B-2 Highway Business District.

210-190.01 **Purpose and Intent.**

The B-2 district is composed of certain lands and structures located along state and federal roads which require high visibility, locations accessible to major highways and arterials, and serve significant portions of the community. It is also the intent of this district to provide areas for business to occur which, because of their intensity, some outside storage area or hours of operation may have a significant impact on adjoining properties. Because of the nature of the businesses permitted in the B-2 district, the zoning district should be limited to property fronting on major thoroughfares and/or in large commercial nodes. B-2 is appropriate in the Community Residential, Corridors and Crossroad Communities Character areas of the Future Development Map of the Paulding County, Georgia 2017 Comprehensive Plan as may be amended.

210-190.02 **Permitted Uses.**

Within the B-2 District, the following uses are permitted provided all activities are conducted entirely within an enclosed building and any outdoor storage of materials, supplies, inventory, accessories etc., is within a designated area enclosed by a six-foot high opaque privacy fence unless otherwise stated herein:

- A. Accessory Retail Sales and Services
- B. Ambulatory Health Care Services (except Outpatient Care Centers)
- C. Amusement and Recreation Industries, Indoor as identified in NAICS Code [713990](#)
- D. Art Dealers
- E. Automotive Equipment Rental and Leasing
- F. Bowling Centers
- G. Building Material and Garden Equipment and Supplies Dealers
- H. Check Cashing Services
- I. Clothing and Clothing Accessories Retailers
- J. Coin-operated Laundries
- K. Commercial Banking
- L. Computer Systems Design and Related Services
- M. Conference Center
- N. Copy Shops
- O. Diet and Weight Reducing Centers
- P. Drycleaning and Laundry Services (except Coin-operated)
- Q. Electric Vehicle Charging Stations
- R. Electronics and Appliance Retailers
- S. Exterminating and Pest Control Services
- T. Farm Machinery and Equipment Repair and Maintenance Services
- U. Finance and Insurance Offices
- V. Fitness and Recreational Sports Centers
- W. Florists
- X. Food Services and Drinking Places (excluding Bars)
- Y. Furniture and Home Furnishings Stores
- Z. Gasoline Stations
- AA. General Automotive Repair
- BB. General Merchandise Retailers
- CC. Gift and Souvenir Retailers

DD. Golf Courses
 EE. Grocery and Convenience Retailers
 FF. Hair, Nail, Skin Care, Tanning Salons and Ear Piercing Services
 GG. Health and Personal Care Retailers
 HH. Hospitals excluding Psychiatric and Substance Abuse Hospitals
 II. Hotels and Motels
 JJ. Kidney Dialysis Centers
 KK. Local Messengers and Local Delivery Centers/Facilities
 LL. Miscellaneous Store Retailers as identified in NAICS Code [453998](#)
 MM. Motion Picture Theaters (except Drive-in Theaters)
 NN. Motor Vehicle and Parts Dealers
 OO. Museums, Historical Sites and Similar Institutions
 PP. Newspaper Publishers
 QQ. Office Supplies and Stationary Retailers
 RR. Offices of Real Estate Agents and Brokers
 SS. Parcel Delivery Lockers
 TT. Parking Lots and Garages
 UU. Personal and Household Goods Repair and Maintenance
 VV. Pet and Pet Supplies Retailers
 WW. Pet Care (except Veterinary) Services
 XX. Photofinishing Laboratories
 YY. Printing
 ZZ. Private Mail Centers
 AAA. Professional, Scientific and Technical Services
 BBB. Public Administration
 CCC. Public Elementary and Secondary Schools, Junior Colleges, Colleges, Universities and Professional Schools, Business Schools, Computer and Management Training and Technical and Trade Schools
 DDD. Public Utilities
 EEE. Re-upholstery and Furniture Repair
 FFF. Safe Exchange Zones
 GGG. Schools and Instruction, other as identified in NAICS Code [6116](#)
 HHH. Sound Recording Studios
 III. Sporting Goods, Hobby, Musical Instrument, and Book Retailers
 JJJ. Theater Companies and Dinner Theaters
 KKK. Tobacco, Electronic Cigarette, and Other Smoking Supplies Retailers
 LLL. Used Merchandise Stores (except Flea Markets)
 MMM. Virtual Kitchens

210-190.03 **Special Exception Uses.**

Within the B-2 District, the following uses are permitted as a Special Exception provided specified conditions enumerated in [Section 230-30](#) are satisfied:

- A. Accessory Structures and Uses
- B. Ambulance Service
- C. Appliance Repair and Maintenance
- D. Assisted Living Community
- E. Auto Broker Office
- F. Automotive Body, Paint, and Interior Repair and Maintenance
- G. Beer and Wine Retailers
- H. Boarding Services, Pet

- I. Breweries
- J. Car Washes
- K. Charitable Organization Collection Receptacles
- L. Child Care Learning Center
- M. Emission Inspection Station
- N. Massage Therapy
- O. Drive-in Motion Picture Theaters
- P. Fuel storage for on-site use of vehicles and equipment
- Q. Funeral Homes and Funeral Services
- R. Greenhouse, Nursery, and Floriculture Production
- S. Intermediate Care Homes
- T. Light Manufacturing as identified in NAICS [3271](#), [33232](#) and [334](#)
- U. Nursing Homes
- V. Private Elementary and Secondary Schools, Junior Colleges, Colleges, Universities and Professional Schools, Business Schools, Computer and Management Training and Technical and Trade Schools less than two acres
- W. Recycling Centers
- X. Religious Organizations with attendant Educational and Recreational Buildings and Cemeteries
- Y. Rental and Leasing Services (non-automotive)
- Z. Shared Workspaces/Co-working Spaces, excluding Sexually Oriented Businesses, with limited food and beverage sales
- AA. Small Cell Wireless Facilities
- BB. Temporary Uses
- CC. Truck Sales

210-190.04 **Special Use Permits.**

Within the B-2 District, the following uses are permitted with a Special Use Permit provided specified conditions enumerated in [Section 230-40](#) are met and have obtained approval by the City Council:

- A. Amusement and Recreation Industries, Outdoor as identified in NAICS Code [713990](#) (except Shooting Ranges and Stables, Riding)
- B. Amusement and Theme Parks
- C. Breeders
- D. Bus Stations
- E. Cemeteries
- F. Civic and Social Organizations
- G. Dormitories
- H. Extended Stay Hotels or Motels
- I. Flea Markets
- J. Heliports
- K. Motor Vehicle Towing
- L. Outpatient Care Centers except Kidney Dialysis Centers
- M. Pawnshops
- N. Private Elementary and Secondary Schools, Junior Colleges, Colleges, Universities and Professional Schools, Business Schools, Computer and Management Training and Technical and Trade Schools two acres and over
- O. Psychiatric and Substance Abuse Hospitals

- P. Racetracks
- Q. RV (Recreational Vehicle) Parks and Campgrounds
- R. Sand Dredging
- S. Tattoo Parlors, Makeup Salons (permanent) and Piercing
- T. Telecommunication Towers
- U. Temporary Impound Lots
- V. Truck (greater than 1.5 tons) Repair Shops

210-190.05 **Lot Size, Area and Setback Requirements*.**

*Unless otherwise specified; also subject to approval by the Office of Environmental Health

- | | |
|--|--|
| A. Minimum Lot Size: | 20,000 square feet with sewer,
otherwise 40,000 square feet |
| B. Minimum Public Road Frontage: | 30 feet |
| C. Minimum Lot Width at Building Line: | 100 feet; 85 feet in curve/cul-de-sac |
| D. Minimum Front Yard Setback: | 50 feet |
| E. Minimum Side Yard Setback: | 10 feet; 25 feet if corner lot; 40 feet if
abutting residential use |
| F. Minimum Rear Yard Setback: | 15 feet; 40 feet abutting residential
use |
| G. Maximum Building Height: | 60 feet |

210-190.06 **Off-street Parking.**

Off-street Parking shall be in accordance with [Chapter 260](#) of the UDO.

210-190.07 **Required Buffers.**

Required Buffers shall be in accordance with [Section 240-140](#) of the UDO

210-190.07 **Sign Regulations.**

Signage shall be in accordance with [Title 4: Signs](#) of the UDO

Section 210-200. ECR E-Commerce Retail District.

210-200.01 **Purpose and Intent.**

The ECR District is composed of certain lands and structures in the City used primarily to provide for the fulfillment of retail goods and selected services ordered by means of e-commerce to surrounding neighborhoods. Regulations within this district are intended to permit and encourage full development of necessary commercial use and at the same time protect nearby residential properties from possible adverse effects of such commercial activity. Any building or premises used for any of the permitted uses may have up to 60% of the total floor area of the building or premises devoted to storage and/or production purposes associated with the primary use. ECR is appropriate in the Rural, Community Residential, Corridors and Crossroad Communities Character areas of the Future Development Map of the Paulding County, Georgia 2017 Comprehensive Plan as may be amended.

210-200.02 **Permitted Uses.**

Within the ECR District, the following uses are permitted:

- A. Accessory Retail Sales and Services
- B. Clothing and Clothing Accessories Retailers
- C. Commercial Banking
- D. Computer Systems Design and Related Services
- E. Corporate or administrative offices for any permitted uses within this district which may allow ancillary uses including food, infirmity, fitness centers and childcare
- F. Couriers and Express Delivery Services
- G. Electric Vehicle Charging Stations
- H. Food Services and Drinking Places, excluding Bars
- I. General Merchandise Retailers
- J. Local Messengers and Local Delivery Centers/Facilities
- K. Parcel Delivery Lockers
- L. Private Mail Centers
- M. Public Administration
- N. Public Elementary and Secondary Schools, Junior Colleges, Colleges, Universities and Professional Schools, Business Schools, Computer and Management Training and Technical and Trade Schools
- O. Public Utilities
- P. Safe Exchange Zones
- Q. Virtual Kitchens

210-200.03 **Special Exception Uses.**

Within the ECR District, the following uses are permitted as a Special Exception provided specified conditions enumerated in [Section 230-30](#) are satisfied:

- A. Accessory Structures and Uses
- B. Breweries
- C. Shared Workspaces/Coworking Spaces including limited (no more than 15% of gross floor space) food and beverage sales and excluding Sexually Oriented Businesses
- D. Small Cell Wireless Facilities

E. Temporary Uses

210-200.04 **Special Use Permits.**

Within the ECR District, the following uses are permitted with a Special Use Permit provided specified conditions enumerated in [Section 230-40](#) are met and have obtained approval by the City Council:

A. Telecommunication Towers

210-200.05 **Lot Size, Area and Setback Requirements*.**

*Unless otherwise specified; also subject to approval by the Office of Environmental Health

- | | |
|--|--|
| A. Minimum Lot Size: | 21,780 square feet with sewer,
otherwise 43,560 square feet |
| B. Minimum Public Road Frontage: | 30 feet |
| C. Minimum Lot Width at Building Line: | 75 feet; 60 feet in curve/cul-de-sac |
| D. Minimum Front Yard Setback: | 40 feet |
| E. Minimum Side Yard Setback: | 10 feet; 25 feet corner lot or abutting
residential use |
| F. Minimum Rear Yard Setback: | 15 feet; 40 feet abutting residential
use |
| G. Maximum Building Height: | 45 feet |

210-200.06 **Off-street Parking.**

Off-street Parking shall be in accordance with [Chapter 260](#) of the UDO.

210-200.07 **Required Buffers.**

Required Buffers shall be in accordance with [Section 240-140](#) of the UDO

210-200.08 **Sign Regulations.**

Signage shall be in accordance with [Title 4: Signs](#) of the UDO

Section 210-210. ECBP E-Commerce Business Park District.

210-210.01 **Purpose and Intent.**

The ECBP District is composed of certain lands and structures in the City to facilitate development of vibrant and flexible administrative, medical, research and office centers required by the increase in E-commerce. The District shall maintain and support an environment for high quality, progressive, innovative and employment-generating businesses. It is also the intent to provide a mixture of lot sizes to accommodate small businesses as well as larger campus-style uses, and to provide amenities, personal service, and convenient restaurant uses for people who work in the business park. ECBP is appropriate in the Community Residential, Corridors and Crossroad Communities, Wellness District/WellStar Hospital Target Areas of the Future Development Map of the Paulding County, Georgia 2017 Comprehensive Plan as may be amended.

210-210.02 **Permitted Uses.**

Within the ECBP District, the following uses are permitted:

- A. Corporate or administrative offices for any permitted uses within this district which may allow ancillary uses including food, infirmary, fitness centers and childcare
- B. Couriers and Express Delivery Services
- C. Data Processing, Hosting, and Related Services
- D. Electric Vehicle Charging Stations
- E. Electronic Shopping and Mail-Order Houses
- F. Financial Transactions Processing, Reserve, and Clearinghouse Activities
- G. Freight Transportation Arrangement
- H. General Freight Trucking
- I. General Warehousing and Storage
- J. Local Messengers and Local Delivery Centers/Facilities
- K. Private Mail Centers
- L. Public Administration
- M. Public Elementary and Secondary Schools, Junior Colleges, Colleges, Universities and Professional Schools, Business Schools, Computer and Management Training and Technical and Trade Schools
- N. Public Utilities
- O. Refrigerated Warehousing and Storage
- P. Telephone Call Centers
- Q. Virtual Kitchens

210-210.03 **Special Exception Uses.**

Within the ECBP District, the following uses are permitted as a Special Exception provided specified conditions enumerated in [Section 230-30](#) are satisfied:

- A. Accessory Structures and Uses
- B. Fuel Storage for On-site Use of Vehicles and Equipment
- C. Shared Workspaces/Coworking Spaces including limited (no more than 15% of gross floor space) food and beverage sales and excluding Sexually Oriented Businesses
- D. Small Cell Wireless Facilities

- 210-210.04 **Special Use Permits.**
Within the ECBP District, the following uses are permitted with a Special Use Permit provided specified conditions enumerated in [Section 230-40](#) are met and have obtained approval by the City Council:
- A. Telecommunication Towers
- 210-210.05 **Lot Size, Area and Setback Requirements*.**
*Unless otherwise specified; also subject to approval by the Office of Environmental Health
- | | |
|--|---|
| A. Minimum Lot Size: | 43,560 square feet with sewer |
| B. Minimum Public Road Frontage: | 50 feet |
| C. Minimum Lot Width at Building Line: | 100 feet; 85 feet in curve/cul-de-sac |
| D. Minimum Front Yard Setback: | 50 feet from all streets, including corner lots |
| E. Minimum Side Yard Setback: | 25 feet; 50 feet corner lot or abutting residential use |
| F. Minimum Rear Yard Setback: | 40 feet; 50 feet abutting residential use |
| G. Maximum Building Height: | 45 feet |
- 210-210.06 **Off-street Parking.**
Off-street Parking shall be in accordance with [Chapter 260](#) of the UDO.
- 210-210.07 **Required Buffers.**
Required Buffers shall be in accordance with Section 240-140 of the UDO
- 210-210.08 **Sign Regulations.**
Signage shall be in accordance with [Title 4: Signs](#) of the UDO

Section 210-220. B2CL Business to Consumer Logistics District.

210-220.01 **Purpose and Intent.**

The B2CL District is comprised of certain lands in the City to be used for logistics and warehousing in areas located along major roads, including but not limited to state and federal Highways. The District is intended to enhance the economic stature of the City of Hiram and deal with some of the externalities of concentrated logistic activity by protecting through reasonable regulation any adjacent residential areas from the external impacts of heavy industry, trucking and land uses that support trucking activity and adopt responsible environmental and aesthetic measures to bring visual order, cleanliness and appeal to any B2CL zoned areas in keeping with the industrial character of the area. B2CL is appropriate in the Corridors and Sewered Crossroad Communities of the Future Development Map of the Paulding County, Georgia 2017 Comprehensive Plan as may be amended.

210-220.02 **Permitted Uses.**

Within the B2CL District, the following uses are permitted:

- A. Accessory Retail Sales and Services
- B. Computer Systems Design and Related Services
- C. Couriers and Express Delivery Services
- D. Electric Vehicle Charging Stations
- E. Electronic Shopping and Mail-Order Houses
- F. Freight Transportation Arrangement
- G. General Freight Trucking
- H. General Warehousing and Storage
- I. Private Mail Centers
- J. Public Administration
- K. Public Elementary and Secondary Schools, Junior Colleges, Colleges, Universities and Professional Schools, Business Schools, Computer and Management Training and Technical and Trade Schools
- L. Public Utilities
- M. Refrigerated Warehousing and Storage
- N. Virtual Kitchens

210-220.03 **Special Exception Uses.**

Within the B2CL District, the following uses are permitted as a Special Exception provided specified conditions enumerated in [Section 230-30](#) are satisfied:

- A. Accessory Structures and Uses
- B. Fuel Storage for On-site Use of Vehicles and Equipment
- C. Small Cell Wireless Facilities

210-220.04 **Special Use Permits.**

Within the B2CL District, the following uses are permitted with a Special Use Permit provided specified conditions enumerated in [Section 230-40](#) are met and have obtained approval by the City Council:

- A. Telecommunication Towers

- 210-220.05 **Lot Size, Area and Setback Requirements*.**
*Unless otherwise specified; also subject to approval by the Office of Environmental Health
- | | |
|--|---|
| A. Minimum Lot Size: | 43,560 square feet |
| B. Minimum Public Road Frontage: | 50 feet |
| C. Minimum Lot Width at Building Line: | 100 feet; 85 feet in curve/cul-de-sac |
| D. Minimum Front Yard Setback: | 50 feet |
| E. Minimum Side Yard Setback: | 25 feet; 50 feet corner lot or abutting residential use |
| F. Minimum Rear Yard Setback: | 40 feet; 50 feet abutting residential use |
| G. Maximum Building Height: | 45 feet |
- 210-220.06 **Off-street Parking.**
Off-street Parking shall be in accordance with [Chapter 260](#) of the UDO.
- 210-220.07 **Required Buffers.**
Required Buffers shall be in accordance with [Section 240-140](#) of the UDO
- 210-220.08 **Sign Regulations.**
Signage shall be in accordance with [Title 4: Signs](#) of the UDO

Section 210-230. AML Advanced Manufacturing Logistics District.

210-230.01 **Purpose and Intent.**

The purpose of the AML Logistics District is to provide for the location of very large scale facilities for the research and development, manufacturing and transportation/logistics industries. Such facilities should be located in close proximity to major transportation routes, with the ideal location allowing for multi-modal opportunities. AML is appropriate in the Corridors and Sewered Crossroad Communities of the Future Development Map of the Paulding County, Georgia 2017 Comprehensive Plan as may be amended.

210-230.02 **Permitted Uses.**

Within the AML District, the following uses are permitted:

- A. Aerospace Product and Parts Manufacturing
- B. Apparel Manufacturing
- C. Boat Building
- D. Computer and Electronic Product Manufacturing
- E. Computer Systems Design and Related Services
- F. Corporate or administrative offices for any permitted uses within this district which may allow ancillary uses including food, infirmary, fitness centers and childcare
- G. Data Processing, Hosting, and Related Services
- H. Electric Vehicle Charging Stations
- I. Fluid Power Pump and Motor Manufacturing
- J. Freight Transportation Arrangement
- K. Furniture and Related Product Manufacturing
- L. General Freight Trucking
- M. General Warehousing and Storage
- N. Glass and Glass Product Manufacturing
- O. Medical Equipment and Supplies Manufacturing
- P. Motor Vehicle Body and Trailer Manufacturing
- Q. Motor Vehicle Manufacturing
- R. Motor Vehicle Parts Manufacturing
- S. Motorcycle, Bicycle, and Parts Manufacturing
- T. Pharmaceutical and Medicine Manufacturing
- U. Private Mail Centers
- V. Public Administration
- W. Public Elementary and Secondary Schools, Junior Colleges, Colleges, Universities and Professional Schools, Business Schools, Computer and Management Training and Technical and Trade Schools
- X. Public Utilities
- Y. Refrigerated Warehousing and Storage
- Z. Scientific Research and Development Services (excluding any biohazards)
- AA. Transportation Equipment Manufacturing as listed in NAICS Code [336999](#)
- BB. Truck Transportation
- CC. Trucking Terminals, independently operated

- 210-230.03 **Special Exception Uses.**
 Within the AML District, the following uses are permitted as a Special Exception provided specified conditions enumerated in [Section 230-30](#) are satisfied:
- A. Accessory Structures and Uses
 - B. Fuel Storage for On-site Use of Vehicles and Equipment
 - C. Small Cell Wireless Facilities
- 210-230.04 **Special Use Permits.**
 Within the AML District, the following uses are permitted with a Special Use Permit provided specified conditions enumerated in [Section 230-40](#) are met and have obtained approval by the City Council:
- A. Telecommunication Towers
- 210-230.05 **Lot Size, Area and Setback Requirements*.**
 *Unless otherwise specified; also subject to approval by the Office of Environmental Health
- A. Minimum Lot Size: 43,560 square feet
 - B. Minimum Public Road Frontage: 50 feet
 - C. Minimum Lot Width at Building Line: 100 feet; 85 feet in curve/cul-de-sac
 - D. Minimum Front Yard Setback: 50 feet from all streets, including corner lots
 - E. Minimum Side Yard Setback: 25 feet; 50 feet corner lot or abutting residential use
 - F. Minimum Rear Yard Setback: 40 feet; 50 feet abutting residential use
 - G. Maximum Building Height: 45 feet
- 210-230.07 **Off-street Parking.**
 Off-street Parking shall be in accordance with [Chapter 260](#) of the UDO.
- 210-230.08 **Required Buffers.**
 Required Buffers shall be in accordance with [Section 240-140](#) of the UDO
- 210-230.09 **Sign Regulations.**
 Signage shall be in accordance with [Title 4: Signs](#) of the UDO

Section 210-240. I-1 Light Industrial District.

210-240.01 **Purpose and Intent.**

The I-1 District is established to provide locations for light industrial uses which are on properties delineated within or on the perimeter of an industrial node or compatible area and have ready access to a major street or state Highway. The I-1 district should provide for uses that are low in intensity and scale to ensure compatibility with surrounding properties which makes it desirable to limit industrial operations and processes to those that are not objectionable by reason of the emission of noise, vibration, smoke, dust, gas, fumes, odors and radiation and that do not create fire or explosion hazards or other objectionable conditions. I-1 is appropriate in the Rural, Community Residential, Corridors of the Future Development Map of the Paulding County, Georgia 2017 Comprehensive Plan as may be amended.

210-240.02 **Permitted Uses.**

Within the I-1 District, the following uses are permitted provided all activities are conducted entirely within an enclosed building and any outdoor storage of materials, supplies, inventory, accessories etc., is within a designated area enclosed by a six-foot high opaque privacy fence unless otherwise noted herein:

- A. Accessory Retail Sales and Services
- B. Aerospace Product and Parts Manufacturing
- C. Ambulance Service
- D. Apparel Manufacturing
- E. Appliance Repair and Maintenance
- F. Automotive Body, Paint, and Interior Repair and Maintenance
- G. Automotive Equipment Rental and Leasing
- H. Beverage Manufacturing (except Breweries, Wineries and Distilleries)
- I. Boat Building
- J. Building Material and Garden Equipment and Supplies Dealers
- K. Bus Stations
- L. Commercial and Industrial Machinery and Equipment Rental and Leasing
- M. Computer and Electronic Product Manufacturing
- N. Construction
- O. Corporate or administrative offices for any permitted uses within this district which may allow ancillary uses including food, infirmary, fitness centers and childcare
- P. Data Processing, Hosting, and Related Services
- Q. Dental Laboratories
- R. Drycleaning Plants
- S. Electric Vehicle Charging Stations
- T. Exterminating and Pest Control Services
- U. Farm Machinery and Equipment Repair and Maintenance Services
- V. Fluid Power Pump and Motor Manufacturing
- W. Freight Transportation Arrangement
- X. Furniture and Related Product Manufacturing
- Y. General Automotive Repair
- Z. General Freight Trucking
- AA. General Warehousing and Storage
- BB. Glass and Glass Product Manufacturing

- CC. Linen Supply
- DD. Manufactured (Mobile) Home Dealers
- EE. Medical Equipment and Supplies Manufacturing
- FF. Medical Laboratories
- GG. Merchant Wholesalers, Durable Goods
- HH. Merchant Wholesalers, Nondurable Goods
- II. Mini-warehouses and Self-Storage Units including Truck, Trailer, Boat and RV Storage
- JJ. Motor Vehicle and Parts Dealers
- KK. Motor Vehicle Body and Trailer Manufacturing
- LL. Motor Vehicle Manufacturing
- MM. Motor Vehicle Parts Manufacturing
- NN. Motor Vehicle Towing
- OO. Motorcycle, Bicycle, and Parts Manufacturing
- PP. Newspaper Publishers
- QQ. Parking Lots and Garages
- RR. Pharmaceutical and Medicine Manufacturing
- SS. Printing
- TT. Private Mail Centers
- UU. Public Administration
- VV. Public Elementary and Secondary Schools, Junior Colleges, Colleges, Universities and Professional Schools, Business Schools, Computer and Management Training and Technical and Trade Schools
- WW. Public Utilities
- XX. Radio and Television Broadcasting
- YY. Rail Stations
- ZZ. Recycling Centers
- AAA. Refrigerated Warehousing and Storage
- BBB. Re-upholstery and Furniture Repair
- CCC. Scientific Research and Development Services (except any Biohazards)
- DDD. Taxi Services
- EEE. Telecommunications Towers less than 200 feet in height
- FFF. Telephone Call Centers
- GGG. Transportation Equipment Manufacturing as listed in [NAICS Code 336999](#)
- HHH. Truck Sales
- III. Truck Transportation
- JJJ. Trucking Terminals, Independently Operated
- KKK. Urgent Medical Care Centers and Clinics
- LLL. Utilities, Private
- MMM. Vending Machine Operators

210-240.03 **Special Exception Uses.**

Within the I-1 District, the following uses are permitted as a Special Exception provided specified conditions enumerated in [Section 230-30](#) are satisfied:

- A. Accessory Structures and Uses
- B. Airport Operations
- C. Automobile Auctions
- D. Car Washes
- E. Civic and Social Organizations
- F. Emission Inspection Station
- G. Fuel Storage for On-site Use of Vehicles and Equipment
- H. Garbage Collection Services
- I. Greenhouse, Nursery, and Floriculture Production
- J. Private Elementary and Secondary Schools, Junior Colleges, Colleges, Universities and Professional Schools, Business Schools, Computer and Management Training and Technical and Trade Schools less than two acres
- K. Sexually Oriented Businesses
- L. Small Cell Wireless Facilities
- M. Storage Yards except Recyclable Material Merchant Wholesalers
- N. Temporary Impound Lots
- O. Truck (greater than 1.5 tons) repair shops

210-240.04 **Special Use Permits.**

Within the I-1 District, the following uses are permitted with a Special Use Permit provided specified conditions enumerated in [Section 230-40](#) are met and have obtained approval by the City Council:

- A. Cement and Concrete Product Manufacturing
- B. Heliports
- C. Private Elementary and Secondary Schools, Junior Colleges, Colleges, Universities and Professional Schools, Business Schools and Computer and Management Training and Technical and Trade Schools two acres and over
- D. Racetracks
- E. Sand Dredging
- F. Shooting Ranges, outdoor
- G. Telecommunication Towers over 200 feet in height

210-240.05 **Lot Size, Area and Setback Requirements*.**

*Unless otherwise specified; also subject to approval by the Office of Environmental Health

- | | |
|--|---|
| A. Minimum Lot Size: | 40,000 square feet |
| B. Minimum Public Road Frontage: | 50 feet |
| C. Minimum Lot Width at Building Line: | 100 feet; 85 feet in curve/cul-de-sac |
| D. Minimum Front Yard Setback: | 50 feet from all streets, including corner lots |
| E. Minimum Side Yard Setback: | 25 feet; 50 feet corner lot or abutting residential use |
| F. Minimum Rear Yard Setback: | 40 feet; 50 feet abutting residential use |
| G. Maximum Building Height: | 45 feet |

- 210-240.06 **Off-street Parking.**
Off-street Parking shall be in accordance with [Chapter 260](#) of the UDO.
- 210-240.07 **Required Buffers.**
Required Buffers shall be in accordance with [Section 240-140](#) of the UDO
- 210-260.08 **Sign Regulations.**
Signage shall be in accordance with [Title 4: Signs](#) of the UDO

Section 210-250. I-2 Heavy Industrial District.

210-250.01 Purpose and Intent.

The I-2 District is established to provide locations for heavy industrial uses which are on properties delineated within an industrial node or compatible area and have ready access to a major street or state highway. The I-2 district provides for uses that are more intense than the Light Industrial District and provides those industrial operations and processes that are not public nuisances and are not dangerous to health, safety or the general welfare. I-2 is appropriate in the Rural, Community Residential, Corridors of the Future Development Map of the Paulding County, Georgia 2017 Comprehensive Plan as may be amended.

210-250.02 Permitted Uses.

Within the I-2 District, the following uses are permitted:

- A. Aerospace Product and Parts Manufacturing
- B. Apparel Manufacturing
- C. Automotive Body, Paint, and Interior Repair and Maintenance
- D. Boat Building
- E. Building Material and Garden Equipment and Supplies Dealers
- F. Clay Product and Refractory Manufacturing
- G. Commercial and Industrial Machinery and Equipment Rental and Leasing
- H. Construction
- I. Corporate or administrative offices for any permitted uses within this district which may allow ancillary uses including food, infirmary, fitness centers and childcare
- J. Electric Vehicle Charging Stations
- K. Farm Machinery and Equipment Repair and Maintenance Services
- L. Fluid Power Pump and Motor Manufacturing
- M. Freight Transportation Arrangement
- N. General Freight Trucking
- O. General Warehousing and Storage
- P. Glass and Glass Product Manufacturing
- Q. Merchant Wholesalers, Durable Goods
- R. Merchant Wholesalers, Nondurable Goods
- S. Mini-warehouses and Self-Storage Units including Truck, Trailer, Boat and RV Storage
- T. Motor Vehicle and Parts Dealers
- U. Motor Vehicle Body and Trailer Manufacturing
- V. Motor Vehicle Manufacturing
- W. Motor Vehicle Parts Manufacturing
- X. Motorcycle, Bicycle, and Parts Manufacturing
- Y. Newspaper Publishers
- Z. Parking Lots and Garages
- AA. Pharmaceutical and Medicine Manufacturing
- BB. Printing
- CC. Private Mail Centers
- DD. Public Administration

- EE. Public Elementary and Secondary Schools, Junior Colleges, Colleges, Universities and Professional Schools, Business Schools, Computer and Management Training and Technical and Trade Schools
- FF. Public Utilities
- GG. Refrigerated Warehousing and Storage
- HH. Scientific Research and Development Services (except any Biohazards)
- II. Support Activities for Rail Transportation
- JJ. Telecommunications Towers 200 feet or less in height
- KK. Transportation Equipment Manufacturing as listed in NAICS Code 336999
- LL. Truck Transportation
- MM. Trucking Terminals, Independently Operated
- NN. Utilities, Private
- OO. Vending Machine Operators

210-250.03 **Special Exception Uses.**

Within the I-2 District, the following uses are permitted as a Special Exception provided specified conditions enumerated in Section 230-30 are satisfied:

- A. Accessory Structures and Uses
- B. Airport Operations
- C. Automobile Auctions
- D. Fuel storage for on-site use of vehicles and equipment
- E. Garbage Collection Services
- F. Sawmills
- G. Sexually Oriented Businesses
- H. Small Cell Wireless Facilities
- I. Telecommunication Towers
- J. Temporary Uses

210-250.04 **Special Use Permits.**

Within the I-2 District, the following uses are permitted with a Special Use Permit provided specified conditions enumerated in Section 230-40 are met and have obtained approval by the City Council:

- A. Asphalt Paving, Roofing and Saturated Materials Manufacturing
- B. Basic Chemical Manufacturing
- C. Cement and Concrete Product Manufacturing
- D. Explosives Manufacturing
- E. Fertilizer Manufacturing
- F. Food Manufacturing
- G. Gelatin Manufacturing (except Dessert Preparations)
- H. Grain Elevators, Storage Only
- I. Heliports
- J. Leather and Hide Tanning and Finishing
- K. Lime and Gypsum Product Manufacturing
- L. Materials Recovery Facility
- M. Motor Vehicle Parts (Used) Merchant Wholesalers
- N. Nonmetallic Mineral Mining and Quarrying
- O. Paint, Coating, and Adhesive Manufacturing
- P. Paper Manufacturing
- Q. Petroleum Refineries

- R. Primary Metal Manufacturing
- S. Recycling Material Merchant Wholesalers
- T. Rendering and Meat Byproduct Processing
- U. Sand Dredging
- V. Telecommunication Towers over 200 feet in height
- W. Waste Treatment and Disposal

210-250.05 **Lot Size, Area and Setback Requirements*.**

*Unless otherwise specified; also subject to approval by the Office of Environmental Health

- A. Minimum Lot Size: 40,000 square feet
- B. Minimum Public Road Frontage: 50 feet
- C. Minimum Lot Width at Building Line: 100 feet; 85 feet in curve/cul-de-sac
- D. Minimum Front Yard Setback: 50 feet from all streets, including corner lots
- E. Minimum Side Yard Setback: 25 feet; 50 feet corner lot or abutting residential use
- F. Minimum Rear Yard Setback: 40 feet; refer to Buffer Chart for abutting Districts
- G. Maximum Building Height: 45 feet

210-250.06 **Off-street Parking.**

Off-street Parking shall be in accordance with [Chapter 260](#) of the UDO.

210-250.07 **Required Buffers.**

Required Buffers shall be in accordance with Section 240-140 of the UDO

210-250.08 **Sign Regulations.**

Signage shall be in accordance with [Title 4: Signs](#) of the UDO

Section 210-260. AB Agricultural Business District.

210-260.01 **Purpose and Intent.**

The AB District is established to provide locations intended to preserve and promote agriculture-related business and activities. AB is appropriate in the Conservation and Rural Character areas of the Future Development Map of the Paulding County, Georgia 2017 Comprehensive Plan as may be amended.

210-260.02 **Permitted Uses.**

Within the AB District, the following uses are permitted:

- A. Accessory Retail Sales and Services
- B. Botanical Gardens
- C. Breeders
- D. Construction
- E. Electric Vehicle Charging Stations
- F. Farm Machinery and Equipment Repair and Maintenance Services
- G. Forestry and Logging
- H. Golf Courses
- I. Greenhouse, Nursery, and Floriculture Production
- J. Public Administration
- K. Public Elementary and Secondary Schools, Junior Colleges, Colleges, Universities and Professional Schools, Business Schools, Computer and Management Training and Technical and Trade Schools
- L. Public Utilities
- M. Riding Stables
- N. Solar Power Electric Generation
- O. Utilities, Private

210-260.03 **Special Exception Uses.**

Within the AB District, the following uses are permitted as a Special Exception provided specified conditions enumerated in [Section 230-30](#) are satisfied:

- A. Accessory Structures and Uses
- B. Animal Production and Aquaculture (except Hog and Pig Farming)
- C. Boarding Services, Pet
- D. Breweries
- E. Farm Wineries
- F. Fuel storage for on-site use of vehicles and equipment
- G. Kennels
- H. Pharmaceutical and Medicine Manufacturing
- I. Produce Stands, Temporary
- J. Sawmills
- K. Scientific Research and Development Services (except any Biohazards)
- L. Small Cell Wireless Facilities
- M. Temporary Uses

- 210-260.04 **Special Use Permits.**
Within the AB District, the following uses are permitted with a Special Use Permit provided specified conditions enumerated in [Section 230-40](#) are met and have obtained approval by the City Council:
- A. Hog and Pig Farming
 - B. Shooting Ranges, Outdoor
- 210-260.05 **Lot Size, Area and Setback Requirements*.**
*Unless otherwise specified; also subject to approval by the Office of Environmental Health
- A. Minimum Lot Size: 43,560 square feet
 - B. Minimum Public Road Frontage: 50 feet
 - C. Minimum Lot Width at Building Line: 100 feet; 85 feet in curve/cul-de-sac
 - D. Minimum Front Yard Setback: 50 feet from all streets, including corner lots
 - E. Minimum Side Yard Setback: 25 feet; 50 feet corner lot or abutting residential use
 - F. Minimum Rear Yard Setback: 40 feet; 50 feet abutting residential
 - G. Maximum Building Height: 45 feet
- 210-260.06 **Off-street Parking.**
Off-street Parking shall be in accordance with [Chapter 260](#) of the UDO.
- 210-260.07 **Required Buffers.**
Required Buffers shall be in accordance with [Section 240-140](#) of the UDO.
- 210-260.08 **Sign Regulations.**
Signage shall be in accordance with [Title 4: Signs](#) of the UDO.

Chapter 220. Overlay Districts.

Section 220-10. Interpretation and Applicability of Overlay Districts.

220-10.01 Purpose and Intent.

- A. This Chapter establishes standards that apply to the development, use or alteration of land, buildings and structures within the boundaries of an Overlay District.
- B. The Overlay Districts in Chapter 220 contain development procedures and standards that are supplemental to the zoning district classifications established in Chapter 210, Base Districts, and the provisions of Chapter 270, Planning Commission, of the UDO. All development and building permits for lots located within an Overlay District contained in this Chapter shall meet all of the requirements of the Base District in which it is located, all conditions of rezoning, special use permit or land use permit approvals and, in addition, shall meet the requirements of the Overlay District applicable to the lot.

220-10.02 Applicability.

- A. The procedures and standards contained in the Overlay Districts in this Chapter apply to each application for a permit for the development, use, alteration or modification of any structure where the subject property lies within the boundaries of an Overlay District as established by the City Council and recorded on the City of Hiram Official Zoning Map, as may be amended from time to time.
- B. The procedures and standards of Overlay Districts apply only to property within the boundaries of an Overlay District as established by the City Council.
- C. In any case where the standards and requirements of an Overlay District in this Chapter conflict with those of the Base District, the standards and requirements of the Overlay District shall govern.
- D. In any case where the conditions of approval for rezoning, special use permit or land use permit approved by the City Council conflict with the provisions of an overlay district, the conditions shall take precedence.

220-10.03 Map Amendments.

No change in the boundary of an Overlay District shall be authorized, except by the Hiram City Council pursuant to procedures in Chapter 270.

Section 220-20. Corridor Overlay District.

220-20.01 **Purpose and Intent.**

The Corridor Overlay District is intended to establish standards for the design of sites, buildings, structures, plantings, signs, street hardware and such other improvements that are visible to the public and affect the physical development of land within certain designated transportation corridors.

These standards are intended to promote high quality creative development that will combine imagination, innovation and variety in the appearance of buildings and sites in the overlay zone. These standards are further intended to preserve and enhance property values and to promote the public health, safety and welfare by providing for consistent, and coordinated treatment of the property encompassed by the selected transportation corridors.

The following standards shall be considered in evaluating projects proposed within the Corridor Overlay District.

- A. All structures will be evaluated on the overall appearance of the project and shall be based on the quality of its design and its relationship to the surrounding area.
- B. The quality of design goes beyond the materials of construction to include scale, mass, color, proportion, and compatibility with adjoining developments.
- C. Colors shall be harmonious and only the use of compatible accents shall be permitted.
- D. Building components, such as windows, doors, eaves, and parapets, shall have good proportions and relationships to one another.
- E. Any design in which the structure frame is exposed to view, the structural materials shall be compatible within themselves and harmonious with their surroundings.
- F. Monotony of design in single or multiple building projects shall be avoided. Variation of detail, form, and siting shall be used to provide visual interest. In multiple building projects, variable siting or individual buildings may be used to prevent a monotonous appearance.

220-20.02 **Boundaries.**

The boundaries of the roadways set forth are located on either side of the centerline of the roadway and incorporate any parcel of land with right-of-way frontage on or that is visible from the highway corridor. The transportation corridors subject to these provisions are as follows:

- A. State Route 101 and State Route 113
- B. State Route 120 a/k/a Buchanan Highway
- C. State Route 120 f/k/a Marietta Highway a/k/a Charles Hardy Parkway
- D. State Route 120 Connector a/k/a Scoggins Road and Hiram-Sudie Road
- E. US Highway 278

- F. State Route 61 a/k/a Cartersville Highway and Villa Rica Highway
- G. State Route 92 a/k/a Hiram-Douglasville Highway, Hiram-Acworth Highway and Dallas-Acworth Highway
- H. Bill Carruth Parkway
- I. Business Route SR 6 a/k/a Atlanta Highway
- J. Macland Road, including portions designated as State Route 360
- K. Dallas-Acworth Highway f/k/a State Route 381
- L. Ridge Road
- M. Airport Parkway
- N. Cedarcrest Road
- O. East Paulding Drive
- P. Seven Hills Boulevard
- Q. Seven Hills Connector

For the purposes of this ordinance herein, these roadways and areas shall be collectively set forth as the “transportation corridors” in all definitions and sections herein below.

220-20.03 **Community Development Department Approval.**

Approval by the Community Development Department, in coordination with the City of Hiram, shall be required for any proposed or revised development plan and/or structure or structural alteration in the Corridor Overlay District. Community Development Department approval of the architectural design, landscaping, sewerage, drainage, parking, signage, lighting and access to any properties located in the transportation corridors shall be necessary prior to:

- A. The issuance of any land disturbance permit;
- B. The issuance of a building permit for the erection, construction or structural alteration of any building(s); or
- C. Modification or revision of any site development plan or architectural plan

Access to the property and sewage service shall also require approval from the appropriate department or agency including the City of Hiram, Paulding County Department of Transportation, Paulding County Water System, the Georgia Department of Transportation and the Georgia Department of Environmental Health.

220-20.04 **Review Standards.**

The Community Development Department, in reviewing applications, shall examine factors concerning the site, site plan, and the surrounding area, which include but are not limited to the following items:

- A. Topography;
- B. Zoning on site;
- C. Surrounding zoning and existing land use;
- D. Streets, curbs, gutters, and sidewalks;
- E. Access to public streets;
- F. Driveway and curb cut locations in relation to other sites;
- G. General vehicular and pedestrian traffic;

- H. Internal site circulation including connectivity with adjoining parcels and developments;
- I. Special and general easements for public or private use;
- J. On-site and off-site surface and subsurface storm and water drainage;
- K. On-site and off-site utilities;
- L. The means and impact of sanitary sewage disposal and water supply technique;
- M. Dedication of City of Hiram approved streets and right-of-way;
- N. Protective restrictions or covenants and/or recorded commitments;
- O. Outdoor storage areas;
- P. Provisions for adequate and acceptable setbacks, lighting, signage, screening, landscaping, and compatibility with existing platted residential use; and
- Q. Effects the proposed project may have on the entire Corridor Overlay District.

220-20.05

Building Design.

A. Architectural Design Requirements / Non – Residential

1. Exterior metal walls shall be prohibited on all buildings erected, constructed, altered, repaired or used in this Overlay Zone, which abut, are adjacent to or are visible to the transportation corridors.
2. Building façades, including all building sides which are visible from a transportation corridor, may be constructed from masonry or glass, as defined below, or other materials or products which provide the same desired stability and quality. Products other than those listed below must be approved by the Community Development Department.
 - (a) Masonry Construction: Construction that is composed of solid, faced, or veneered-wall construction with standard brick size (excluding masonry boards and cinder blocks, unless otherwise approved by the Community Development Department.
 - i. Stone material used for masonry construction may consist of granite, sandstone, slate, limestone, marble, or other hard or durable all weather stone. Ashlar, cut stone, and dimensioned stone construction techniques are acceptable.
 - ii. Brick material used for masonry construction shall be composed of hard fired (Kiln-fired) all weather standard size brick or other all-weather facing brick.
 - (b) Glass Walls: Including glass curtain walls or glass block construction. Glass curtain wall are defined as an exterior wall which carries no floor or roof loads, and which may consist of a combination of metal, glass and other surfacing materials supported in a metal framework.
 - (c) Wood Construction.
3. The materials and finishes of exposed roofs shall compliment those used for the exterior walls. Exposed roofs shall be defined as that portion of a

roof visible from ground level of the corridor or any adjacent public thoroughfare or residentially zoned or used area.

4. Roof mounted equipment on exposed roofs shall be screened from view. The appearance of roof screens shall be coordinated with the building to maintain a unified appearance.
5. All building mechanical and electrical equipment located adjacent to the building and visible from a public thoroughfare or a residentially zoned or used area shall be screened from view. Such screens and enclosures shall be treated as an integral element of the building's appearance.
6. The exposed walls and roofs of buildings shall be maintained in a clean, orderly, and attractive condition; free of cracks, dents, punctures, breakage, and other forms of visible marring. Materials that become excessively faded, chalked or otherwise deteriorated shall be refinished, repainted or replaced.
7. Refuse and waste removal areas, loading berths, service yards, storage yards, and exterior work areas shall be screened from view from public ways.

B. Relationship of Buildings to Site

1. The site shall be planned to accomplish a desirable transition with the streetscape and provide for adequate planting, safe pedestrian movement, and parking area.
2. Site planning in which setbacks and yards are in excess zoning restrictions is encouraged to provide an interesting relationship between buildings.
3. Parking areas shall be treated with decorative elements, buildings wall extensions, plantings, berms, or other innovative means so as to attractively landscape and/or screen parking areas from view public ways.
4. Without restricting the permissible limits of the applicable zoning district, the height and scale of each building shall be compatible with its site and existing (or anticipated) adjoining buildings.
5. Newly installed utility services, and service revisions necessitated by exterior alterations, shall be underground.

- C. Minimum Building Height.** All uses shall have a minimum building height of 14 feet with a minimum of 12 feet to the lowest eaves for a building with a gable, hip, or gambrel roof.

220-20.06 Landscaping.

A landscaping plan shall be submitted to the Community Development Department for their approval at the same time other plans (i.e. architectural design, lighting, parking, signage, and site plans) are submitted to Paulding County Plan Review. This plan shall be drawn to scale, including dimensions and distance, shall delineate all existing and proposed structures, private parking areas, walks, ramps for handicapped, terraces, driveways, signs, lighting standards, steps and other

similar structures; and shall delineate the location, size, and description of all landscape materials. Landscape treatment for plazas, roads, paths, service and private parking areas shall be designed as an integral and coordinated part of the landscape plan for the entire lot. Additional information may be requested by the Community Development Department for the filing of landscaping plans.

A. Areas to be Landscaped:

1. Greenbelt.

(a) Non-Residential. The Greenbelt (located on the front-side of buildings) shall be suitably landscaped and shall be otherwise unoccupied except for steps, walks, terraces, driveways, lighting standards, and other similar structures, but excluding private parking areas. The greenbelt shall be a minimum of ten feet wide. Mounding and other innovative treatments are to be especially encouraged in this area.

(b) Residential. The Greenbelt shall include a 20-foot landscaped strip along the site's frontage along the corridor and other public roads excluding curb-cut right-of-way(s). Landscaping shall include evergreen trees, other acceptable vegetative material, berms, or a combination thereof.

2. Peripheral Planting. There shall be peripheral landscaping strip, four feet in depth, located along the side of any private parking area which abuts any front, side or rear property line.

3. Planting within Parking Lots. All parking lot landscaping shall be a quality to improve and enhance the site and its surrounding area. Effective use of mounding and existing topography is encouraged. Landscaping and planting areas shall be reasonably dispersed throughout the parking area, and not less than 5% of a private parking lot shall be landscaped. (For purposes of this computation, landscaping in:

(a) The Greenbelt; (adjacent to buildings;) and

(b) On the periphery of the lot shall not be included.) Landscaping shall be specifically provided at the ends of parking rows and as a means of separating parking from major circulation isles within lots.

B. Landscaping Standards

1. The interior dimensions, specifications and design of any planting area or planting medium proposed to be constructed shall be sufficient to protect the landscaping materials planted therein and to provide for proper growth.

2. Primary landscaping materials used in the Greenbelt and adjacent to buildings shall consist of one or a combination of the following: shade trees, ornamental trees, shrubs, ground covers, grass, mulches, etc.

3. The primary landscaping materials used in and around private parking areas shall be trees, which provide shade at maturity. Shrubbery, hedges,

and other planting material may be used to compliment tree landscaping, but shall not be the sole contribution to the landscaping.

4. All shade trees proposed to be used in accordance with any landscaping plan shall be a minimum of eight feet in overall height and have a minimum trunk diameter, 12 inches above the ground of two inches upon planting. They should be of a variety which will attain an average mature spread greater than 20 feet. The types of trees shall be those specified in the Section 240-140.03.L of the UDO.
5. Landscaping materials selected should be appropriate to local growing and climatic conditions. Wherever appropriate existing trees should be conserved and integrated into the landscaping plan. Plant material shall be selected for interest in its structure, texture, color and for its ultimate growth. Indigenous and other hardy plants that are harmonious to the design, and of good appearance shall be used.
6. The landscaping plan shall ensure that sight distances are not obstructed for drivers of motor vehicles.
7. Where natural or existing topography patterns contribute to beauty and utility of a development, they shall be preserved and developed. Modification to topography shall be permitted where it contributes to good appearance.
8. Grades of walks, parking spaces, terraces, and other paved areas shall provide an inviting and stable appearance for walking and, if seating is provided, for sitting.
9. Landscape treatment shall be provided to enhance architectural features, strengthening vistas and important axis, and provide shade. Spectacular effects shall be reserved for special locations only.
10. Unity of designs shall be achieved by repetition of certain plant varieties and other materials and by correlation with adjacent developments.
11. In locations where plants will be susceptible to injury by pedestrians or motor traffic, they shall be protected by appropriate curbs, tree guards, or other devices.
12. Where building sites limit planting, the placement of trees in parkways or paved areas is encouraged.
13. Screening of service yards and other places that tend to be unsightly shall be accomplished by use of walls, fencing, planting, or combinations of these. Screening shall be equally effective in winter and summer.
14. In areas where general planting will not prosper, other structures such as fences or walls or other materials such as pavers of wood, brick, stone, gravel, and cobbles shall be used. Carefully selected plants shall be combined with such structures or materials where possible.

15. Miscellaneous structures and street hardware shall be designed to be part of the architectural concept of design and landscape. Materials shall be compatible with buildings, scale shall be good, colors shall be in harmony with buildings and surroundings, and proportions shall be attractive.
16. Lighting in connection with miscellaneous structures and street hardware shall meet the criteria applicable to site, landscape, buildings and signs.

C. Landscaping Installation and Maintenance.

1. Installation. All landscaping required by the approved landscaping plan shall be installed prior to the issuance of a building certificate of occupancy permit if said permit is issued during a planting season, or within six months of the date an occupancy permit is issued during a non-planting season. If not planted, a bond shall be required for plantings for a period of 1 year from date of certificate of occupancy.
2. Maintenance. It shall be the responsibility of the owners and their agencies to insure proper maintenance of the landscaping, in accordance with the standards set by this Ordinance and as indicated on the landscaping plan, which has been approved by the Community Development Department. This is to include, but not limited to, replaced dead plantings with identical varieties or a suitable substitute, and keeping the area free of refuse and debris.
3. Changes after Approval. No landscaping which has been approved by the Community Development Department may later be altered, eliminated, or sacrificed, without first obtaining further approval from the Community Development Department.
4. Inspection. The Community Development Department shall have the authority to visit any lot within the Corridor Overlay District to inspect the landscaping and check it against the approved plan on file.

220-20.07 **Sidewalks.**

The installation of sidewalks and crosswalks in all developments, residential and commercial, shall be required for developments subject to this ordinance. The sidewalks shall be constructed of concrete and shall be subject to review and approval by the Department of Transportation staff as to size, location, design and materials during the plan review process.

220-20.08 **Parking.**

Efforts to break up large expanse of pavement are to be encouraged by the interspersing of appropriate planting areas wherever possible. The number of parking spaces required is established in Chapter 260 of the UDO, depending upon the zoning and the intended land use. Alternatives to the established parking requirements may be granted to developments which have a mixture of uses whose peak parking requirements do not coincide in time and thereby may share parking spaces. The applicant shall provide expertly prepared justification for seeking such exception (i.e., a reference such as "shared parking," Urban Land Institute). There shall be an appropriate number of parking spaces, accessible to the building(s) and identification as reserved for use by handicapped individuals,

and these spaces shall be of sufficient width to accommodate their needs. All Parking standards shall comply with Chapter 260 of the UDO.

220-20.09 **Lighting.**

In reviewing the lighting plan for a lot proposed to be developed in the Corridor Overlay District, factors to be considered by the Community Development Department shall include but are not limited to:

- A. Safety provided by the lighting;
- B. Security provided by the lighting;
- C. Possible light spillage or glare onto adjoining properties or streets. (Down-shielding is encouraged and spillage or glare onto adjoining properties is prohibited);
- D. Attractiveness of the lighting standards and their compatibility with the overall treatment of the property;
- E. Height and placement of lighting standards considering the use (maximum height of 30 feet); and
- F. Exterior lighting, when used, shall enhance the building and the adjoining landscape. Lighting standards and building fixtures shall be of a design and size compatible with the building and adjacent areas. Lighting shall be restrained in design and excessive brightness avoided.

220-20.10 **Access to Individual Sites.**

- A. The transportation corridors by their functional nature as primary thoroughfares, must have reasonable restrictions as to the number and location of access points within the overlay zones.
- B. All roadways listed as transportation corridors represent major thoroughfares, which must be controlled as to the number of access points (curb cuts) permitted.
- C. Therefore, in order to provide safe and sufficient traffic movement to and from adjacent lands and to protect the functional integrity of the corridors primary thoroughfares, in many cases frontage roads, access roads, and distributors roads, will have to be built. Such roads shall be coordinated with those of continuous lots and designed to preserve the aesthetic benefits provided by the greenbelt areas. Access at the side or rear of buildings is encouraged. New access points onto the primary thoroughfares in the corridor shall be coordinated with existing access points whenever possible. The following curb cut policy shall apply throughout all corridors:
- D. Access to proposed developments shall be provided per Georgia Department of Transportation and/or Paulding County Department of Transportation access management standards, policies, guidelines and regulations.

220-20.11 **Access to Potential Development Sites.**

Stub streets shall be built in all cases where adjacent lots have reasonable potential for development. Reasonable potential shall include any adjacent parcel of adequate size for commercial or residential development or any adjacent parcel so determined by the Community Development Department in association with the Paulding County Department of Transportation.

Other Standards.

- A. Outside Storage Prohibited. No outside, unenclosed storage of refuse (whether or not in containers) or display of merchandise shall be permitted on any lot. All refuse shall be contained completely within the principle or accessory building(s). Exceptions to this requirement will be made on a case-by-case basis by the Board of Zoning Appeals using the variance procedure outlined in Chapter 280 of the UDO.
- B. Loading Berth Requirements. Loading berth requirements shall be as specified in the underlying zone district(s), except that any loading or unloading berth or bay shall be screened from view beyond the site by landscaping or other screening.
- C. Accessory Structures and Uses. All accessory structures and uses which are permitted in the underlying zoning district(s) shall be permitted within the Corridor Overlay District, except that any detached accessory building on any lot shall be designed to be architecturally designed and constructed with the same material as the principle building as to be compatible with the principle building which it is associated. All accessory building shall have a roof.
- D. Paving Requirements. All parking areas shall be finished with a hard surface such as asphalt, concrete or other materials approved by the Community Development Department.
- E. All utilities including but not limited to electric, cable, and phone services shall be underground unless otherwise approved by the Community Development Department after written submittal providing justification for overhead utility services.
- F. Temporary or Seasonal Sales. Temporary or seasonal sales are allowed along the highway corridor on a case-by-case basis for a maximum of four times per year. Requests for approval shall follow the requirements set forth in Chapter 270.

Section 220-30. Reserved.

Section 220-30. HIRAM DOWNTOWN HISTORIC OVERLAY DISTRICT ORDINANCE—(HOD)

220-30.1 - *Statement of Purpose.* It is the purpose of the Hiram Downtown Historic Overlay District (HOD) to establish standards for the design of sites, buildings, structures, plantings, signs, street hardware and such other improvements that are visible to the public and affect the physical development of land within the district. The HOD is intended to promote planned mixed-use development of retail, commercial, office and residential uses in Hiram's downtown.

Hiram's history, architecture, and cultural heritage are among the City's most valued and important assets. The following standards shall be considered by Hiram's Design Review Board (DRB) in evaluating projects for issuance of a "Certificate of Appropriateness" authorizing development within the HOD.

- a. *Permitted Uses.* Property in the HOD may be used for any use allowed in the underlying zoning district, in addition to a mix of uses identified in this document, unless specifically addressed in this Article, in which case this Article will supersede the allowances of Article VIII of this Ordinance.
- b. Design requirements of proposed developments in the HOD must meet the City of Hiram Design Guidelines as identified herein.
- c. All structures will be evaluated on the overall appearance of the project, quality of its design, and relationship to the surrounding area.
- d. The quality of design goes beyond the materials of construction to include scale, mass, color, proportion, and compatibility with adjoining developments and the HOD.
- e. Building colors shall compliment adjacent and surrounding structures, and only the use of compatible color accents shall be permitted.
- f. Building components, such as windows, doors, awnings, balconies, arcades, stairways, eaves, and parapets, shall have good proportion and relationship to one another and should reflect the existing architectural character and context of the district. For any design in which the structure's frame is exposed to view, the structural materials shall be compatible within themselves and harmonious with their surroundings.
- g. Monotony of design in single or multiple building projects shall be avoided. Variation of detail, form, and siting shall be used to provide visual interest. In multiple building projects, variable siting or individual buildings may be used to prevent a monotonous appearance.
- h. Sidewalks, open space, landscape, lighting, parking layout, streetscape, and site furnishings are all integral and key components of building and constructing within the HOD.

220-30.2 - *Statement of Intent.* In preparing the HOD Ordinance, the intent is to create standards to promote high quality, creative development that will combine imagination, innovation and variety in the appearance of buildings and sites. These standards are further intended to preserve and enhance property values and to promote public health, safety and welfare by providing for consistent and coordinated treatment of the property encompassed by the HOD, while maintaining a sense of Hiram's unique history.

The creation of the HOD will promote developments that will allow the City of Hiram,

Georgia, to grow in a positive and sustainable pattern, and will serve to engage families in a friendly family focused hometown.

220-30.3 - *Authority.* Authority underlying creation of the HOD is provided for in Home Rule for municipalities, Ga. Const. Art. IX, Sec. II, Para. II, Municipal Home Rule Act of 1965, O.C.G.A. Section 36-35-1 et seq.

220-30.4 - *Statement of Significance.* Downtown Hiram is a unique village setting. It is a historical place where its town center includes a variety and mix of uses including: institutional, governmental, commercial, retail, residential, and public spaces. The City has celebrated many recent successes including a new government center, renovation of nearby retail buildings, and the implementation of downtown streetscape improvements, as well as new utility (water, sewer, sidewalk and street lighting) infrastructure improvements.

Conveniently located in Paulding County, Hiram is approximately 30 miles northwest of Hartsfield-Jackson International Airport and downtown Atlanta. In the past decade, Paulding County and the City of Hiram have experienced significant growth. State Route 92 traverses the county from Douglasville north through the county and Highway 278 is a major east-west retail corridor for all of Paulding County just minutes from downtown. Both state routes are heavily traveled and include sites of varied new developments. Development pressure surrounding and impacting Hiram's downtown area is expected to intensify in the future. If unprotected or unplanned, new development could negatively impact and change the character of Hiram's downtown. It would also create a pedestrian unfriendly environment, which will lessen the quality and character of downtown Hiram, as well as adversely impact the preservation of its historic resources. It is the City's desire that future development in its downtown will create a setting that commands the highest standards of development, encourages efficient use of land, promotes coordinated development and innovative site design, and preserves and builds upon the integrity and historic resources of the community.

Hiram's City Council recognizes that Georgia's downtown areas play a significant role in establishing and maintaining a "sense of place" in their communities. This is especially true when their communities are properly planned, with an engaged citizenry. The community is enthusiastically embracing the desire to preserve its history and to enhance its future growth and development opportunities. The intent of Hiram's Downtown Historic Overlay District is to encourage future development, to project a uniform high-quality appearance, as well as to preserve the unique historic resources and characteristics that are present.

The process of preparing this Ordinance began with the preparation of the Livable Centers Initiative (LCI) master plan. The (LCI) is a regional program administered by Atlanta Regional Commission (ARC). The purpose of the study is aimed at encouraging "smart growth" principles through increased economic investment in existing activity centers and multi-modal focused transportation improvements. In early 2014, ARC awarded the City of Hiram a planning grant to conduct an LCI study focused around the City's historic downtown and to provide recommendations on potential connections to the Silver Comet Trail. The master plan process facilitated a public process to gather community input into shaping and determining the future growth strategies for the Hiram community. The study resulted in feasible recommendations and strategies to make the City of Hiram a desirable community to "Live, Work and Play."

As part of the LCI master planning effort, a series of public meetings were held to obtain community input. The first public meeting was held in August of 2014, during which existing downtown character was discussed and public information was obtained through a Visual Preference Survey (VPS). The survey allowed citizens an opportunity to state what design and development elements they liked or disliked within their downtown and community. The citizens that participated provided input through the VPS. They expressed an interest in promoting developments that will allow the City of Hiram to grow in a positive and in an economically sustainable pattern that was respectful of the existing character. Additional public meetings and workshops were held in November of 2014 and in March of 2015 to help shape the Hiram LCI master plan. One of the recommendations from the master plan report included preparing a central business district ordinance. This ordinance would recognize and promote the unique characteristics and qualities that make Downtown Hiram distinctive to promote future development.

During and after the completion of the LCI master plan, City leaders continued to reach out to the Hiram community and held three additional public meetings in April and July of 2017, to discuss the issues and importance associated with the HOD for the Hiram downtown. The powerful sense of continuity with the past and the desire to continue those characteristics and standards into the future were voiced by the community. Standards included: regulatory controls, design guidelines for building development and materials, parking areas, signage, vehicular and pedestrian transportation, greenspace, landscape, and vegetation protection. By creating the HOD, the community expressed its desire to:

- a. Preserve and improve the quality of life for the residents of Hiram;
- b. Promote and enhance the economic viability of downtown Hiram;
- c. Create a sense of pride in the City among its citizens;
- d. Create job opportunities in Hiram;
- e. Provide incentives to develop larger parcels, in a coordinated and planned approach;
- f. Encourage adaptive reuse of abandoned, vacant or underutilized buildings or structures where appropriate;
- g. Promote a mixture of uses that support a walkable environment that strengthens downtown business;
- h. Create important and interesting gathering places for visitors, residents and workers in downtown;
- i. Retain its visual character derived from topography, woodlands, and riparian corridors;
- j. Promote growth strategies that encourage infill and redevelopment;
- k. Maintain a consistently elevated level of design quality throughout the district by blending historic architectural characteristics with creative design;
- l. Maintain the integrity, charm and history of Hiram's architecture and downtown;
- m. Promote continuity in future development;
- n. Allow for a mix of new land uses that are appropriate to both the needs of the community and the scale of surrounding neighborhoods;
- o. Allow for diversity and multi-generational uses that provide a variety of retail experiences, where people want to come and shop;
- p. Create a pleasant and safe experience for all that come to the City of Hiram.

220-30.5 - *Title.* This portion of the Zoning Ordinance of the City of Hiram, Georgia, shall be known as the Hiram Downtown Historic Overlay District (HOD).

- (Ord. No. 2019-03, § 1(Exh. A), 4-9-2019)
- 220-30.6 - *Boundaries.* The boundaries of Hiram Downtown Historic Overlay District are set forth on Exhibit A, entitled Hiram Downtown Historic Overlay District, dated October 2, 2017, which exhibit is expressly incorporated herein by reference thereto, and which shall be incorporated into the City of Hiram Official Zoning Map.
(Ord. No. 2019-03, § 1(Exh. A), 4-9-2019)
- 220-30.7 - Sec. C. - City of Hiram design review board and department of community development approval.
1. *Certificate of Appropriateness.* The City of Hiram's Design Review Board (DRB), in coordination with the Operations Director of the City of Hiram, Georgia, or the City Manager of Hiram Georgia, or the Temporary City Manager of Hiram Georgia, shall issue a "Certificate of Appropriateness" for all developments and issues associated with improvements within the HOD, including but not limited to the following: zoning, architectural design, transportation, landscaping, utilities, drainage, signage, lighting, parking and access to the property. The Certificate of Appropriateness shall be issued prior to Paulding County Development Department review and issuing approval for:
 - a. The establishment or change of any land use;
 - b. The issuance of any improvement permit, based on location;
 - c. The erection, construction or structural alteration of any building(s);
 - d. Modification or revision of any site development plan;
 - e. Access to the property;
 - f. Sewerage service which shall also require approval from the appropriate department or agency (e.g., Paulding County Department of Transportation, Paulding County Water System, the Georgia Department of Transportation, and the Georgia Department of Environmental Health).
 2. *Factors to Consider.* When reviewing applications, the City of Hiram Design Review Board, shall examine factors concerning the site, site plan, and the surrounding area, which may include but are not limited to the following:
 - a. Topography;
 - b. Zoning on site;
 - c. Surrounding zoning and existing land use;
 - d. Streets, curbs, gutters, and sidewalks;
 - e. Adherence to the 2015 Livable Centers Initiative (LCI) Final Report, as may be amended;
 - f. Existing specimen trees;
 - g. Access to public streets and proposed roadway sections;
 - h. Driveway and curb cut locations in relation to other sites;
 - i. General vehicular, bicycle and pedestrian traffic;
 - j. Internal site circulation including connectivity with adjoining parcels and developments;
 - k. Special and general easements for public or private use;
 - l. On-site and off-site surface and subsurface storm and water drainage;
 - m. On-site and off-site utilities;
 - n. The means and impact of sanitary sewage disposal and water supply technique;
 - o. Dedication of City of Hiram or Paulding County approved streets and right-of-way;

- p. Protective restrictions or covenants and/or recorded commitments;
- q. Outdoor storage areas;
- r. Provisions for adequate and acceptable setbacks;
- s. Proposed lighting, signage, screening, landscaping, and compatibility with Hiram's downtown design standards;
- t. Proposed development summary, including the proposed uses, changes in zonings (use or density), square footage, number of residential units, number of parking spaces, open space percentage, etc.;
- u. Architectural drawings, plans and elevations, (which are to be stamped/certified by a registered Professional Architect) indicating the building improvements (materials, finishes, color, size, etc.) and/or specific engineering plans, stamped by a Professional Engineer, for all buildings, or other such aspects of the site, necessary for its review of the application, development plans, proposal and intent of development.

If there is no functioning Design Review Board, the City Manager, or their Designee, may issue a Certificate of Appropriateness.

(Ord. No. 2019-03, § 1(Exh. A), 4-9-2019)

220-30.8 - Land use, density, permissible and non-permissible uses.

1. *Land Use.* Hiram's Downtown Historic Overlay District is envisioned to accommodate a mix of proposed uses that are compact and pedestrian-oriented. Land uses may include the following: retail, commercial, family entertainment (e.g., restaurants, cafes), office, civic, institutional, lodging, and residential development (attached and detached). Proposed sole use should be the exception and not the norm. Within neighborhoods, a range of housing types and price levels should be provided, consistent with the 2015 Livable Centers Initiative (LCI) Final Report, to accommodate diverse ages and incomes. A range in type and size of open space should be distributed within the HOD. Retail uses may not include uses or features oriented to automobile use, such as drive-thru facilities, gas stations, or automotive sales or repair.
2. *Non-Conforming Uses.* Certain existing uses may be rendered non-conforming upon the enactment of the HOD. At the adoption of the HOD, existing uses that are non-conforming shall be permitted to remain, until a change in property ownership occurs at which time, a non-conforming use shall be modified to comply with the requirements of the HOD. The Design Review Board shall determine which modifications are required in order for the property to come in compliance with the HOD.
3. *Rezoning Requirements.* Properties that typically require a zoning approval from the City of Hiram City Council will first be required to obtain a "Certificate of Appropriateness" from the City of Hiram Design Review Board prior to making zoning application to the County. Typically, properties which are adding a mix of residential, office, commercial, retail or civic uses will be considered acceptable uses within the HOD, however, a review by the City of Hiram's Design Review Board to determine whether the applicant's proposed development meets the intent of the HOD is required. Non-conforming uses shall also be brought into compliance with the HOD upon any rezoning approval.
4. *Density.* The HOD is envisioned to accommodate and encourage higher density residential, retail and office space. Proposed residential development should be in the form of Fee Simple multi-family residential, townhouses, garden homes,

condominiums, and live work space. The district is envisioned to accommodate pedestrian oriented retail development on the ground floor with office or residential uses above on second and third floors. The maximum density for commercial, retail and office development within the HOD is Floor Area Ratio (FAR) of .5 or 20,000 square feet per acre. For residential development, a maximum of 12 units per acre is allowed. Development should be designed in a manner that promotes a 'village' character. Additional density may be considered acceptable if the Design Review Board determines that it is in the best interest of the City of Hiram and can meet the overall goals of the HOD Ordinance to preserve and promote the character of Hiram's historic downtown. Proposed development plans in the HOD should incorporate the following requirements:

- a. A consistent streetscape character, including active store fronts and future retail space;
 - b. The preservation of existing specimen trees to the greatest extent possible is required, and supplemented to promote a 'tree-lined' street appearance;
 - c. The fronts of buildings must face the street;
 - d. Reduction or avoidance of multiple curb cuts and disruption to the sidewalk;
 - e. Parking and garages shall be located at the rear of the site or buildings;
 - f. Provision of a variety of residential types, including attached and detached products;
 - g. Development shall include accessory structures, such as sculptures, focal point features and fountains, greenspace, and parks within the District to enhance their use and enjoyment;
 - h. Sidewalks sized appropriately for retail or residential use. See sidewalk design guidelines for guidance;
 - i. Landscape and lighting in accordance with the design guidelines established within this Ordinance.
5. *Height.* The maximum height for buildings within the HOD is 3 stories, or 40 feet to the eave/parapet whichever is less. For the purposes of this section, height shall be measured from finished grade at the front of the building to the eave or parapet. Buildings that may have a rear foundation, the maximum height of buildings can be extended to account for height of the exposed foundation, or no more than 14 additional feet.
6. *Setbacks.* The front, rear and side setbacks within the HOD are conditional and based on balancing the goals of the HOD with the proposed development plan. The Design Review Board will evaluate all proposed setbacks (front, side and rear) to determine if they achieve the proposed goals of the HOD. At a minimum, the front setback of all buildings shall provide for an enhanced streetscape experience including the following: adequate greenbelt for street tree planting, street lighting, site furnishing and appropriate sidewalk width. Applicants shall refer to sidewalk standards outlined in this Ordinance for building setbacks from back of curb. All Georgia State, Federal and International Fire Codes and Standards apply. Development within 50 feet of a common property line abutting residential development, which is in existence prior to the adoption of these regulations shall provide a minimum fifteen-foot landscaped buffer and eight-foot high privacy fencing.

7. *Maximum Site Coverage.* The maximum site coverage (including building, hardscape and parking) in the District for any development is 80%. A minimum of 20% open space shall be provided. Open space shall take the form of a park, green, plaza, square, or greenway designed in accordance with landscape design guidelines.
8. *Minimum Size Requirements—Floor Area.* For detached residential units a minimum of 1,400 square feet shall be provided as finished living space. For attached fee simple multi-family residential, townhouse, and condominium space, the minimum finished living space shall be 850 square feet. The minimum width for detached single-family buildings is 30 feet wide and the minimum building width for attached fee simple, multi- and single- family residential development is 20 feet wide.
9. *List of Permissible, Non-Permissible and Conditional Use Criteria in the HOD.*
 - a. Permissible Uses.
 - i. Alcohol Sales—Less than 4,000 sq ft total store area.
 - ii. Art Galleries.
 - iii. Associations (club, lodge).
 - iv. Auditorium.
 - v. Bakery.
 - vi. Bank.
 - vii. Barber/Beauty Shop (salon).
 - viii. Bed and Breakfast.
 - ix. Book or Stationery Store.
 - x. Broadcasting Studio.
 - xi. Carpet and Rug Sales.
 - xii. Church, Synagogues, or other places of worship, as allowed by zoning.
 - xiii. Cigar Shop.
 - xiv. Clinic.
 - xv. Coffee Shop.
 - xvi. Construction Contractor's Office (without material storage).
 - xvii. Dinner Theater—Theater for stage productions (i.e., plays, musicals, etc.) that serves dinners prior to a show.
 - xviii. Drug Store (without drive thru).
 - xix. Dry Cleaning (pick up station without drive thru).
 - xx. Dwelling, Single Family Attached.
 - xxi. Dwelling, Single Family Detached.
 - xxii. Dwelling, Multi-Family Fee Simple.
 - xxiii. Florist, Retail.
 - xxiv. Furniture Store.
 - xxv. Gift Shop.
 - xxvi. Gourmet or Specialty Food Store.
 - xxvii. Government Buildings.
 - xxviii. Hardware/Garden Shop.
 - xxix. Home Products Shop.
 - xxx. Hotel.
 - xxxi. Interior Design Studio.
 - xxxii. Museum and Library.
 - xxxiii. Office.

- xxxiv. Park/Playground.
- xxxv. Parking Lot (commercial).
- xxxvi. Print Shop.
- xxxvii. Indoor Entertainment (Bowling, Skating, Children's Event Facilities).
- xxxviii. Recreation Facilities.
- xxxix. Restaurant (without drive thru) including coffee shop, deli, ice cream shop.
- xl. Retail Store—Dry goods.
- xli. School, Academic.
- xl. School, Commercial.
- xl. Shop and/or Studio, Craftsman/Artist.
- xl. Spa.

Note: No duplication of similar/like businesses within 500 feet of each other, with the exception of restaurants, measured from door to door by walking.

- b. Non-Permissible Uses.
 - i. Adult Video/Bookstore/Novelty Store.
 - ii. Adult Entertainment.
 - iii. Athletic Facility.
 - iv. Automotive Parts Sales—Retail [and] Salvage.
 - v. Automotive Salvage, Junkyard, or Vehicle Storage Facility.
 - vi. Automotive Paint, Body, Engine Repair Shop.
 - vii. Automotive Sales.
 - viii. Billiard Room, Pool Room.
 - ix. Cemetery.
 - x. Congregate Housing (Assisted Living Facility).
 - xi. Container Storage.
 - xii. Clinic—Drug Treatment, Pain Management.
 - xiii. Dance/Karate Studio.
 - xiv. Day Care Center.
 - xv. Firearms or weapons sales.
 - xvi. Fireworks sales.
 - xvii. Gas Stations.
 - xviii. Golf Course.
 - xix. Heavy Equipment Sales or Storage Facility.
 - xx. Land Fill.
 - xxi. Light or Heavy Manufacturing.
 - xxii. Liquor Store.
 - xxiii. Pet Stores.
 - xxiv. Rental Store—Appliance and Furniture.
 - xxv. Service or Car Repair.
 - xxvi. Tattoo Parlors [and] piercing shops.
 - xxvii. Towing Facility.
 - xxviii. Theater, Cinema.
 - xxix. Industrial Loan Store/Payday Loan shop.
 - xxx. Manufacturing, Chemical or Industrial facility, use or storage facility.
 - xxxi. Massage Parlor.
 - xxxii. Mortuary, Crematorium.

- xxxiii. Pawnbrokers or title pawn stores.
- xxxiv. Pet Day Care/Grooming/Sales.
- xxxv. Outside Storage Facility of any kind.
- xxxvi. Vape shop—which sells exclusively Vape supplies.
- xxxvii. Warehouse Storage.
- xxxviii. Tire Sales.
- xxxix.
- c. Special Use Review Criteria. When reviewing a special use, consideration shall be given to factors associated with the use including, but not limited to, the following:
 - i. Site design;
 - ii. Vehicular trips generated by the use;
 - iii. Property access;
 - iv. Impact of the use on surrounding properties, including lighting and noise;
 - v. Hours of operation of the business;
 - vi. Impact of the use on the natural features of the site
 - vii. Duplication of similar/like businesses within 1000 feet of each other.
- d. *Adequate Public Facilities.* The existence of adequate public facilities helps to coordinate the timing and provision of public infrastructure with new development. The Design Review Board, and or the City of Hiram governing authority, may delay or deny new development projects by prohibiting the issuance of development permits if existing government services/utilities, such as water, sewer, roads, schools, fire, police, etc., cannot support the proposed development. Before the developer can apply for development permits, they must be able to show that there are adequate resources currently available in the community.

(Ord. No. 2019-03, § 1(Exh. A), 4-9-2019)

220-30.9 - Zoning designation and process.

1. Land developed in accordance with this document shall be shown on the official zoning map with the letters 'HOD' (Historic Overlay District) added to the zoning designation for that property. For example, property zoned 'B-2' and developed in accordance with this document shall be shown as 'B-2 HOD' on the official zoning map.
2. These incentive zoning regulations create an additional layer of review by the City of Hiram, Design Review Board. Since the incentive zoning regulations are used in place of the existing zoning regulations (except for requirements not addressed in this document), the plan review and permitting process remains unchanged. For this reason, plans that comply with these regulations for property that is not subject to rezoning will be reviewed in accordance with standard plan review procedures. Properties required to be rezoned are subject to the standard public hearing process prior to plan review and permitting.
3. *Zoning Classifications Permitted.* The following existing zoning classifications along with their respective district regulations, (except as superseded herein), shall be permitted for properties within the HOD: R-2 (Suburban Residential), R-4 (Multi-Family Non Fee Simple (Rental) Residential), R-7 (Multi-Family Fee Simple

(Non-Rental) Residential), LRO (Low Rise Office), O-I (Office and Institutional), NB (Neighborhood Business), B-1 (General Business), and some uses under B-2 (Highway Business) with a Special Use Permit.

(Ord. No. 2019-03, § 1(Exh. A), 4-9-2019)

220-30.10 - Building design standards.

1. *Building Design Requirements.* The purpose of the Building Design Standards is to encourage aesthetically pleasing buildings, which match the architectural character within the HOD. Buildings should complement adjoining structures and reflect a prominent level of architectural quality. The building style should be of a pedestrian scale and take into consideration the context of the district and adjacent building details, including design elements such as materials, colors, and proportions. All buildings shall comply with City Code of Ordinances, Chapter 10 Building Regulations, Article I and II (with the following exceptions, indicated in Sec. F item 12), and with the Building Design Standards, outlined within the HOD.
2. *Exterior, Colors and Materials.* Building exterior finish materials shall be applied to all sides of a building that are visible to the public. The use of each material shall be an appropriate expression of the characteristics of that material.
 - a. Colors and textures shall be compatible with colors of other buildings in the vicinity and the nearby surroundings. The general nature of colors used shall be natural, earth tones. Accent colors may be used with discretion where appropriate in ornamental locations, but not as primary building material colors. A dominant color shall not be a primary color. The use of metallic, black or florescent colors is prohibited.
 - b. Building materials shall be native stone, brick, cultured stone or cast stone, architectural finished block (burnished, split face concrete masonry units), architectural finished pre-cast wall (profiled, cultured, or with architectural finish), poured-in-place walls, exterior insulation and finish system (EIFS but not less than four feet above grade), and architectural glass (less than 25 reflectance) or combinations of no more than two of these finish types. Typically, no building material shall cover more than 80 percent of the front façade of any building.
 - c. Stone material used for masonry construction may consist of granite, sandstone, slate, limestone, marble, or other hard or durable all-weather stone. Ashlar, cut stone, and dimensioned stone construction techniques are acceptable.
 - d. Brick material used for masonry construction shall be composed of hard fired (Kiln-fired) all weather standard size brick or other all-weather facing brick.
 - e. *Glass Walls.* Glass walls, which shall include glass curtain walls or glass block construction, are prohibited. Glass curtain walls shall be defined as an exterior wall which carries no floor or roof loads, and which may consist of a combination of metal, glass and other surfacing materials supported in a metal framework.
 - f. *Wood Construction.* The exposed walls and roofs of buildings shall be maintained in a clean, orderly, and attractive condition, free of

- cracks, dents, punctures, breakage, and other forms of visible marring. Materials that become excessively faded, chalked or otherwise deteriorated shall be refinished, repainted, or replaced.
- g. The following materials shall not be acceptable for exterior cladding of buildings: exposed standard concrete blocks, prefabricated metal buildings, weeping mortar joints, unnatural brick tones, corrugated steel, plywood, aluminum, plastic siding, vinyl siding, exposed aggregate, and or reflective glass.
 - h. Murals may be allowed, by sign permit, and issuance of a Certificate of Appropriateness.
3. *Facades Articulation.* Facades play a key role in setting the stage for the HOD. The building facade evokes immediate expressions about the quality of the development. Articulated facades provide visual interest to the building and highlight the importance of entries, display windows, outdoor dining, and overall quality. Façade articulation characteristics will ultimately depend on what type of use is proposed within the HOD. Buildings shall be considered in context within the HOD and are expected to share similar architectural features and visual continuity between buildings. In all cases, façade articulation of buildings shall reduce the scale of the buildings and provide visual interest that is more consistent with the HOD character. All buildings shall avoid oversimplified one dimensional facades and should exhibit human scale characteristics. Buildings within the HOD are required to share at least five Architectural Features and similar Accent Features to create continuity. These features are listed hereafter:
- a. Architectural Features.
 - i. Canopies or porticos.
 - ii. Recesses/projections.
 - iii. Arcades and balconies.
 - iv. Raised corniced parapets over entrances.
 - v. Peaked roof forms.
 - vi. Arches.
 - vii. Outdoor patios.
 - viii. Tower elements.
 - ix. Display windows.
 - x. Water features.
 - xi. Public art.
 - xii. Low garden/courtyard walls.
 - b. Accent Features.
 - i. Overhanging eaves.
 - ii. Banding.
 - iii. Pilasters.
 - iv. Articulated parapets.
 - v. Cornices.
 - vi. Columns.
 - vii. String courses.
 - viii. Projecting windows.
 - ix. Window sills.
 - x. Lintels.
 - xi. Porches.

All structures shall be architecturally finished on all sides that are visible from streets, pedestrian walkways, parking lots, or structured parking. The rear façade of a building, visible from public streets, parking lots, or pedestrian walkways, shall not be a blank wall. In general, large, monolithic expanses of uninterrupted facades are not allowed.

4. *Building Massing.* Due to the numerous uses that are allowed within the HOD, proposed building sizes and masses should be varied. Building entries must be articulated and expressed in greater architectural detail than other portions of the building. Because it is the first point that most people perceive the building at an intimate scale, an entryway is a key architectural element. All public entries shall be built to reflect human and pedestrian scale characteristics.
 - a. Recessed or projected areas, building height changes, material changes, awnings, canopies, balconies, porticos, and low garden/courtyard walls are essential elements to be used in focusing attention to a building entry. Entryways and storefronts should be addressed to activate and enliven the street while providing an opportunity to create a unique entry for a tenant. Recesses and projections in the building shall also be provided and will create the opportunity to break up long facades and building sizes. They will provide the opportunity to identify important architectural features of a building, provide visual interest to a building, and help to organize and unify buildings within the HOD.
 - b. *Building Corner Treatments.* Buildings shall reinforce a strong and pronounced corner condition at street intersections to emphasize the streetscape and building character. Tower elements and other changes in the building height are also key features in breaking up the monotony of long building facades and should be used in a visually pleasing way to enhance or accentuate important corners, entrances or gateways into the District, or to mark building entries.
 - c. Consideration should be used in design and placement of towers and changes in building height to articulate the development in a visually pleasing way.
 - d. Typically, to ensure a minimum level of street wall volume consistency, all buildings shall have a minimum height of 20 feet measured above the finish floor grade to the top of the roof structure.
 - e. Massing of buildings should acknowledge the size of adjacent structures. Any changes should relate to the primary and secondary facades, the structural rhythm, and the hierarchy of the use of the building.
 - f. Typically, buildings to be developed in the HOD are intended to be located to create a streetscape image occupied by outdoor dining, kiosks, and other similar permitted uses and structures. The minimum development street frontage/build to line for these buildings should be 15 feet from the back of curb. This would allow for a streetscape furnishings zone (five-foot width) and safe pedestrian walkway (ten-foot width) to be accommodated. To create interest in the buildings, their setback distance from the

back of the curb to the face of the building may also vary. Upper level setbacks may be considered; however, it should not be a continuous setback. The ratio of upper level setbacks must be considered with regard to the building proportions and scale. For example, 70 percent of total building street frontage shall be located at the front setback, and the remainder 30 percent may be recessed several feet to create interest.

- g. The desired maximum building length for commercial and retail buildings shall not be longer than 240 feet without an unconnected physical separation of at least 10 feet between another building or as necessary to meet National Fire Codes. This separation can be the location of a pedestrian walkway.
 - h. Office buildings and other special uses buildings will be reviewed and approved on an individual basis by the Design Review Board.
 - i. Any building feature defined as an attachment may not encroach more than five feet from the building face and the minimum setback of 15 feet from the back of curb to the face of the building shall be provided. Building features described as attachments include:
 - i. Stoops.
 - ii. Chimneys.
 - iii. Awnings.
 - iv. Porches.
 - v. Canopies.
 - vi. Eaves.
 - vii. Tower elements.
 - viii. Pilasters.
 - ix. Bay windows.
 - x. Mounted signs.
 - xi. Balconies.
5. *Window and Glazing Treatment.* The treatment of exterior windows shall be reviewed and controlled for uniformity in appearance. Commercial and retail storefront and display windows are important in how the contents of a store or restaurant are viewed and advertised. The display of merchandise in a storefront window, or the visual ambiance of a restaurant is important to the success of each business. Windows should facilitate the opportunity for these visual business marketing aspects. The following guidance shall be followed:
- a. Architectural glass, less than 25 percent reflectance for nonresidential and mixed-use buildings.
 - b. The ground floor level of all nonresidential and mixed-use buildings, visible from the any street, roadway, pedestrian walkway, or parking lot, shall have a minimum of 40 percent transparency.
6. *Roof Treatment.* Roofs normally visible to the public shall be treated with an architectural material that is compatible with the primary building material and acceptable to the Design Review Board. Variations in the roof lines shall be used to add interest and reduce the scale of larger buildings.
- a. Roof Forms. Roof forms contribute to the massing, scale and proportions of all buildings and manipulation of the roof forms

can distinguish between internal units such as residential and commercial structures. The length of any roof on a primary façade may be broken up using dormers, gables, or hip roofs.

- i. Flat roofs shall require parapets, which adhere to the articulation requirements of the main façade. Parapets are essential elements that help frame and complete the architectural feel of any building. The average height of a parapet shall not exceed 15 percent of the supporting walls, unless rooftop equipment cannot be sufficiently screened. Three-dimension cornice treatment is encouraged for parapets.
 - ii. Overhanging eaves shall extend no more than three feet past the supporting walls.
 - iii. Pitched roofs shall have a minimum pitch of 6/12. This excludes roofs for dormers, shed and entries.
 - iv. Architectural elements that add visual interest to the roof such as dormers and masonry chimneys are encouraged.
 - v. Roof gables should be in the same plane as the primary building façade except where the roofs are articulated. Roof eaves should meet and project beyond the primary façade to create horizontal rhythm. To enhance pedestrian flow and visibility, buildings at corners can be angled or rounded.
 - b. *Roof Materials.* Roofing shall not be reflective or light in color. Asphalt shingles are not permitted unless for the residential buildings.
7. *Building Utility Screening.* Building utilities such as mechanical and electrical equipment attached to or mounted on a building must be located out of view from public areas. Such equipment should be grouped together in an orderly manner, and screened in a manner compatible with the overall treatment, materials, and colors of the building exterior. Exposed equipment must be painted to match a darker value of the primary architectural colors of the building. Rooftop equipment should be located either in the center of the roof or in one corner away from the street elevation so as not to be visible from the primary or secondary approach. Trash, refuse, and waste removal areas, loading berths, service yards, storage yards, and exterior work areas shall be screened from view from public ways.
8. *Exterior Architectural Features.* Plazas, courtyards, patios, and similar exterior areas that are integral to a building must be constructed of materials like or compatible with the primary building. Service areas and open storage areas contiguous to the structure must be constructed of materials identical to the primary building.
9. *Building Lighting.* Exterior building lighting should be carefully designed to accent the building structure and form and to provide safe night lighting at entrances and public walkways. Fixtures should be contextual with the building and adjacent building designs. Building lighting should focus on providing light on building signs and enhancing architectural details on the façade. Light trespass off site should be minimized or avoided.
10. *Awnings and Banners.* Awning scale and proportions are to be appropriate for the building on which they are mounted as well as complementary to the

adjacent structures. Awnings should be uniform in size, shape and color to unify multiple storefronts within a single building or to emphasize and protect building entrances. The length of the awning should not exceed 40 linear feet. The vertical and horizontal dimension should be proportional to the overall projection of the awning. An awning shall not extend more than 4 feet over sidewalks.

- a. Awnings should be placed at a minimum height of 9 feet above the sidewalk and can be fixed or retractable. The awning material should be taut, not relaxed and may include matte finish painted army duck, vinyl-coated cotton, acrylic-coated polyester, and vinyl-coated polyester.
- b. Colors for awnings and banners must consider the color selection of the surrounding materials, buildings, signs, awnings, and image of the retailer/user and district. Colors should enhance and compliment the building and are restricted to earth tones and primary and secondary colors.
- c. All large canopies that require structural columns for support shall have a minimum of three feet of masonry (or other approved material) finish measured from grade. All awnings, canopies, and banners must meet minimum wind resistance standards of the local and state building code.

11. *Relationship of Buildings to Site.* The streetscape encompasses the public right-of-way, its associated vehicular lanes and public frontages, and the private building frontages that frame it. These elements make up a significant percentage of a community's public realm and the overall visual impression of a community. The streetscape can be a destination in and of itself, and its design significantly shapes a community's form and how that community functions. Private buildings and frontages frame the public right-of-way, giving shape to the streetscape through building placement and design controls on building façades and spaces. The building site shall be planned to accomplish a desirable transition between the site and the streetscape, and provide for adequate planting, safe pedestrian movement, and parking.

- a. Site planning in which setbacks and yards are excessive is discouraged. Minimal distance should be provided to create interesting relationships between buildings.
- b. Parking areas shall be treated with decorative elements, building wall extensions, plantings, berms, or other innovative means to attractively landscape and/or screen parking areas from views from public ways.
- c. The height and scale of each building shall be compatible with its site and existing (or anticipated) adjoining buildings.
- d. Newly installed utility services, and service revisions necessitated by exterior alterations, shall be underground.
- e. Minimum Building Height: All uses shall have a minimum 2 story building height.

12. *Fences.*

- a. Height of rear yard fences are limited to eight feet in height;
- b. Height of front fence is limited to three-and-a-half feet height;
- c. Height of side fences is limited to six feet in height;

- d. Wood frontage fences shall be painted or stained;
- e. When erected on a lot line, all of the fence and any of its supporting structures shall be contained within the lot;
- f. Stone, walls and metal fences, shall include sealed drawings by a structural engineer or architect;
- g. Chain Link, barbed wire, or hog/horse wire fences are prohibited in the HOD.

(Ord. No. 2019-03, § 1(Exh. A), 4-9-2019)

220-30.10 - Signage standards.

The intent of the design standards is to establish a cohesive, distinctive and functional signage system to visually attract and communicate with visitors, employees, and the community when in the HOD. The signage and graphics system planned in the HOD should complement the established City of Hiram project signage. Signs must be permitted through the City of Hiram, and be accompanied by a Certificate of Appropriateness. The intent of these guidelines is that collectively there will be a consistent visual language for public and private signage.

A list of the acceptable and non-acceptable signage types is indicated in this Ordinance. The applicant shall provide the proposed signage for Design Review Board review and approval. At a minimum, all signs shall meet the applicable standards established in the City of Hiram UDO, TITLE 4: SIGNS, Chapter 600—Sign Ordinance, including permitting requirements.

The allowable sign types for the HOD include:

1. *Awning Sign.* An Awning Sign is applied to, attached to or painted on an awning that is intended for protection from the weather or used as an architectural embellishment and projected from a wall over a door or window.
 - a. Awnings must be professionally constructed and not made of vinyl.
 - b. Awnings may have sign panels, but shall not have a panel enclosing the underside of the awning.
 - c. Awnings shall have lettering and graphics on the front or side vertical panels only, except that awnings located over the primary entrance of a building may have one store logo or store name applied within 16 square feet on the sloped portion of the awning.
 - d. Canopies shall be lighted from above with lighting affixed to the building. All lighting must be shielded to prevent the light from shining directly into traffic, upper floor windows or pedestrian eyes.
2. *Canopy Sign.* A Canopy Sign is a sign that is applied to, attached to or painted on an architectural canopy intended for protection from the weather or used as an architectural embellishment and projected from a wall over a door or window.
 - a. The sign shall not be greater in size than 10 percent of the size of the front face of the canopy of which it is part, or a maximum of 25 square feet, whichever is less.
 - b. Canopies shall have lettering and graphics on or above the front panel of canopies over main entrances only.
 - c. Canopies shall be lighted from above with lighting affixed to the building. All lighting must be shielded to prevent the light from shining directly into traffic, upper floor windows or pedestrian eyes.

- eyes.
- d. Individual letters or graphics may be internally illuminated and glow either with a halo-illumination effect or glow through their fronts. The use of neon is permitted. No flashing lights, or exposed raceways, conduits, or transformers, are permitted.
- 3. *Grand Opening and Temporary Sign.* Both Grand Opening and Temporary Signage of any display, information sign, or other advertising device that is of a non-permanent nature and is intended to convey information about a specific time event rather than an ongoing occurrence.
 - a. Grand Opening signs are restricted to be displayed only within 30 days after a Certification of Occupancy (CO) is issued and up to a maximum of 45 consecutive days and shall not exceed twenty square feet in size and shall be located on the premises.
 - b. Temporary signs shall not be displayed for more than 30 days during any six-month period and shall not exceed twenty four square feet in size and shall be located on the premises.
- 4. *Ground Mounted Signage.* *A Ground Mounted Sign is supported by one monolithic structure to identify an individual business or development. One general business ground sign is allowed per lot, per street frontage. The maximum height of a ground sign shall be 8 feet. The overall height may increase to 10 feet in height if the sign is only feasible in a parking facility. Portions of the sign base less than four feet above grade shall not be included in the area calculations for the sign.*
 - a. The sign shall be setback at least 10 feet from the interior side lot lines;
 - b. The sign can be either internally or externally lighted;
 - c. Special exceptions for Multi-Tenant Ground Signs;
 - i. All Multi-Tenant ground signs shall have a center identification and architectural side border of at least 10-inches width.
 - ii. The center identification shall be limited to a maximum of 35 square feet.
 - iii. Each tenant identification shall be limited to a maximum of 25 square feet.
 - iv. For a street frontage of more than 400 feet, portions of the sign containing the center identification, the side border and the base less than four feet above grade shall not be included in the area calculation for the sign.
- 5. *Wall Sign.* A sign which is attached or affixed to the wall of a building or is an integral part of the wall of a building with the exposed face of the sign in a plane parallel to and not extending more than 18 inches from said wall. A wall sign shall not extend above, below, or beyond the parallel face to which the sign is attached. The letter size and location shall be appropriately scaled and proportioned to the overall store front design.
 - a. All tenant sign designs shall be subject to approval by the City of Hiram after review by the DRB. Signage including trademarked or other branded logos shall be allowed, but shall be required to conform to regulations outlined below.
 - b. One building identifier shall be permitted for each tenant having an exterior public entrance.

- c. The maximum span of the tenant's sign shall not exceed 75 percent of the store frontage width, and the total area of the wall signs shall not be greater than 20 percent of the overall wall area.
 - d. The height of a wall sign is limited to three feet when located on the first and second floors of a building and is limited to five feet when located on upper floors of a building. Stand-alone buildings containing one user shall be required to meet the size requirements in the City Ordinance.
 - i. The information on the sign shall consist of the name of the tenant in font style of their choice.
 - ii. Mounting hardware shall be non-corrosive and concealed from public view.
 - iii. No exposed raceways, conduits, transformers or lamp tubing shall be permitted.
 - iv. All signage that does not include trademarked logos shall be uniform in appearance and subject to approval.
 - e. Special conditions for a Directory Sign identifying the names of the tenants and the number of building, suite or room in which they are located:
 - i. The area of the sign is limited to eight square feet.
 - ii. The sign shall not exceed eight feet in height.
 - iii. The sign can have either internal or external lighting.
 - iv. Only one such sign is allowed per building for office and retail developments.
 - v. Directions may also be incorporated in this sign.
6. *Window Sign.* Decal application graphics are allowed on glass areas of store fronts, offices and leasing areas. Only the store/business name, address, hours of operation, entrance/exit information, and emergency phone numbers may be displayed.
- a. Appliques must be vinyl die cuts applied directly to the glass with a copy height not to exceed 4 inches.
 - b. The total display shall not exceed 144 inches.
 - c. No temporary advertising placards, banners, pennants, trademarks, or other descriptive materials shall be placed on the inside of the glass.
7. *Portable Sign.* Portable signs may be used if situated with sufficient clearance for pedestrians and weighted or anchored to the paving.
- a. The maximum area for a Portable Sign is eight square feet with a maximum height of four feet.
 - b. Temporary sandwich board signs are allowed if situated out of the clear pedestrian path and provide a minimum five-foot clearance along the walkway.
8. *Projecting Blade Sign.* Projecting Blade Signs are attached to and project out from a building face or wall at right angles to more than 12 inches.
- a. Signs may project over sidewalks, but must have at least nine feet of clearance from finish grade to the lowest edge of the bottom of the sign.
 - b. Support structures must be made of metal and shall be engineered to be consistent with local wind load requirements.

- c. The sign panel must be made of metal, wood, or synthetic wood.
 - d. Background panels shall be made of Acrylic, Plexiglas, or similar plastic sheeting.
 - e. Individual letters, graphics or sign panels may be internally illuminated and glow with a halo-illumination effect or glow through their front face. Exposed conduit, raceways or transformers are prohibited.
 - f. Indirect lighting must be attached to the building or sign and shielded to prevent direct light from shining directly into traffic, upper floor windows, or pedestrian eyes.
 - g. Blade Signs cannot exceed 12 square feet in area, must be double sided and shall not exceed eight inches in depth. Only one face of the sign will be used to calculate size.
9. *Vertical Projecting Sign.* A Vertical Projecting Sign is attached and projects out for more than 12 inches and generally projects at a right angle.
- a. Signs may project over sidewalks, but must have at least nine feet of clearance from grade to the lowest edge of the bottom of the sign.
 - b. Signs can extend above the tenant's lease space, must not exceed the building roof line.
 - c. Supports must be made of metal and shall be engineered to be consistent with local wind load requirements.
 - d. Signage lighting must be fixed to the building or to the sign and be shielded to prevent direct light from shining directly into traffic, upper floor windows, or pedestrian eyes.
 - e. The sign panel and lettering must be made of metal, wood or synthetic wood.
 - f. Background panels shall be made of Acrylic, Plexiglas, or similar plastic sheeting.
 - g. The height of the sign cannot exceed 75 percent of the overall wall height to which it is mounted or a maximum of 25 feet, whichever is less.
 - h. Signs cannot exceed 150 square feet in area, must be double sided and shall not exceed 15 inches in thickness. Only one face of the sign shall be used to calculate the size.
 - i. The maximum projection of the sign from the wall to the outer edge of the sign shall not exceed four feet and the maximum distance between the wall and the sign shall be 18 inches.
10. *Project Entry Sign.* An Entry Sign is a sign that would identify a residential (multifamily or single family) subdivision by name and is located at the entrance of that project.
- a. The area of the sign is limited to 50 square feet.
 - b. The sign shall not exceed eight feet in height.
 - c. The sign may be placed in a median or on either side of a street providing access to the parcel.
 - d. The sign can be externally or internally lighted.
11. *Prohibited Signs Within the HOD.* There are specific sign types that are prohibited within the HOD. This includes all signs indicated in Article XII Signs Ordinance and includes;

- a. Audible signs.
- b. Banners (except as mentioned in section G.3. and permitted special events).
- c. Beacons.
- d. Changeable copy signs.
- e. Electronic message boards.
- f. Flashing signs.
- g. Inflatable signs.
- h. Marquee signs.
- i. Nonconventional signs.
- j. Mobile signs.
- k. Roof signs.
- l. Stanchion sign.
- m. Windsock.

(Ord. No. 2019-03, § 1(Exh. A), 4-9-2019)

220-30.11 - Landscaping plan.

A landscaping plan shall be submitted to the Design Review Board, at the same time other plans are being reviewed (i.e., architectural design, lighting, parking, signage, and site plans) for approval. This plan shall be drawn to scale, including dimensions and distance, shall delineate all existing and proposed structures, private parking areas, walks, ramps for handicapped access, terraces, driveways, signs, lighting standards, steps, walls, and patios, and other similar structures; and shall delineate the location, size, and description of all landscape materials. Landscape treatment for plazas, roads, paths, service and private parking areas shall be designed as an integral and coordinated part of the landscape plan for the entire lot. Detailed information may be requested by the Design Review Board/Community Development Department to obtain the final Certificate of Appropriateness.

1. *Description of Plant Material Species and Required Sizes.* Trees, shrubs and ground covers shall be of a variety that is indigenous to the surrounding area. It is required that a registered landscape architect be consulted to choose or approve the proper tree species and prepare the design. Tree species shall be noted on landscape drawing submittals and are subject to approval by the Design Review Board.
2. Landscape treatment shall be provided to enhance and complement architectural features, strengthen vistas and lines of site and provide shade. Landscape areas shall be protected from vehicles by appropriate curbs, or other devices wherever possible. Where building sites limit planting, the placement of trees and shrubs in the parkways or paved areas is encouraged.
3. Screening of service yards, exterior utilities (includes generators, cooling towers and condensers, etc.) refuse collection areas and other places which tend to be unsightly shall be accomplished using walls, fencing, landscaping or any approved combination of these. Screening shall be effective in winter and summer seasons. Vehicular parking areas, service areas, and driveways shall be shielded from adjacent properties and public rights-of-way using effective screening mechanisms such as landscaped earthen berms, lowering the parking level grade below sight lines from public right-of-way, and using evergreen screen landscaping.
4. Every effort shall be made to respect and preserve existing Specimen trees on site. A Specimen tree is a particularly impressive or unusual example of a species due to its size, shape, age, or any other trait that epitomizes the character of the

- species.
- a. Specimen Tree is any tree, in moderate to good condition, which qualifies for special consideration for preservation due to size, species, or condition, and which meets the following DBH (diameter at breast height):
 - 9" DBH - Small trees (dogwood, sourwood, cherry, etc.).
 - 24" DBH - Overstory hardwoods (oak, hickory, sweet gum, ash, etc.).
 - 32" DBH - Overstory softwoods (pine, etc.).
 - b. *Specimen Trees Not to be Removed.* Unless there is documentation of economic hardship, dead, dying, diseased or hazardous trees, specimen trees shall not be removed from HOD. Specimen trees proposed to be removed from the HOD that are in good health, shall be replanted with similar caliper inches, i.e., one, 30-inch hardwood tree to be removed, shall require replanting 10 - 3" caliper trees.
 - c. *Site Density Factor.* The total site density factor (existing and proposed trees) of no less than 40 caliper inches, per acre are required within the HOD. Applicant shall submit a plan that identifies the specimen trees to be removed and the specimen trees to remain in place and the proposed trees to meet the Site Density Factor.
5. Plant materials are encouraged to be indigenous or naturalizing but not of exotic origin to this region and climate. Care should be taken in selection of plant materials that do not require excessive irrigation or maintenance. Scale and proportion of the building should be considered. Landscaping should be utilized to complement architecture of buildings, structures and monument signs and soften or screen views of parking areas from public rights-of-way. Equal attention shall be given to landscaping along the sides and rear of buildings as well as the front elevation.
6. A list of approved trees, shrubs and ground covers has been selected for landscape use. It is intended that through consistent, repeated use of these species, the overall development of the community will be unified. The landscape elements to be used fall into the following categories:
- a. Shade Trees shall be full-headed deciduous specimens, a minimum of 3 inches in caliper or larger. They shall be used for shade or features, either individually or in clusters.
 - b. Street Trees are herein defined as trees, on either side of all streets, avenues, or rights-of-way. Street trees shall be a minimum of 3-inch caliper size for deciduous trees. A preferred street tree type is to be selected for a road and used continuously along the corridor. Trees typically shall be planted 50 feet on center. Small flowering and ornamental trees can be utilized at intersections or used in addition to the Street Trees to provide accent and color.
 - c. Evergreen Trees shall be used in masses of general background planting, or for screening and framing buildings or views. They may also be used as massed, freestanding elements for special effects. Minimum height for these specimens shall be 7-8 feet in height.

- d. Small Flowering/Ornamental Trees shall be grouped in randomly arranged clusters as foreground plantings. They may also be grouped for accents or other effects requiring seasonal color. Planted a minimum of 1½ inch caliper and typically a maximum of 25 feet on center.
- e. Evergreen or Deciduous Shrubs shall be massed for screening, background, planters or foundation planting. They may be used as freestanding elements as low landscape features, but should always be used in masses or groups. These shrubs shall be a minimum of 3 gallon plants and planted according to spread characteristics.
- f. Foundation Planting are plantings that are adjacent to the buildings and are normally low to medium in height. They also help bring the building's edges to the ground to provide a more pleasing and seamless transition. Plants are normally a mix of evergreens, shrubs and perennials. Foundation planting shrubs shall be a minimum of 3 gallons in size and perennials shall be planted at a minimum of 1 gallon size, ground cover shall be planted a minimum 2.5" pot. Plant spacing shall follow Nursery Industry standards.
- g. Hedges are used to define the property lines and the public realm, and to differentiate between property lots. Planned properly, using a combination of groundcovers, shrubs and ornamental grass, hedges can be used to define outdoor rooms of yards. Hedge height varies depending on site location and conditions. Hedges should be planted with a minimum of 3 gallon plants.
- h. Ground Covers shall be used on all slopes steeper than 2.5 to 1. They may also be used in flat areas either alone or in combination with other plant materials for a massed effect. They may also be used to aid in erosion control as well as visual appearance. Plants shall be a minimum 2.5" pot. Plant spacing shall follow Nursery Industry standards.
- i. Grasses shall be planted as seed or sod to form lawns wherever practical, i.e., slopes of 2.5 to 1 or less. Lawns may be interrupted only by paving, trees, or the mulched beds of other planting materials.
- j. Earth Berms and Mounds are intended to create a soft, gentle rolling effect on an otherwise flat plane. They are to gradually taper into the surrounding area from a maximum slope of 3 to 1 and should have softly rounded tops for ease in mowing. When used repeatedly, mounds should create an irregular natural appearance with variations in both height and width. They are recommended as screening devices, with or without plant materials, to lessen the visual impact of service and parking areas. They may also be used where practical in front of setback areas for a soft visual effect. Although they may be used in combination with plant groupings, mounds are to be planted mainly in grass, with only clustered plant or tree groupings emerging.

7. Recommended Plant List. The following list constitutes the recommended Plant

Material for the HOD.

- a. Small Flowering/Ornamental Trees (less than 30 feet tall at maturity).

Section 220-50. Reserved.

Section 220-60. Reserved.

Section 220-70. Reserved.

Chapter 230. Supplemental Use Standards.

Section 230-10. Purpose and Intent.

- 230-10.1 The purpose of these Supplemental Use Standards is to supplement Section 210, Base Districts, for Special Exception uses and those uses requiring a Special Use or Land Use Permit, by providing more specific standards for certain uses for which additional use restrictions, site development and/or design standards are necessary to ensure that they will be compatible with surrounding uses, have minimal impact on the environment, promote the health, safety and welfare of the community and meet the intent of the Paulding County 2017 Comprehensive Plan.
- 230-10.2 These standards apply to specific uses in all zoning districts (unless otherwise noted) and shall be enforced by the City of Hiram City Manager, or their designee, and the Paulding County Community Development Department.
- 230-10.3 Any use that is regulated by this Chapter and is authorized in a zoning district shall be developed in conformity with the applicable Supplemental Use Standards for that use provided in this Chapter. No permit shall be issued for a use, building or structure that does not conform to applicable provisions of this Chapter; except that, where any requirement of the Supplemental Use Standards conflicts with a condition of rezoning, Special Use or Land Use Permit or other action of the City Council after adoption of the UDO, the condition shall prevail.

Section 230-20. Applicability.

- 230-20.1 The uses, structures and related standards listed in the following Section are in alphabetical order.
- 230-20.2 The Supplemental Use Standards listed in the following Section are applicable as indicated in each zoning district and in the Table of Permitted Uses as requiring Special Exception, Special Use Permit or Land Use Permit.
- 230-20.3 The Supplemental Use Standards listed in 230-30.01 apply to all such accessory uses and structures regardless of their location or underlying zoning, unless otherwise noted.

Section 230-30. Special Exception Uses.

A use that, owing to some special characteristics attendant to its operation or installation, is permitted in a district subject to review and sign off by the Zoning Administrator or his or her designee that the site-specific requirements for maintaining such special exception use are met, and subject to special requirements, as set forth in the specific zoning district section. The Zoning Administrator or his or her designee shall maintain a written record of such review and sign off, which shall be a public record.

230-30.01 Uses Which Require a Special Exception.

Accessory Structures and Uses provided:

1. They are located on the same lot or parcel of land as the principal building and customarily incidental to the permitted use;
2. No accessory building shall be constructed on a lot until:

- (a) construction on the main building has been actually commenced; or
 - (b) a building permit has been issued for the accessory building or use for the construction thereof;
- 3. All non-agricultural related accessory buildings, structures, and uses shall maintain a minimum setback of 10 feet from side or rear yard property lines or such larger setback as may be required or required buffer;
 - 4. Accessory buildings, structures, or uses shall not be erected on or project into any required front yard setback;
 - 5. Accessory buildings shall not be occupied by humans and may not be utilized for the operation of a home occupation from the accessory building; and
 - 6. Accessory buildings shall not be placed in a manner which creates a fire hazard, impedes ingress/egress or a nuisance

Adult Day Centers provided all requirements of the Georgia Department of Community Health Rules and Regulations [Chapter 111-8-1](#) et seq as may be amended from time to time have been met.

Airport Operations provided permission from the FAA is obtained.

Ambulance Service (R-2) provided there is only one emergency vehicle on site.

Amenity Area (MHP) provided a minimum recreation area of 500 square feet for each lot in the manufactured home park is provided. Any recreation area so designated shall not be less than one acre in size.

Animal Production and Aquaculture excluding Hog and Pig Farming provided:

- 1. Uses shall be located no less than 50 feet from the side and rear property lines and 100 feet from the front property line.
- 2. Fences for horses and cows are excluded from these setbacks, but are recommended to be setback off the property line by a minimum of three inches.
- 3. All animals except those generally recognized as household pets are kept in a structure, pen, or corral and not permitted to roam at large.

Appliance Repair and Maintenance (B-2) provided there is no outdoor storage.

Assisted Living Community provided all requirements of the Georgia Department of Community Health Rules and Regulations [Chapter 111-8-63](#) et seq, as may be amended from time to time, have been met.

Auto Broker Office (B-1) provided no vehicles for sale on site.

Automobile Auctions provided that all vehicles for auction are licensed, tagged and operable.

Automotive Parts, Accessories and Tire Stores (B-1) provided there is no on-site repair.

Automotive Body, Paint and Interior Repair and Maintenance (B-1) provided:

1. All repair activity shall take place indoors.
2. They shall only operate with spray enclosures approved by the EPA and Georgia EPD.
3. Storage of vehicles shall be located to the rear of property and screened by a six-foot solid fence.

Backyard Chickens (ER, R-1, R-2) provided:

1. The backyard chickens shall not cause a nuisance, as defined by [Chapter 22](#) of the Code of the City of Hiram, Georgia.
2. Backyard chickens are prohibited from slaughter and/or breeding purposes.
3. All backyard chickens must be housed in a coop no larger than 200 square feet in size that is enclosed on all sides including the top (tarps, plastic or similar covering are prohibited) and located in the community garden area.
4. Backyard chicken coops must meet the following building setback requirements from front, rear and side property lines:
 - (a) Front: 100 feet from public right-of-way, private drive or easement, and/or property line, including properties with multiple road/street frontages.
 - (b) Side/Rear: 45 feet from a property line
5. The coop must be located in the back/rear yard and be a minimum distance of 45 feet from the owner's residential dwelling.
6. Backyard chickens are not permitted to roam at-large or are allowed to be free-range.
7. There shall be a maximum of five backyard chickens allowed.

Beer and Wine Retailers in accordance with Chapter 6, [Article II](#) of the Code of the City of Hiram, Georgia.

Boarding Services, Pet provided all outdoor runs, fences, and related buildings/structures shall be located no less than 200 feet from any property line.

Breweries (B-1 and B-2) in accordance with Chapter 6, [Article II](#) of the Code of the City of Hiram, Georgia and provided:

1. Minimum size of 3,000 square feet;
2. No outside storage, display or production;
3. Patios must have enclosures with a minimum fence height of 42 inches around the patio area; and

4. Only alcoholic beverages produced on the property may be served on site.

Car Washes provided:

1. The facility is tapped into public sanitary sewer; and
2. Grease, oil and sand interceptors shall be installed.

Charitable Organization Collection Receptacles provided all requirements of O.C.G.A. [§43-17-8.1](#) have been met.

Child Day Care Learning Center provided all requirements of the Georgia Department of Early Care and Learning Rules and Regulations [Chapter 591-1-1](#) et seq as may be amended from time to time have been met.

Civic and Social Organizations provided:

1. They are located on tracts of no less than two contiguous acres,
2. That any building for such proposed use(s) is located no less than 50 feet from front and rear property lines and 25 feet from the side property lines,
3. Sprinkler systems will be required if the projected occupancy load is 300 or more per the International Building Code, and

Commercial Uses permitted in B-1 General Business District (MPR) provided they do not comprise more than 15% of the overall development area acreage.

Common Storage Facility provided:

1. Must not be located in a flood hazard area; and
2. Cannot be of a size exceeding 10,000 square feet for each 300 dwellings or prorated equivalent thereof; and
3. Must be located at least 100 feet from any arterial or collector road; and
4. Must be screened from view from any public road, provided that if existing vegetation is insufficient to screen the view of the storage facility from the road, additional landscaping shall be required.

Community Living Arrangements provided:

1. They are located on a lot a minimum of three acres in size
2. No more than nine resident handicapped persons who are not:
 - (a) Mentally ill persons who are dangerous to others;

(b) Persons who are not handicapped persons, excluding supervisory personnel for the handicapped.

3. They meet applicable State, Federal, City and/or County licensing and inspection requirements, including State Fire Marshal and/or County Fire Department approval.

Drive-in Motion Picture Theaters provided:

1. The drive-in motion picture theater shall not cause a nuisance, as defined by Chapter 22, Article II of the Code of the City of Hiram, Georgia.
2. Adult themed content rated R or NC-17 is prohibited.
3. The screen shall not be visible from the street or from any adjacent property.

Electric Vehicle Charging Station provided structures do not exceed 2,500 square feet

Electronics and Appliance Stores (B-1) provided selling retail only.

Emission Inspection Station provided:

1. A Certificate of authorization as an emission inspection station authorized to carry out the emission inspections required by [O.C.G.A. §12-9-40 et al](#) has been issued by the Department of Natural Resources.
2. No repairs are conducted on-site.

Family Child Care Learning Home provided all requirements of Georgia Department of Early Care and Learning Rules and Regulations [290-2-3](#) et seq as may be amended have been met.

Farm Wineries in accordance with Chapter 6, [Article II](#) of the Code of the City of Hiram, Georgia.

Food and Beverage Retailers except Liquor Stores, package (NB) provided the gross floor area does not exceed 50,000 square feet.

Food Services and Drinking Places, excluding Bars (O-I) provided it is located within an office building.

Forestry and Logging provided:

1. The owner/developer shall use the recommended Best Management Practices (BMP's) as established by the Georgia Forestry Commission.
2. A 25-foot undisturbed buffer from any City/County road right-of-way (excluding driveways) shall be maintained.
3. A minimum 25-foot undisturbed stream bank buffer shall be maintained.
4. A minimum 50-foot by 25-foot pad of #3 stone shall be maintained at each access to a City/County road.
5. All requirements of [O.C.G.A §12-6-24](#) are met.

Fuel Storage for On-site use of Vehicles and Equipment provided:

1. They are located to the rear of the property; and
2. All requirements of the International Fire Code as may be amended are met.

Funeral Homes and Funeral Services provided:

1. All requirements of [O.C.G.A § 43-18-71](#) and [§ 43-18-72](#) have been met; and
2. A crematory may not be located within 1,000 feet of a residential subdivision platted and recorded in the Office of the Clerk of the Superior Court Paulding County, Georgia.

Gasoline Stations (NB, B-1) provided:

1. The building shall not exceed 3,000 square feet in gross floor area; and
2. No automotive repairs will be done on site.

General Merchandise Retailers (B-1) provided the gross floor area shall not exceed 10,000 square feet.

Greenhouse, Nursery and Floriculture Production (B-2, I-1) provided structures shall be located no closer than 50 feet to the side and rear property lines and 100 feet to the front property line.

Grocery and Convenience Retailers (NB) provided the gross floor area shall not exceed 40,000 square feet.

Hardware Retailers (NB, B-1) provided the gross floor area shall not exceed 15,000 square feet total with 5,000 square feet of covered outside storage.

Home Occupations provided:

1. No more than one room of the dwelling may be used for the home office. The home office shall not occupy more than 25% of the gross floor area of the dwelling;
2. The appearance of the dwelling shall not be altered or the occupation within the residence shall not be conducted in a manner that would cause the premises to differ from its residential character either by the use of colors, materials, construction, lighting, or the emission of sounds, vibrations, or other conditions that carry beyond the premises;
3. The use shall not be visibly evident from outside the dwelling;
4. The use shall not generate nuisances such as on-street parking, electrical interference, hazards, noise, or other nuisances;
5. Traffic generation for the dwelling with a home office shall not exceed that normally generated without a home office;
6. The use shall not include any business which involves the sale, manufacture, or repair of

merchandise on the premises or the storage of inventory, raw materials, or other materials to be used in the business. This does not apply to a mail order type business which has no on-site customers;

7. The use shall include no more than two clients per hour frequenting the services of the home office; however, during peak seasons (for example tax season for accountants), up to four clients per hour are permitted;
8. The use shall not involve any outside operations or outside storage or display of products or materials;
9. Only residents of the dwelling may be employed in the home office, except one incidental employee other than a resident of the dwelling is permitted;
10. One business vehicle is permitted. The vehicle shall be no larger in size than a pick-up truck, panel truck, or van, and is limited in size to one-ton carrying capacity. No other larger business vehicles or equipment are permitted (such as tractor trailers, semi-trucks, or heavy equipment); and
11. Pickups from and deliveries to the site in regard to the business shall be limited to vehicles having no more than two axles and shall be restricted to no more than two pickups or deliveries per day.

Household Appliance Stores provided the gross floor area shall not exceed 3,000 square feet.

Kennels provided all outdoor runs, fences, and related buildings/structures shall be located no less than 200 feet from any property line.

Light Manufacturing as identified in NAICS [3271](#), [33232](#) and [334](#) (B-2) provided the gross floor area does not exceed 30,000 square feet.

Massage Therapy provided all requirements of [O.C.G.A. § 43-24A-1](#) et seq as may be amended have been met.

Nursing Homes in accordance with the Rules prescribed by the Georgia Department of Community Health [Chapter 111-8](#) et seq as may be amended.

Personal Care Homes in accordance with the Rules prescribed by the Georgia Department of Community Health [Chapter 111-8](#) et seq as may be amended.

Private Elementary and Secondary Schools, Junior Colleges, Colleges, Universities and Professional Schools, Business Schools and Computer and Management Training and Technical and Trade Schools provided they are less than two acres.

Produce Stands, Temporary provided products are raised on the premises.

Recreational Buildings provided:

1. They are located on properties larger than 25 acres;
2. Are additional to other permitted structures on the property;
3. The building has a water and sewage/septic system;
4. The building receives a valid Certificate of Occupancy;
5. Is subject to a minimum setback of 150 feet from all adjacent property lines; and
6. Shall not be utilized for the operation of a business nor shall it be occupied as a permanent residence.

Recycling Centers provided:

1. The recycling collection location shall not cause a nuisance, as defined by Chapter 22, [Article II](#) of the Code of the City of Hiram, Georgia.
2. All recycling collection locations shall be no larger than 100 square feet in size, are enclosed on all sides including the top and are emptied on a regular basis.
3. Recycling collection location must meet the following building setback requirements:
 - (a) Front: 100 feet from public right-of-way, private drive or easement, and/or property line, including properties with multiple frontages
 - (b) Side/Rear: 45 feet from a property line.
4. The recycling collection location must be located in the back/rear yard.
5. There shall be a maximum of one recycling collection location per lot.

Religious Organizations with attendant Educational and Recreational Buildings and Cemeteries provided:

4. They are located on tracts of no less than two contiguous acres,
5. That any building for such proposed use(s) is located no less than 50 feet from front and rear property lines and 25 feet from the side property lines,
6. Sprinkler systems will be required if the projected occupancy load is 300 or more per the International Building Code, and

Rental and Leasing Services (Non-automotive) provided the storage of equipment areas are enclosed within a solid wall or fence at least six feet in height.

Residential Build-To-Rent, provided:

1. A Management Company shall manage any Residential Build-To-Rent community based from a staffed, on-site office with standard business hours of at least 9:00 am to 5:00 pm, Monday through Friday.
2. Any Residential Build-To-Rent community must dedicate at least 5% of the gross land area for an amenity area, including one of the following features: clubhouse, garden, park, playground, pool area or recreation facilities.
3. All Residential Build-To-Rent communities may only use the following materials on the façades of units: brick, cast stone, concrete siding, natural wood or stone.
4. Each unit within a Residential Build-To-Rent community must have individual connections to utilities with individual service accounts, including but not limited to electricity, water/sewer, telephone, natural gas, and services for solid waste/recycling.

Sawmills provided any such use is screened from view by a solid opaque wall or existing natural screen at least eight feet in height.

Sexually Oriented Businesses in accordance with Chapter 4, Article I of the Code of the City of Hiram, Georgia.

Shared Workspaces/Co-working Spaces, excluding Sexually Oriented Businesses, with limited food and beverage sales provided the food and beverage sales comprises no more than 15% of gross floor space.

Small Cell Wireless Facilities in accordance with [Chapter 710](#) of the UDO.

Sporting Goods, Hobby, Musical Instrument and Book Retailers provided the gross floor area shall not exceed 3,000 square feet.

Telecommunication Towers in accordance with [Chapter 700](#) of the UDO.

Temporary Impound Lots (I-1) provided:

1. The entire lot is surrounded by a 25 foot buffer and solid opaque six foot fence surrounding the entire use; and
2. No impounded vehicles shall remain on the premises more than 90 days.

Temporary Uses in accordance with [Chapter 270](#) of the UDO.

Townhouse Dwellings, including Residential Industrialized Buildings, with a minimum 1,400 square feet of heated living area (MPR) provided they do not comprise more than 10% of the overall area acreage.

Truck (greater than 1.5 tons) Repair Shops provided:

1. All repair activity shall take place indoors.
2. They shall only operate with spray enclosures approved by the EPA and Georgia EPD.

3. Storage of trucks shall be located to the rear of the property and screened by a six-foot solid opaque fence.

Wild and Exotic Animals, Raising in accordance with Chapter 14, Article II, [Division 3](#) of the Code of Paulding County, Georgia, as indicated in the Service Delivery Agreement between the City of Hiram, Georgia, and the Paulding County Board of Commissioners.

Section 230-40. Special Use Permits.

Within the City of Hiram, Georgia, no building, premises, or land shall be used for any of the following uses which may cause objectionable conditions including, but not limited to, noise, vibrations, smoke, gas, fumes, odors, dust, fire hazards, or other objectionable conditions unless the proposed location, construction, and operation of said use shall be found to not be unduly injurious to surrounding developments or to the community in general based upon the standards and criteria set forth in this ordinance, after a study by the Paulding County Planning Commission and approval from the Hiram City Council. The Community Development Director may require a review of the proposed use from the Fire Department, Paulding County Health Department, or other applicable department regarding the potential impact.

The Planning Commission and City Council shall give careful consideration to the reasonably foreseeable negative effects upon and risks to the environment and public health and safety for a use or facility that is, or would be, located within a significant groundwater recharge area, wetland, or water supply watershed. The Planning Commission and City Council may request such studies and investigations at the cost of the applicant as the Planning Commission and City Council may deem necessary to make such determination. Furthermore, the Planning Commission and City Council may, upon approval of a Special Use Permit, require other such terms and conditions as deemed necessary to protect the environment, public health, safety and welfare.

230-40.01 Requirement of Special Use Permit for Certain Activities.

Uses controlled in this Section are prohibited unless an approval for a Special Use Permit has been granted by the City Council after a recommendation by the Planning Commission based on requirements of this Section and all other applicable provisions of this UDO.

230-40.02 Applications.

An application for a Special Use Permit shall be submitted on forms provided by the Community Development Department Planning and Zoning Division as provided for in this UDO, and shall be advertised in the same manner as applications for rezoning. Public hearings will be held in the same manner as applications for rezoning are conducted. All requests shall be accompanied by the application fee as established by the City Council, as well as, plats and all data specified by the special use permit application form.

230-40.03 Issuance.

- A. The City Council may grant Special Use Permits for any period of time at the discretion of the governing authority.
- B. In addition to general zoning district requirements, the governing authority of the City of Hiram, Georgia, shall consider, at a minimum, the following in its determination of whether or not to grant a Special Use Permit:

1. Whether or not there will be a significant adverse effect on the neighborhood or an area in which the proposed use will be located.
 2. Whether or not the use is otherwise compatible with the area.
 3. Whether or not the use proposed will result in a nuisance pursuant to [O.C.G.A. § 41-1-2](#).
 4. Whether or not quiet enjoyment of surrounding property will be adversely affected.
 5. Whether or not adequate provisions are made for parking and traffic considerations.
 6. Whether or not the site or intensity of the use is appropriate.
 7. Whether or not special or unique conditions overcome the governing authority's general presumption that residential neighborhoods should not allow non-compatible business uses.
 8. Whether or not adequate provisions are made regarding hours of operation.
 9. Whether or not adequate controls and limits are placed on commercial and business deliveries.
 10. Whether or not adequate landscape plans are incorporated to insure appropriate transition.
 11. Whether or not the public health, safety, welfare, or moral concerns of the surrounding area will be adversely affected.
 12. Whether or not the use shall be consistent with the comprehensive plan for the area.
 13. Whether or not the proposed use is able to be served by adequate public utilities.
 14. Whether or not adequate traffic routes and entrances must be established, including consideration of the deterioration of the existing roadway, expenditure of public funds to maintain roadways, adequacy and safety of road intersections, road widths on roads within and leading to the property, pavement conditions (material, thickness, age, etc.) width and length of property boundaries at road access areas and type of vehicles that may be used at the property.
- C. Each Special Use Permit shall contain such terms and conditions as are deemed necessary by the City Council to protect the environment, public health, and safety, and welfare. The City Council may require such testing and construction supervision as it deems necessary to protect the environment and public health and safety.

230-40.02 Uses Which Require a Special Use Permit:

Amusement and Recreation Industries, Outdoor as identified in NAICS Code [713990](#) except Shooting Ranges and

Stables, Riding**Amusement and Theme Parks****Basic Chemical Manufacturing**

Breeders provided all outdoor runs, fences and related building/structures shall be located no less than 200 feet from the side and rear property lines and 300 feet from the front property line.

Bus Stations**Cement and Concrete Product Manufacturing****Cemeteries**, provided:

1. Minimum lot area shall be ten acres;
2. Gravesites shall be set back at least 50 feet from all property lines;
3. No structure other than grave markers shall be located within 35 feet of property zoned for residential use;
4. A 20-foot buffer shall be provided in addition to required setbacks along all property lines which adjoin any property zoned for residential use; and
5. Accessory crematoriums must be setback at least 200 feet from the buffer along all property lines which adjoin any property zoned for residential use.

Dormitories**Explosives Manufacturing****Extended Stay Hotels or Motels****Hog and Pig Farming****Fertilizer Manufacturing****Flea Markets****Food Manufacturing****Fuel Storage for On-site Use of Vehicles and Equipment****Gelatin Manufacturing, except Dessert Preparations****Guest House** provided:

1. It is limited to one such structure per lot and will not include manufactured, mobile or modular structures; and
2. The minimum lot size requirement is two acres total for the primary residence and the guest house; and
3. It shall have a minimum heated floor area of 800 square feet; and
4. It shall have either sewer or an approved septic system; and
5. It shall be used by a bona fide non-paying guest or relative of the occupants of the principal residence, and shall not be rented or leased; and
6. It shall not be sold as a separate unit from the principal residence; and

7. Off-street parking shall be provided in accordance with this Ordinance; and
8. All applicable building, electrical, HVAC, plumbing, and septic permits shall be obtained after approval of the Special Use Permit.

Heliports

Hog and Pig Farming

Lime and Gypsum Product Manufacturing

Motor Vehicle Parts (Used) Merchant Wholesalers

Motor Vehicle Towing

Nonmetallic Mineral Mining and Quarrying

Outpatient Care Centers except Kidney Dialysis Centers

Paint, Coating, and Adhesive Manufacturing

Pawnshops

Petroleum Refineries

Primary Metal Manufacturing

Private Elementary and Secondary Schools, Junior Colleges, Colleges, Universities and Professional Schools, Business Schools and Computer and Management Training and Technical and Trade Schools two acres and over

Psychiatric and Substance Abuse Hospitals

Racetracks

Retail Liquor Store

1. Special use permit required for retail package liquor store.

(a)

The use defined as "retail package liquor store" may be permitted only in a B-1, B-2 or PSC zoning district and then only with a special use permit approved in accordance with this Article X where such use is in general conformance with the comprehensive plan for the area in question and upon consideration of the factors listed in Article X, Section A, Paragraphs (4)(a) through (n); provided that the said use should not adversely affect the health and safety of persons residing or working in the area of the proposed use or be detrimental or injurious to property or improvements in the vicinity and provided further that all applicable requirements of the City's code of ordinances, including these zoning regulations, as well as all other local, state, and federal requirements for establishment and operation of such a use are satisfied. (See also Article XVI regarding applicable procedures).

(b)

A special use permit issued pursuant to these provisions shall elapse and expire of its own accord at 12:00 a.m. midnight on the date six (6) months after the special use permit is authorized by the Mayor and Council unless by that date a retail package liquor store has been established and is in operation on the property consistent with the special use permit and all other local, state, and federal permissions required for lawful operation of the retail package liquor store.

(c)

Unless a special use permit issued by the City expires in accordance with subsection (b) above or is otherwise revoked as may be permitted by law, the special use permit shall elapse, expire, and

become void of its own accord upon a conveyance of the property at which point the process for a special use permit must be initiated, pursued, and granted in accordance with the City's then-existing ordinances and all other applicable laws should operation of a retail package liquor store be desired or continued.

RV (Recreational Vehicle) Parks and Campgrounds provided:

2. General requirements. A recreational vehicle park or campground shall meet the following general requirements:
 - (a) It shall be primarily for recreational use by persons with transportable recreational housing, with appropriate accessory uses and structures.
 - (b) The land on which it is developed shall be under unified control and shall be planned and developed as a whole in a single development operation or programmed series of development operations for recreational vehicles and related uses and facilities. Subsequent subdivision of lots or conveyance of sites to individual owners by any means is prohibited.
 - (c) The principal and accessory uses and structures shall be substantially related to the character of the development in the context of the district of which it is a part.
 - (d) The park shall be developed according to comprehensive and detailed plans that include streets, utilities, lots, and building sites.

- (e) The park shall have a program for provision, maintenance, and operation of all areas, improvements, and facilities for the common use of all or some of the occupants of the park, but will not be provided, operated or maintained at general public expense.
 - (f) A 100-foot buffer shall be maintained along the perimeter of the park.
 - (g) Continuous parking for RV's and tent sites shall be restricted to a period of no more than fourteen days.
 - (h) All recreational vehicle parks and campgrounds shall meet the requirements of the "Rules of Department of Public Health Chapter 511-6-2 Tourist Accommodations" as now or hereafter amended.
2. Allowable Uses. The allowable uses in a recreational vehicle park include the following:
- (a) Recreational vehicles.
 - (b) Tent camping.
 - (c) Convenience establishments for the sale or rental of supplies or for provision of services, for the satisfaction of daily or frequent needs of campers, within the park may be permitted. These establishments may provide groceries, ice, sundries, bait, fishing equipment, self-service laundry equipment, bottled gas, and other similar items needed by users of the park. These establishments shall be designed to serve only the needs of the campers within the park and shall not, including their parking areas, occupy more than 5% of the area of the park, and shall not be located as to attract patronage from outside the grounds, nor have the adverse effects on surrounding land uses.
3. Site Design Requirements. The following site design requirements shall be met:
- (a) The minimum land area for a recreational vehicle park shall be eight acres.
 - (b) The maximum density for a recreational vehicle park shall be six spaces per gross acre. Storage spaces shall be included in the density calculation.
 - (c) Individual spaces shall take access to internal streets and shall not take direct access to adjoining public rights-of-way.
 - (d) Access to the recreational vehicle park shall be from a collector or arterial roadway.
 - (e) Internal streets (minimum 20 feet in accordance with the "Rules of Department of Public Health Chapter 511-6-2 Tourist Accommodations") shall provide safe and convenient access to spaces and appropriate park facilities. Alignment and gradient shall be properly adapted to topography. Construction and maintenance shall provide a well-drained surface that is of adequate width to accommodate anticipated traffic.
 - (f) Camping spaces shall be so located in relation to internal streets as to provide for convenient vehicular ingress and egress if the space is intended for use by wheeled units. Where back-in or back-out spaces are used, appropriate maneuvering rooms shall be provided in the adjacent internal street and within the space.
 - (g) Where spaces are to be used exclusively for erection of tents on the ground, provision for vehicular access onto such spaces shall not be required, but parking areas shall be located within 100 feet, except in circumstances in which providing such vehicular accessibility would result in excessive destruction of trees or other vegetation, or

where it would be impractical to provide such parking areas within such distances for particularly desirable campsites.

- (h) Spaces shall be so related to pedestrian ways and principal destinations within the park as to provide for convenient pedestrian access to such destinations by the pedestrian systems.
 - (i) No minimum dimensions are specified for spaces, but each shall provide the clearances specified herein, and the boundaries of each space shall be clearly indicated.
 - (j) RV sites shall be at least 20 feet apart, edge to edge, and the center of all camping units shall be at least 30 feet from the edge of the campground road.
 - (k) In relation to toilet, washroom, and bath facilities, spaces for RV units shall be located in accordance with the "Rules of Department of Public Health Chapter 511-6-2 Tourist Accommodations".
4. All proposed and required water sources and sanitary facilities serving parks for recreational vehicles shall conform with the requirements of the Georgia Department of Public Health and the Georgia Department of Natural Resources Water Supply Section, as appropriate.
- (a) Water Supply: Each campground shall have access to a source of potable water approved by the applicable health authority. It is preferable to provide one water outlet per camping unit; however, a minimum of one outlet for every two units shall be provided with two hose bibs equipped with vacuum breakers. Each unit shall have access to water within 50 feet of and RV pad. All water taps or outlets serving campsites shall be of a type compatible with garden hoses connections. The location of water outlets and electrical outlets shall be in accordance with applicable standards specified by the state electrical codes.
 - (b) Sewage Disposal: Sewage disposal shall be in accordance with the "Rules of Department of Public Health Chapter 511-6-2 Tourist Accommodations".
 - (c) Solid Waste Disposal: All parks shall provide fly-proof, watertight, rodent-proof containers for the disposal of refuse. Containers shall be provided in sufficient number and capacity to properly store all refuse. Refuse for camping areas shall be collected at least once a week.
5. Any other requirements as may be deemed necessary by the Paulding County Planning Commission or City Council as part of the Special Use Permit Public Hearing process.

Sand Dredging subject to applicable permits from the State, County, and City.

Shooting Ranges, Outdoor

Tattoo Parlors, Makeup Salons (permanent) and Piercing

Telecommunication Towers in accordance with Title 5 of this UDO

Temporary Impound Lots (B-2)

Truck (greater than 1.5 tons) Repair Shops (B-2)

Truck Sales (B-2)

Section 230-50. Land Use Permits.

A Land Use Permit is hereby defined and required for those uses which can ordinarily be carried on out of a residence and lot or other structure without having any significant effect on the neighborhood or area from which such land use is carried on. For example: concrete figurine sales where a single operator is involved; sale of crafts or other items made by the resident; other like and similar uses of a limited nature which are carried on by those who regularly occupy the household and which are not a permissible use as a home occupation.

230-50.01 Granting of Land Use Permits.

The City Council is hereby authorized to grant Land Use Permits for businesses compatible with the neighborhood from which such business or occupation is operated and where no nuisance as defined in Georgia law or other significant adverse effect would result to the area or district zoned. Also, the City Council may grant Land Use Permits in commercial areas for structures to be used for dwelling purposes by the proprietor or manager of the commercial use.

230-50.02 Application Procedures.

An application for a Land Use Permit shall be submitted on forms provided by the Community Development Department Planning and Zoning Division as provided for in this UDO, and shall be advertised in the same manner as applications for rezoning. Public hearings will be held in the same manner as applications for rezoning are conducted. All applications shall be accompanied by an application fee as established by the City Council.

230-50.03 Issuance.

- A. In no event shall the governing authority grant a land use permit for a period of time in excess of 24 months except on re-application, re-advertisement, and public hearing.
- B. The applicant or operator must reside full time at the residence where the land use permit is granted if the property is located in a platted subdivision.
- C. If the application is for use of a portion of a business for residential use, the proprietor or landlord must reside thereon.
- D. The governing authority shall consider, at a minimum, the following in its determination of whether or not to grant a land use permit:
 1. Safety, health, welfare and moral concerns involving the surrounding neighborhood;
 2. Parking and traffic considerations;
 3. Number of non-related employees;
 4. Number of commercial and business deliveries;
 5. The impact of the business on the surrounding neighborhood as it relates to increased noise, traffic, pollution, safety, and general welfare of the area;

6. Whether the proposed business is compatible with existing conditions in the neighborhood;
7. The hours of operation;
8. Existing business uses in the vicinity;
9. Circumstances surrounding neighborhood complaints;
10. Type of use and intensity of proposed business; and
11. Location of use within the neighborhood.

230-50.03 Uses Which Require a Land Use Permit:

Residential Business, subject to the following standards:

1. The residential business shall not include the repair and/or maintenance of motor vehicles, large scale manufacturing, or any use which will create noise, noxious odors, or any hazard that may endanger the health, safety, or welfare of the neighborhood.
2. If the residential business involves group instruction or group assembly on the premises, the proposed size of group(s) shall be specified at the time of application for Land Use Permit.
3. The occupation or profession must be conducted entirely within the dwelling or accessory structure.
4. The dwelling must be the bona fide residence of the principal practitioner at the time of the application, and, if approved, the residential business shall be valid only as long as the original principal practitioner resides in the dwelling, is conducting the business, and has a current business license.
5. The residential business shall be limited to no more than 35% of the gross floor area of the dwelling. The proposed size of the residential business shall be specified at the time of application for Land Use Permit.
6. Any additions or alterations to the dwelling which will be used for the residential business must be of an architectural style in keeping with the surrounding residential and agricultural development.
7. Only two employees in excess of family members who are residing on the premises shall be permitted. For uses where no customers or clients are coming to the site, the number of employees permitted at any one time may be increased to three.
8. Parking for customers/clients must be provided in accordance with this Ordinance, location of the parking to be specified in the Land Use Permit Application.
9. No outside storage or display shall be allowed other than as specified herein.
10. Days and operation requiring access by the public, customers, vendors, and/or clients shall be Monday through Saturday, daylight hours only.
11. No more than one residential business or rural business is allowed per residence.

12. One commercial vehicle is permitted to be parked in the approved parking area. The commercial vehicle is limited to a passenger car, a van, or a light truck (up to one ton), or a personal business vehicle up to one and a half tons.
13. Any utility trailer or other accessory equipment needed for the orderly operation of the business must be specifically requested and approved by the City Council. The request must include the proposed use and size of the trailer or accessory equipment.
14. Pickups from and deliveries to the site in regard to the business shall be restricted to vehicles having no more than two axles and shall be restricted to no more than two pickups or deliveries per day. The pickups and deliveries are restricted to daylight hours only and shall not restrict traffic circulation.
15. There shall not be conducted on the premises the business of selling stocks of merchandise, supplies, or products, provided however that incidental retail sales may be made in connection with the permitted residential business. Also permitted is the sale of articles which have been produced or assembled on the premises, and the sale of items that are primarily shipped directly to the ultimate purchaser, provided that no retail inventory is maintained on the premises.

Residential Dwellings Accessory to Commercial Uses, subject to the following standards:

1. Only one dwelling unit per commercial use is permitted.
2. A separate entrance for residential use is required. There shall be no more than one residential entrance per building.
3. All non-residential off-street parking requirements must be met. Required parking may be located along side of the building, in the rear yard accessed by a driveway or alley.
4. Only those persons with an interest in the business; the structure; or the real property on which the structure rests may reside on the premises.
5. The entire structure must be in compliance with any commercial structure codes.

Rural Business, subject to the following standards:

1. The minimum acreage requirement is three acres.
2. The applicant must state what the proposed business will be and must submit a site plan/floor plan showing the area to be involved in the business as part of the Land Use Permit application.
3. The dwelling must be the bona fide residence of the principal practitioner at the time of the application, and, if approved, the rural business shall be valid only as long as the original principal practitioner resides in the dwelling, is conducting the business, and has a current business license.
4. The business may include small repair shops for appliances, machinery, farm equipment, or automobiles with the following limitations:
 - (a) They shall not create noise, noxious odors, or any hazard which would adversely affect the health, safety, or welfare of the adjoining property owners or the neighborhood in general;

- (b) They shall operate during the daylight hours only;
 - (c) Outdoor storage of inoperable machinery, equipment, or vehicles is prohibited;
 - (d) No more than two vehicles shall actually be serviced, actively worked on, or repaired at any one time;
 - (e) All spare parts (new or used) shall be stored within a structure, and the storage space shall be included in the total space allocated for the rural business; and
 - (f) All work shall be done within a fully enclosed building.
5. The business is limited to no more than 1,000 square feet if in an accessory structure, and 1,000 square feet of land if outside a structure. Outside operations or outside storage or display must be specified in the Land Use Permit application and shall be maintained as specified therein. If the rural business is to be in the residence, no more than 35% of the gross floor area may be used for the business. The proposed size of the business shall be specified at the time of application.
 6. Any additions or alterations to the residence which will be used for the rural business must be of an architectural style in keeping with the surrounding residential and agricultural development. Any structure built to house the rural business must be located to the side or rear of the residence, or if the structure would be in front of the residence, it must be at least 100 feet from the front property line in addition to meeting the applicable side and rear setbacks. The structure must be readily and easily usable for customary agriculture and residential uses.
 7. Any outside area other than parking in which the business is conducted shall be enclosed in a manner that the business is not visible from the surrounding property by providing a buffer and/or fence (see buffer section). No equipment which would not ordinarily be found in agricultural or residential use may be used in the rural business.
 8. Only two employees in excess of family members who are residing on the premises shall be permitted. For uses where no customers or clients are coming to the site, the number of employees permitted at any one time may be increased to three.
 9. Parking for customers/clients must be provided in accordance with this Ordinance with location specified in the Land Use Permit application.
 10. Days and operation requiring access by the public, customers, vendors, and/or clients shall be Monday through Saturday, daylight hours only.
 11. No more than one residential business or rural business is allowed.
 12. The City Council may place any reasonable stipulations on the application deemed necessary to insure the orderly operation of the proposed business and its compatibility with the surrounding properties.

Chapter 240. Standards Applying to All Districts.

Section 240-10. Dimensional Standards of Zoning Districts.

When developing under any zoning classification, the provisions listed in Tables 240.1, 240.2 and 240.3 and any additional standards or requirements listed in Chapters 210, and 220 must be met. When a standard in Tables 240.1, 240.2, or 240.3 conflict with a standard in Chapters 210 or 220, the standards in Chapters 210 and 220 shall have precedence.

Table 240.1: Dimensional Standards for Residential Zoning Districts

Zoning District		Min. Lot Size (sq ft) ¹	Min. Road Front	Min. Lot Width	Min. Front Setback	Min. Side Setback	Min. Rear Setback	Min. Heated Living Area	Max Bldg. Height
A-1		217,800	30 ft	125 ft	50 ft	25 ft	30 ft	1,100 sq ft	45 ft
ER		108,900	100 ft	125 ft	50 ft	25 ft	30 ft	1,600 sq ft	45 ft
R-1		43,560	100 ft	125 ft	40 ft	20 ft; 25 ft corner lot	25 ft	1,600 sq ft	45 ft
R-2		20,000	30 ft	100 ft; 75 ft curve	35 ft	15 ft; 25 ft corner lot	25 ft	1,100 sq ft	45 ft
R-3		15,000	30 ft	85 ft; 75 ft curve	30 ft	10 ft; 25 ft corner lot	25 ft	1,800 sq ft	45 ft
MPR	SFD	12,000	NA	75 ft	25 ft; garage 27 ft	8 ft	20 ft	1,800 sq ft	45 ft
	SFA	NA	NA	24 ft/du	20 ft	0 ft; 20 ft ²	25 ft	1,000 sq ft	45 ft
OSRD		12,000	30 ft	80 ft	25 ft	8 ft; 25 ft corner lot	25 ft	2,000 sq ft	45 ft
RD		43,560	30 ft	100 ft	40 ft	20 ft; 25 ft corner lot	25 ft	1,100 sq ft/unit	45 ft
MHP		15 acres	400 ft	400 ft	40 ft	40 ft	40 ft	NA	45 ft
R-55	SFD	6,000	NA	40 ft	10 ft; garage 15 ft	8 ft	25 ft	1,100 sq ft	30 ft
	ACD	NA	50 ft	28 ft ³	20 ft	20 ft	25 ft	1,100 sq ft	30 ft
	RC (IL)	NA	50 ft	125 ft	35 ft	25 ft	25 ft	Table 240.2	45 ft

¹ Larger lot may be required by Environmental Health

² Minimum between buildings

³ Minimum building width

Table 240.2: Minimum Heated Floor Area per Unit for R-55 Zoning Districts

Zoning District	1-Bedroom	2-Bedroom	3-Bedroom
R-55	1,000 sq. ft.	1,200 sq. ft.	1,400 sq. ft.

Table 240.3: Dimensional Standards for Non-Residential and MPR Zoning Districts

Zoning District	Min. Lot Size (sq. ft.)¹	Min. Road Front	Min. Lot Width	Min. Front Setback	Min. Side Setback	Min. Rear Setback	Max Bldg. Height
MPR	20,000 w/ sewer; other - wise 40,000	30 ft.	75 ft	40 ft.	0 ft between units; 25 ft between buildings	15 ft.; 50 ft. if abutting res.	45 ft.
LRO	20,000 w/ sewer; other - wise 40,000	30 ft.	100 ft.; 75 in curve	30 ft.	15 ft.; 25 ft. if corner lot	25 ft.; 35 ft. if abutting residential	30 ft.
O-I	20,000 w/ sewer; other - wise 40,000	30 ft.	100 ft.; 75 in curve	30 ft.	15 ft.; 20 ft. if abutting res.; 25 ft. corner lot	25 ft.; 35 ft. if abutting res.	45 ft.
NB	20,000 w/ sewer; other - wise 40,000	30 ft.	100 ft.; 85 in curve	30 ft.	15 ft.; 25 ft. if abutting res. or corner lot	25 ft.; 35 ft. if abutting res.	45 ft.
B-1	20,000 w/ sewer; other - wise 40,000	30 ft.	75 ft.; 60 in curve	40 ft.	10 ft.; 25 ft. if abutting res. or corner lot	15 ft.; 40 ft. if abutting res.	45 ft.
PSC	5 acres ²	100 ft.	75 ft.; 60 in curve	40 ft.	10 ft.; 25 ft. if abutting res. or corner lot	15 ft.; 40 ft. if abutting res.	45 ft.
B-2	20,000 w/ sewer; other - wise 40,000	30 ft.	100 ft.; 85 in curve	50 ft.	10 ft.; 40 ft. if abutting res.; 25 ft. corner lot	15 ft.; 40 ft. if abutting res.	60 ft.
ECR	20,000 w/ sewer; other - wise 40,000	30 ft.	75 ft.; 60 in curve	40 ft.	10 ft.; 25 ft. if abutting res. or corner lot	15 ft.; 40 ft. if abutting res.	45 ft.
ECBP	43,560 w/sewer	50 ft.	100 ft.; 85 in curve	50 ft.	25 ft.; 50 ft. if abutting res. or corner lot	40 ft.; 50 ft. if abutting res.	45 ft.
B2CL	43,560 w/sewer	50 ft.	100 ft.; 85 in curve	50 ft.	25 ft.; 50 ft. if abutting res. or corner lot	40 ft.; 50 ft. if abutting res.	45 ft.
AML	43,560 w/sewer	50 ft.	100 ft.; 85 in curve	50 ft.	25 ft.; 50 ft. if abutting res. or corner lot	40 ft.; 50 ft. if abutting res.	45 ft.
I-1	40,000	50 ft.	100 ft.; 85 in curve	50 ft.	25 ft.; 50 ft. if abutting res. or corner lot	40 ft.; 50 ft. if abutting res.	45 ft.
I-2	40,000	50 ft.	100 ft.; 85 in curve	50 ft.	25 ft.; 50 ft. if abutting res. or corner lot	40 ft.; refer to Buffer Chart	45 ft.
AB	43,560 w/sewer	50 ft.	100 ft.; 85 in curve	50 ft.	25 ft.; 50 ft. if abutting res. or corner lot	40 ft.; 50 ft. if abutting res.	45 ft.

¹ Larger lot may be required by Environmental Health

² No minimum size for outparcels if design and layout are consistent with overall development

Section 240-20. Use.

Except as hereinafter provided, no building, structure, or land shall be used or occupied, and no structure or part thereof shall be erected, constructed, subdivided, moved, altered, added to, or enlarged for any purpose or in any manner other than is set forth in Title 2 of this UDO or in amendments to this UDO.

Section 240-30. Height.

Except as hereinafter provided, no building shall be erected, reconstructed or structurally altered, to exceed in height the limit established in Title 2 of this UDO or in amendments to this UDO.

Section 240-40. Only One Principal Building.

Only one principal building and its customary accessory buildings may be erected on any one lot within agricultural and single-family residential in accordance with provisions of Title 2 of this UDO. Multi-family uses may be located on the same lot subject to area, yard, setback, and zoning requirements.

Section 240-50. Reduction of Lot Area.

No lot, even though it may consist of one or more adjacent lots of record, shall be reduced in size. The lot width or depth, front, side or rear yard, lot area per family, or other requirements of Title 2 of this UDO, must be maintained unless approved by the Zoning Board of Appeals. This section shall not apply when a portion of a lot is acquired for public purposes.

Section 240-60. Lot Abutting Street.

No building shall hereafter be erected on a lot which does not abut for a minimum of 30 feet on a publicly dedicated, publicly approved, or publicly maintained street, or on a dedicated easement (which has been recorded by the Clerk of Superior Court) connecting with a publicly dedicated, publicly approved or publicly maintained street which guarantees ingress and egress for perpetuity (also subject to requirements of the Title 3 of this UDO).

Section 240-70. Corner Lots.

When the frontage of one street exceeds the frontage of the other, the one with the least frontage shall be deemed the front of the lot. The side yard setback for a corner lot adjacent to a local street shall be 25 feet in all zoning districts except where otherwise noted herein.

Section 240-80. Double Frontage Lots.

If a building or accessory building is constructed or a use of a lot occurs on a lot having frontage on two roads, a setback from each road shall be provided equal to the front yard setback requirements in which the lot is located.

Section 240-90. Lots of Record.

240-90.01 Substandard Size Lots.

Where the owner of a lot at the time of the adoption of this UDO or their successor in title thereto does not own sufficient land to enable him to conform to the dimensional requirements of this UDO, such lot may be used as a building site provided the yard and other space requirements of the district may be reduced by the smallest amount that will permit reasonable use of the property as a building site. However, in no case shall the setbacks be reduced to less than one-half of the least restrictive zoning district's minimum area and yard requirements set forth within this ordinance unless approved by the Zoning Board of Appeals.

240-90.02 Adjoining Lots.

If two or more adjoining lots with continuous frontage are in a single ownership at any time after the adoption of this UDO and such lots individually are too small to meet the yard, width, and area requirements of the district in which they are

located, such groups of lots shall be considered as a single lot or several lots of minimum permitted size and the lot or lots in one ownership shall be subject to the requirements of this ordinance. This does not apply to lots approved prior to the adoption of this ordinance.

Section 240-100. Unobstructed Yard.

Every part of a required yard shall be open to the sky, unobstructed, except for accessory buildings in a rear yard, except for the ordinary projection of a cornice, eave, belt cornice, sill, canopy or other similar architectural feature projecting not to exceed 36 inches into said yard.

Section 240-110. Required Yard.

No yard provided for about a building for the purposes of complying with the provisions of this ordinance or amendments thereto shall be considered as providing a yard for any other building, and no yard on one lot shall be considered as providing a yard for a building on any other lot.

Section 240-120. General Outdoor Storage.

No outside storage of goods or materials shall be allowed except as hereinafter provided.

Section 240-130. Removal of Destroyed Buildings.

Any dwelling which is damaged beyond repair by fire, natural or manmade disaster shall be removed and disposed of in accordance with provisions of the Standard Unsafe Building Abatement Code as adopted by the State of Georgia.

Section 240-140. Buffers between Dissimilar Districts.

240-140.01 Objective.

The objective of providing buffers and landscaped areas for screening between dissimilar districts is to protect and preserve the appearance, character, and value of adjacent land uses.

240-140.02 Buffer Requirements.

The buffer area may be included within the required setbacks; however, in such case that the required buffer is greater than the required setback, the required buffer shall be adhered to. Buffers are required to be installed on properties adjacent to dissimilar districts in accordance with the following specifications:

240-140.03 Standards.

Buffers are subject to review and approval by the City and County planning staff. The landscaping policies and standards listed in this section are the minimum policies and standards for buffers. The following are required standards for buffers and shall be used by the county planning staff in reviewing development applications.

- A. Buffers shall be designated on the site plan as a permanent buffer strip.
- B. Buffers shall be natural/undisturbed areas of existing mature trees which meet the intent of the definition of buffer. Where substantially devoid of existing trees, or where it is necessary to disturb the existing natural/undisturbed area, a planted/landscaped buffer shall be established in accordance with this section.
- C. Buffers shall be established and maintained along required adjoining property to meet the minimum width requirements for dissimilar districts as shown in the above table.

Table 240.4: Minimum Buffer Width Requirements

		ABUTTING ZONING DISTRICT																											
		A-1	ER	R-1	R-2	R-3	MPR	LDQRD	OSRD	PRD	R-4	RD	MHP	R-7	R-55	PV	LRO	O-I	NB	B-1	PSC	B-2	ECR	ECBP	B2CL	AML	I-1	I-2	AB
Z O N I N G D I S T R I C T	A-1													15'	15'	15'	15'	15'	15'	15'	15'	15'	15'	15'	15'	15'	15'	15'	15'
	ER													15'	15'	15'	15'	15'	15'	15'	15'	15'	15'	15'	15'	15'	15'	15'	15'
	R-1													15'	15'	15'	15'	15'	15'	15'	15'	15'	15'	15'	15'	15'	15'	15'	15'
	R-2													15'	15'	15'	15'	15'	15'	15'	15'	15'	15'	15'	15'	15'	15'	15'	15'
	R-3 ¹	50'	50'	50'	50'	50'	50'	50'	50'	50'	50'	50'	50'	50'	50'	50'	50'	50'	50'	50'	50'	50'	50'	50'	50'	50'	50'	50'	50'
	MPR ¹	50'	50'	50'	50'	50'	50'	50'	50'	50'	50'	50'	50'	50'	50'	50'	50'	50'	50'	50'	50'	50'	50'	50'	50'	50'	50'	50'	50'
	OSRD ¹	25'	25'	25'	25'	25'	25'	25'	25'	25'	25'	25'	25'	25'	25'	25'	25'	25'	25'	25'	25'	25'	25'	25'	25'	25'	25'	25'	25'
	RD ¹	15'	15'	15'	15'	15'	15'	15'	15'	10'	10'		10'	10'	10'	15'	15'	15'	15'	15'	15'	15'	15'	15'	15'	15'	15'	15'	15'
	MHP	30'	30'	30'	30'	30'	30'	30'	30'	25'	25'	25'	10'	25'	10'	15'	15'	15'	15'	15'	15'	15'	15'	15'	15'	15'	15'	15'	15'
	R-55 ¹	50'	50'	50'	50'	50'	50'	50'	50'	50'	50'	50'	50'	50'	50'	50'	50'	50'	50'	50'	50'	50'	50'	50'	50'	50'	50'	50'	50'
	PV ¹	50'	50'	50'	50'	50'	50'	50'	50'	50'	50'	50'	50'	50'	50'		50'	50'	50'	50'	50'	50'	50'	50'	50'	50'	50'	50'	50'
	LRO	15'	15'	15'	15'	15'	15'	15'	15'	15'	15'	15'	15'	15'	15'														
	O-I	20'	20'	20'	20'	20'	20'	20'	20'	20'	20'	20'	20'	20'	20'														
	NB	25'	25'	25'	25'	25'	25'	25'	25'	25'	25'	25'	25'	25'	25'														
	B-1	25'	25'	25'	25'	25'	25'	25'	25'	25'	25'	25'	25'	25'	25'														
	PSC	25'	25'	25'	25'	25'	25'	25'	25'	25'	25'	25'	25'	25'	15'														
	B-2	40'	40'	40'	40'	40'	25'	25'	25'	40'	40'	40'	40'	40'	15'														
	ECR	40'	40'	40'	40'	40'	25'	25'	25'	40'	40'	40'	40'	40'	15'														
	ECBP	50'	50'	50'	50'	50'	50'	50'	50'	50'	50'	50'	50'	50'	50'	25'	25'	25'	25'	25'	25'								
	B2CL	50'	50'	50'	50'	50'	50'	50'	50'	50'	50'	50'	50'	50'	50'	25'	25'	25'	25'	25'	25'								
	AML	50'	50'	50'	50'	50'	50'	50'	50'	50'	50'	50'	50'	50'	50'	25'	25'	25'	25'	25'	25'								
	I-1	50'	50'	50'	50'	50'	50'	50'	50'	50'	50'	50'	50'	50'	50'	25'	25'	25'	25'	25'	25'								
	I-2	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	50'		100'
	AB	50'	50'	50'	50'	50'	50'	50'	50'	50'	50'	50'	50'	50'	15'	50'	25'	25'											

¹ A 75-foot buffer is required adjacent to city & city roads

- D. Buffers shall be of such nature and density at species maturity to screen activities and uses on the lot from view from the normal level of a first story window on an abutting lot. Buffers shall not be closer than 15 feet to the street right-of-way unless approved by the City and County planning staff.
- E. Buffers shall provide year-round visual screening from the ground to a height of at least six feet.
- F. Buffers that utilize trees and/or other vegetation shall be installed not only to provide visual screening but to allow for proper plant growth and maintenance.
- G. Buffer design shall be integrated with the overall design concept for the project.
- H. Existing tree cover and natural vegetation shall be undisturbed except for the addition of supplemental plantings or other approved screening devices, or for the provision of required access or utility crossings as approved by the City and County planning staff. Where a buffer is substantially devoid of trees or shrubbery, grading may be allowed within the buffer area prior to replanting or the provision of other screening devices as required.
- I. Said buffer areas may not be used for any parking or for the erection of any permanent structure thereon except a fence.
- J. No artificial plants, trees, or other artificial vegetation shall be installed.
- K. All existing, healthy deciduous and hardwood trees with a caliper of five or more inches at a point four and one-half feet above the natural grade shall be retained, whenever feasible; if not feasible the tree shall be replaced with the same or similar type of tree in accordance with the intent of paragraph (L) below.
- L. All planted trees shall be native to this region and, when planted, such replacement tree shall be a minimum height of six feet and be a species which will reach at least 20 feet in height at maturity or shall be a flowering tree with a minimum height of six feet at time of planting. All plantings shall be in staggered rows, with vegetation spaced a minimum of ten feet apart (measured trunk to trunk) with a minimum of two staggered rows of plantings for every ten feet of buffer width. The following are approved for such plantings, but shall not be exclusive of other vegetation which may be suitable as approved by the City and County planning staff, provided they form a visible screen:
 - 1. Leyland Cypress
 - 2. Burford Holly (Dwarf Holly)
 - 3. Ilex Opaca (Savannah Holly)
 - 4. Ilex Chinese (Nellie R. Stevens Holly)
 - 5. Pinus Strobus (White Pine)
 - 6. Magnolia Gradiflora (Southern Magnolia)
 - 7. Cleara Japonica
 - 8. Green Ash
 - 9. Mountain Laurel
 - 10. Black Gum
 - 11. Hop Horneam
 - 12. Oak Species (Scarlet, Southern Red, Swamp Chestnut, Sawtooth, Chestnut)

- 13. Linden or Basswood
- 14. Viburnum

240-140.04 Maintenance.

- A. All buffers shall be installed in a sound workmanship-like manner and according to accepted and proper planting procedures which meet the intent of the buffer requirements.
- B. Once installed, the owner shall be responsible for maintenance of all buffers, which shall be maintained in good condition to as to present a healthy, neat, and orderly appearance which meet the intent of the buffer requirements.
- C. Should the vegetation die or be removed such that the buffer no longer functions as required, that vegetation must be replaced by the owner.
- D. The owner shall have 30 days to replace missing or damaged trees, or restore buffer areas to meet the intent of the buffer requirements.

240-140.05 Inspection of Required Buffers.

In the event a screen, wall, fence, planted dividing strip, or any other type of buffer is required by this ordinance for any use, such screen, wall, etc., will be subjected to periodic inspections by the City Zoning Administrator and/or City Code Enforcement Office to determine that such required walls, fences, etc., are being properly maintained. Failure to maintain such required walls, fences, etc. to an acceptable standard may be deemed a violation of this ordinance.

Section 240-150. Enlargement of Existing Buildings or Structures.

No existing building or structure shall be enlarged unless the lot meets the minimum land area requirements of the zoning district in which said building is located.

Section 240-160. Fences and Walls.

In all zoning districts, no fence, structure, planting, or other obstruction (above a height of three feet) shall be maintained within 15 feet of the intersection of the right-of-way lines extended of two streets, or of a street intersection with a railroad right-of-way.

Section 240-170. Septic Tank Approval Required.

No residential or commercial building or any type residence including manufactured homes shall hereafter be erected or placed on a lot without prior application for an approved septic tank and nitrification field. No occupancy of such buildings or mobile homes is permitted until the approved septic tank and nitrification field have been completely installed. This shall not apply where public sewerage is used at the property, provided it is properly connected.

Section 240-180. Determination of Unclassified Uses.

240-180.01 Procedure; Criteria.

In the event an applicant wishes to use property for a use which is not specifically identified under inherent uses, or uses allowed with the approval of a special use permit, and where such use is not specifically prohibited from the district, the following provisions shall apply:

- A. The applicant shall submit to the City Manager, or their designee, a written request for a determination of the unclassified use.

1. The City Manager, or their designee, shall review the request as submitted and determine if the proposed use is of a similar character to the district in which it is proposed.
 2. If the City Manager, or their designee, determines that the use is of a similar character and meets the intent of the uses permitted inherently within the district, they shall instruct the county planner to allow said use.
 3. In the event the City Manager, or their designee, determines the proposed use in the district is consistent with the character and intent of a special use permit within the district, then the applicant shall apply for a special use permit subject to approval in the normal manner.
- B. If the City Manager, or their designee, is unable to make the determination within 14 days or the applicant chooses to appeal the staff decision, the following procedure shall apply:
1. The Zoning Administrator shall submit to the Planning Commission and City Attorney a written request for a determination of the unclassified use at the next regular scheduled Planning Commission meeting.
 2. The Planning Commission and City Attorney shall review the request as submitted and determine if the proposed use is of a similar character to the district in which it is proposed.
 3. If the Planning Commission and City Attorney determine that the use is of a similar character and meets the intent of the uses permitted inherently within the district, they shall instruct Zoning Administrator to allow said use.
 4. In the event the Planning Commission and City Attorney determine the proposed use in the district is consistent with the character and intent of a Special Exception Use or Special Use Permit within the district, then the applicant shall apply for a Special Exception Use or Special Use Permit subject to approval in the normal manner.
 5. In no event shall the provisions of this Section be used to allow an incompatible use or a use specifically prohibited by this ordinance within a certain zoning district.
 6. Once a use has been allowed or disallowed by the Planning Commission and or planning staff, it shall then be considered classified under the appropriate category in the district.

Chapter 250. Nonconforming Uses.

Section 250-10. Purpose and Intent.

The purpose of Title 2: Zoning is to have orderly use of property. Nonconforming uses that existed legally prior to the adoption or change of Title 2: Zoning create land uses that do not conform to Title 2: Zoning. It is the purpose of this nonconforming use provision to allow legally existing nonconforming uses to be retained with certain limitations to protect adjacent property owners and the public from the inconsistencies created by nonconforming uses. It is the intent that over time all nonconforming uses will be eliminated.

Section 250-20. Continuance of Nonconforming Uses.

A nonconforming use of a building, structure or land that was legal prior to the enactment of an amendment or adoption of the zoning ordinance shall be allowed to legally continue even though such use does not conform with the provisions of this chapter, subject to the following:

- 250-20.01 The nonconforming use cannot be expanded to occupy a greater area of land or building area.
- 250-20.02 The nonconforming use may continue only in the original building structure or land area that was originally occupied by the nonconforming use.
- 250-20.03 The nonconforming use of the building, structure or land cannot be intensified or escalated, for example, by increasing the number of deliveries, employees or customers coming to the nonconforming use, or noise, dust, fumes or other pollutants emanating from the nonconforming use.
- 250-20.04 A nonconforming use cannot be reinstated after it has been abandoned. It shall be prima facie evidence of abandonment for the owner and/or operator of the nonconforming use to discontinue the nonconforming use for 12 months, to fail to obtain a new or renew an existing business license as required under the Code of the City of Hiram, Georgia, for the operation of such nonconforming use, to fail to declare and remit the sales tax required by state law for the nonconforming use.
- 250-20.05 Failure to follow any other state, federal or local administrative procedure or regulation that is required for the nonconforming use shall be prima facie evidence of abandonment.
- 250-20.06 A nonconforming use cannot be changed to another nonconforming use.
- 250-20.07 A nonconforming use must maintain any screening or buffering that existed prior to the use becoming a nonconforming use or that was later voluntarily added.
- 250-20.08 A use that constitutes a nuisance as defined by state law is not and cannot become a nonconforming use.

Section 250-30. Continuance of Nonconforming Structure or Building.

A building or structure that is nonconforming or that contains a nonconforming use at the time of enactment of the UDO from which this Chapter is derived or at the time of enactment of an amendment to this Chapter may be retained, except that it shall not be:

- 250-30.01 Enlarged, altered or rebuilt, except for repairs necessary to maintain the structure or building in a safe and sanitary condition.
- 250-30.02 Rebuilt, altered or repaired after damage or deterioration exceeding 75% of its replacement cost at the time of destruction, except in conformity with this Chapter.
- 250-30.03 Chapter 250 does not apply to signs. See [Section 600-10](#) et seq.

Section 250-40. Continuance of Nonconforming Lot Size.

Any lot which is deficient pertaining to minimum lot size may be granted a permit for a principal structure, accessory structure or building addition, consistent with the other underlying zoning district requirements, if the Planning & Zoning Division Manager is provided with documentation that demonstrates the lot size deficiency was caused by purchase or condemnation by an entity which has the power of eminent domain, or the condition lawfully existed prior to the enactment of the current minimum lot size requirement.

Section 250-50. Code Compliance.

Nothing in this section shall be construed to allow a use that is dangerous to the general public to continue to exist. This section shall also not be construed to not require changes to buildings or structures to comply with any Fire Code, Life Safety Code or other safety ordinance or regulation.

Section 250-60. Zoning Compliance.

To protect the public from inconsistent zoning requirements and to make nonconforming uses as consistent with conforming uses as possible, nonconforming uses must comply with zoning requirements such as parking, landscaping, setback, outside storage, screening or buffering requirements for the zoning district or use which does not substantially impact the nonconforming use or nonconforming structure.

Chapter 260. Off-Street Parking.

260-10. Design Standards for Off-street Automobile Parking.

Off-street automobile parking shall be provided in accordance with all applicable provisions of this section.

260-10.01 **Design Standards.**

All parking facilities, including entrances, exits and maneuvering areas, shall comply with the following provisions:

- A. Shall have access to a public street or easement approved by the city;
- B. Entrances and exits shall be graded and paved as specified by the city and shall be curbed when needed for effective drainage control;
- C. Paved parking facilities shall have all spaces marked with paint lines, curbstones or other similar designations in accord with the following:
 - 1. Each space set at a 90-degree angle shall have not less than 162 square feet and shall be not less than eight feet six inches wide and 19 feet deep, exclusive of passageways, which shall be not less than 24 feet wide;
 - 2. Each space set at a 60-degree angle shall have not less than 176 square feet and shall be not less than eight feet six inches wide and 20 feet eight inches deep, exclusive of passageways, which shall be not less than 18 feet six inches;
 - 3. Each space set at a 45-degree angle shall have not less than 165 square feet and shall be not less than eight feet six inches wide and 19 feet five inches deep, exclusive of passageways, which shall be not less than 13 feet six inches wide;
 - 4. There shall be adequate interior drives to connect each space with a public street.
- D. Shall be drained so as to prevent damage to abutting properties or public streets;
- E. Adequate lighting shall be provided if the facilities are to be used at night. Such lighting shall be arranged and installed so as not to reflect or cause glare on abutting properties.
- F. Any parking areas within the required front yard of any structure shall not be closer than ten feet to any public right-of-way.
- G. The provisions of subsections C, E, and F above shall not apply to single-family residential uses where three or less spaces are required.

260-10.02 **Location.**

All parking facilities shall be located in accordance with the following provisions:

- A. The required space shall be provided on the same plot with the use it serves, except as provided herein;
- B. If vehicular parking or storage space required cannot be reasonably provided on the same lot on which the principal use is conducted, the board of zoning

appeals may permit such space to be provided on other off-street property provided such space lies within 400 feet of the main entrance to such principal use. Such vehicular parking space shall be associated with the permitted use and shall not hereafter be reduced or encroached upon in any manner; and

- C. The required parking space for any number of separate uses may be combined in one lot but the required space assigned to one use may not be assigned to another use at the same time, except that one-half of the parking space required for churches, theaters, or assembly halls whose peak attendance will be at night or on Sunday may be assigned to a use which will be closed at nights or on Sundays.

260-20. Required Spaces.

260-20.01 Minimum Parking Space Requirements.

The minimum number of parking spaces shall be determined based on the spaces required for principal uses from the Table of Minimum Parking Requirements, unless the development receives an Administrative Variance for a reduction in minimum parking requirements as provided in [Section 290-80](#). Where parking requirements for any use are not specifically defined in Table 260.1 shown below the requirements shall be determined by the Community Development Director based upon the most comparable use specified herein, and other available data.

Table 260.1: Minimum Parking Spaces Required

Use	Parking Spaces Required
Agricultural Uses	
Animal Production and Aquaculture excluding Hog and Pig Farming	1 space per employee
Forestry and Logging	1 space per employee
Greenhouse, Nursery, and Floriculture Production	1 space per 200 sq. ft. (net) of floor space, 1 space per employee
Hog and Pig Farming	1 space per employee
Produce Stands, Temporary	3 spaces per stand
Sawmills	1 space per employee
Solar Power Electric Generation	1 space per employee
Commercial/Industrial Uses	
Accessory Retail Sales and Services	Number required for office or institutional, motel, hotel, high-rise apartment use to which it is accessory. If it is a permitted secondary use in a structure other than the primary use: one space per 200 sq. ft. (net) of floor space
Aerospace Product and Parts Manufacturing	1 space per employee, 1 space per loading dock
Apparel Manufacturing	1 space per employee, 1 space per loading dock
Appliance Repair and Maintenance	1 space per 200 sq. ft. (net) of floor space, 1 space per loading dock
Art Dealers	1 space per 200 sq. ft. (net) of floor space

Asphalt Paving, Roofing and Saturated Materials Manufacturing	1 space per employee, 1 space per loading dock
Automobile Auctions	1 space per 200 sq. ft. (net) of floor space, 1 space per vehicle parked on site
Automotive Body, Paint, and Interior Repair and Maintenance	1 space per 200 sq. ft. (net) of floor space, 1 space per vehicle parked on site
Automotive Equipment Rental and Leasing	1 space per employee, 1 space per vehicle parked on site
Automotive Parts, Accessories, and Tire Retailers	1 space per 200 sq. ft. (net) of floor space
Basic Chemical Manufacturing	1 space per employee, 1 space per loading dock
Beer and Wine Retailers	1 space per 200 sq. ft. (net) of floor space
Beverage Manufacturing	1 space per employee, 1 space per loading dock
Boarding Services, Pet	1 space per 250 sq. ft. (net) of floor space, 1 space per employee
Boat Building	1 space per employee, 1 space per loading dock
Breeders	1 space per 250 sq. ft. (net) of floor space, 1 space per employee
Breweries	1 space for each 4 seats, plus 1 for each 250 sq. ft. of gross floor area
Building Material and Garden Equipment and Supplies Dealers	1 space per 100 sq. ft. (net) of floor space, 1 space per vehicle parked on site, 1 space per loading dock
Car Washes	1 space per 200 sq. ft. (net) of floor space, 5 queue spaces per service line
Catalog Showrooms, General Merchandise (Except Catalog Mail-Order)	1 space per 200 sq. ft. (net) of floor space
Cement and Concrete Product Manufacturing	1 space per employee, 1 space per loading dock
Clay Product and Refractory Manufacturing	1 space per employee, 1 space per loading dock
Clothing and Clothing Accessories Retailers	1 space per 200 sq. ft. (net) of floor space
Coin-Operated Laundries	1 space per 200 sq. ft. (net) of floor space
Commercial and Industrial Machinery and Equipment Rental and Leasing	1 space per employee, 1 space per vehicle parked on site
Commercial Banking	1 space per 285 sq. ft. (net) of floor space, 3 additional spaces per automated transfer machine, 5 queue spaces per drive-in teller
Computer and Electronic Product Manufacturing	1 space per employee, 1 space per loading dock
Construction	1 space per 285 sq. ft. (net) of floor space, 1 space per vehicle parked on site
Copy Shops	1 space per 200 sq. ft. (net) of floor space
Couriers and Express Delivery Services	1 space per employee, 1 space per loading dock
Dental Laboratory	1 space per employee
Diet and Weight Reducing Centers	1 space per 200 sq. ft. (net) of floor space
Drive-In Motion Picture Theaters	1 space per 2,000 sq. ft. (gross) of site area with a minimum of 25 spaces required and a maximum of 100 spaces

Drycleaning and Laundry Services (except Coin-Operated)	1 space per employee
Drycleaning Plants	1 space per employee
Electrical supply Retailers	1 space per 100 sq. ft. (net) of floor space, 1 space per loading dock
Electronic Shopping and Mail-Order Houses	1 space per 200 sq. ft. (net) of floor space
Electronics and Appliance Retailers	1 space per 200 sq. ft. (net) of floor space
Electronics Retailers	1 space per 200 sq. ft. (net) of floor space
Emission Inspection Station	2 spaces minimum, 5 queue spaces per bay, 1 space per employee
Explosives Manufacturing	1 space per employee, 1 space per loading dock
Extended Stay Hotels	1.25 spaces per unit
Exterminating and Pest Control Services	1 space per 285 sq. ft. (net) of floor space, 1 space per vehicle parked on site
Farm Machinery and Equipment Repair and Maintenance Services	1 space per 100 sq. ft. (net) of floor space, 1 space per loading dock
Farm Wineries	1 space for each 4 seats, plus 1 for each 250 sq. ft. of gross floor area
Fertilizer Manufacturing	1 space per employee, 1 space per loading dock
Fitness and Recreational Sports Centers	1 space per 200 sq. ft. (net) of floor space
Flea Markets	1 space per 500 sq. ft. (net) of site area
Florists	1 space per 200 sq. ft. (net) of floor space
Fluid Power Pump and Motor Manufacturing	1 space per employee, 1 space per loading dock
Food and Beverage Retailers except Liquor Retailers, package	1 space per 200 sq. ft. (net) of floor space
Food Manufacturing	1 space per employee, 1 space per loading dock
Food Services and Drinking Places	1 space per 100 sq. ft. (net) of floor space
Funeral Homes and Funeral Services	1 space per 4 seats in assembly room, 1 space per 250 sq. ft. (net) of floor space
Furniture and Home Furnishings Retailers	1 space per 200 sq. ft. (net) of floor space
Furniture and Related Product Manufacturing	1 space per employee, 1 space per loading dock
Garbage Collection Services	1 space per employee, 1 space per vehicle parked on site
Gasoline Stations	1 space per 200 square feet of floor area plus 1 space for each employee during shift of greatest employment.
Gelatin (except dessert preparations) manufacturing	1 space per employee, 1 space per loading dock
General Automotive Repair	3 spaces per bay, 1 space per employee
General Merchandise Retailers	1 space per 200 sq. ft. (net) of floor space
Gift and Souvenir Retailers	1 space per 200 sq. ft. (net) of floor space
Glass and Glass Product Manufacturing	1 space per employee, 1 space per loading dock
Grain Elevators, Storage Only	1 space per employee, 1 space per loading dock
Grocery and Specialty Food Retailers	1 space per 200 sq. ft. (net) of floor space

Hair, Nail, Skin Care, Tanning Salons and Ear Piercing Services	1 space per 200 sq. ft. (net) of floor space
Hardware Retailers	1 space per 200 sq. ft. (net) of floor space
Health and Personal Care Retailers	1 space per 200 sq. ft. (net) of floor space
Hotels and Motels	1.25 spaces per unit
Household Appliance Retailers	1 space per 200 sq. ft. (net) of floor space
Kennels	1 space per 250 sq. ft. (net) of floor space, 1 space per employee
Leather and Hide Tanning and Finishing	1 space per employee, 1 space per loading dock
Light Manufacturing as identified in NAICS 3271, 33232 and 334	1 space per employee, 1 space per loading dock
Lime and Gypsum Product Manufacturing	1 space per employee, 1 space per loading dock
Linen Supply	1 space per employee, 1 space per vehicle parked on site
Local Messengers and Local Delivery Centers/Facilities	1 space per employee, 1 space per loading dock
Machine shops	1 space per employee
Manufactured (Mobile) Home Dealers	1 space per employee, 1 space per Manufactured (Mobile) Home parked on site
Massage Therapy	1 space per 200 sq. ft. (net) of floor space
Medical Equipment and Supplies Manufacturing	1 space per employee, 1 space per loading dock
Medical Laboratories	1 space per employee
Merchant Wholesalers, Durable Goods	1 space per employee, 1 space per loading dock
Merchant Wholesalers, Nondurable Goods	1 space per employee, 1 space per loading dock
Miniwarehouses and Self-Storage Units including truck, trailer, boat and Recreational Vehicle storage	A minimum of 5 spaces
Miscellaneous Store Retailers as identified in NAICS Code 453998	1 space per 200 sq. ft. (net) of floor space
Motion Picture Theaters (except Drive-Ins)	1 space per 100 sq. ft. (net) of floor space
Motor Vehicle and Parts Dealers	1 space per 200 sq. ft. (net) of floor space
Motor Vehicle Body and Trailer Manufacturing	1 space per employee, 1 space per loading dock
Motor Vehicle Manufacturing	1 space per employee, 1 space per loading dock
Motor Vehicle Parts (Used) Merchant Wholesalers	1 space per 300 sq. ft. (net) of floor space
Motor Vehicle Parts Manufacturing	1 space per employee, 1 space per loading dock
Motor Vehicle Towing	1 space per employee, 1 space per vehicle parked on site
Motorcycle, Bicycle, and Parts Manufacturing	1 space per employee, 1 space per loading dock
Newspaper Publishers	1 space per employee, 1 space per vehicle parked on site, 1 space per loading dock
Nonmetallic Mineral Mining and Quarrying	1 space per employee
Office Supplies, Stationary and Gift Retailers	1 space per 200 sq. ft. (net) of floor space, 1 space per employee
Paint, Coating, and Adhesive Manufacturing	1 space per employee, 1 space per loading dock

Paper Manufacturing	1 space per employee, 1 space per loading dock
Parking Lots and Garages	As may be required to serve the principal use (see specific principal use for requirement), for freestanding parking garage - not applicable
Pawnshops	1 space per 200 sq. ft. (net) of floor space
Personal and Household Goods Repair and Maintenance	1 space per 200 sq. ft. (net) of floor space
Pet and Pet Supplies Retailers	1 space per 200 sq. ft. (net) of floor space
Pet Care (except Veterinary) Services	1 space per 250 sq. ft. (net) of floor space, 1 space per employee
Petroleum Refineries	1 space per employee, 1 space per vehicle parked on site
Pharmaceutical and Medicine Manufacturing	1 space per employee, 1 space per loading dock
Photofinishing	1 space per 200 sq. ft. (net) of floor space
Primary Metal Manufacturing	1 space per employee, 1 space per loading dock
Printing	1 space per 200 sq. ft. (net) of floor space, 1 space per employee
Private Mail Centers	1 space per 200 sq. ft. (net) of floor space
Recyclable Material Merchant Wholesalers	1 space per employee
Recycling Center	1 space per employee, 1 space per loading dock
Recycling Collection Locations	A minimum of 10 spaces
Refrigerated Warehousing and Storage	1 space per employee, 1 space per loading dock
Rendering and Meat Byproduct Processing	1 space per employee, 1 space per loading dock
Rental and Leasing Services (non-automotive)	1 space per 200 sq. ft. (net) of floor space
Reupholstery and Furniture Repair	1 space per 250 sq. ft. (net) of floor space, 1 space per employee
Safe Exchange Zones	1 space per 200 sq. ft. (net) of floor space
Sand Dredging	1 space per employee
Sexually Oriented Businesses	1 space per 100 sq. ft. (net) of floor space
Sound Recording Studios	1 space per 285 sq. ft. (net) of floor space
Sporting Goods, Hobby, Musical Instrument, and Book Retailers	1 space per 200 sq. ft. (net) of floor space
Storage Yards except Recyclable Material Merchant Wholesalers	1 space per employee
Support Activities for Rail Transportation	1 space per employee, 1 space per loading dock
Tattoo Parlors, Makeup Salons (permanent) and Piercing	1 space per 200 sq. ft. (net) of floor space
Taxi Services	1 space per employee, 1 space per taxi
Temporary Impound Lots	1 space per 300 sq. ft. (net) of floor space, 1 space per employee, with minimum of 5 spaces
Temporary Uses	1 space per 2,000 sq. ft. (net) of site area
Theater Companies and Dinner Theaters	1 space per 100 sq. ft. (net) of floor space
Tobacco and Electronic Cigarette Retailers	1 space per 200 sq. ft. (net) of floor space
Transportation Equipment Manufacturing as listed in NAICS Code 336999	1 space per employee, 1 space per loading dock

Truck (Greater than 1.5 tons) Repair Shops	1 space per bay, 1 space per loading dock, 1 space per employee
Truck Sales	1 space per 200 sq. ft. (net) of floor space, 1 space per employee, 1 space per truck parked on site
Used Merchandise Retailers except Flea Markets	1 space per 200 sq. ft. (net) of floor space
Vending Machine Operators	1 space per 500 sq. ft. (net) of floor space, 1 space per loading dock
Virtual Kitchens	1 space per employee, 1 space per loading dock
Waste Collection except Hazardous Waste Collection	1 space per employee, 1 space per loading dock
Waste Treatment and Disposal	1 space per employee, 1 space per loading dock
Institutional Uses	
Adult Day Centers	1 space per 285 sq. ft. (net) of floor space
Ambulance Service	1 space per employee, 1 space per ambulance parked on site
Assisted Living Community	1 space per 2 beds
Cemeteries	1 space per 300 sq. ft. (net) of floor space
Child Care Learning Center	1 space per 285 sq. ft. (net) of floor space
Civic and Social Organizations	1 space per 250 sq. ft. (net) of floor space
Dormitories	1.5 spaces per bedroom, 1 space per employee.
Hospitals (except Psychiatric and Substance Abuse Hospitals)	1 space per two beds
Intermediate Care Home	1 space per 2 beds
Kidney Dialysis Centers	1 space per 285 sq. ft. (net) of floor space
Nursing Homes	1 space per 2 beds
Outpatient Care Centers (except Kidney Dialysis Centers)	1 space per 285 sq. ft. (net) of floor space
Personal Care Homes	1 space per 2 beds
Psychiatric and Substance Abuse Hospitals	1 space per 2 beds
Public Administration	1 space per 285 sq. ft. (net) of floor space
Public and Private Elementary Schools	1 space per employee, and 1 space for each classroom plus safe and convenient loading and unloading of students
Public and Private Secondary Schools, Junior Colleges, Colleges, Universities and Professional Schools, Business Schools and Computer and Management Training and Technical and Trade Schools	1 space per each 10 students for whom the school was designed, plus 1 space per classroom and administrative office
Public Utilities	1 space per 500 sq. ft. (net) of floor space, 1 space per employee

Religious Organizations with Attendant Educational, Recreational Buildings and Cemeteries	1 space per 4 seats in the principal place of worship, provided that the number of spaces required may be reduced by not more than 50% if the place of worship is located within 500 feet of any public parking lot or any commercial parking lot where sufficient spaces are available by permission of the owner(s) without charge, during the time of services to make up the additional spaces required
Schools and Instruction as identified in NAICS Code 6116	1 space per 285 sq. ft. (net) of floor space
Utilities, Private	1 space per 500 sq. ft. (net) of floor space, 1 space per employee
Urgent Medical Care Centers and Clinics	1 space per 285 sq. ft. (net) of floor space
Office Uses	
Ambulatory Health Care Services except Outpatient Care Centers	1 space per 285 sq. ft. (net) of floor space
Auto Broker Office	1 space per 285 sq. ft. (net) of floor space
Computer Systems Design and Related Services	1 space per 285 sq. ft. (net) of floor space
Corporate or Administrative Offices for any Permitted Uses which may allow Ancillary Uses including Food, Infirmary, Fitness Centers and Childcare.	1 space per 285 sq. ft. (net) of floor space
Data Processing, Hosting, and Related Services	1 space per 285 sq. ft. (net) of floor space
Finance and Insurance Offices	1 space per 285 sq. ft. (net) of floor space
Financial Transactions Processing, Reserve, and Clearinghouse Activities	1 space per 285 sq. ft. (net) of floor space
Offices of Real Estate Agents	1 space per 285 sq. ft. (net) of floor space
Professional, Scientific, and Technical Services	1 space per 285 sq. ft. (net) of floor space
Radio and Television Broadcasting	1 space per 285 sq. ft. (net) of floor space, 1 space per employee
Scientific Research and Development Services (except Any Biohazards)	1 space per 285 sq. ft. (net) of floor space
Shared Workspaces/Coworking Spaces	1 space per 285 sq. ft. (net) of floor space
Telephone Call Centers	1 space per 285 sq. ft. (net) of floor space
Recreation Uses	
Amphitheater	1 space per 4 seats in amphitheater
Amusement and Recreation Industries, Indoor as identified in NAICS Code 713990	1 space per 2,000 sq. ft. (gross) of site area with a minimum of 25 spaces required and a maximum of 100 spaces
Amusement and Recreation Industries, Outdoor as identified in NAICS Code 713990	1 space per 2,000 sq. ft. (gross) of site area with a minimum of 25 spaces required and a maximum of 100 spaces
Amusement and Theme Parks	1 space per 2,000 sq. ft. (gross) of site area with a minimum of 25 spaces required and a maximum of 100 spaces

Botanical Gardens	1 space per 2,000 sq. ft. (gross) of site area with a minimum of 25 spaces required and a maximum of 100 spaces
Bowling Centers	2 spaces per alley, 1 space per employee
Conference Center	1 space per 3 seats for every person lawfully permitted within the coliseum or stadium at one time, plus 1 space per employee
Golf Courses	5 spaces per hole, 1 space per 300 sq. ft. (net) of floor space
Museums, Historical Sites, and Similar Institutions	1 space per 2,000 sq. ft. (gross) of site area with a minimum of 25 spaces required and a maximum of 100 spaces
Nature Parks and Other Similar Institutions	1 space per 3,000 sq. ft. (net) of site area
Outdoor Theater	1 space per 4 seats in theater
Playgrounds	1 space per 3,000 sq. ft. (net) of site area
Racetracks	1 space per 4 seats in venue
Recreational Buildings	1 space per 10,000 sq. ft. (net) of site area
RV (Recreational Vehicle) Parks and Campgrounds	As determined during the Special Use Permit process
Shooting Ranges, Outdoor	1 space per 2,000 sq. ft. (gross) of site area with a minimum of 25 spaces required and a maximum of 100 spaces
Riding Stables	1 space per employee, 1 space per stall
Residential Uses	
Amenity Areas	2 spaces for each 10 dwelling units
Attached Cottage Dwellings	2 spaces per dwelling unit
Common Storage Facility	A minimum of 5 spaces
Community Garden	1 space per 3,000 sq. ft. (net) of site area
Community Living Arrangements	1 space per 2 residents
Cottage Dwelling Unit	2 spaces per dwelling unit
Duplexes	2 spaces per dwelling unit
Guest House	1 space per dwelling unit
Family Child Care Learning Home	Off street parking and loading/unloading must be provided
Manufactured (Mobile) Homes	2 spaces per dwelling unit
Multi-Family Residential Dwellings	1.75 spaces per dwelling unit

260-30. Site Distance at Intersections.

In all zoning districts, no fence, structure, planting, or other obstruction (above a height of three feet) shall be maintained with 15 feet of the intersection of the right-of-way lines extended of two streets, or of a street intersection with a railroad right-of-way.

260-40. Off-street Loading and Unloading.

On the same premises with every building or structure erected hereafter and occupied for any manufacturing, processing, or related uses, storage, warehousing, wholesaling, or related uses, and retailing, trade, and its related uses involving the receipt or distribution by vehicles of material or merchandise, there shall be provided and maintained on the same lot adequate space for standing, loading, and unloading in order to avoid undue interference with the public use of sidewalk, street, or alley. Such space unless otherwise adequately provided for shall include at minimum:

- 260-40.01 A 12-foot by 25-foot loading space, with 14 feet overhead clearance for every 20,000 square feet or fraction thereof in excess of 7,000 square feet of floor area of land used for above-mentioned purpose.
- 260-40.02 An off-street loading space or spaces of sufficient dimensions and size to allow normal off-street loading and unloading operations of a kind appropriate to the property served thereby, where the floor area of land used for above mentioned purposes is less than 7,000 square feet.
- 260-40.03 In no case shall a loading berth or loading space be so located as to hinder the free movement of vehicles and pedestrians over a street, sidewalk, alley, or access route to or from an off-street parking area.
- 260-40.04 Any light used to illuminate any parking/loading area shall be so arranged as to reflect light away from adjoining premises in a residential district.

Chapter 270. Temporary Uses.

Section 270-10. General Requirements and Restrictions.

270-10.01 The following requirements and restrictions apply to all temporary outdoor activities and agriculture oriented recreational uses:

- A. All activities governed by this Chapter shall require a temporary use permit which is issued by the Community Development Department. The Community Development Department shall collect a fee for the issuance of such permit.
- B. All activities governed by this Chapter shall require proof of an Occupation Tax Certificate.
- C. Written permission from the property owner shall be obtained and submitted by the applicant to the Community Development Department prior to the issuance of a temporary outdoor activity permit.
- D. All activities shall be permitted only on property where such activities shall not disrupt controlled vehicular ingress and egress or occupy required off-street parking spaces.
- E. No display shall be erected or installed, nor shall any activities take place, within 25 feet of a city, county, or state right-of-way.
- F. Display tables may be used.
- G. No operator, employee, or representative of the operator of a temporary use shall solicit directly from the motoring public.
- H. Nonprofit organizations applying for a Temporary Outdoor Activity Permit for a charitable or nonprofit event are exempt from Section 270-20.1 and shall not be required to pay a fee for such permit.

Section 270-20. Temporary Outdoor Activities.

270-20.01 In addition to the provisions of Section 270-10, temporary outdoor activities other than agriculture oriented recreational uses, holiday activities, and mobile food service units shall adhere to the following provisions:

- A. Peddling goods and merchandise not customarily sold on a day-to-day basis in the business which constitutes the principal use of the premises is prohibited.
- B. Consumer fireworks retail sales shall be permitted from June 5 through July 5 and from December 1 through January 2 due to the seasonal nature of such sales.
- C. Circuses and carnivals, community fairs and street fairs shall be permitted as temporary outdoor activities uses so long as no structure or equipment is located within 200 feet of any residential property line.
- D. Temporary outdoor activities shall be permitted only within B-1, PSC, B-2, ECR and AB zoning districts.

- E. Multiple temporary outdoor activity permits shall not be simultaneously issued on a parcel of land containing less than one acre.
- F. Temporary outdoor activities shall be permitted for a period not to exceed 30 consecutive days unless otherwise noted in this Chapter.

Section 270-30. Agriculture Oriented Recreational Uses.

- 270-30.01 A. In addition to the provisions of Section 270-10, agriculture oriented recreational uses shall adhere to the following uses:
- 1. Agriculture oriented recreational uses shall be permitted with the city's General Business (B-1), Planned Shopping Center (PSC), Highway Business (B-2), E-commerce Retail (ECR) and Agricultural Business (AB) zoning districts.
 - 2. The activity shall be permitted for 90 consecutive days unless otherwise specified due to the seasonal nature of such activities.
 - 3. Pumpkin sales shall be permitted from September 15 through October 31 due to the seasonal nature of such sales.
 - 4. Christmas tree sales shall be permitted between November 1 and December 31 due to the seasonal nature of such sales.
 - 5. Animal shows, circuses and carnivals, community fairs and street fairs shall be permitted as agriculture oriented recreational uses so long as no structure or equipment is located within 200 feet of any residential property line.
- B. Agriculture oriented recreational uses located in an A-1 zoning district shall meet the following additional criteria:
- 1. Agriculture oriented recreational use permits shall not be issued on parcels of land that are less than five acres in size.
 - 2. Operation must close at 11:00 P.M.
 - 3. No public address system or loud speakers shall be permitted.
 - 4. Any structure or associated activity must be a minimum of 50 feet from any adjoining residentially zoned property.
 - 5. Portable restroom facilities must be provided and must be located a minimum of 100 feet from any adjoining residentially zoned property.
 - 6. The project access must be from an existing city or county maintained road.

Section 270-40. Reserved.

Section 270-50. Inspection.

The City Manager, or their designee, is hereby authorized to inspect the temporary outdoor activity for compliance with the provisions of this Chapter.

Chapter 280. Planning Commission.

Section 280-10. Planning Commission to Propose or Review Amendments.

280-10.01 Title 2 of this UDO, including the Future Development Map and the Official Zoning Map, may be amended by the City Council on its own motion, or on recommendation of the Planning Commission, but no amendment shall become effective unless it has been proposed by or has first been submitted to the Planning Commission for review and recommendation. Before enacting an amendment, public notice shall be given and a public hearing held as required herein.

Section 280-20. Initiation of Amendments.

280-20.01 Applications to amend this ordinance may be in the form of proposals to amend the text or the official zoning map.

- A. An application to amend the text of Title 2 of this UDO may be initiated by the Planning Commission or be submitted to the Planning Commission by the City Council or by any person having an interest in the city.
- B. An application to amend the official zoning map may be initiated by the Planning Commission, or may be submitted to the Planning Commission by the City Council, or may be submitted by any person having an interest in the city.

280-20.02 Unless initiated by the City Council or the Planning Commission, all applications (rezoning, land use, special use, or medical hardships) must be submitted by the owner of the affected property or the authorized agent of the owner. If submitted by an agent of the owner, such authorization shall be notarized and attached to the application.

An application may be withdrawn without prejudice at any time prior to the date scheduled for the hearing by the Planning Commission. Unless withdrawn at the hearing, the withdrawal must be in writing, signed and dated by the applicant. If an application is withdrawn by the applicant after the legal advertising as required by this Chapter shall have first appeared, the cost of the advertising and any other expenses incurred may be deducted from any refund of fees.

The applicant, or his/her representative, must be present at the hearing or the application may not be heard. If the applicant or his/her representative fails to appear at the hearing, the Planning Commission may either continue the application to its next meeting or may dismiss the application without prejudice. In the event of such a dismissal, no fees shall be refunded.

Section 280-30. Applications for Amendments.

Applications for text amendment, rezoning, land use permit, special use permit, and/or medical hardship shall be filed with all accompanying documents with the planning and zoning division in accordance with the filing deadline established by the division.

280-30.01 Application fees are non-refundable and are established by the Board of Commissioners and made available by the Community Development Planning and Zoning Division. A fee shall not be charged for applications initiated by the Hiram City Council, Paulding County Board of Commissioners or Planning Commission. Applications shall be submitted and the following provided at the date of filing:

- A. Text amendment applications shall include the following:
 - 1. Name and current address of the applicant;
 - 2. Current provisions of the text to be affected by the amendment;
 - 3. Proposed wording of text change; and
 - 4. Reason for the amendment request.
- B. Applications for rezoning, special use permit, and land use permit shall contain the following:
 - 1. A completed application form signed by the owner and the applicant (if applicable).
 - 2. If the titleholder(s) is a Domestic or Foreign Corporation, applicant must provide written authentication with the presence of the Corporate Seal, or a facsimile thereof, attested by the Secretary or Assistant Secretary of the Corporation, or other officer to whom the bylaws or the Directors have delegated the responsibility for authenticating records of the Corporation, shall attest:
 - (a) That the corporate seal or facsimile thereof affixed to the document is in fact the Seal of the Corporation of true facsimile thereof, as the case may be;
 - (b) That the officer of the Corporation executing the document does in fact occupy the official position indicated, that one in such position is duly authorized to execute such document on behalf of the corporation, and that the signature of such officer subscribed thereto is genuine; and
 - (c) That the execution of the document on behalf of the Corporation has been duly authorized.
 - 3. A copy of the recorded warranty deed that reflects the current owner(s) of the property.
 - 4. A current legal description, including acreage, of the subject property. If the application consists of several tracts, a legal description of each tract is required. A separate legal description of each zoning district requested is also required, as well as an overall description of all tracts and/or districts combined. No legal description should include more property than what is being requested for zoning.
 - 5. One copy, including an electronic copy, of a boundary survey prepared by a Registered Surveyor, drawn to scale, showing north arrow, land lot and district, dimensions, acreage and location of the tract. The preparer's seal shall be affixed to the plat signed and dated. Boundary survey acreage shall match application and legal description acreage exactly.

6. Documentation from the Tax Commissioner that the taxes levied against the property have been paid and are current.
 7. Three paper copies, including an electronic copy of a site development plan prepared by a Registered Surveyor, Professional Engineer, land planner, or architect (with preparer's seal affixed) drawn to scale of the subject property, including proposed building locations, proposed use of the property within the requested zoning district, parking areas, access points, creeks, streams, floodplain, etc., and any buffers that may be required. The applicant may also furnish additional material which may aid in the understanding of the request.
 8. If the request is for a lot within a subdivision, include a copy of the signed and recorded final plat.
 9. If the request is for MPR, R-55, or any zoning request within the Sweetwater Overlay District, color elevations of front, sides and rear of all typical units, including proposed exterior building materials, building heights and any other structures.
 10. If the request is located within the Community Residential Character Area of the 2017 Comprehensive Plan, as may be amended, a copy of a signed Statement of Water/Sewer Availability.
 11. The names, mailing addresses and tax parcel ID number of all adjoining property owners, including the owners across the road and to the rear, or any persons located along a joint access easement.
 12. Notarized Campaign Contribution forms and Property/Financial Disclosure Report for each applicant and each representative.
 13. Letter of Intent.
 14. A schedule for the proposed project identifying the dates for commencement and substantial completion.
 15. The filing fee as set by the Paulding County Board of Commissioners.
 16. Such other additional information as may be requested by the Planning and Zoning Division, Planning Commission or Board of Commissioners.
- C. Applications for medical hardships shall contain the following:
1. A completed application form signed by the owner, the applicant, and the person with the medical hardship.
 2. A copy of the recorded warranty deed that reflects the current owner(s) of the property.
 3. Documentation from the Tax Commissioner that the taxes levied against the property have been paid and are current.
 4. A current legal description, including acreage, of the subject property.

5. One copy, including an electronic copy, of a boundary survey prepared by a Registered Surveyor, drawn to scale, showing north arrow, land lot and district, dimensions, acreage and location of the tract. The preparer's seal shall be affixed to the plat signed and dated. Boundary survey acreage shall match application and legal description acreage exactly.
6. The names, mailing addresses and tax parcel ID number of all adjoining property owners, including the owners across the road and to the rear, or any persons located along a joint access easement.
7. The filing fee as set by the Paulding County Board of Commissioners.
8. An original, notarized doctor's certificate stating the name of the person with the medical hardship, a description of the physical condition, and explanation of why the person needs to live in close proximity to receive care, and any other evidence to support the medical hardship application.
9. Such other additional information as may be requested by the Planning and Zoning Division, Planning Commission, Board of Commissioners, City Manager, or their designee, or the City Council.

280-30.02 **Withdrawal.**

An application may be withdrawn without prejudice at any time prior to the date scheduled for the hearing by the Planning Commission. Unless withdrawn at the hearing, the withdrawal must be in writing, signed and dated by the applicant. If an application is withdrawn by the applicant after the legal advertising as required by this Chapter shall have first appeared, the cost of the advertising and any other expenses incurred may be deducted from any refund of fees.

280-30.03 **Proposed Conditions.**

With respect to amendments to the official zoning map, an applicant may file renderings, construction specifications, written development restrictions and other conditions, which the applicant proposes as binding conditions upon the development and use of the property involved in the application. However, any such conditions or alterations or changes thereto shall be filed with the Planning & Zoning Division Manager at least seven days prior to the public hearing before the Planning Commission. If such conditions or alterations or changes thereto are proposed by an applicant and have not been filed as required by this paragraph, the City Council may defer any action on such application to a specific meeting date which will permit the Planning Commission to conduct another hearing to consider the applicant's proposal prior to consideration of the application by the City Council.

At the hearing in which the deferral is granted, the City Council shall specify the date of the hearing before the Planning Commission and this action shall constitute public notice of such hearing and no additional notices shall be required prior to the hearings so scheduled by the City Council. The date designated for action on the application shall be set at a time which will allow the applicant to comply with the filing requirements of this paragraph.

280-30.04 **Forwarding of Applications.**

An application for rezoning, special use permit, land use permit or medical hardship may be forwarded by the applicant from its scheduled public hearing date to the next available public hearing date with the Planning Commission a maximum

of two times. The request to forward an application must be written with the applicant's (or representative's) signature and submitted to the Community Development Planning and Zoning Division prior to the hearing date. Each request must include the application number, explanation for the request to forward the application, and date of the next scheduled public hearing at which the application will be considered by the Planning Commission. Payment of an additional application fee in the full amount of the original application fee is required upon written request to forward the application in order to pay for the additional costs associated therewith.

Applications which must be forwarded as a result of the actions or omissions of the applicant, resulting in an incomplete or deficient application will also be subject to the payment of the additional application fee in the full amount of the original application. Payment is due immediately upon the forwarding of said deficient application.

Applications that are forwarded by the Community Development Planning and Zoning Division or Planning Commission or by the City at the request of the Community Development Planning and Zoning staff will not be considered as an applicant's request to forward an application and no additional fees will be due.

Section 280-40. Planning Commission Action.

- 280-40.01 Title 2 of the UDO, including the Official Zoning Map, may be amended from time to time by the City Council, but no amendment shall become effective unless it shall have been proposed by, or shall first have been submitted to, the Planning Commission for review and recommendation.
- 280-40.02 The Planning Commission shall be allowed to hold its Public Hearing for an application and to table its recommendation until it's next scheduled meeting for the purpose of considering more information. If the Planning Commission fails to submit a recommendation at its next scheduled meeting, it shall be deemed to have approved the proposed amendment.

Section 280-50. Public Notification.

- 280-50.01 **Legal Notice.**
Before the City Council takes action on any proposed amendment, the Planning Commission shall hold a Public Hearing thereon. At least 15 days, but not more than 45 days, prior to the date of the hearing, a notice of the hearing shall be published within a newspaper of general circulation within the county in which are carried the legal advertisements of the City. This notice shall state the time, date, place, and purpose of the hearing. If a rezoning application is initiated by a party other than the City Council, the notice of hearing as provided herein shall also include the location of the property, the present zoning classification of the property, and the proposed zoning classification of the property.
- 280-50.02 **Rezoning Sign(s) Posted.**
Where the rezoning is initiated by a party other than the local government, a sign shall be placed in a conspicuous location on the property not less than 15 days prior to the date of the hearing. The sign shall state the time, date, and place of the hearing, the present zoning classification of the property, and the proposed zoning classification of the property. Such signs shall be visible from each public right-of-

way fronting the property. The Zoning Administrator, or his or her designee, shall supply a sign that contains the following language:

"PURSUANT TO THE TITLE 2 OF THE CITY OF HIRAM UNIFIED DEVELOPMENT ORDINANCE SECTION 280-80, THE HIRAM CITY COUNCIL IS AUTHORIZED TO CONSIDER AND MAY CONSIDER ALL CONSTITUTIONALLY PERMISSIBLE ZONING CLASSIFICATIONS, INCLUDING, BUT NOT LIMITED TO, INTERVENING CLASSIFICATIONS, SITE SPECIFIC CONDITIONS AND/OR THE CLASSIFICATION(S) SOUGHT BY THE APPLICANT."

280-50.03 Letters to Property Owners.

The Planning and Zoning Division must notify in writing all owners of property abutting any tract or lot for which a rezoning has been filed in accordance with the list of owners provided by the applicant of the nature of the request and the date of the hearing before the Planning Commission. This notification is in addition to and not in lieu of, any other notice or publication required under this ordinance.

Section 280-60. Conduct of Public Hearing.

280-60.01 Public Hearings of the Paulding County Planning Commission shall be held at regularly scheduled meetings, such meetings to be held at a time, place, and date as prescribed according to a schedule which shall be approved and adopted as provided in Chapter 54, Article II, [Section 54-39](#) of the Code of Paulding County, Georgia. The Public Hearing shall be presided over by the Chairman of the Planning Commission or another officer of the Planning Commission in the absence of the Chairman. A secretary shall be present at all public hearings to take minutes.

280-60.02 The Chairman or any other Planning Commission member shall review the following procedures that will be adhered to during the public hearing:

- A. Anyone in attendance at the public hearing wishing to speak on behalf or in opposition to petitions that are on the agenda must be recognized and they will be asked to state their name and place of residence, and then to sign his or her name on a sheet provided by the staff.
- B. The person recognized to speak will be allowed to speak on any point relevant to the petition being considered. Applicants and opponents shall be given a maximum of 15 minutes for each side to present its case. Any groups which are present are encouraged to choose a spokesperson to present their views. The Chairman may request representatives of each side to speak for the entire group. If more than one speaker represents a group, the 15 minutes shall be divided among the various speakers. Speakers are encouraged to refrain from presenting information that has previously been stated by others. In no case, however, shall any group be allowed more than the allotted time no matter how many speakers represent the group unless extended by the Planning Commission. A designated staff member will be responsible for keeping time.

- C. Proposals for each agenda item should be presented orally to the Planning Commission and Board of Commissioners by applicant(s), and/or their representative, along with any documentation necessary to demonstrate the justification for such request.
- D. During and following the applicant's presentation, the Planning Commission and/or the Board of Commissioners may ask any pertinent questions of the applicant or their representative to aid in their understanding of the case.
- E. After such presentation, and discussion with the applicant, the Chairman of the Planning Commission shall ask if there be anyone present in opposition to the granting of such request.
- F. Those appearing in opposition may offer oral evidence and any documentation to demonstrate their position.
- G. During and following the presentation of those in opposition to the application or proposal, the Planning Commission and Board of Commissioners may ask any pertinent questions of the opposition to aid in their understanding of the case. Questions and responses shall not be counted as part of the maximum 15-minute presentation time limit.
- H. No further public input will be allowed without consent of the Planning Commission and/or Board of Commissioners.
- I. At the conclusion of the Public Hearing, the Chairman of the Planning Commission will call for a motion on the application for recommendation to the City Council. Motions must be approved by a simple majority of those Planning Commissioners present. The recommendation of the Planning Commission shall be forwarded to the City Council for final determination. The City Council shall make its final determination at a future meeting of the City Council. The Public Hearing is concluded at the time the Planning Commission makes its recommendation to the City Council. In the event the Planning Commission is unable to make recommendation, the application shall be forwarded to the City Council for final determination without a recommendation from the Planning Commission.

Section 280-70. Zoning Review Standards.

- 280-70.01 Any proposed rezoning will be evaluated using the following zoning review standards:
- A. Existing land use and zoning classification of nearby property.
 - B. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.
 - C. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby properties.
 - D. Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.

- E. Whether the proposed use is supported by new or changing conditions not anticipated by the comprehensive plan or reflected in the existing zoning on the property or surrounding properties; and
- F. Whether the zoning proposal is in conformity with the policies and intent of the comprehensive plan.

Section 280-80. Decision by City Council.

280-80.01 The City Council shall address the applications at their next meeting and may approve, deny, reduce the land area for which the application is made, change the zoning classification, district or category requested, either to the one(s) sought or to other constitutionally permissible classification(s) which may not necessarily be an intervening classification, add or delete conditions of the application, including but not limited to site-specific conditions, variances to zoning regulations, or allow an application to be withdrawn without prejudice with respect to the 12-month limitation of this Section the applications using the same standards and criteria as set forth herein. An action by the City Council to defer the application shall include a statement of the date and time of the next meeting at which the application(s) will be considered, which shall constitute public notice of the hearing on the application(s) and no further notice shall be required. If an application for a rezoning is denied, no re-application shall be allowed until 12 months have passed from the date of final decision by the City Council.

Section 280-90. Site Plan Amendment.

280-90.01 Any proposed amendments to site plans approved in conjunction with final approval by the City Council are subject to the following:

- A. At the time the site is developed, if the submitted site plan reflects a proposed use which is an allowable use within the specified zoning district, but differs from that approved by the City Council at the time of the rezoning action, then the site plan shall be reviewed again by all applicable city and county departments, as well as, applicable state and/or federal agencies.
- B. At the time the site is developed, if the submitted site plan deviates significantly, as determined by city staff, from the site plan which was approved by the City Council at the time of the rezoning action, then the site plan shall be reviewed by all applicable City/County Departments, as well as, applicable state and/or federal agencies.
- C. The City Manager, or their designee, is authorized to make final approval or disapproval of the amended site plan referred to above. If an amended site plan is denied, an appeal may be made to the Hiram City Council.
- D. All site plans are subject to the plan review standards established by the county.

Section 280-100. Reversion Standards for Amendments.

280-100.01 Purpose and Intent.

Any amendment, whether a rezoning, special use permit, or land use permit requires a public hearing process. The public hearing process provides the opportunity and forum for citizens, affected landowners, and the general public to review and speak to public hearing cases. The participation by the public in the public hearing process provides valuable input in the outcome of cases and is a vital part of the decision-making process. The public should be confident that a project approved through the public hearing process will be completed as represented and approved unless otherwise properly amended or modified. Transparency with the decisions rendered by the Planning Commission and City Council is essential, so that the public hearing process has integrity and dependability.

Once an amendment is approved, the applicant should diligently pursue the improvements associated with the granting of an amendment through completion. If improvements cannot be completed as approved, an applicant should submit another request and pursue the public hearing process again or seek additional remedies available under the UDO. Inaction or the lack of productivity over time begins to cast doubt on both the integrity of the public hearing process as well as the proposal submitted by the applicant and considered by the City Council to gain the approval.

At the same time, once approved by City Council, applicants must be able to depend on amendments as they pursue projects. Applicants need reasonable flexibility to meet consumer demand and adjust to market forces. Additionally, applicants face a host of challenges to complete projects including but not limited to delays created by regulatory factors, transactions, weather, utility relocations, and other extenuating circumstances. Applicants should be afforded the opportunity to develop realistic schedules that meet project needs with the ability to adjust these schedules and request additional time to complete projects as conditions warrant.

Therefore, these regulations set forth in this Section are intended:

- A. To balance the needs of development with the transparency and integrity demanded by the public hearing process;
- B. To provide for reversion standards for amendments including the process for requesting and granting extensions;
- C. To mitigate land speculation at the expense of the general public;
- D. To establish the timing of projects in accordance with a set schedule decided and agreed upon by the applicant and the City Council;
- E. To ensure an approved amendment continues to be consistent with the adopted Comprehensive Plan and current land development codes of the City;

- F. To provide general requirements setting forth the length of time an amendment remains valid;
- G. To provide for notice, transparency, flexibility, and due process for applicants as they pursue projects enabled by amendments;
- H. To set forth an overall framework of project delivery and execution with a project or use approved with an amendment for the benefit of the applicant, the citizens, and the general public.

280-100.02 **Amendment Types – Expiration.**

Zoning Amendments and Special Use Permits initiated by the property owner shall expire in accordance with this Section.

280-100.03 **Reversion of Amendments.**

- A. Amendment Completion Schedule. Commencing on or after March 7, 2023, the City Council may approve an amendment conditioned upon the completion of a project schedule proposed by the applicant. The project schedule shall be adopted upon with the approval of an amendment and include a project commencement date, substantial progress date, and completion date. The project must achieve substantial progress by the date indicated or the amendment will expire and revert in accordance with provisions of this Section. The applicant may request an extension from City Council in accordance with Section 280-100.03.E.
- B. Amendment Term. In the absence of an amendment completion schedule, amendments shall expire according to the following provisions:
 - 1. Commencement. A project must be commenced as evidenced by a current valid permit for construction within three years or receive a Certificate of Occupancy within three years from the date of amendment approval by the City Council, whichever is sooner, otherwise the amendment shall expire. The applicant may request a time extension from City Council in accordance with Section 280-100.03.E.
 - 2. Substantial Progress. Once a project is commenced by obtaining a valid permit for construction upon passage, the applicant has 12 months to achieve substantial progress, in accordance with the approved project plans or the amendment shall expire. The applicant may request a time extension from City Council in accordance with Section 280- 100.03.E.
- C. Reversion Process. Absent full reinstatement as defined in Section 280-100.03.D below or extension as defined in Section 280-100.03.E, upon the concurrence of the failure to meet the timing of commencement of project described in Section 280-100.03.B.1, obtaining a valid construction permit, obtaining a certificate of occupancy, or obtaining substantial progress as described in Section 280-100.03.B.2, the amendment shall automatically be reverted to its original zoned classification and conditions. Should the Director

determined that the original zoned classification be incapable of being returned to a constitutionally permissible classification, then the Director shall provide notice to the applicant and former property owner and shall contemporaneously file a request with the Planning Commission to request advertisement and notice to commence rezoning of the parcel which shall be accomplished in accordance with the process prescribed in Chapter 280.

- D. Reinstatement. From the date the amendment expires until the reversion is approved by City Council, an applicant may request the reinstatement of an amendment and an extension to complete the project, if submitted in accordance with Section 280-100.03.E. Any reversion shall be tolled until the date the City Council renders a decision on the request.
- E. Extension Request Process; Standards. To avoid reversion, one or more extension(s) of time may be requested by filing a written request with the Community Development Department at least 30 days prior to an amendment expiration date. The written request shall include the reasons for the extension request, amount of time requested for the extension, proposed project completion schedule based on the extension request, and the payment of a fee set by resolution of the City Council.

An extension may be granted by the City Council. In deciding to extend an amendment, the City Council may consider any of the following standards:

1. The applicant can document a significant monetary investment in the project to date;
 2. The applicant can demonstrate reasonable progress to date on the completion of the project;
 3. The applicant has proceeded with due diligence and in good faith to complete the project and conditions have not changed substantially so as to warrant a new application;
 4. Extenuating circumstances exist including but not limited to documented delays caused by weather, health, utilities, approvals from other governmental agencies, and local or national emergencies;
 5. Performance by the applicant in the past to complete projects and the number of extensions previously requested.
- F. Granting of Right-of-Way. As approved by City Council on a case- by-case basis, whenever an applicant consents as a condition to the granting of an amendment to the conveyance of additional right-of-way to the City, such conveyance shall be completed within 90 days of the approval of the amendment at the applicant's expense; failure to complete conveyance to the

City shall cause the immediate reversion of the amendment on any such parcel to its previous zoning classification.

200-80.04 **Special Use Permits – Performance.**

An approved Special Use Permit shall become null and void if no building permit to construct the project has been issued within 12 months of the date of approval by the City Council. A Special Use Permit for which no building permit is required shall become null and void if the use is not established and operational with an Occupation Tax Certificate issued by the City within 12 months of the date of approval by the City Council. An extension may be requested in accordance with Section 200-80.03.E.

Chapter 290. Zoning Board of Appeals.

Section 290-10. Establishment of Zoning Board of Appeals.

290-10.01 The Zoning Board of Appeals is hereby established which shall be comprised of the Paulding County Zoning Board of Appeals.

Section 290-30. Powers and Duties of the Zoning Board of Appeals.

The Zoning Board of Appeals shall have the following powers and duties:

290-30.01 Appeal of administrative decision. To hear and decide appeals where it is alleged there is error in any order, requirement, decision, or determination made by the Zoning Administrator in the enforcement of Title 2, Title 4 or Title 5 of this UDO.

290-30.02 Granting of variances to terms of Title 2 of this UDO. To authorize upon appeal in specific cases such variance from the terms of Title 2, Title 4 or Title 5 of this UDO as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of provisions of this ordinance will, in an individual case, result in unnecessary hardship, so that the spirit of this ordinance 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 of the board of appeals that:

- A. There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape, character, topography, and
- B. The application of Title 2 of this UDO to this particular piece of property would create an unnecessary hardship, and
- C. Such conditions are peculiar to the particular piece of property involved, and
- D. Relief, if granted, would not cause substantial detriment to the public good or impair the purpose and intent of this ordinance.

290-30.03 Provided, however, that no variance shall be granted for a use of land or building or structure that is prohibited by this ordinance.

290-30.04 In exercising the powers in this section conferred upon it, the Zoning Board of Appeals may reverse or affirm, wholly or partly, or may modify the order, requirements, decision or determination appealed from; 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.

Section 290-40. Appeals, Hearings, and Notice.

- 290-40.01 Appeals to the Zoning Board of Appeals may be taken by any person aggrieved by any decision of the Zoning Administrator. Such appeal shall be made within 30 days by filing with the Community Development Department Planning and Zoning Division a written notice of appeal specifying the grounds thereof.
- 290-40.02 Applications for a variance must be filed on forms provided by the Community Development Department Planning and Zoning Division according to the schedule established by the Division. Applications shall be submitted and the following provided at the date of filing:
- A. A completed application form signed by the owner and the applicant.
 - B. Warranty deed or other proof of ownership of the property and documentation by the tax commissioner that the ad valorem taxes levied against the property have been paid.
 - C. A survey plat of the property (number of copies as specified by the Community Development Department Planning and Zoning Division) which demonstrates a true and accurate boundary of the property and illustrates the variance requested, prepared by a registered surveyor, drawn to scale, showing north arrow, land lot and district, the dimensions, acreage, and location of the tract. The preparer's seal shall be affixed to the plat. Indicate on the plat structures which are currently located on the property and depict the variance requested on the plat to scale.
 - D. The names and mailing addresses of all adjoining property owners, including the owners across the road and to the rear.
 - E. The filing fee as set by the Board of Commissioners.
 - F. Such other additional information as may be requested by the Community Development Department Planning and Zoning Division in the procedures for the filing of applications.
- 290-40.03 Prior to the date of the hearing, a notice of the hearing shall be published within a newspaper of general circulation within the County in which are carried the legal advertisements of the City.

Section 290-50. Decisions of the Zoning Board of Appeals.

- 290-50.01 In exercising its powers, the Board of Appeals may, in conformity with the provisions of Title 2 of this UDO, reverse or affirm, wholly or partly, or may modify the order, requirements, decision, or determination, and to that end shall have all the powers of the Zoning Administrator and may issue or direct the issuance of a building permit.
- 290-50.02 The vote of a majority of the Zoning Board of Appeals members present shall be necessary to reverse any order, requirement, decision or determination of the zoning administrator, or to decide in favor of the applicant on any matter upon which it is required to pass under this ordinance or to affect any variation of this ordinance.
- 290-50.03 On all appeals, applications and other matters brought before the Board of Appeals, said Board shall inform the applicant of its decisions and the reasons therefore.

Section 290-60. Conduct of Hearing.

290-60.01 The public hearing shall be presided over by the Chairman of the Zoning Board of Appeals or another officer of the board in the absence of the Chairman. A secretary shall be present at all public hearings to take minutes.

290-60.02 The Chairman or any other board member shall review the following procedures that will be adhered to during the public hearing:

- A. Anyone in attendance at the public hearing wishing to speak on behalf or in opposition to applications that are on the agenda must be recognized and they will be asked to state their name and place of residence, and then to sign his or her name on a sheet provided by the staff.
- B. The person recognized to speak will be allowed to speak on any point relevant to the petition being considered. Applicants and opponents shall be given a maximum of 15 minutes for each side present its case. Any groups which are present are encouraged to choose a spokesperson to present their views. The Chairman may request representatives of each side to speak for the entire group. If more than one speaker represents a group, the 15 minutes shall be divided among the various speakers. Speakers are encouraged to refrain from presenting information that has previously been stated by others. In no case, however, shall any group be allowed more than the allotted time no matter how many speakers represent the group unless extended by the Zoning Board of Appeals. A designated staff member will be responsible for keeping time.
- C. Proposals for each agenda item should be presented orally to the Board by applicant(s), and/or their representative, along with any documentation necessary to demonstrate the justification for such request.
- D. During and following the applicant's presentation, the Board may ask any pertinent questions of the applicant or their representative to aid in their understanding of the case.
- E. After such presentation, and discussion with the applicant, the Chairman of the Board shall ask if there be anyone present in opposition to the granting of such request.
- F. Those appearing in opposition may offer oral evidence and any documentation to demonstrate their position.
- G. During and following the presentation of those in opposition to the application or proposal, the Zoning Board of Appeals may ask any pertinent questions of the opposition to aid in their understanding of the case. Questions and responses shall not be counted as part of the maximum 15-minute presentation time limit.
- H. No further public input will be allowed without consent of the board.
- I. At the conclusion of the public hearing, the Chairman will call for a motion and oral vote on each case, and forward the recommendation to the Hiram City Council for final dispensation.

Section 290-70. Appeals from Decisions of the Board.

Any person or persons severally or jointly aggrieved by any decision of the Zoning Board of Appeals may file an appeal to the Superior Court. However, said appeal must be filed within 30 days from the date of the decision of the Zoning Board of Appeals; and upon failure to file said appeal within 30 days the decision of the Zoning Board of Appeals shall be final.

Section 290-80. Administrative Variances.

290-80.01 The Community Development Director, in conference with the Hiram City Manager, or their designee, shall have the power to grant variances (except for density and use variances) from the dimensional standards of Title 2 of this UDO where, in his or her opinion, the intent of Title 2 of the UDO can be achieved and equal performance obtained by granting a variance. The authority to grant such variances shall be limited to variances from the following requirements:

- A. Front yard or yard adjacent to public street – Variance not to exceed five feet.
- B. Side yard - Variance not to exceed three feet.
- C. Rear yard - Variance not to exceed five feet.
- D. Height - Variance not to equal or exceed ten feet, provided that no variance may result in an increase in the number of stories than would otherwise be allowed under the applicable zoning district.
- E. A reduction of the minimum number of required parking spaces up to a maximum of 10%.
- F. A reduction of the minimum distance to any property line for animal quarters (agricultural facilities, kennels, etc.) up to a maximum of 50 feet.

290-80.02 The Director shall not have the authority to grant any additional administrative variances after a variance has been recommended by the Zoning Board of Appeals, and subsequently approved by the Hiram City Council.

Title 3

Development

See current Development Regulations and Standard Details

Title 4

Signs

Chapter 600. Sign Regulations.

Section 600-10. General Provisions.

600-10.01 This article shall hereafter be known and cited as the "City of Hiram Sign Ordinance."

Section 600-20. Jurisdiction.

600-20.01 The provisions of this Chapter shall apply to all signs erected within the incorporated area of the City of Hiram, Georgia.

Section 600-30. Purpose and Findings.

600-30.01 Purpose.

This chapter is enacted with the following purposes:

- A. To protect the rights of individuals and businesses to convey their messages through signs;
- B. To encourage the effective use of signs as a means of communication;
- C. To promote economic, development;
- D. To improve traffic and pedestrian safety as it may be affected by distracting signs;
- E. To prevent the destruction of the natural beauty and aesthetic environment of the City;
- F. To ensure the fair and consistent enforcement of sign standards;
- G. To protect the public health, safety, and general welfare;
- H. To restrict the continued existence of abandoned or nonconforming signs unless in compliance with the terms of this chapter to eliminate, over time, all nonconforming signs;
- I. To ensure the fair and consistent enforcement of sign standards; and
- J. To provide an easier, quicker and more economically efficient way to apply for a sign review application; and
- K. To protect the public health, safety, and general welfare.

600-30.02 Findings.

- A. The City finds that signs are a proper use of private property, are a means of personal free expression and a necessary component of a commercial environment. As such, signs are entitled to the protection of the law. In the absence of regulation, however, the number of such signs tends to proliferate, with property owners desiring ever increasing numbers and sizes of signs, leading to cluttered and aesthetically blighted thoroughfares. In addition, the competition among competing sign owners for visibility of their signs contributes to safety hazards for both vehicles and pedestrians and undermines the sign owners' original purpose of presenting a clear message of their idea or identification of their premises.

- B. Regulation of the size, height, number and spacing of signs throughout the City is necessary to protect the public safety, to assure compatibility of signs with surrounding land uses, to enhance the business and economy of the City, to protect the public investment in the streets and highways, to maintain the tranquil environment of residential areas, to promote industry and commerce, to eliminate visual clutter and blight, to provide an aesthetically appealing environment, and to provide for the orderly and reasonable display of advertising for the benefit of all the citizens of the City.
- C. The City further finds that there is a substantial difference between signs erected by a public authority and signs erected by private citizens or businesses. Virtually all signs erected by public authority are for the purpose of maintaining the public safety either through direct control of traffic or through provision of such type signage as street signs which enable the traveling public to know where they are located and to find where they are going. As such, with the exception of signs identifying government buildings or facilities, virtually all government signs are erected purely for public safety purposes. Moreover, their use in the public right-of-way is necessary to ensure their visibility to the motoring public. The City finds that public utility signs are frequently of the same nature as those signs erected by governmental entities in that they provide necessary information to safeguard the public from downed power lines and from street excavations. Even where signs serve a proprietary purpose, such as identifying markings on utility poles, those signs are marked primarily for the purpose of benefiting the public generally through identification of locations where there may be temporary losses of power.
- D. The City finds that some signage has a single targeted function and that identification of such signage by description is impossible without referring to its function. For instance, address numerals are used for the sole purpose of locating addresses, which is of benefit to persons looking for those addresses and is essential to public safety personnel responding to emergencies. Signs at the entrances to subdivisions or major developments favor a similar purpose in enabling both the traveling public and emergency personnel to quickly locate entrances for the purpose of either visitation or responding to emergency calls. While such signage is referenced based upon the function it serves within the context of this ordinance, the provisions of this ordinance are unrelated to the content of the speech provided and allow maximum expressive potential to sign owners.
- E. In considering the appropriate level of sign regulation for the City, the City has considered planning studies, reports, news articles, town hall meetings with business owners, sign vendors and related information from a variety of sources. In this ordinance the City strives to balance the variety of interests impacted by signage and potential regulation. The City finds that the specifics of regulation satisfy the legal requirements for sign regulation and balance the various interests of all who are impacted by sign regulation. The materials accompanying adoption of this ordinance attest to the significance and compelling nature of the City's interests as do numerous judicial decisions. While regulating signs, however, the City has been mindful and careful to afford ample methods and alternatives to communicate both commercial and non-commercial messages.
- F. The City finds that advances in technology utilizing LED components results in signs brighter in appearance for LED signs than for signs not utilizing LED technology. While exact measurements have not been determined, some of the explanation for the additional brightness by LED signs is that the field of light

projection is diametrically opposed to that of standard billboards. Standard billboard lighting, whether ground mounted or platform mounted, is directed at the billboard itself, leaving very little light emission elsewhere; whereas, the LED sign faces the road system providing a brighter, more readable sign. Studies, particularly during non-daylight hours, demonstrate that attention given by drivers to such signs is longer than attention given to non-LED signs. These studies and their conclusions have been compiled and are presented in *Compendium of Recent Research Studies on Distraction from Commercial Electronic Variable Message Signs* prepared by the Veridian Group in February 2016 discussing a variety of studies conducted since 2008. As a result of these and other studies pertaining to billboard research and information, the City has determined that use of LED technology on outdoor signage in the City requires unique regulation as a result of potential driver distractions and competing traffic interferences. Regulations developed in this chapter are designed to find an appropriate balance between allowance of such new technologies and protection of the public interest.

- G. This Chapter is adopted to serve substantial governmental interests of correcting and avoiding multiple problems that would occur without the regulation of signs. The regulations contained herein are no more extensive than necessary to serve the substantial governmental interests identified in this chapter. It is not the intent of this Chapter to apply regulation to signs based upon the message that they convey. It is not the intent of this chapter to foreclose important and distinct mediums of expression for political, religious or personal messages. Furthermore, it is not the intent of the City, nor any of its boards, commissions, or agents, to regulate, in any manner, the message content of signs, except to the extent of obscenity or other messages prohibited by state or federal law.
- H. This Chapter shall be a separate and distinct ordinance and not a part of Title 2: Zoning of this UDO.
- I. Categories for zoning and land use as related to sign locations in Section 600-250 of this Chapter are defined by the zoning categories set forth in Title 2: Zoning of this UDO.

Section 600-40. Definitions.

600-40.01 Words and phrases used in this Chapter shall have the meanings set forth in this section. Words and phrases not defined in this section, but defined in the Title 2: Zoning of this UDO or Title 3: Development and Permitting, shall be given the meanings set forth in such title. All other words and phrases shall be given their common, ordinary meaning, unless the context clearly requires otherwise. Section headings or captions are for reference purposes only and shall not be used in the interpretation of this chapter.

Abandoned Sign: Any sign (a) that for a period of sixty (60) consecutive days does not utilize or employ a sign face that continuously displays a lawful, permissible message, (b) that utilizes a sign face and sign support structure that is cracked, broken, faded or that otherwise reasonably reflects a visible state of disrepair or dilapidation, or (c) with totally or impartially inoperative or missing illumination or electronic and mechanical parts for a period exceeding sixty (60) consecutive days.

Air dancer: An inflatable moving advertising product comprising a long fabric tube (with two or more outlets) that is attached to and powered by an electrical fan blowing air through the fabric tube causing the fabric tube to move about in a dancing or flailing motion.

Animated Sign: Any sign that has, uses, or simulates moving parts or that through the use of movement or changes in lighting or color depicts or provides the illusion of action or motion in conveying a message or creating a special effect or scene. It also includes any sign that revolves, rotates, swings, undulates, or otherwise attracts attention through the structural movement of parts. For purposes of this Article, "air dancer" is excluded from this definition as is a "human directional sign."

Applicant: A business, company, person, or owner who formally applies for a sign permit application, a temporary sign application, billboard application for the City of Hiram.

Audible Sign: Any sign which emits a sound.

Awning/Canopy Sign: Lettering, numbers, and/or other graphics painted or otherwise depicted on a roof-like structure (the "awning") consisting of durable, weather-proof canvas or other fabric material that is attached to and supported entirely by a building wall to which it is attached and that extends from above a door, entrance, or outdoor service area to cover an area immediately adjacent to same. For purposes of this regulation of signs, a marquee is not an awning.

Banner: Lettering, numbers, and/or other graphics applied to durable, weather-proof fabric that is displayed within a frame, from a pole, or from a temporary support affixed to the exterior of a building. Flags and awning signs are excluded from the definition of banner.

Beacon: Any stationary or evolving/revolving light that flashes or projects illumination, single color or multicolored, in any manner for which the intended effect is to attract or divert attention; except, however, this term is not intended to include any kind of lighting device required or necessary under safety regulations of the Federal Aviation Administration or similar local, state, or federal authorities.

Bootleg Sign: Sign, placard, poster, card, banner, or other indication of the interests of any person, group, business, or organization on any post, pole, fence, or tree, including, but not limited to, light and telephone poles, on any street, sidewalk, thoroughfare, or public right-of-way other than signs erected or caused to be erected by the City of Hiram.

Billboard: A freestanding sign with a sign area of more than one hundred twenty (120) square feet.

City. Refers to the City of Hiram, Georgia.

Changeable Copy Sign: A sign that is capable of changing the position or format of word messages or other displays on the sign face or change the visible display of words, numbers, symbols and graphics by the use of a matrix of electric lamps, movable discs, movable panels, light apertures or other methods where such changes are actuated by either a control mechanism or manually on the face of the sign. For purposes of this regulation, tri-vision signs and LED/LCD signs are excluded from this definition of "changeable copy sign."

County. Refers to Paulding County, Georgia.

Directory Sign: A single sign for multiple businesses, offices, professionals, industries, or other entities located within a planned center.

Drive-through/Drive-in Facility: A lane for use by motor vehicles where products and/or services are distributed to, or business is transacted with, a person seated in a motor vehicle.

Electronic Sign/Electronic message board. A sign whose message may be changed at intervals by computer controller, microprocessor controller, or by remote control, and whose message is displayed through the use of LED, LCD, plasma, or other similar type panels or screens, including devices known as commercial electronic message signs and similar devices.

Fall Zone: An area equal to 133 percent of the height of the structure in every direction.

Festoon: Includes, pennants, flags, banner, streamers, inflatable devices, string so lights, figures/characters or other similar device.

Flag: Any fabric or bunting containing colors, patterns, or symbols used as a symbol of a

government, entity, or other organization.

Flashing Sign: A sign, the illumination of which is not kept constant in intensity at all times when in use and which exhibits marked changes in lighting effects.

Freestanding sign. A sign securely affixed to a support structure which is permanently attached to the ground and wholly independent of any building for support.

Gateway Sign: A sign approved by the City Manager, or their designee, placed or constructed wholly or partially within right-of-way at key entry points to the City of Hiram, established communities, and other City facilities. These signs are specifically to provide unique identity and distinct characteristics of the City, community or public facility with an overall common theme.

Height: The measure in linear feet from the highest point on an object to the unaltered elevation of the ground at the base of the object or directly beneath the object.-At the election of the permit holder, the height of a sign may be measured from the highest point on the sign to the level of the nearest road from which the sign is intended to be viewed.

Home Occupation Sign: A sign for an approved home occupation on a residential parcel of land, with advertising for services or products legally offered on the premises where the sign is located.

Human directional sign. Displays of messaging where the message is presented by a person who holds or otherwise displays the message as a sign holder, sign twirler, sign spinner, sign walker, human arrow, or in any other method or manner where action or conduct of the person is used in the display of the message, including presentation of a message by way of costume.

Illuminated Sign, External: A sign illuminated by an external light source. Such source cannot be a device that changes color, flashes, or alternates.

Illuminated Sign, Internal: A sign illuminated by an internal light source. Such source cannot be a device that changes color, flashes, or alternates.

Inflatable sign. A configuration of rubber, canvas, vinyl, or other durable, weather-proof fabric or material that is inflated by air or an inert gas such as helium and that upon being inflated displays a message or other graphics.

Instructional Signs: A sign used to give direction or instruction to the public, such as, but not limited to "enter," "exit," "no parking," "drive through," "rest rooms," and so forth. Instructional signs shall be a monument sign with a sign face not to exceed four square feet in size and three feet in height.

Kiosk Sign: A free-standing and multiple sided structure owned by the City and located in public rights-of-way that displays directional information to residential and commercial developments.

LCD sign. A sign or any portion thereof that uses liquid crystal diode technology to produce an illuminated image, picture, or message of any kind whether the image, picture, or message is moving or stationary.

LED Sign: A sign or any portion thereof that uses light emitting diode technology or other similar semiconductor technology to produce an illuminated image, picture, or message of any kind whether the image, picture, or message is moving or stationary. This type of sign includes any sign that uses LED technology of any kind, whether conventional (using discrete LEDs), surface mounted (otherwise known as individually mounted LEDs), transmissive, organic light emitting diodes (OLED), light emitting polymer (LEP), organic electro polymer (OEL), or any other similar technology.

Lot. A unit of land as defined in a single deed recorded in the Superior Court record of deeds for Paulding County, Georgia with the description of the land in said deed constituting a lot for purposes of this Article. Provided, further, that two or more adjoining lots in common ownership and that are

physically unified by the existence of a common structure or development located thereon shall constitute and be considered one lot for purposes of this Article.

Marquee, Marquee Sign: A sign wholly contained within and as a part of the framing of a permanent roof-like structure projecting beyond a building or extending along and projecting beyond the wall of the building that is composed of durable construction materials, excluding canvas and fabric, and that is permanently affixed to and wholly supported by the building wall to which it is affixed.

Menu Sign: A sign or sign structure which is fully enclosed or otherwise protected from the elements, including, but not limited to, a box, shadow box, or cabinet, attached to a wall, or freestanding, which is used generally for the purpose of displaying restaurant menus or announcements of activities within the establishment for which the menu or announcement is displayed. A menu display may be used for a restaurant without drive-through service and for transient lodging facilities which have restaurant facilities open to the general public in addition to the registered guests.

Mobile Sign: A freestanding sign mounted directly upon the ground and not attached to or a part of or supported by a building and designed in such a manner that the base is at least as wide as the sign and the sign face is flush with the supporting solid base which is flush with the ground, which is placed, parked or maintained at one particular location for the express purpose and intent of promotion.

Monument Sign: A freestanding sign mounted directly upon the ground and not attached to or a part of or supported by a building and designed in such a manner that the base of the sign face is flush with the supporting solid base which is flush with the ground. The base shall be at least as wide as the sign.

Moving Sign: A sign which revolves, rotates, swings, undulates, or otherwise attracts attention through the structural movement of parts.

Multi-tenant: One of more buildings, located on a single premise, containing two or more separate and distinct individual establishments, which occupy separate portions of the building and which are physically separated from each other by walls.

Neon sign. A sign consisting of luminous gas-discharge tubes containing rarefied neon gas or other rarefied, inert gas that through the use of an electrical source produce colored light.

Nonconforming sign. Any sign which was legal at the time of erection, but which does not conform to the requirements of this chapter.

Nonconventional signs. Air dancers, mobile signs, wind socks, and items known commonly as "wind wavers," "streamers," and "feather signs/feather flags" along with "human directional signs."

Off-premise Sign: A sign which identifies, advertises, or promotes a product, service, person, place activity, event, idea or any other thing located or obtainable elsewhere other than the lot where such sign is located and not principally sold on the lot on which it is located.

On-premise Sign: A sign which identifies advertises or promotes a product, service, person, place, activity, event, idea or any other thing located or obtainable on or at the lot where such sign is located.

Out-of-store Marketing Device: An out-of-store marketing device is any facility or equipment which is located outside of a primary building on a site zoned for non-residential uses, which is used for the primary purpose of providing a product or service at the device location without the other's or agent's immediate presence, and which is manufactured to include a color, form, graphic illumination, symbol, and/or writing thereon to communicate information regarding the product or service provided thereby to the public. Examples of out-of-store marketing devices include: fuel pumps, bank ATM units, vending machines, newspaper racks, drink machines, ice

boxes, and phone booths. Where signs integral to such out-of-store marketing devices are too small to be legible to the traveling public from rights-of-way and are otherwise non-removable without damage to the equipment's surface, they do not require a SRA and are not subject to overall sign limitations for the lot on which they appear.

Pennant, Streamer: Any lightweight plastic, fabric, or other material, whether containing a message of any kind or not, suspended from a rope, wire, or string, usually in a series, designed to move in the wind.

Permanent Sign: Any sign which, when installed, is intended for permanent use. A permanent freestanding sign shall be of a type and construction as not to be easily or readily removed from the lot on which it has been erected.

Permitted: Authorized in accordance with the terms of the chapter.

Person: A natural or legal person, including a firm, organization, partnership, trust, or corporation.

Portable Sign: A sign which is not permanently affixed to the ground or to a structure, including, but not limited to, signs on trailers or signs mounted or painted on vehicles which are parked in such a manner as to serve the purpose of a sign.

Principal Building: The building in which the principal use of the lot is conducted. Non-residential lots with multiple principal uses may have multiple principal buildings, but storage buildings, garages, and other structures with clear accessory uses shall not be considered principal buildings.

Projecting Sign: Any sign which is projected from the wall of a building or structure.

Public Sign: Any sign erected by or caused to be erected by a governmental entity, public utility signs, traffic signs, railroad signs, and gateway signs.

Roof Sign: Any sign erected and constructed wholly on and over the roof of a building, or supported by the roof structure. It also includes any signage placed upon sloped building fascia intended to appear or actually be roof elements of a building.

Sign: A sign is a device, fixture, placard, structure or representation that uses any color, form, graphic, illumination, symbol or writing for visual communication which is used for the purpose of bringing the subject thereof to the attention of others and which is placed out of doors in view of the general public or, when near the inside surface of a window, placed in such a manner as to be in the view of the general public outside the building. *Sign* includes the support structure used as well as the sign face.

Signs During Vacancy: Signs permitted for developments with vacant lots, units, and/or tenant spaces.

Sign Face: That part of a sign that is or can be used for advertising purposes.

Stanchion sign. A freestanding sign mounted on one or more steel poles set in the ground and of sufficient strength and size to support the sign face of such structure which rests upon or is supported by such poles.

Standard Informational Sign: A sign with an area of not greater than twelve (12) square feet, with a sign face made for short term use, containing no reflecting elements, flags, or projections and which, when erect, stands at a height not greater than three (3) feet and is mounted on a stake or metal frame with a thickness or diameter not greater than one and one-half (1½) inches.

Suspended Sign: A sign which is suspended from an eave or soffit of a building. (Must provide eight or more feet of ground clearance.)

Temporary Sign: Any sign that is not permanently mounted.

Tri-vision Sign: A sign designed with a series of triangular slats that mechanically rotate in

sequence with one another to show three different sign messages in rotation.

Wall Sign: Any sign attached parallel to a wall, painted on the wall surface or erected and confined within the limits of an outside wall of any building or structure, which is supported by such wall or building.

Window Sign: Any sign that is placed inside a window or upon the window panes or glass, either inside or outside the building, and is visible from the exterior of the structure.

Window sign. Any sign that is placed inside a window or upon the window panes or glass, either inside or outside the building, and that is readable from the exterior of the structure.

Windsock. A flexible cylinder of durable, weather-proof fabric, open on both ends, that is attached to or hung from a frame, stand, eave or soffit.

Zoning Ordinance: The zoning regulations enacted by the Council of the City of Hiram, Georgia, and set forth in Title 2 of this UDO.

Section 600-50. Powers and Duties of Personnel.

600-50.01 The City Manager, or his designee, is hereby authorized and directed to administer and enforce this Chapter, unless otherwise specifically provided by resolution of the Council of the City of Hiram, Georgia. All citations issued under this chapter shall be issued by the City of Hiram Code Enforcement, or the City of Hiram Police Department.

Section 600-60. Approved Application.

600-60.01 The standards of this Article shall apply to all signs erected within the incorporated area of the City.

Section 600-70. Fees Required.

600-70.01 No Sign application shall be approved until the appropriate application has been filed and approved by the City Manager or their designee, and all fees have been paid.

Section 600-80. Application Content.

600-80.01 SRA, TSRA and BRA required by this chapter shall be filed by the person owning the subject lot, or the owner's agent, in the office of the director upon forms furnished by that office. The application shall describe and set forth the following:

- A. The type and purpose of the sign as defined in this Chapter.
- B. The value of the sign.
- C. For billboards and as requested by city staff, monument signs, a survey to scale showing the property upon which the subject sign is to be located, the proposed location of subject sign on subject property, the distance of the proposed sign from the subject property's boundaries, required setbacks, and all existing structures or building on the subject property.
- D. The square foot area per sign and the aggregate square foot area of all sign if there is more than one sign.
- E. The name(s) and address(es) of the owner(s) of the real property upon which

the subject sign is to be located.

- F. Written consent of the owner of the property, or his/her agent, granting permission for the placement, maintenance, size, and height of the subject sign to be placed on the property.
- G. Wall signs: One set of building elevations.
- H. The name, address, telephone number, and occupational tax certificate number of the sign contractor including a copy of a current occupational tax certificate from a city or county located in the State of Georgia.
- I. All for signs which incorporate electricity must obtain an electrical permit.
- J. Sign details, including a proposed color scheme of sign, and scaled elevation of the size and height of the proposed sign from ground level and adjacent street level.
- K. The zoning district in which the subject property is located.
- L. Such other additional information as may be requested by staff.

Section 600-90. Revocation.

600-90.01 Should it be determined that a SRA, TSRA or BRA approved pursuant to an application containing a false material statement or omission, the director may revoke said approved application and the subject sign shall be immediately removed. A revocation pursuant to this section shall be appealable pursuant to the procedures of Zoning Board of Appeals as outline in [Chapter 290](#). An application for any sign not meeting the standards of this Chapter may be revoked.

Section 600-100. Administrative Variance.

- 600-100-1 The Director shall have the power to grant variances to this Chapter as to sign dimensions, as well as setbacks up to 10% of the requirements of this Chapter where, in his/her opinion, the intent of this Chapter can be achieved by granting a variance. No administrative variances may be granted for height. All other administrative variance procedures, standards, requirements, and appeals process are identified in [Chapter 290](#) of the UDO. In the event the Director denies the application for an Administrative Variance, the applicant may pursue an appeal pursuant to [Section 290-40](#).

Section 600-110. Variance.

- 600-110.01 **Limitations.**
The Zoning Board of Appeals may grant variances to this chapter only as to number of signs, building materials, sign style, setbacks, or size up to 20% of the requirement of this Chapter, provided that no variance shall be granted as to the height of a sign which exceeds the maximum size established by this chapter or height within the subject property's zoning district.
- 600-110.02 **Procedure.**
Except as modified by this Chapter, the procedures for requesting a variance from the standards of this Chapter shall be the same procedures as that for seeking a variance from the City's ordinances regulating zoning.
- 600-110.03 **Standards.**
The standards which shall be considered for granting a variance from the standards of this Chapter shall be only the following:
- A. The topography of the lot on which the sign is located or to be located renders it impossible to comport with the strict standards of this chapter.
 - B. The natural features of the lot on which the sign is located or to be located, or of the land immediately adjacent to the lot, impairs the visibility of the sign such that it cannot be seen.

Section 600-120. Violation.

- 600-120.01 An approved SRA shall become null and void if the sign for which the SRA was issued has not been installed and completed within six months from the date of issuance of the SRA. No refunds shall be made for a SRA after approved. If later an individual or entity desires to erect a sign at the same location, a new SRA for the sign must be processed and another fee paid in accordance with the fee schedule applicable at such time.

Section 600-130. Expiration Date

600-130.01 An approved SRA shall become null and void if the sign for which the SRA was issued has not been installed and completed within six months from the date of issuance of the SRA. No refunds shall be made for a SRA after approved. If later an individual or entity desires to erect a sign at the same location, a new SRA for the sign must be processed and another fee paid in accordance with the fee schedule applicable at such time.

Section 600-140. City Occupation Tax Certificate, Public Liability Insurance Required.

600-140.01 It shall be unlawful for any person to engage in the business of erecting or maintaining signs within the city, unless and until such entity has obtained or provided a copy of a valid occupation tax certificate from a city or county within the State of Georgia and a certificate of insurance from an insurance company authorized to do business in the state evidencing that the entity has in effect public liability and property damage insurance in the sum of \$25,000.00 for property damage for any one claim, and public liability insurance in an amount not less than \$100,000.00 for injuries, including accidental death to one person. The certificate of insurance shall state that the insurance carrier shall notify the city 30 days in advance of any termination and/or restriction of the coverage, including nonrenewal, cancellation, and nonpayment of any premium.

Section 600-150. Identification Labels; Inspection.

600-150.01 Identification Labels.

With each approved SRA, an identification label will be issued bearing the same number as the SRA by the director. It shall be the duty of the applicant or agent to affix the label to the sign in the lower right-hand area so it is easily seen. The absence of a label shall be prima facie evidence that the sign has been, or is being, erected or operated in violation of the standards of this Chapter.

600-150.02 Inspection.

The City Manager, or their designee, and/or the Hiram Police Department's Code Enforcement Office may inspect all existing signs in the city to determine if such signs conform to the standards of this chapter. Identification labels may be provided for all signs in order to identify existing conforming and nonconforming signs.

Section 600-160. Signs Not Requiring an SRA.

600-160.01 The following shall not count toward the total amount of signage allowed and no SRA is required so long as standards in this chapter are met, including those set forth below:

- A. Numerals displayed for the purpose of identifying property location not to exceed eight inches in height;
- B. Flags (subject to standards identified within this Chapter);
- C. Window signs;
- D. Door signs not to exceed one square foot in size and not more than one sign per door; and

- E. Standard informational signs in all districts.

Section 600-170. Prohibited Signs and Devices.

600-170.01 The following types of signs are prohibited in the City:

- A. Any sign not specifically identified in this Chapter as an authorized sign.
- B. Streamers, feather signs, windsocks, air dancers, sky dancers, inflatable billboards, off premise human directionals, wind wavers, or other air/gas filled figures or devices unless a temporary sign review application has been completed, submitted, and approved by the director. Upon TSRA approval by the Director, the maximum time-period for these type of devices is 30 consecutive days with a maximum of three times per calendar year.
- C. Signs consisting in whole or in part of a series, line, or row of lights, whether supported by cables or other physical means, within 150 feet of a street and visible from a street. Notwithstanding the foregoing, holiday lights and decorations displayed not more than 30 days before no 30 days after a holiday shall be exempted from this section.
- D. Beacons, search lights or laser lights or images unless a temporary sign review application has been completed, submitted, and approved by the director. Upon TSRA approval by the Director, the maximum time period for these type devices is 30 consecutive days with a maximum of three times per calendar year.
- E. Audible signs.
- F. Signs in a public right-of-way, other than public signs; see also O.C.G.A. § 16-7-58, § 16-7-43, § 32-6-50, and § 32-6-51.
- G. Signs mounted or located on a tree, utility pole, or other similar structure.
- H. Roof signs and signs which extend vertically above any portion of a roof or parapet of the applicable wall. This also includes any type of illuminated structures or devices and inflatable devices that are solely intended for advertisement.
- I. Portable signs except those affixed to motor vehicle.
- J. Signs which depict nudity, or sexual conduct as defined in O.C.G.A § 32-6-52.
- K. Signs which advertise an activity which is illegal under federal, state or local laws.
- L. Signs not in good repair, in violation of codes or containing or exhibiting broken panels, visible rust, visible rot, damaged support structures, or missing letters.
- M. Abandoned signs.
- N. Animated signs.
- O. Changeable copy signs which change more than once per 20 seconds within 150 feet of a road right-of-way.
- P. Flashing signs.
- Q. Signs which contain or are an imitation of an official traffic sign or signal in such a manner as to resemble official traffic control signs.

- R. Off-premise signs are prohibited unless specifically allowed by this Chapter.
- S. Electronic sign with a sign face over 120 square feet.
- T. Bootleg signs.

Section 600-180. Violations; Penalties.

600-180.01 Noncompliance.

No person shall erect on any premise owned or controlled by that person any sign which does not comply with the standards or requirements of this chapter.

600-180.02 Dangerous or Defective.

No person shall maintain or permit to be maintained on any premises owned or controlled by that person any sign which is in a dangerous or defective condition. Any such sign shall be removed or repaired by the applicant of the sign, the owner of the premises, or as otherwise provided for in this chapter.

600-180.03 Notice.

The City Manager, their designee, or the Hiram Police Department's Code Enforcement Office shall give the violator ten days' written notice, based on the practical considerations of completing measures to comport with the standards of this chapter, to correct the deficiencies or to remove the sign(s) which is in violation of this chapter. If the violator refuses to correct the deficiencies or remove the sign, the director or marshal's office may have the sign removed at the expense of the violator.

Section 600-190. Nonconforming Signs.

600-190.01 Nonconforming Sign.

A nonconforming sign is a sign which has already been erected, affixed, or placed as of the effective date of this chapter, which complies with the applicable sign regulations existing prior to the effective date of this chapter, but which does not comply with the terms of this chapter.

600-190.02 **Maintained.**

A nonconforming sign shall not be replaced by another nonconforming sign, except that the substitution or interchange of poster panels, painted boards, or dismountable material on nonconforming signs shall be permitted provided that said replacement does not constitute a material change to the sign. all nonconforming signs shall be maintained in good repair.

600-190.03 **Repairs; Material Change.**

Minor repairs and maintenance of nonconforming signs shall be permitted; provided however, no structural repairs or changes in the size or shape of a nonconforming sign shall be permitted except to make the sign comply with the standards of this chapter. To the extent that any sign allowable hereunder is damaged or destroyed by act of God or by other circumstances beyond the control of the owner of the sign then such sign may be repairs without regard to the restrictions of this paragraph within 60 days of when the initial damage occurred. The replacement of an existing sign face utilizing LED technology is expressly prohibited.

600-190.04 **Grandfathering.** Nonconforming signs may stay in place until one of the following conditions occurs:

- A. The advertised activity ceases at that location or at the off-premise location;
- B. The deterioration of the sign or damage to the sign makes it a hazard or renders it dilapidated, unsightly, or unkempt; or
- C. The sign has been damaged to such extent that more than minor repairs or a material change is required to restore the sign. No structural repairs or change in shape or size shall be permitted except to make the sign comply with all standards of this chapter. To the extent that any sign allowable hereunder is damaged or destroyed by act of God or by other circumstances beyond control of owner of sign then such sign may be repaired without regard to the restrictions of this paragraph within 60 days of when initial damage occurred.

600-190.05 Signs which do not comply with the terms of the chapter and which do not qualify as a nonconforming sign as set forth in [Section 600-190.01](#) of this section shall be removed or brought into conformance within 90 days of the date of adoption of this Chapter by the Hiram City Council.

Section 600-200. Removal of Unlawful or Dangerous Signs.

600-200.01 **Removal.**

The City may order the removal of any sign in violation of this Chapter by written notice to the applicant, the real property owner upon which the sign is located, or the owner of the sign. If an approved Sign Permit has been issued, such notice shall operate to revoke the Sign Permit.

- 600-200.02 **Procedure Following Removal Order.**
If the sign is not removed within the time allowable pursuant to [Section 600-180](#) of this Chapter the city may remove or cause the sign to be removed.
- 600-200.03 **Removal Without Notice.**
The City may remove any sign in violation of this Chapter, without giving notice to any party, if:
- A. Said sign is upon the public right-of-way or upon the public property; or
 - B. Said sign poses an immediate safety threat to the life or health of any members of the public.

Section 600-210. General Sign Location.

- 600-210.01 **Obstructions to Doors, Windows or Fire Escapes.**
No sign shall be erected, relocated, or maintained so as to prevent free ingress or egress from any door, window, or fire escape.
- 600-210.02 **Signs Not To Constitute Traffic Hazard.**
No sign or any part thereof, except authorized public signs, shall be located in any public right-of-way or property unless authorized by the City of Hiram. No sign may be located any closer than 15 feet to an intersection as measured from the intersection of the two rights-of-way.
- 600-210.03 **Setback.**
Unless a more restrictive setback is specified in conditions of zoning or otherwise in this Chapter, all signs and all parts of signs shall set back at least ten feet from the right-of-way, or 20 feet from the edge or pavement if a private street, no sign shall be placed on a public easement, and no sign shall project over the right-of-way.

Section 600-220. Measurement of Sign Area.

- 600-220.01 **Size Generally.**
The areas of a sign shall be computed as the area within the smallest continuous polygon comprised of not more than eight straight lines enclosing the limits of a sign face, together with any sign face cabinet or frame or material, texture, or color forming an integral part of the sign face used to differentiate the sign face from the structure upon which it is placed. If polygons established around wall signs located on the same street oriented wall are within 24 inches or less of one another, then the area of the sign shall be measured within one continuous polygon.
- 600-220.02 **Structure.**
The computation of the area of a sign face shall not include the structure, supports, or uprights on which the sign face is placed or any portions of a sign structure that are not intended to contain any message or idea and are purely structural or decorative in nature, other than those parts contained within the polygon that delimits the sign face.
- 600-220.03 **Electronic Sign/Changeable Copy Sign.**
For any signs on which the words, letters, figures, symbols, logos, fixtures, colors, or other design elements routinely change or are intended to be changed from time to time, the sign face area shall include the entire area within which any words,

letters, figures, symbols, logos, fixtures, colors, or other design elements may be placed, together with any frame or material, texture or coloring forming an integral part of the sign face or used to differentiate the sign face from the structure upon which it is placed. Such changeable copy signs cannot flash, and if located within 150 feet of a road right-of-way, may not change more than one time per 20 seconds. The changeable copy portion of an allowed sign shall not exceed 75 percent of the overall sign area. Changeable copy displays shall remain constant in lighting, color, and all other changeable variables allowed by technology.

600-220.04 **Multi-faced Signs.**

For multi-faced signs, when the sign face surfaces are back to back, or where the interior angle formed by the faces is 45 degrees or less, the area of the sign shall be taken as the areas on the largest side. For all other multi-faced signs, the area of the sign shall be the total area on all sides that can be viewed at one time from any angle.

Section 600-230. Measurement of Sign Height.

600-230.01 The height of a sign shall be computed as the distance from the base of the sign structure at normal grade to the top of the highest attached component of the sign. Normal grade shall be construed to be the lower of:

- A. Existing grade prior to construction; or
- B. The newly established grade after construction, exclusive of any filling, berming, mounding, or excavating solely for the purpose of locating the sign. In cases in which the normal grade cannot reasonably be determined, sign height shall be computed on the assumption that the elevation of the normal grade at the base of the sign is equal to the elevation of the nearest point of the crown of a public street or the grade of the land at the principal entrance to the principal structure on the zone lot, whichever is greater. Where the normal grade is below the normal grade of a public street, the sign base can be raised to the elevation of the normal grade of the street before the height limitations are applied. (A surveyor's elevation certificate is required.)

Section 600-240. Construction Standards.

600-240.01 **Building Codes.**

All signs permitted under this Code shall be constructed and maintained in accordance with the applicable city building codes. The city may remove after notice pursuant to section 22-24 any sign which shows neglect or becomes dilapidated.

600-240.02 **Faces.**

The face of sign shall be flat, with protrusions of no more than two inches to allow for the texture of the sign and words, letters, figures, symbols, logos, fixtures, colors, or other design elements. No sign or other advertising structure shall be constructed so as to have nails, tacks, or wires protruding therefrom.

600-240.03 **Illumination.**

Signs, when illumination is permitted, may be illuminated internally or externally.

600-240.04 **Landscaping.**

Landscaping and grass shall be maintained in front of, behind, underneath, and around the base of monument signs.

Section 600-250. Restrictions Based on Location.

If not otherwise stated, any sign not specifically allowed in a zoning district as provided under Title 2: Zoning of this UDO shall be prohibited in that district, except as otherwise provided for under this Chapter. The following standards govern signs within specific zoning districts defined by Title 2: Zoning of this UDO.

600-250.01 **Agricultural (A-1) District.**

A. Monument Sign.

1. One maximum 32 square foot, monument sign per business or institutional lot shall be permitted for each street on which the lot has frontage.
2. One maximum 32 square foot, entry wall or monument sign or two single-faced entry wall or monument signs not to exceed 16 square feet each for each side of a platted single-family subdivision entrance. Subdivisions with more than one identifiable section, as shown on an approved preliminary plat, may be allowed internal monument signs of 16 square feet on one side of the entrance to each section. Both an approved SRA and a building permit are required.
3. Monument signs shall have a maximum height of six feet and shall not be internally illuminated.

B. Signs During Initial Construction. One non-illuminated sign shall be allowed during construction. The sign shall not exceed 32 square feet in area and five feet in height, and shall only be allowed beginning with the commencement of construction and ending with the issuance of a certificate of occupancy or installation of a permanent monument sign, whichever occurs first. A sign during construction must be located ten feet off any right-of-way. An approved TSAR is required. No building permit is required.

C. Flag. Each lot may display no more than three flags and/or flagpoles. The flagpole shall not exceed 35 feet in height. Neither an SRA nor a building permit is required.

D. Banner. Banners shall be allowed for a period not exceeding 45 days with no more than three such 45-day periods being permitted per calendar year per lot. Banners shall not be more than 24 square feet. No banner shall be mounted so as to extend above the horizontal plane of the roof where the building wall and roof meet nor shall it extend more than five feet above grade when on the ground. An approved TSRA is required. No permit is required.

E. Standard Informational Sign. Each lot may display one standard informational sign, except that during a political election, between the date of qualification

and final determination on each ballot issue or candidate, each lot may display an unlimited number of standard informational signs. Neither a SRA nor a building permit is required.

- F. Signs During Vacancy. Developments in which there are vacant lots, units, and/or tenant spaces shall be entitled to one such sign per access-providing street frontage of the development. Signs during vacancy shall not exceed six square feet in area, shall have a maximum height of five feet, and shall not be illuminated. Signs during vacancy shall be allowed for a period not exceeding 90 days with no more than two such 90-day periods being permitted per calendar year. An approved TSRA is required. No building permit is required. Any development with an approved TSRA for a sign during vacancy shall be prohibited from having standard informational signs and/or banners during the 90-day period.
- G. Instructional Sign. Instructional signs are permitted adjacent to internal entrance drive(s) serving the development. Instructional signs shall have a maximum sign face of four square feet and shall not be illuminated. The maximum height permitted for instructional signs shall be three feet. The sign must be a minimum of five feet from all right-of-way and property lines. Neither a SRA nor building permit is required.

600-250.02 Estate Residential (ER) District, Rural Residential (R-1) District, Suburban Residential (R-2) District, Sewered Suburban Residential (R-3) District, Master Planned Residential (MPR) District, Low Density Quality Residential District (LQRD), Open Space Residential Development (OSRD) District, Planned Residential District (PRD) and Active Adult Residential (R-55) District.

A. Monument Sign.

- 1. One maximum 32 square foot, monument sign per lot occupied with an institutional use shall be permitted for each street on which the lot has frontage.
- 2. One maximum 32 square foot, entry wall or monument sign or two single-faced entry wall or monument signs not to exceed 16 square feet for each side of a platted single-family subdivision entrance shall be permitted for each street on which the lot has frontage. Subdivisions with more than one identifiable section, as shown on an approved preliminary plat, may be allowed internal identification monument signs of 16 square feet on one side of the entrance to each section. Residential developments cannot have a changeable copy sign. Monument signs shall have a maximum height of six feet and shall not be internally illuminated.
- 3. Monument signs shall have a maximum height of six feet, and not be internally illuminated unless it is an institutional land use.
- 4. Both an approved SRA and a building permit are required.

B. Signs During Ongoing Construction and Annual Off-premise Signs.

- A. In addition to the monument sign, one non-illuminated sign located on the applicant's property shall be allowed during construction of any phase of an ER, R-1, R-2, R-3, MPR, LDQRD, OSRD, PRD or R-55 zoned development/subdivision of property which is subject to Title 3: Development and Permitting Section X-X as amended. The sign shall not exceed 32 square feet in area and five feet in height and shall only be allowed during the period of ongoing construction in a development/subdivision of property which is subject to Title 3: Development and Permitting Section X-X as amended. Ongoing construction shall be defined as the period in which a building permit has been issued for any lot within a development/subdivision of property which is subject to Title 3: Development and Permitting Section X-X as amended.
- B. A sign during ongoing construction must be located ten feet off any right-of-way and not be placed on a public easement. An approved TSAR is required for any such sign erected during ongoing construction. No building permit is required.
- C. In addition to the other signage permitted by this subsection, one annual temporary off-premise sign may be allowed on private property subject to the approval of a temporary off-premise sign review application and applicable fees as set by the Board of Commissioners. A temporary off-premise sign shall only be allowed upon the private property of which the applicant is in the process of or has completed work or service. The maximum number of days the annual temporary off-premise sign is allowed as a specific location is 15 calendar days after the work or services has been completed at the property with at least the first day occurring within the during the calendar year in which the application has been approved. A temporary off-premise sign is limited to a maximum of four square feet in size and must be non-illuminated and no more than three feet in height. The temporary off premise sign must be located at least ten feet from the property liner of public rights-of-way.
- C. Flag. Each lot may display no more than three flags and/or flagpoles. The flagpole shall not exceed 35 feet in height. Neither an SRA nor a building permit is required.
- D. Banner. Banners shall be allowed for a period not exceeding 30 days with no more than three such 30-day periods being permitted per calendar year per lot. Banners shall not be more than 24 square feet. No banner shall be mounted so as to extend above the horizontal plane of the roof where the building wall and roof meet nor shall it extend more than five feet above grade when on the ground. An approved TSRA is required. No permit is required.
- E. Standard Informational Sign. Each lot may display one standard informational sign, except that during a political election, between the date of qualification and final determination on each ballot issue or candidate, each lot may display

an unlimited number of standard informational signs. Neither a SRA nor a building permit is required.

- F. Signs During Vacancy. Developments in which there are vacant lots, units, and/or tenant spaces shall be entitled to one such sign per access-providing street frontage of the development. Signs during vacancy shall not exceed six square feet in area, shall have a maximum height of five feet, and shall not be internally illuminated. signs during vacancy shall be allowed for a period not exceeding 90 days with no more than two such 90-day periods being permitted per calendar year. An approved TSRA is required. No building permit is required. Any development with an approved TSRA for a sign during vacancy shall be prohibited from having standard informational signs and/or banners during the 90-day period.
- G. Instructional Sign. Instructional signs are permitted adjacent to internal entrance drive(s) serving the development. Instructional signs shall have a maximum sign face of four square feet and shall not be illuminated. The maximum height permitted for instructional signs shall be three feet. The sign must be a minimum of five feet from all right-of-way and property lines and shall not be placed on a public easement. Neither a SRA nor building permit is required.

600-250.03 Multi-family Non Fee Simple (Rental) Residential (R-4) District, Residential Duplex (RD) District and Multi-family Fee Simple (Non-rental) (R-7) District.

- A. Monument Sign. One maximum 32-square foot monument sign or two single-faced monument signs not to exceed 16 square feet for each side of the development's entrance shall be permitted for each street on which the multi-family property or property occupied with an institutional use has. The sign shall have a maximum height of six feet and shall not be internally illuminated. Both an approved SRA and a building permit are required.
- B. Signs During Initial Construction. One non-illuminated sign shall be allowed during construction. The sign shall not exceed 32 square feet in area and five feet in height, and shall only be allowed beginning with the commencement of construction and ending with the issuance of a certificate of occupancy or installation of a permanent monument sign, whichever occurs first. Signs during construction must be located ten feet off any right-of-way. An approved TSRA is required. No building permit is required.
- C. Signs During Ongoing Construction and Annual Off-premise Signs. In addition to the monument sign, one non-illuminated sign located on the applicant's property shall be allowed during construction of any phase of an R-4, R-5 or R-7 zoned development/subdivision of property which is subject to Title 3: Development and Permitting Section X-X, as amended. The sign shall not exceed 32 square feet in area and five feet in height and shall only be allowed during the period of ongoing construction in a development/subdivision of property which is subject to Title 3: Development and Permitting Section X-X as amended. Ongoing construction shall be defined as the period in which a

building permit has been issued for any lot within a development/subdivision of property which is subject to Title 3: Land Development and Permitting Section X-X, as amended.

1. A sign during ongoing construction must be located ten feet off any right-of-way. An approved TSAR is required for any such sign erected during ongoing construction. No building permit is required.
 2. In addition to the other signage permitted by this subsection, one annual temporary off-premise sign may be allowed on private property subject to the approval of a temporary off-premise sign review application and applicable fees as set by the Board of Commissioners. A temporary off-premise sign shall only be allowed upon the private property of which the applicant is in the process of or has completed work or service. The maximum number of signs the annual temporary off-premise sign is allowed as a specific location is 15 calendar days after the work or services has been completed at the property with at least the first day occurring within the during the calendar year in which the application has been approved. A temporary off-premise sign is limited to a maximum of four square feet in size and must be non-illuminated and no more than three feet in height. The temporary off premise sign must be located at least ten feet from the property liner of public rights-of-way.
- D. Flag. Each lot may display no more than three flags and/or flagpoles. The flagpole shall not exceed 35 feet in height. Neither an SRA nor a building permit is required.
- E. Banner. Banners shall be allowed for a period not exceeding 30 days with no more than three such 30-day periods being permitted per calendar year per lot. Banners shall not be more than 24 square feet. No banner shall be mounted so as to extend above the horizontal plane of the roof where the building wall and roof meet nor shall it extend more than five feet above grade when on the ground. An approved TSRA is required. No permit is required.
- F. Standard Informational Sign. Each lot may display one standard informational sign, except that during a political election, between the date of qualification and final determination on each ballot issue or candidate, each lot may display an unlimited number of standard informational signs. Neither a SRA nor a building permit is required.
- G. Signs During Vacancy. Developments in which there are vacant lots, units, and/or tenant spaces shall be entitled to one such sign per access-providing street frontage of the development. Signs during vacancy shall not exceed six square feet in area, shall have a maximum height of five feet, and shall not be internally illuminated. signs during vacancy shall be allowed for a period not exceeding 90 days with no more than two such 90-day periods being permitted per calendar year. An approved TSRA is required. No building permit is required. Any development with an approved TSRA for a sign during vacancy shall be prohibited from having standard informational signs and/or banners during the 90-day period.

- H. Instructional Sign. Instructional signs are permitted adjacent to internal entrance drive(s) serving the development. Instructional signs shall have a maximum sign face of four square feet and shall not be illuminated. The maximum height permitted for instructional signs shall be three feet. The sign must be a minimum of five feet from all right-of-way and property lines and shall not be placed on a public easement. Neither a SRA nor building permit is required.

600-250.04 **Low Rise Office (LRO), Office and Institutional (O-I) District, Neighborhood Commercial (NB) and Agricultural Business (AB).**

A. Monument Sign.

1. One maximum 75 square foot, monument sign shall be permitted for each street on which the lot has frontage (excludes spin sites and out-parcels). The sign shall have a maximum height of 15 feet and shall not be internally illuminated. Notwithstanding the foregoing, monument signs shall have a setback of ten feet from any right-of-way or property line.
2. Both an approved SRA and a building permit are required.

- B. Signs During Ongoing Construction and Annual Off-premise Signs. In addition to the monument sign, one non-illuminated sign located on the applicant's property shall be allowed during construction of any phase of an LRO, O-I, NB or AB zoned development/subdivision of property which is subject to Title 3: Development and Permitting Section X-X, as amended. The sign shall not exceed 32 square feet in area and five feet in height and shall only be allowed during the period of ongoing construction in a development/subdivision of property which is subject to Title 3: Development and Permitting Section X-X, as amended. Ongoing construction shall be defined as the period in which a building permit has been issued for any lot within a development/subdivision of property which is subject to Title 3: Development and Permitting Section X-X, as amended.

1. A sign during ongoing construction must be located ten feet off any right-of-way and shall not be placed on a public easement. An approved TSAR is required for any such sign erected during ongoing construction. No building permit is required.
2. In addition to the other signage permitted by this subsection, one annual temporary off-premise sign may be allowed on private property subject to the approval of a temporary off-premise sign review application and applicable fees as set by the Board of Commissioners. A temporary off-premise sign shall only be allowed upon the private property of which the applicant is in the process of or has completed work or service. The maximum number of days the annual temporary off-premise sign is allowed at a specific location is 15 calendar days after the work or services has been completed at the property with at least the first day occurring within the during the calendar year in which the application has been approved.

A temporary off-premise sign is limited to a maximum of four square feet in size and must be non-illuminated and no more than three feet in height. The temporary off premise sign must be located at least ten feet from the property line of public rights-of-way and shall not be placed on a public easement.

- C. Wall Sign. Wall signs are permitted on street-facing walls (including windows and doors). Businesses without a street on which there is frontage, but which have exterior entrances to the building, are entitled to one principal wall sign on the exterior wall of the business. A principal wall sign is limited to 75 square feet or two square feet per linear foot of the wall, on which such sign is erected, whichever is greater. Not more than one principal wall sign per wall shall be permitted. Both an approved SRA and a building permit are required.
- D. Instructional signs. Instructional signs are permitted adjacent to internal entrance drive(s) serving the development. The maximum height permitted for instructional signs shall be three feet with a maximum sign face of four square feet. Instructional signs may be internally illuminated only. No building permit is required.
- E. Window sign. Window signs shall not occupy in the aggregate more than 25 percent of the window area. Such signs shall not be illuminated. Neither a SRA nor a building permit is required.
- F. Awning/canopy signs. Awning/canopy signs may be displayed. The signs shall be deducted from allocated wall sign area. The area of the sign shall not exceed ten percent of the area of the awning or canopy. An approved SRA is required. A building permit may be required.
- G. Flags. Each lot may display no more than three flags and/or flagpoles. The flagpole shall not exceed 35 feet in height. Neither an SRA nor a building permit is required.
- H. Standard Informational Sign. Each lot may display one standard informational sign, except that during a political election, between the date of qualification and final determination on each ballot issue or candidate, each lot may display an unlimited number of standard informational signs. Neither a SRA nor a building permit is required.
- I. Banner. Banners shall be allowed for a period not exceeding 30 days with no more than three such 30-day periods being permitted per calendar year per lot. Banners shall not be more than 24 square feet. No banner shall be mounted so as to extend above the horizontal plane of the roof where the building wall and roof meet nor shall it extend more than five feet above grade when on the ground. An approved TSRA is required. No permit is required.
- J. Signs during initial construction. One non-illuminated sign shall be allowed during construction. The sign shall not exceed 32 square feet in area and five feet in height, and shall only be allowed beginning with the commencement of construction and ending with the issuance of a certificate of occupancy or installation of a permanent monument sign, whichever occurs first. Signs during construction must be located ten feet off any right-of-way and shall not

be placed on a public easement. An approved TSRA is required. No building permit is required.

- K. Signs During Vacancy. Developments in which there are vacant lots, units, and/or tenant spaces shall be entitled to one such sign per access-providing street frontage of the development. Signs during vacancy shall not exceed six square feet in area, shall have a maximum height of five feet, and shall not be internally illuminated. signs during vacancy shall be allowed for a period not exceeding 90 days with no more than two such 90-day periods being permitted per calendar year. An approved TSRA is required. No building permit is required. Any development with an approved TSRA for a sign during vacancy shall be prohibited from having standard informational signs and/or banners during the 90-day period.

600-250.05 General Business (B-1) District, Planned Shopping Center (PSC) District, E-Commerce Retail (ECR) District, E-Commerce Business Park (ECBP) District and Business to Consumer Logistics (B2CL) District.

A. Monument Sign.

1. Out Lots/Single-Unit Commercial Locations. One maximum 75 square foot, monument sign shall be permitted for each street frontage. The sign shall have a maximum height of 15 feet. The sign shall be located ten feet from any right-of-way or property line and shall not be placed on a public easement. The sign can be either internally or externally illuminated.
2. Shopping Centers, Small Retail Centers With Multiple Business Units. One maximum 100 square foot multi-tenant, monument sign shall be permitted for each street frontage. If the lot has more than 1,000 linear feet of frontage (excludes spin sites and out-parcels) a second sign shall be allowed. The sign shall have a maximum height of 25 feet. Notwithstanding the foregoing, monument sign shall have a setback of ten feet from any right-of-way or property line and shall not be placed on a public easement. The sign can be either internally or externally illuminated.
3. Both an approved SRA and a building permit are required.

- B. Wall Signs. Wall signs are permitted on street-facing walls (including windows and doors). Businesses without a street on which there is frontage, but which have exterior entrances to the building, are entitled to one principal wall sign on the exterior wall of the business. A principal wall sign is limited to 75 square feet or two square feet per linear foot of the wall, on which such sign is erected, whichever is greater. Not more than one principal wall sign per wall shall be permitted. Both an approved SRA and a building permit are required.

- C. Menu sign. Two menu signs are allowed. A menu sign must be a monument sign and be oriented toward a drive-thru lane, and shall not legible from the public right-of-way. The signs shall not exceed six feet in height and shall be internally illuminated only. No building permit is required.

- D. Banner. Banners shall be allowed for a period not exceeding 30 days with no more than three such 30-day periods being permitted per calendar year per lot. In the case of lots which contain multiple businesses, each business shall be allowed a banner. Banners shall not be more than 32 square feet. No banner shall be mounted so as to extend above the horizontal plane of the roof where the building wall and roof meet nor shall it extend more than five feet above grade when on the ground. An approved TSRA is required. No permit is required.
- E. Signs during construction. One non-illuminated sign shall be allowed during construction. The sign shall not exceed 32 square feet in area and five feet in height, and shall only be allowed beginning with the commencement of construction and ending with the issuance of a certificate of occupancy or installation of a permanent monument sign, whichever occurs first. Signs during construction must be located ten feet off any right-of-way and shall not be placed on a public easement. An approved TSRA is required. No building permit is required.
- F. Out of store marketing device. Out of store marketing devices are allowed. These devices shall be designed for pedestrian traffic and may be required to be screened from a public right-of-way or residential property line. No building permit is required.
- G. Flags. Each lot may display no more than three flags and/or flagpoles. The flagpole shall not exceed 35 feet in height. Neither an SRA nor a building permit is required.
- H. Suspended signs. In a multi-tenant commercial or office building, in addition to all other permitted signs, one suspended non-illuminated sign per entrance used shall be allowed. Suspended signs shall adhere to the following: not exceed three square feet in area; be uniform in size, material, color and shape and is placed in an equivalent location to other such signs located on the same building; be suspended from the eave, canopy, or soffit of the building; and maintain a minimum of eight feet clearance between the bottom of the sign and the walkway below. No building permit is required.
- I. Window signs. Window signs are allowed without a permit and shall not occupy in the aggregate more than 25 percent of the window area. Neither a SRA nor a building permit is required.
- J. Awning/canopy signs. Awning/canopy signs may be displayed. The signs shall be deducted from allocated wall sign area. The area of the sign shall not exceed ten percent of the area of the awning or canopy. An approved SRA is required. A building permit may be required.
- K. Standard informational signs. Each lot may display one standard informational sign, except that during a political election, between the date of qualification and final determination on each ballot issue or candidate, each lot may display an unlimited number of standard informational signs. Neither a SRA nor a building permit is required.

- L. Signs During Vacancy. Developments in which there are vacant lots, units, and/or tenant spaces shall be entitled to one such sign per access-providing street frontage of the development. Signs during vacancy shall not exceed six square feet in area, shall have a maximum height of five feet, and shall not be internally illuminated. signs during vacancy shall be allowed for a period not exceeding 90 days with no more than two such 90-day periods being permitted per calendar year. An approved TSRA is required. No building permit is required. Any development with an approved TSRA for a sign during vacancy shall be prohibited from having standard informational signs and/or banners during the 90-day period.
- M. Instructional signs. Instructional signs are permitted adjacent to internal entrance drive(s) serving the development. The maximum height permitted for instructional signs shall be three feet with a maximum sign face of four square feet. Instructional signs may be internally illuminated only. No building permit is required.

600-250.06 **Highway Business (B-2) District, Advanced Manufacturing Logistics (AML) District, Light Industrial (I-1) District and Heavy Industrial (I-2) District.**

- A. Billboard. Within B-2, AML, I-1 and I-2 zoning districts, freestanding billboard shall not be less than 120 square feet nor exceed 672 square feet and shall be located according to the following standards:
 - 1. Along, and oriented toward, state numbered primary routes or national highways only;
 - 2. At least 300 feet circumference setback from all residential or A-1 zoning districts, as well as all property lines of any lot containing a public or private school, place of worship, public building, public park, or daycare facility;
 - 3. Any portion of the sign must be a minimum ten-foot setback from public or private road right-of-way and adjacent property lines for all portions of the billboard;
 - 4. Minimum of 750 feet along the same road side from any other billboards or freestanding sign, except standard informational signs;
 - 5. The lot on which the billboard is located shall have sufficient area to accommodate the fall zone, and excepting the sign, no buildings or structures shall be contained in the fall zone;
 - 6. Maximum of 35 feet in height; and
 - 7. The proposed billboard location must have an existing commercial or industrial land use or a commercial or industrial development permitted on the site with a minimum of 50 percent of the primary structure completed.
 - 8. Georgia Department of Transportation permit.
 - 9. Both an approved BRA and building permit is required.
 - 10. Double stacked billboards are prohibited.

B. Monument Sign.

1. Out Lots/Single-Unit Commercial Locations. One maximum 75 square foot, monument sign shall be permitted for each street frontage. The sign shall have a maximum height of 15 feet. The sign shall be located ten feet from any right-of-way or property line. The sign can be either internally or externally illuminated.
2. Industrial parks, business parks, technology parks, shopping centers, and small retail centers with multiple business units. One maximum 100 square foot multi-tenant, monument sign shall be permitted for each street frontage. If the lot has more than 1,000 linear feet of frontage (excludes spin sites and out-parcels) a second sign shall be allowed. The sign shall have a maximum height of 25 feet.
3. Both an approved SRA and a building permit are required.

- C. Wall Signs. Wall signs are permitted on street-facing walls (including windows and doors). Businesses without a street on which there is frontage, but which have exterior entrances to the building, are entitled to one principal wall sign on the exterior wall of the business. A principal wall sign is limited to 75 square feet or two square feet per linear foot of the wall, on which such sign is erected, whichever is greater. Not more than one principal wall sign per wall shall be permitted. Both an approved SRA and a building permit are required.
- D. Menu sign. Two menu signs are allowed. A menu sign must be a monument sign and be oriented toward a drive-thru lane, and shall not legible from the public right-of-way. The signs shall not exceed six feet in height and shall be internally illuminated only. No building permit is required.
- D. Banner. Banners shall be allowed for a period not exceeding 30 days with no more than three such 30-day periods being permitted per calendar year per lot. In the case of lots which contain multiple businesses, each business shall be allowed a banner. Banners shall not be more than 32 square feet. No banner shall be mounted so as to extend above the horizontal plane of the roof where the building wall and roof meet nor shall it extend more than five feet above grade when on the ground. An approved TSRA is required. No permit is required.
- E. Signs during construction. One non-illuminated sign shall be allowed during construction. The sign shall not exceed 32 square feet in area and five feet in height, and shall only be allowed beginning with the commencement of construction and ending with the issuance of a certificate of occupancy or installation of a permanent monument sign, whichever occurs first. Signs during construction must be located ten feet off any right-of-way and shall not be placed on a public easement. An approved TSRA is required. No building permit is required.
- F. Out of store marketing device. Out of store marketing devices are allowed. These devices shall be designed for pedestrian traffic and may be required to

be screened from a public right-of-way or residential property line. No building permit is required.

- G. Flags. Each lot may display no more than three flags and/or flagpoles. The flagpole shall not exceed 35 feet in height. Neither an SRA nor a building permit is required.
- H. Suspended signs. In a multi-tenant commercial or office building, in addition to all other permitted signs, one suspended non-illuminated sign per entrance used shall be allowed. Suspended signs shall adhere to the following: not exceed three square feet in area; be uniform in size, material, color and shape and is placed in an equivalent location to other such signs located on the same building; be suspended from the eave, canopy, or soffit of the building; and maintain a minimum of eight feet clearance between the bottom of the sign and the walkway below. No building permit is required.
- I. Window signs. Window signs are allowed without a permit and shall not occupy in the aggregate more than 25 percent of the window area. Neither a SRA nor a building permit is required.
- J. Awning/canopy signs. Awning/canopy signs may be displayed. The signs shall be deducted from allocated wall sign area. The area of the sign shall not exceed ten percent of the area of the awning or canopy. An approved SRA is required. A building permit may be required.
- K. Standard informational signs. Each lot may display one standard informational sign, except that during a political election, between the date of qualification and final determination on each ballot issue or candidate, each lot may display an unlimited number of standard informational signs. Neither a SRA nor a building permit is required.
- N. Signs During Vacancy. Developments in which there are vacant lots, units, and/or tenant spaces shall be entitled to one such sign per access-providing street frontage of the development. Signs during vacancy shall not exceed six square feet in area, shall have a maximum height of five feet, and shall not be internally illuminated. signs during vacancy shall be allowed for a period not exceeding 90 days with no more than two such 90-day periods being permitted per calendar year. An approved TSRA is required. No building permit is required. Any development with an approved TSRA for a sign during vacancy shall be prohibited from having standard informational signs and/or banners during the 90-day period.
- O. Instructional signs. Instructional signs are permitted adjacent to internal entrance drive(s) serving the development. The maximum height permitted for instructional signs shall be three feet with a maximum sign face of four square feet. Instructional signs may be internally illuminated only. No building permit is required.

600-250.07 Mobile Home Park (MHP) District.

- A. Monument Sign.

1. One maximum 32 square foot, entry wall or monument sign not to exceed ten feet in height or two single-faced entry wall or monument signs not to exceed 16 square feet for each side of a mobile home park entrance and not to exceed six feet in height, identifying the name of the mobile home park, shall be permitted for each street on which the lot has frontage. The monument sign(s) shall be setback a distance of ten feet from any public or private right-of-way or property line, shall not be placed on a public easement and shall not be internally illuminated.
 2. Both an approved SRA and a building permit are required.
- B. Signs During Construction. One non-illuminated sign shall be allowed during construction. The sign shall not exceed 32 square feet in area and five feet in height, and shall only be allowed beginning with the commencement of construction and ending with the issuance of a certificate of occupancy or installation of a permanent monument sign, whichever occurs first. A sign during construction must be located ten feet off any right-of-way and shall not be placed on a public easement. An approved TSAR is required. No building permit is required.
- C. Flag. Each lot may display no more than three flags and/or flagpoles. The flagpole shall not exceed 35 feet in height. Neither an SRA nor a building permit is required.
- D. Banner. Banners shall be allowed for a period not exceeding 30 days with no more than three such 30-day periods being permitted per calendar year per lot. Banners shall not be more than 24 square feet. No banner shall be mounted so as to extend above the horizontal plane of the roof where the building wall and roof meet nor shall it extend more than five feet above grade when on the ground. An approved TSRA is required. No permit is required.
- E. Standard Informational Sign. Each lot may display one standard informational sign, except that during a political election, between the date of qualification and final determination on each ballot issue or candidate, each lot may display an unlimited number of standard informational signs. Neither a SRA nor a building permit is required.
- F. Signs During Vacancy. Developments in which there are vacant lots, units, and/or tenant spaces shall be entitled to one such sign per access-providing street frontage of the development. Signs during vacancy shall not exceed six square feet in area, shall have a maximum height of five feet, and shall not be internally illuminated. signs during vacancy shall be allowed for a period not exceeding 90 days with no more than two such 90-day periods being permitted per calendar year. An approved TSRA is required. No building permit is required. Any development with an approved TSRA for a sign during vacancy shall be prohibited from having standard informational signs and/or banners during the 90-day period.

- G. Instructional Sign. Instructional signs are permitted adjacent to internal entrance drive(s) serving the development. Instructional signs shall have a maximum sign face of four square feet and shall not be illuminated. The maximum height permitted for instructional signs shall be three feet. The sign must be a minimum of five feet from all right-of-way and property lines. Neither a SRA nor building permit is required.

Section 600-260. Reinstallation of Existing Wall Signs.

600-260.01 Any existing wall sign removed as part of a renovation project for a shopping center located in the General Business (B-1), Highway Business (B-2) or E-Commerce Retail (ECR) Districts as defined by Title 2: Zoning of this UDO shall be permitted to be reinstalled, subject to the following standards.

- A. The shopping center owner shall obtain the appropriate building and development permits prior to the commencement of the renovation project in accordance with all city standards and regulations.
- B. The shipping center owner shall provide to the city photographs detailing the dimensions of the existing wall signs prior to the removal.
- C. Reinstallation shall only be allowed for wall signs with valid existing SAR.
- D. Reinstallation shall only be allowed for wall signs with square footages not exceeding seven percent of the applicable wall area.
- E. No alteration of any kind shall be made to the wall signs proposed for reinstallation.
- F. During construction, each tenant shall be allowed to display a banner in lieu of a permanent sign. The banner size shall be no greater than 32 square feet. Tenants shall be required to obtain a TSRA for the banner.
- G. The banner shall be permitted with the commencement of construction and removed with the issuance of a certificate of occupancy or reinstallation of the removed wall sign, whichever occurs first.
- H. Any wall sign removed without prior identification from the city as a legal existing wall sign will be subject to all of the sign standards established in this chapter.

Section 600-270. Removal of Abandoned Signs.

600-270.01 Any sign associated with a business which has ceased operations for 60 days or more shall be removed by the property owner of record within 30 days of notification from the City Manager, or their designee, or Hiram Police Department's Code Enforcement Office. The Hiram Police Department Code Enforcement Office shall be required to provide official written notification to the property owner indicating the type and location of sign(s) which require removal.

Title 5

Telecommunications

Chapter 700. Telecommunication Towers and Antennas.

Section 700-10. Purposes.

- 700-10.01 This ordinance is designed and intended to balance the interests of the residents of the City of Hiram, Georgia, telecommunications providers, and telecommunications customers in the siting of telecommunications facilities within the City incorporated so as to protect the health, safety, and integrity of residential neighborhoods, and to foster, through appropriate zoning and land use controls, a competitive environment for telecommunications carriers that does not unreasonably discriminate among providers of functionally equivalent personal wireless services. This ordinance shall not prohibit or have the effect of prohibiting the provision of personal wireless services. This ordinance is intended to promote the City as a proactive city in the availability of personal wireless telecommunications service. To that end, this ordinance shall:
- A. Provide for the appropriate location and development of telecommunications facilities within the incorporated limits of Hiram;
 - B. Protect Hiram's built and natural environment by promoting compatible design standards for telecommunications facilities;
 - C. Minimize adverse visual impacts of telecommunications facilities through careful design, siting, landscape screening and innovative camouflaging techniques;
 - D. Avoid potential damage to adjacent properties from tower or antenna failure through engineering and careful siting of telecommunications tower structures and antennas;
 - E. Maximum use of any new and existing telecommunications towers through collocation so as to minimize the need to construct new towers and minimize the total number of towers throughout the city;
 - F. Maximum and encourage use of alternate telecommunication tower structures as a primary option rather than construction of additional single-use towers; and
 - G. Encourage and promote the location of new telecommunications activities in areas which are not zoned for residential use.

Section 700-20. Definitions.

700-20.01 As used in this ordinance, the following terms shall have the meanings indicated:

Alternative Tower Structure: Manmade trees, clock towers, bell steeples, light poles and similar alternative-design mounting structures that camouflage or conceal the presence of antennas or towers.

Antenna: Any exterior apparatus designed for telephonic, radio, or television communications through the sending and/or receiving of electromagnetic waves.

FAA: The Federal Aviation Administration.

FCC: The Federal Communications Commission.

Governing Authority: The City of Hiram, Georgia.

Preexisting Towers And Antennas: The meaning set forth in Section XX article III, section A(4), of this ordinance.

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

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 radio and television transmission towers, microwave towers, common-carrier towers, cellular telephone towers, alternative tower structures, and the like.

Section 700-30. Applicability; Standards; Application Procedure.

700-30.01 Applicability.

- A. District height limitations. The requirements set forth in this ordinance shall govern the location of towers that exceed, and antennas that are installed at a height in excess of, the height limitations specified for each zoning district. The height limitations applicable to buildings and structures shall not apply to towers and antennas.
- B. Public property. Antennas or towers located on property owned, leased, or otherwise controlled by the governing authority shall be exempt from the requirements of this ordinance, provided a license or lease authorizing such antenna or tower has been approved by the governing authority.
- C. Amateur radio, receive-only antennas. This ordinance shall not govern any tower, or the installation of any antenna, that is under 70 feet in height and is owned and operated by a federally licensed amateur radio station operator or is used exclusively for receive-only antennas.
- D. Preexisting towers and antennas. Any tower or antenna for which a permit has been properly issued prior to the effective date of this ordinance shall not be required to meet the requirements of this ordinance, other than the requirements of article III, section B(4) and (5). Any such towers or antennas shall be referred to in this ordinance as "preexisting towers" or "preexisting antennas."

700-30.02 Standards Applicable To All Towers And Antennas.

No tower or antenna shall be located in the City of Hiram, Georgia except as set forth in this ordinance. The following standards shall apply to all towers and antennas, unless the governing authority reduces the standards if the goals of this ordinance would be better served thereby:

- A. Principal or Accessory Use. Antennas and towers may be considered either principal or accessory uses. A different existing use or an existing structure on the same lot shall not preclude the installation of an antenna or tower on such lot. For purposes of determining whether the installation of a tower or antenna complies with district development regulations, including but not limited to setback requirements, lot coverage requirements, and other such

requirements, the dimensions of the entire lot shall control, even though the antennas or towers may be located on leased parcels within such lots. Towers that are constructed and antennas that are installed in accordance with the provisions of this ordinance shall not be deemed to constitute the expansion of a nonconforming use or structure.

- B. Inventory of Existing Sites. Each applicant for an antenna and/or tower shall provide to the Community Development Department an inventory of its existing towers that are either within the geographic area of the City of Hiram, Georgia, or within one-half mile of the border thereof, including specific information about the location, height, and design of each tower (pursuant to section C of this article). The Community Development Department may share such information with other applicants applying for administrative approvals or special use permits under this ordinance or other organizations seeking to locate antennas within this the jurisdiction of the governing authority, provided, however, that the Community Development Department is not, by sharing such information, in any way representing or warranting that such sites are available or suitable.
- C. Aesthetics; Lighting. The guidelines set forth in this paragraph shall govern the locations of all towers, and the installation of all antennas, governed by this ordinance; provided, however, that the governing authority may waive these requirements if it determines that the goals of this ordinance are better served thereby. The determination whether a proposed tower or antenna meets these requirements shall be within the discretion of the Hiram City Council. This list is not an exclusive list of the aesthetic issues the governing authority may consider; these are merely guidelines. The governing authority may consider any factor that serves the goals and purposes of this ordinance.
 - 1. Towers shall either maintain a galvanized steel finish or, subject to any applicable standards of the FAA, be painted a neutral color, so as to reduce visual obtrusiveness.
 - 2. At a tower site, the design of the buildings and related structures shall use materials, colors, textures, screening, and landscaping that will blend the tower facilities to the natural setting and built environment.
 - 3. If an antenna is installed on a structure other than a tower, the antenna and supporting electrical and mechanical equipment must be a neutral color that is identical to, or closely compatible with, the color of the supporting structure so as to make the antenna and related equipment as visually unobtrusive as possible.
 - 4. Towers shall not be artificially lighted, unless required by the FAA or other applicable authority. If lighting is required, the governing authority may review the available lighting alternatives and approve the design that would cause the least disturbance to the surrounding views.
 - 5. In designing a tower facility, the aesthetics of the tower shall be considered and the least visually obtrusive design shall be implemented.

- D. Federal Requirements. All towers must meet or exceed current standards and regulations of the FAA, the FCC, and any other agency of the federal government with the authority to regulate towers and antennas. If such standards and regulations are changed, then the owners of the towers and antennas governed by this ordinance shall bring such towers and antennas into compliance with such revised standards and regulations within six months of the effective date of such standards and regulations, unless a more stringent compliance schedule is mandated by the controlling federal agency. Failure to bring towers and antennas into compliance with such revised standards and regulations shall constitute grounds for the removal of the tower or antenna at the owner's expense. Any such removal by the governing authority shall be in the manner provided in O.C.G.A. [§§ 41-2-8—41-2-17](#).
- E. Building Codes; Safety Standards. To ensure the structural integrity of towers, the owner of a tower shall ensure that it is maintained in compliance with standards for towers that are published by the Electronic Industries Association, as amended from time to time. If, upon inspection, the governing authority concludes that a tower fails to comply with such codes and standards and constitutes a danger to persons or property, then upon notice being provided to the owner of the tower, the owner shall have 30 days to bring such tower into compliance with such standards. If the owner fails to bring such tower into compliance within said 30 days, the governing authority may remove such tower at the owner's expense. Any such removal by the governing authority shall be in the manner provided in O.C.G.A. [§§ 41-2-8—41-2-17](#).
- F. Location And Development. Site location and development shall preserve the preexisting character of the surrounding buildings and land uses and the zoning district as much as possible. Personal wireless telecommunication towers shall be integrated through location and design to blend in with existing characteristics of the site to the extent practical.
- G. Vegetation And Topography. Existing on-site vegetation shall be preserved or improved, and disturbance of the existing topography shall be minimized, unless such disturbance would result in less visual impact of the site to the surrounding area.
- H. Design Of Related Structures. At a tower site, the design of the buildings and related structures shall, to the extent possible, use materials, colors, textures, screening, and landscaping that will blend the tower and related facilities to the natural setting and built environment.
- I. Number Of Towers Per Lot. Placement of more than one tower on a lot shall be permitted, provided all setback, design, and landscape requirements are met as to each tower. Structures may be located as close to each other as technically feasible, provided tower failure characteristics of the towers on the site will not lead to multiple failures in the event that one fails.
- J. Maximum Height. The maximum height for all tower facilities in the city, unless otherwise exempt from these standards as set forth in article III herein, located within all agricultural, residential and commercial zoning categories shall be 195 feet. The maximum height for all tower facilities in the city,

unless exempt from these standards as set forth in article III herein, located within all industrial zoning categories shall be 250 feet.

- K. Setback for Towers. Towers must be set back a distance equal to the height of the tower from any residential property line and all public rights-of-way, plus 100 feet.
- L. Setback for Accessory Facilities; Towers in Yards. Towers, guys, and accessory facilities must satisfy the minimum zoning district setback requirements for front, side, and rear yards. In no case shall a tower be located in the required front yard, back yard, or side yard in a residential district.
- M. Historic and Scenic Views; Visual Clutter. Towers shall not be sited where they will negatively affect historic or scenic view corridors as designated by the governing authority or any state or federal law or agency or where they will create visual clutter.
- N. Fencing. Towers shall be enclosed by decay-resistant security fencing installed along the perimeter of the compound not less than six feet in height and shall be equipped with an appropriate anticleimbing device or other similar protective device designed to prevent tower access.
- O. Landscaping. The following requirements shall govern the landscaping surrounding towers:
 - 1. Tower facilities shall be landscaped with a buffer of plant materials that effectively screen the view of the tower compound from adjacent properties. The standard buffer shall consist of a landscaped strip at least ten feet wide outside the required fence.
 - 2. In locations where the visual impact of the tower would be minimal, as determined by the Paulding County Community Development Department, in partnership with the Hiram City Manager, the landscaping requirement may be reduced or waived altogether.
 - 3. Existing mature tree growth and natural land forms on the site shall be preserved to the maximum extent possible. In some cases, such as towers sited on large, wooded lots, natural growth around the property perimeter may provide an adequate buffer at the discretion of the Paulding County Community Development Department, and the Hiram City Manager.
- P. Design for Multiple Users. Any tower proposed at a height greater than 100 feet, up to 120 feet, shall be designed and intended to accommodate at least three users. Furthermore, for every additional 20 feet of height, said tower shall be designed to accommodate an additional user.

700-30.03

Application procedures for all towers and antennas.

The following must be provided when applying for a permit for a telecommunications facility:

- A. Site plan, prepared and sealed by an appropriate licensing professional, to scale specifying the location of the telecommunications facilities, height of

facilities, setbacks, transmission building and/or other accessory uses, access, parking, fences, landscape plan, and adjacent land uses.

- B. A full description of the environment surrounding the proposed telecommunications facility, including any adjacent residential structures and districts, structures and sites of historic significance, or scenic view corridors as well as a phase I environmental study of the site completed by a qualified, independent engineer licensed in the State of Georgia.
- C. A description of anticipated maintenance needs for the telecommunications facility, including frequency of service, personnel needs, equipment needs, and traffic, noise, or safety impacts of such maintenance.
- D. Report from a qualified, independent engineer licensed in the State of Georgia, documenting the following:
 - 1. Telecommunications facility height and design, including technical, engineering, economic, and other pertinent factors governing selection of the proposed design;
 - 2. Total anticipated capacity of the telecommunications facility, including number and types of antennas which can be accommodated;
 - 3. Evidence of structural integrity of the tower structure; and
 - 4. Structural failure characteristics of the telecommunications facility and demonstration that site and setbacks are of adequate size to contain debris should a failure occur.
- E. A definition of the area of service to be served by the antenna or tower and whether such antenna or tower is needed for coverage or capacity, including, but not limited to, radio frequency (RF) propagation studies at heights requested at the discretion of the Paulding County Community Development Department, and the Hiram City Manager.
- F. Information showing the proposed facility would provide the needed coverage or capacity, and that they cannot provide personal wireless communication service without the use of the proposed tower or antenna.
- G. The identity of a community liaison officer appointed by the applicant to resolve issues of concern to neighbors and residents relating to the construction and operation of the facility. Include name, address, telephone number, facsimile number, and electronic mail address and page number, if applicable.
- H. Identification of the geographic service area for the subject installation, including:
 - 1. A map showing the site and the nearest or associated telecommunications facility sites within the applicant's network located within a five-mile radius of the site as well as other approved sites or telecommunications facilities located within a five-mile radius of the site outside the applicant's network;

2. A description and scaled map of the distance between existing or proposed telecommunications facility sites; and
 3. A description of how this service area fits into and is necessary for the service network.
- I. Provide information to justify why collocation on an existing tower or on multiple towers covering the area is not being proposed and demonstrate same with scaled maps and other data requested at the discretion of the Paulding County Community Development Department, and the Hiram City Manager.
 - J. If the proposed site is zoned residential, applicants must justify why alternative nonresidential sites have not been proposed.
 - K. Each applicant shall include a five-year facilities plan and site inventory including the following:
 1. A list of all existing, to be upgraded or replaced, and proposed telecommunications facility sites within the City of Hiram, Georgia, and a map showing these sites. The list must include
 - (a) Street address, land lot, section, district, and parcel number;
 - (b) Zoning district;
 - (c) Type of building and number of stories;
 - (d) The number of antennas and base transceiver stations per site and the location and type of antenna installation (stand-alone, rooftop, building facade, etc.), and location of the base transceiver station installations(s);
 - (e) The height from ground to the top of the antenna installation; and
 - (f) The radio frequency range in megahertz, the wattage output of the equipment and the effective radiated power.
 2. Furthermore, after a tower structure has been approved, the applicant must submit a permit renewal application, which reports the status on the use of said tower, annually to the Community Development Department for administrative approval.
 3. If the applicant does not know specific future tower and antenna site locations but does know of areas where telecommunications facilities will be needed within the next five years to provide service, the applicant shall list the landlots contained within the anticipated geographic service area and identify each geographic service area with a number that will correspond to the future telecommunication facility site.
 - L. If requested by the Community Development Department, photo simulations depicting the design and type of tower proposed.

- M. All signed leases, option agreements or signed collocation agreements between the applicant and carriers with valid FCC licenses to provide wireless services to locate antennas on the site.
- N. The applicant shall provide any other information requested by the Community Development Department in order to fully evaluate the potential impact of the proposed facility.

Section 700-40. Permitted Uses.

700-40.01 General.

The uses listed in this section are deemed to be permitted uses and shall not require administrative review or a special use permit. Nevertheless, all uses shall comply with article III of this ordinance and all other applicable ordinances.

700-40.02 Specific permitted uses.

The following uses are specifically permitted:

- A. In commercial zoning districts (B-1, PSC, B-2, or ECR), locating a tower up to a height of 50 feet (80 feet is designed and intended to accommodate at least two users), or an antenna, including the placement of additional buildings or other supporting equipment used in connection with the tower or antenna shall be allowed as a use by right; provided, however, that such tower shall be set back from any existing residential property line and/or public right-of-way a distance equal to the height of the tower plus 100 feet.
- B. In industrial zoning districts (ECBP, B2CL, AML, I-1 or I-2), locating a tower up to a height of 80 feet (or 100 feet if designed and intended to accommodate at least two users), or an antenna, including the placement of additional buildings or other supporting equipment used in connection with the tower or antenna, shall be allowed as a use by right, provided, however, that such tower shall be set back from any existing residential property line and/or public right-of-way a distance equal to the height of the tower [plus] 100 feet.
- C. Installing an antenna on an existing structure other than a tower (such as a building, sign, light pole, water tower, or other freestanding nonresidential structure) so long as said additional antenna adds no more than 20 feet to the height of said existing structure. For antennas attached to the roof or a supporting structure on a rooftop, a 1:1 setback ratio (example: ten-foot high antenna and supporting structures requires a ten-foot setback from edge of roof) shall be maintained unless an alternative placement is shown to reduce visual impact.
- D. All specified permitted uses must meet minimum landscape requirements as set forth in [Section 700-30.02.O](#), herein.

Section 700-50. Administrative Approvals.

700-50.01 General.

The Community Development Department may administratively approve the uses listed in this article, upon agreement with the City of Hiram, Georgia. Each applicant for administrative approval shall apply to the Community Development Department, providing the information set forth in article III of this ordinance. The applicant shall provide to the Community Development Department all information and supplementary materials that the department requests in consideration of the requested administrative approval. If an

administrative approval is denied by the director of community development, the applicant may appeal said denial to the Hiram City Council to be heard by the Hiram City Council at a properly advertised public meeting, after the appeal of the application for an administrative approval has been advertised, considered and a recommendation on the appeal of the application for an administrative approval has been issued by the Paulding County Planning Commission for the City Council's review.

700-50.02 **Specific Administratively Approved Uses.**

The following may be approved by the Community Development Department, in agreement with the City Manager, or their designee, after conducting an administrative review:

- A. Installing an antenna on an existing tower of any height, including a preexisting tower, so long as the addition or extension of said antenna adds no more than 20 feet to the height of said existing tower and does not make the tower structure or facility taller than the height restrictions for tower facilities set forth herein in [Section 700-30.02.B](#), and further including the placement of additional buildings or other supporting equipment used in connection with said antenna, provided the requirements and intent of this ordinance are met.
- B. In commercial zoning districts (B-1, PSC, B-2, or ECR), locating a tower up to a height of 100 feet if designed and intended to accommodate at least two users, or an antenna, including the placement of additional buildings or other supporting equipment used in connection with the tower or antenna, provided, however, that such tower shall be set back from any existing residential property line and/or public right-of-way a distance equal to the height of the tower plus 100 feet, and provided that the requirements and intent of this ordinance are met.
- C. In industrial zoning districts (ECBP, B2CL, AML, I-1 or I-2), locating a tower up to a height of 150 feet if designed and intended to accommodate at least two users, or an antenna, including the placement of additional buildings or other supporting equipment used in connection with the tower or antenna, provided, however, that such tower shall be set back from any existing residential property line and/or public right-of-way a distance equal to the height of the tower plus 100 feet, and provided that the requirements and intent of this ordinance are met.
- D. In commercial and industrial zoning districts (B-1, PSC, B-2, ECR, ECBP, B2CL, AML, I-1 or I-2), locating an alternative design tower with antenna pursuant to the requirements set forth in this subsection below, including, but not limited to, structures such as manmade trees, clock towers, bell steeples, light poles and similar alternative-design mounting structures, that camouflage or conceal the presence of antennas and tower facilities. The following requirements shall apply to tower facilities, structures or antennas approved pursuant to this subsection:
 - 1. The maximum height for an alternative structure, facility and/or antenna shall not exceed 65 feet, including antenna; and
 - 2. The setbacks for said alternative design tower facility, structure and/or antenna shall be determined by the underlying zoning category of the subject tract in accordance with the zoning ordinance of the City of Hiram, Georgia; and

3. All associated equipment for the tower facility, structure and/or antenna shall be vaulted and landscaped to shield the equipment from the view of the public; and
4. The structure, including the tower facility and antenna, shall blend with the surrounding environment and is subject to the review of the Community Development Director in accordance with the intent of this ordinance.

Section 700-60. Special Use Permits; Availability of Existing Towers or Structures.

700-60.01 Special Use Permits.

- A. General. The following provisions shall govern the issuance of special use permits:
 1. If the tower or antenna is not a permitted use and pursuant to [Section 700-40](#) of this Chapter or permitted to be approved administratively pursuant to [Section 700-50](#) of this ordinance, then a special use permit shall be required for the construction of a tower or the placement of an antenna in all zoning districts.
 2. In granting a special use permit, the governing authority may impose conditions to the extent the governing authority concludes such conditions are necessary to minimize any adverse effect of the proposed tower on adjoining properties.
 3. Any information of an engineering nature that the applicant submits, whether civil, mechanical, or electrical, shall be certified by a licensed professional engineer licensed in the State of Georgia.
- B. Information required. Each applicant requesting a special use permit under this ordinance shall comply with the requirements of article III and other applicable provisions of this ordinance. In addition to the requirements of article III, the site plan shall also include:
 1. A scaled elevation view; and
 2. Supporting drawings, calculations, and other documentation, signed and sealed by appropriate licensed professionals, showing the location and dimensions of all improvements, including information concerning topography, radio frequency coverage, and other information deemed by the governing authority to be necessary to assess compliance with this ordinance.
- C. Factors considered in granting special use permits. The governing authority shall consider the following factors in determining whether to issue a special use permit, although the governing authority may waive, reduce, or increase the burden on the applicant of one or more of these criteria if the governing authority concludes that the goals of this ordinance are better served thereby:
 1. Height of the proposed tower;
 2. Proximity of the tower to residential structures and residential district boundaries;

3. Nature of uses on adjacent and nearby properties;
4. Surrounding topography;
5. Surrounding tree coverage and foliage;
6. Design of the tower, with particular reference to design characteristics that have the effect of reducing or eliminating visual obtrusiveness;
7. Proposed ingress and egress;
8. Availability of suitable existing towers, other structures, and alternative sites as discussed in article III of this ordinance; and
9. Any other factors, limitations, or standards listed in [Section 700-30](#) of this ordinance.

700-60.02

Availability Of Suitable Existing Towers or Other Structures.

No new tower shall be permitted unless the applicant demonstrates to the reasonable satisfaction of the governing authority that no existing tower or structure can accommodate the applicant's proposed antenna. Evidence submitted to demonstrate that no existing tower or structure or multiple towers or structures can accommodate the applicant's proposed antenna may consist of any of the following:

- A. No existing towers or structures are located or approved within the geographic area required to meet applicant's engineering requirements.
- B. Existing towers or structures are not of sufficient height to meeting applicant's engineering requirements.
- C. Existing towers or structures, or a combination of towers or structures, do not have sufficient structural strength to support applicant's proposed antenna and related equipment.
- D. The applicant's proposed antenna would cause electromagnetic interference with the antenna on the existing towers or structures, or the antenna on the existing towers or structures would cause interference with the applicant's proposed antenna.
- E. The applicant demonstrates that there are other limiting factors, excluding solely economic feasibility as the determining factor, that render existing towers and structures unsuitable.

Section 700-70. Removal.

700-70.01

Removal of Abandoned Antennas And Towers.

- A. Any antenna or tower that is not operated for a continuous period of 12 months shall be considered abandoned, and the owner of such antenna or tower shall remove same within 90 days of receipt of notice from the governing authority notifying the owner of such abandonment.
- B. If such antenna or tower is not removed within said 90 days, the governing authority may, in the manner provided in O.C.G.A. [§§ 4-1-28—41-2-17](#), remove such antenna or tower at the owner's expense.
- C. If there are two or more users of a single tower, then this provision shall not become effective until all users cease using the tower.

- D. Failure to begin construction on a tower facility within 18 months of receipt of approval of a special use permit or administrative approval will result in the special use permit or administrative approval being deemed abandoned by the applicant and the approval will be voided. The initial twelve-month period for commencement of construction may be extended one time for a period of six months duration at the, at the recommendation of the Director of Community Development, and approval of the City Manager, or, if the administrative extension is denied, through an affirmative vote of the Hiram City Council.

Section 700-80. Decisions.

700-80.01 Written Decisions.

- A. Any decisions by the Community Development Department denying a request to place, construct, or modify a telecommunications facility shall be in writing and supported by substantial evidence in a written record.
- B. Any decision by the City Council denying or approving a request to place, construct, or modify a telecommunications facility shall be in writing and supported by substantial evidence in a written record.
1. At any time after a hearing on a special use permit application under [Section 700-60](#) of this ordinance, the City Council may instruct the Community Development Department and the office of the City Manager, in consultation with legal counsel, to determine whether substantial evidence contained in a written record exists to support either approval or denial of the special use permit application. Having voted to so instruct the Community Development Department, the City Council shall postpone its decision on the application until the specified date of a future regularly scheduled meeting of the City Council.
 2. In the intervening time between an instruction from the City Council under [Section 700-80.01.B.1](#), the Community Development Department shall compile any additional evidence regarding the application for special use permit that the Community Development Department deems necessary to constitute the substantial evidence contained in a written record necessary to support either approval or denial of the special use permit application.
 3. Ten days before the meeting of the City Council on the date specified in [Section 700-80.01.B.1](#), the Community Development Department shall present any additional evidence compiled under [Section 700-80.01.B.1](#) for the City Council consideration, and shall make such evidence available to the applicant. At the meeting of the City Council on the date specified in [Section 700-80.01.B.1](#), the board shall render its decision to approve or deny the special use permit application. At this meeting there will be no additional public comment or applicant presentation regarding the special use permit application, provided, however, that any affected party, including the applicant, may present additional written materials to the board.

Section 700-90. Penalties.

- 700-90.01 Any person who erects or attempts to erect a telecommunications facility covered by this ordinance without having first obtained the necessary building permit, use

by right, special use permit, or variance in the manner provided in this ordinance [shall be deemed in violation of this ordinance].

700-90.02 If any structure is erected, constructed, reconstructed, altered, repaired, converted, or maintained in violation of this ordinance or without obtaining required permits, or if any building, structure or land is used in violation of this ordinance, the city, in addition to any other remedies, may institute proceedings to prevent such unlawful erection, construction, reconstruction, alteration, conversion, maintenance, or use, or to correct or abate such violations.

Chapter 710. Permitting of Small Wireless Facilities and Antennas.

Section 710-10. Purpose and Compliance.

710-10.01 O.C.G.A. § 32-4-42(6) authorizes the City of Hiram, Georgia (the "City") to establish reasonable regulations for the installation, construction, maintenance, renewal, removal, and relocation of pipes, mains, conduits, cables, wires, poles, towers, traffic and other signals, and other equipment, facilities, or appliances in, on, along, over, or under the public roads of the city. Further, 47 U.S.C. § 253(c) provides that the city has authority to manage its public rights-of-way. Finally, the Georgia Streamlining Wireless Facilities and Antennas Act., O.C.G.A. Title 36, Chapter 66C (the "SWFAA"), addresses the placement of small wireless facilities in the public rights-of-way of the City.

710-10.02 The City finds it is in the best interest of the city and its residents and businesses to establish requirements, specifications reasonable conditions regarding placement of small wireless facilities, poles in the public rights-of-way. These requirements, specifications and conditions are adopted in order to protect the public health, safety and welfare of the residents and businesses of the city and to reasonably manage and protect the public rights-of-way and its uses in the City.

710-10.03 The objective of this Chapter is to:

- A. Implement the SWFAA and
- B. Ensure use of the public rights-of-way is consistent with the design, appearance and other features of nearby land uses, protects the integrity of historic, cultural and scenic resources and does not harm residents' quality of life.

Section 710-20. Definitions.

710-20.01 As used in this article, the following terms have the following meanings as set forth hereafter. In the event that any federal or state law containing definitions used in this article is amended, including specifically but without limitation O.C.G.A. § 36-66C-2 et seq., the definition in the referenced section, as amended, shall control.

Antenna: Means

- A. Communications equipment that transmits, receives, or transmits and receives electromagnetic radio frequency signals used in the provision of wireless services or other wireless communications; or
- B. Communications equipment similar to equipment described in part (A) used for the transmission, reception, or transmission and reception of surface waves. Such term shall not include television broadcast antennas, antennas designed for amateur radio use, or satellite dishes for residential or household purposes. Such term shall also not include those antennas subject to Chapter 700, entitled "Telecommunications Towers and Antennas" of this UDO.

Applicable Codes: Uniform building, fire, safety, electrical, plumbing, or mechanical codes adopted by a recognized national code organization to the extent such codes have been adopted by the State of Georgia or the city or are otherwise applicable in the city.

Applicant: Any person that submits an application.

Application: A written request submitted by an applicant to the city for a permit to:

- A. Collocate a small wireless facility in a right-of-way; or
- B. Install, modify, or replace a pole or decorative pole in a right-of-way on which a small wireless facility is or will be collocated.

Authority Pole: A pole owned, managed, or operated by or on behalf of the City. Such term shall not include poles, support structures, electric transmission structures, or equipment of any type owned by an electric supplier.

City: the City of Hiram, Georgia governing authority.

Collocate or Collocation: To install, mount, modify, or replace a small wireless facility on or adjacent to a pole, decorative pole, or support structure.

Communications Facility: The set of equipment and network components, including wires and cables and associated equipment and network components, used by a communications service provider to provide communications services.

Communications Service Provider: A provider of communications services.

Communications Services: Cable service as defined in 47 U.S.C. § 522(6); telecommunications service as defined in 47 U.S.C. § 153(53); information service as defined in 47 U.S.C. § 153(24), as each such term existed on January 1, 2019; or wireless services.

Consolidated Application: An application for the collocation of multiple small wireless facilities on existing poles or support structures or for the installation, modification, or replacement of multiple poles and the collocation of associated small wireless facilities.

Decorative Pole: An authority pole that is specially designed and placed for aesthetic purposes.

Electric Supplier: Any electric light and power company subject to regulation by the Georgia Public Service Commission, any electric membership corporation furnishing retail service in this state, and any municipality which furnishes such service within this state.

Eligible Facilities Request: An eligible facilities request as set forth in 47 C.F.R. § 1.40001(b)(3), as it existed on January 1, 2019.

FCC: The Federal Communications Commission of the United States.

Fee: A one-time, nonrecurring charge based on time and expense.

Historic District: Means

- A. Any district, site, building, structure, or object included in, or eligible for inclusion in, the National Register of Historic Places maintained by the secretary of the interior of the United States in accordance with section VI.D.1.a.i—v of the Nationwide Programmatic Agreement codified by 47 C.F.R. Part 1;
- B. Any area designated as a historic district under Article 2 or Chapter 10 of Title 44, the [Georgia Historic Preservation Act](#); or
- C. Any area designated as a historic district or property by law prior to April 26, 2019.

Law: Includes any and all federal, state, or local laws, statutes, common laws, codes, rules, regulations, orders, or ordinances.

Micro Wireless Facility: A small wireless facility not larger in dimension than 24 inches in length, 15 inches in width, and 12 inches in height that has an exterior antenna, if any, no longer than 11 inches.

Permit: A written authorization, in electronic or hard copy format, required to be issued, on behalf of the city, by the county, to initiate, continue, or complete the collocation of a small wireless facility or the installation, modification, or replacement of a pole or decorative pole upon which a small wireless facility is collocated.

Person: An individual, corporation, limited liability company, partnership, association, trust, or other entity or organization, including an authority.

Pole: A vertical pole such as a utility, lighting, traffic, or similar pole made of wood, concrete, metal, or other material that is lawfully located or to be located within a right-of-way, including without limitation a replacement pole and an authority pole. Such term shall not include a support structure, decorative pole, or electric transmission structure.

Rate: A recurring charge.

Reconditioning Work: The activities associated with substantially painting, reconditioning, improving, or repairing authority poles.

Replace, Replacement Or Replacing: To replace a pole or decorative pole with a new pole or a new decorative pole, similar in design, size, and scale to the existing pole or decorative pole consistent with 47 C.F.R. § 1.40001(b)(7) as it existed on January 1, 2019, in order to address limitations of, or change requirements applicable to, the existing pole to structurally support the collocation of a small wireless facility.

Replacement Work: The activities associated with replacing an authority pole.

Right-of-Way: Means, generally, property or any interest therein, whether or not in the form of a strip, which is acquired for or devoted to a public road; provided, however, that such term shall apply only to property or an interest therein that is under the ownership or control of the city and shall not include property or any interest therein acquired for or devoted to an interstate highway or the public rights, structures, sidewalks, facilities, and appurtenances of buildings for public equipment and personnel used for or engaged in administration, construction, or maintenance of public roads or research pertaining thereto or scenic easements and easements of light, air, view and access.

Small Wireless Facility: Means radio transceivers; surface wave couplers; antennas; coaxial, fiber optic, or other cabling; power supply; backup batteries; and comparable and associated equipment, regardless of technological configuration, at a fixed location or fixed locations that enable communication or surface wave communication between user equipment and a communications network and that meet both of the following qualifications: (i) each wireless provider's antenna could fit within an enclosure of no more than six cubic feet in volume; and (ii) all other wireless equipment associated with the facility is cumulatively no more than 28 cubic feet in volume, measured based upon the exterior dimensions of height by width by depth of any enclosure that may be used. The following types of associated ancillary equipment are not included in the calculation of the volume of all other wireless equipment associated with any such facility: electric meters; concealment elements; telecommunications demarcation boxes; grounding equipment; power transfer switches; cut-off switches; and vertical cable runs for connection of power and other services. Such term shall not include a pole, decorative pole, or support structure on, under, or within which the equipment is located or collocated or to which the equipment is attached and shall not include any wireline backhaul facilities or coaxial, fiber optic, or other cabling that is between small wireless facilities, poles, decorative poles, or support

structures or that is not otherwise immediately adjacent to or directly associated with a particular antenna.

State: The State of Georgia.

Support Structure: A building, billboard, water tank, or any other structure to which a small wireless facility is or may be attached. Such term shall not include a decorative pole, electric transmission structure, or pole.

Wireless Infrastructure Provider: Any person, including a person authorized to provide telecommunications services in this state, that builds, installs, or operates small wireless facilities, poles, decorative poles, or support structures on which small wireless facilities are or are intended to be used for collocation but that is not a wireless services provider.

Wireless Provider: A wireless infrastructure provider or a wireless services provider.

Wireless Services: Any services provided to the public using licensed or unlicensed spectrum, including the use of Wi-Fi, whether at a fixed location or mobile.

Wireless Services Provider: A person that provides wireless services.

Wireline Backhaul Facility: An aboveground or underground wireline facility used to transport communications data from a telecommunications demarcation box associated with small wireless facility to a network.

Section 710-30. Permits.

710-30.01 The following must be provided when applying for a permit for a telecommunications facility:

- A. A permit is required to collocate a small wireless facility in the public right-of-way or to install, modify, or replace a pole or a decorative pole in the public right-of-way. A permit is not required to perform the activities described in O.C.G.A. § 36-66C-6(e) or (f).
- B. Any person seeking to collocate a small wireless facility in the public right-of-way or to install, modify, or replace a pole or a decorative pole in the public right-of-way shall submit an application to the Paulding County Department of Transportation (PCDOT) for a permit. Applications are available from PCDOT. Any material change to information contained in an application shall be submitted in writing to the PCDOT within 30 days after the events necessitating the change.
- C. The City of Hiram, Georgia, requests that any applicant that has not previously held a meeting that complies with O.C.G.A. § 36-66C-3(b), shall meet with the City at least 30 days before submitting applications under this article to inform the City in good faith when such applicant expects to commence deployment of small wireless facilities and poles within the City, the number of small wireless facilities and poles it expects to deploy during the 24 months after commencement, and the expected timing of such deployments.
- D. Each application shall be submitted by the applicable wireless provider or its duly authorized representative and shall contain the following:
 1. The applicant's name, address, telephone number, and email address, including emergency contact information for the applicant;

2. The names, addresses, telephone numbers, and email addresses of all consultants, if any, acting on behalf of the applicant with respect to filing the application;
 3. A general description of the proposed work and the purposes and intent of the proposed facility. The scope and detail of such description shall be appropriate to the nature and character of the physical work to be performed, with special emphasis on those matters likely to be affected or impacted by the physical work proposed;
 4. Detailed construction drawings regarding the proposed use of the right-of-way;
 5. To the extent the proposed facility involves collocation on a pole or support structure, a structural report performed by a duly licensed engineer evidencing that the pole or support structure will structurally support the collocation (or that the pole or support structure may and will be modified to meet structural requirements) in accordance with applicable codes;
 6. For any new aboveground facilities, visual depictions or representations if not included in the construction drawings;
 7. Information indicating the horizontal and approximate vertical location, relative to the boundaries of the right-of-way, of the small wireless facility for which the application is being submitted;
 8. If the application is for the installation of a pole, a certification that complies with O.C.G.A. § 36-66C-6(k);
 9. If the small wireless facility will be collocated on a pole or support structure owned by a third party, a certification that the wireless provider has permission from the owner to collocate on the pole or support structure; and
 10. If the applicant is not a wireless services provider, a certification that a wireless services provider has requested in writing that the applicant collocate the small wireless facilities or install, modify or replace the pole or decorative pole at the requested location.
- E. Each application for a permit shall include the maximum application fees permitted under O.C.G.A. § 36-66C-5(a)(1), (a)(2) and (a)(3). Such maximum application fees shall automatically increase on January 1 of each year beginning January 1, 2021, as provided under O.C.G.A. § 36-66C-5(b).
- F. PCDOT shall review applications for permits according to the timelines and using the procedures identified in O.C.G.A. §§ 36-66C-7 and 36-66C-13.
- G. Applications for permits shall be approved unless the requested collocation of a small wireless facility or the requested installation, modification, or replacement of a pole or decorative pole:
1. Interferes with the operation of traffic control equipment;
 2. Interferes with sight lines or clear zones for transportation or pedestrians;

3. Fails to comply with the Americans with Disabilities Act, 42 U.S.C. § 12101 et seq., or similar laws of general applicability regarding pedestrian access or movement;
 4. Requests that ground-mounted small wireless facility equipment be located more than seven and a half feet in radial circumference from the base of the pole, decorative pole or support structure to which the small wireless facility antenna would be attached, provided that the city shall not deny the application if a greater distance from the base of the pole, decorative pole or support structure is necessary to avoid interfering with sight lines or clear zones for transportation or pedestrians or to otherwise to protect public safety;
 5. Fails to comply with applicable codes;
 6. Fails to comply with the maximum limitations set forth in section 62-154 of this article or O.C.G.A. § 36-66C-7(h) or (i);
 7. With respect to an application to install a pole or decorative pole, interferes with the widening, repair, reconstruction, or relocation of a public road or highway by the City or the department of transportation that has been advertised for bid and scheduled for completion within six months after the application is filed;
 8. With respect to an application to install a pole or decorative pole, interferes with a public works construction project governed by chapter 91 of title 36 which is advertised for bid and scheduled for completion within six months after the application is filed;
 9. Fails to comply with O.C.G.A. § 36-66C-10, O.C.G.A. § 36-66C-11, or O.C.G.A. § 36-66C-12;
 10. Fails to comply with laws of general applicability addressing pedestrian and vehicular traffic and safety requirements; or
 11. Fails to comply with laws of general applicability that address the occupancy or management of the right-of-way and that are not otherwise inconsistent with this article.
- H. For applications for new poles in the public right-of-way in areas zoned for residential use, PCDOT may propose an alternate location in the public right-of-way within 100 feet of the location set forth in the application, and the wireless provider shall use the PCDOT proposed alternate location unless the location imposes technical limits or significant additional costs. The wireless provider shall certify that it has made such a determination in good faith, based on the assessment of a licensed engineer, and it shall provide a written summary of the basis for such determination.
- I. A permit issued under this article shall authorize such person to occupy the public rights-of-way to: (i) collocate a small wireless facility on or adjacent to a pole or a support structure that does not exceed the limitations set forth in O.C.G.A. § 36-66C-7(h)(3) or on or adjacent to a decorative pole in compliance with O.C.G.A. § 36-66C-12; and (ii) install, modify, or replace a pole or decorative pole for collocation of a small wireless facility that does not exceed the limitations set forth in O.C.G.A. § 36-66C-7(h)(1) and (h)(2).

- J. Upon the issuance of a permit under this article, and on each anniversary of such issuance, every person issued a permit shall submit to the city the maximum annual payments permitted under O.C.G.A. § 36-66C-5(a)(4) and (a)(5); provided, however, that if such person removes its small wireless facilities from the public rights-of-way pursuant to O.C.G.A. § 36-66C-5(e), then such person shall be responsible for the pro rata portion of the annual payment based on the number of days of occupation since the last annual payment. Upon making such pro rata payment and removal of the small wireless facilities, the person's annual payment obligations under this section shall cease as of the date of the actual removal. The maximum annual payments shall automatically increase on January 1 of each year beginning January 1, 2021, as provided under O.C.G.A. § 36-66C-5(b).
- K. Any person issued a permit shall pay the fees identified in O.C.G.A. § 36-66C-5(a)(6) and (a)(7), as applicable.
- L. The City may revoke a permit issued pursuant to this section if the wireless provider or its equipment placed in the public right-of-way under that permit subsequently is not in compliance with any provision of this article or the Georgia Streamlining Wireless Facilities and Antennas Act. Upon revocation, the City may proceed according to subsection (m) of this section.
- M. If a wireless provider occupies the public rights-of-way without obtaining a permit required by this section or without complying with the SWFAA, then the City may, at the sole discretion of the City, restore the right-of-way, to the extent practicable in the reasonable judgment of the City, to its condition prior to the unpermitted collocation or installation and to charge the responsible wireless provider the reasonable, documented cost of the City in doing so, plus a penalty not to exceed \$1,000.00. The City may suspend the ability of the wireless provider to receive any new permits from the City/County under this section until the wireless provider has paid the amount assessed for such restoration costs and the penalty assessed, if any; provided, however, that the City may not suspend such ability of any applicant that has deposited the amount in controversy in escrow pending an adjudication of the merits of the dispute by a court of competent jurisdiction.
- N. All accepted applications for permits shall be publicly available subject to the limitations identified in O.C.G.A. § 36-66C-6(c).
- O. An applicant may file a consolidated application related to multiple small wireless facilities, poles or decorative poles so long as such consolidated application meets the requirements of O.C.G.A. § 36-66C-13.
- P. Activities authorized under a permit shall be completed within the timelines provided in O.C.G.A. § 36-66C-7(k)(2).
- Q. Issuance of a permit authorizes the applicant to:
 - 1. Undertake the collocation, installation, modification or replacement approved by the permit and
 - 2. Operate and maintain the small wireless facilities and any associated pole covered by the permit for a period of ten years.

- R. Permits shall be renewed following the expiration of the term identified in subsection (p) of this section upon the terms and conditions identified in O.C.G.A. § 36-66C-7(k)(2)(B).
- S. If an application for a permit seeks to collocate small wireless facilities on authority poles in the public rights-of-way, then the City shall, within 60 days of receipt of the completed application:
 - 1. Provide a good faith estimate for any make-ready work necessary to enable the authority pole to support the proposed facility; or
 - 2. Notify the wireless provider that the wireless provider will be required to perform the make-ready work. Any make-ready work performed by the city or county shall be completed pursuant to and in accordance with the provisions of O.C.G.A. § 36-66C-7(n).

Section 710-40. Removal; Relocation; Reconditioning; Replacement; Abandonment.

710-40.01 A person may remove its small wireless facilities from the public rights of according to the procedures of O.C.G.A. § 36-66C-5(e).710-40.02.

710-40.02 In the event of a removal under [Section 710-40.01](#), the right-of-way shall be, to the extent practicable in the reasonable judgment of the City, restored to its condition prior to the removal. If a person fails to return the right-of-way, to the extent practicable in the reasonable judgment of the City, to its condition prior to the removal within 90 days of the removal, the City may, at the sole discretion of the City, restore the right-of-way to such condition and charge the person the City's reasonable, documented cost of removal and restoration, plus a penalty not to exceed \$500.00. The city may suspend the ability of the person to receive any new permits under [Section 710-30](#) until the person has paid the amount assessed for such restoration costs and the penalty assessed, if any; provided, however, that the City will not suspend such ability of any person that has deposited the amount in controversy in escrow pending an adjudication of the merits of the dispute by a court of competent jurisdiction.

710-40.03 If, in the reasonable exercise of police powers, the City determines:

- A. A pole or support structure unreasonably interferes with the widening, repair, reconstruction, or relocation of a public road or highway, or
- B. Relocation of poles, support structures, or small wireless facilities is required as a result of a public project, the wireless provider shall relocate such poles, support structures, or small wireless facilities pursuant to and in accordance with the provisions of O.C.G.A. § 36-66C-7(1). If the wireless provider fails to relocate a pole, support structure or small wireless facility or fails to provide a written good faith estimate of the time needed to relocate the pole, support structure or small wireless within the time period prescribed in O.C.G.A. § 36-66C-7(1), the city make take the actions authorized by O.C.G.A. § 36-66C- 7(o), in addition to any other powers under applicable law.

710-40.04 The City shall recondition and replace authority poles consistent with the provisions of O.C.G.A. § 36-66C-7(m). Wireless providers shall accommodate and

cooperate with reconditioning and replacement consistent with the provisions of O.C.G.A. § 36-66C-7(m).

710-40.05 A wireless provider must notify the City of its decision to abandon any small wireless facility, support structure or pole pursuant to and in accordance with the provisions of O.C.G.A. § 36-66C-7(p)(1). The wireless provider shall perform all acts and duties identified in O.C.G.A. § 36-66C-7(p) regarding abandonment. The City may take all actions and exercise all powers authorized under O.C.G.A. § 36-66C-7(p) upon abandonment, in addition to any other powers under applicable law.

Section 710-50. Standards.

710-50.01 Small wireless facilities and new, modified, or replacement poles to be used for collocation of small wireless facilities may be placed in the public right-of-way as a permitted use:

- A. Upon a receipt of a permit under [Section 710-30](#);
- B. Subject to applicable codes; and
- C. So long as such small wireless facilities and new, modified, or replacement poles to be used for collocation of small wireless facilities comply with the appropriate provisions of O.C.G.A. § 36-66C-7(h).
 - 1. New, modified, or replacement poles installed in the right-of-way in a historic district and in an area zoned primarily for residential use shall not exceed 50 feet above ground level.
 - 2. Each new, modified, or replacement pole installed in the right-of-way that is not in a historic district or in an area zoned primarily for residential use shall not exceed the greater of:
 - (a) Fifty feet above ground level; or
 - (b) Ten feet greater in height above ground level than the tallest existing pole in the same public right-of-way in place as of January 1, 2019, and located within 500 feet of the new proposed pole;
 - (c) New small wireless facilities in the public right-of-way and collocated on an existing pole or support structure shall not exceed more than ten feet above the existing pole or support structure.
 - (d) New small wireless facilities in the public right-of-way collocated on a new or replacement pole under subsections (a)(1) or (a)(2) of this section may not extend above the top of such poles.

710-50.02 Unless it is determined that another design is less intrusive, or placement is required under applicable law, small wireless facilities shall be concealed as follows:

- A. Antennas located at the top of poles and support structures shall be incorporated into the pole or support structure, or placed within shrouds of a size such that the antenna appears to be part of the pole or support structure;

- B. Antennas placed elsewhere on a pole or support structure shall be integrated into the pole or support structure or be designed and placed to minimize visual impacts.
- C. Radio units or equipment cabinets holding radio units and mounted on a pole shall be placed as high as possible, located to avoid interfering with, or creating any hazard to, any other use of the public rights-of-way, and located on one side of the pole. Unless the radio units or equipment cabinets can be concealed by appropriate traffic signage, radio units or equipment cabinets mounted below the communications space on poles shall be designed so that the largest dimension is vertical, and the width is such that the radio units or equipment cabinets are minimally visible from the opposite side of the pole on which they are placed.
- D. Wiring and cabling shall be neat and concealed within or flush to the pole or support structure, ensuring concealment of these components to the greatest extent possible.

710-50.03 Notwithstanding any provision of this article to the contrary, an applicant may collocate a small wireless facility within a historic district, and may place or replace a pole within a historic district, only upon satisfaction of the following:

- A. Issuance of a permit under [Section 710-30](#) and
- B. Compliance with applicable codes.

710-50.04 Notwithstanding any provision of this article to the contrary, an applicant may collocate a small wireless facility on a decorative pole, or may replace a decorative pole with a new decorative pole, in the event the existing decorative pole will not structurally support the attachment, only upon satisfaction of the following:

- A. Issuance of a permit under [Section 710-30](#) and
- B. Compliance with applicable codes.

Chapter 720. An Ordinance for a Broadband Ready Community

Section 720-10. Definitions.

720-10.01 As used in this article, the following terms have the following meanings as set forth hereafter.

Applicant: A person applying for a permit for a broadband network project.

Broadband Network Project: Any deployment of broadband services.

Permit: Any local permit, license, certificate approval, registration, or similar form of approval required by policy, administrative rule, regulation, ordinance, or resolution with respect to a broadband network project.

Political Subdivision: A county, municipal corporation, consolidated government, or local authority.

Section 720-20. Single Point of Contact.

720-20.01 The City of Hiram, Georgia shall appoint a single point of contact for all matters related to a broadband network project.

- A. The single point of contact documentation shall be, until otherwise designated by resolution of the governing authority: the person designated as Paulding County Department of Transportation Engineering Division Manager. Located at 240 Constitution Boulevard, 1st Floor, Dallas, GA 30132, 678-224-4058.
- B. The single point of contact shall be available for matters related to a broadband network project or a related liaison who may direct such inquiry in real time, with general scope and responsibilities to include permitting and right-of-way; and
- C. The single point of contact information must be current to maintain designation, by updating with such change in contact information on web pages and associated sources, within 15 calendar days of change.

Section 720-30. Application Completeness Review.

720-30.01 Paulding County shall determine whether an application is incomplete and notify the applicant, by email, of the determination by Paulding County within 10 calendar days of receiving an application.

720-30.02 If Paulding County does not respond to the applicant on whether the application is incomplete, within 10 calendar days, the application shall be assumed to be complete on the 11th day.

Section 720-40. Notification of Incomplete Application.

- 720-40.01 If Paulding County determines that an application is not complete, the notification by email to the applicant shall specify all required components of the submitted application that were considered “incomplete”;
- 720-40.02 Paulding County’s response shall include a checklist of sequenced items that resulted in the application being deemed ‘incomplete’ and the review timeline shall be as follows:
- A. The applicant has up to 40 calendar days from the date of notification of incompleteness to respond back with corrections; and
 - B. If the applicant does not respond back within 40 calendar days, the application is deemed canceled.
- 720-40.03 If within 10 calendar days Paulding County does not respond to the applicant on whether the corrected application is incomplete, the application shall be assumed to be complete on the 11th day.
- 720-40.04 Paulding County shall require a new submission and reset the process and application fees, should an application be deemed incomplete a second time.

Section 720-50. Approval or Denial Notification.

- 720-50.01 If, on or before the 11th day as described in [Section 720-30.02](#), an application is deemed complete, Paulding County shall approve or deny an application within 10 calendar days unless a joint meeting between the applicant, the City of Hiram, and Paulding County is deemed as necessary.
- D. If a joint meeting is deemed necessary, the joint meeting must occur within 15 calendars days of notification of completion and the joint meeting shall include:
 - 3. Where the applicant if going to conduct work,
 - 4. When the work will be conducted,
 - 5. What type of work will be done,
 - 6. Who Paulding County can contact for specific details or related questions, and
 - 7. Any permit seeking approval under application.
 - 8. Following a joint meeting between the applicant, the City of Hiram, and Paulding County, Paulding County shall deny or approve the application within 10 calendar days.
 - E. Upon final approval, any required permit permitted shall be deemed issued.

Section 720-60. Related Fees.

- 720-60.01 Any fee imposed by Paulding County to review an application, issue a permit, or perform any other activity related to a broadband network project shall be reasonable, cost based, and nondiscriminatory to all applicants.

720-60.02 Any application fee that exceeds \$100.00 shall be considered unreasonable unless Paulding County can provide documentation justifying such fee based on a specific cost.

Section 720-70. Other Information.

720-70.01 **Double Fee.** No City or County shall require an application or permit(s) when already approved by an authorized state or federal jurisdiction. Provider shall notify and provide a copy of the approved permit to the single-point-of-contact at the City or County prior to access of right-of-way within the City or County jurisdiction.

720-70.02 **Application Validity Timeline.** Any approved application shall be valid for six months from the date of approval. Should a provider not commence the service request qualified in the approved application within six months, the application shall expire, and it shall require a new permit approval and any associated fees, as applicable.

720-70.03 **Single Service Drop.** The County shall not require a permit for a broadband service provider to perform an installation of broadband service at an individual customer's service address as long as the facility being utilized only transverses a de minimis portion of the public right-of-way to reach the customer's property. The provider must still comply with the provisions of Chapter 9 of Title 25 of the O.C.G.A.

Section 720-80. Acknowledgement of Changes.

720-80.01 A Georgia Certified Broadband Ready Community has an affirmative duty to notify the Georgia Department of Community Affairs of any changes to the information submitted as part of its application; and

720-80.02 Failure to notify Georgia Department of Community Affairs of changes may result in revocation of the local jurisdiction's Broadband Ready Certification, should the certification be granted.

Section 720-90. Effective Date.

720-90.01 This Ordinance shall become effective upon the date of its adoption by the City Council

APPENDIX

Appendix Section 1.0

Inactive Zoning Districts

Section 1-10. Purpose

This appendix is provided as a reference for projects developed under requirements of the 2013 Zoning Ordinance, and which are in zoning districts that have been retired. No new zoning applications will be accepted for the following zoning districts; however, any conforming property currently zoned to these districts will be considered vested.

1-10.01 Inactive Zoning Districts.

- A. PRD Planned Residential Development ()
- B. R-4 Multi-Family Non-Fee Simple (Rental) Residential District ()
- C. R-7 Multi-Family Fee Simple (Non-Rental) Residential District ()
- D. LDQRD Low Density Quality Residential Development District ()

Sec. H. - PRD Planned Residential Development. Section 1-20. PRD Planned Residential Development District.

Commencing June 7, 2022, no new applications for rezoning to the PRD Planned Residential Development District will be accepted by the City of Hiram. Any conforming property currently zoned to the PRD Planned Residential Development District will be considered vested. The regulations for the PRD Planned Residential Development District are as follows:

The Planned Residential Development District is a district that promotes the proper use of larger tracts of land in a flexible, innovative, and creative concept. This district encourages the preservation of the natural amenities of the land, and provides a stable residential environment as it plans for an efficient use of the land by comprehensive and detailed use for streets, utilities, and building sites. These plans shall also include specific areas dedicated for open space use with the appropriate covenants to insure permanent maintenance of said areas. In addition, plans for approval by the governing authority shall require the provision of a central sewage disposal system as approved City of Hiram, Georgia, Paulding County Georgia, and the State of Georgia authorities, as applicable. Major deviations from these detailed plans have to be re-submitted to the governing authority for approval.

A Planned Development District must consist of a minimum of fifty (50) contiguous acres of land with at least ten percent (10%) of the total area designated for open space or public use. These areas shall be defined and delineated on specific site plans with appropriate deed covenants to ensure adherence to the submitted plans. Fifty percent (50%) of said open space must be located outside a flood plain and remain pervious and undisturbed as defined by the Department of Community Development, of Paulding County, Georgia, and the Operations Manager of the City of Hiram, Georgia or the City Manager of the City of Hiram, Georgia or the Temporary City Manager.

The required open space shall be developed and landscaped by the developer in accordance with an landscaping plan that have been approved by the Department of Community Development, of Paulding County, Georgia, and the Operations Manager of the City of Hiram, Georgia or the City Manager of the City of Hiram, Georgia or the Temporary City Manager.

Individual lot and dwelling sizes are to be approved when specific plans are submitted to the governing authority, with the provision that the maximum number of dwelling units per gross acre in a PRD shall not exceed 3.0 units. This allows for a more efficient lot layout in respect to the natural features of the property.

(1)Purpose. The Planned Residential Development District is a residential district that provides for the proper development of larger tracts of land in a coordinated, well planned manner. The features of this district include the following:

- (a)Efficient land utilization
- (b)Innovative design.
- (c)Provides a stable residential environment.
- (d)Preserves and protects natural and environmentally sensitive areas.
- (e)Encourages the use of open space and recreation areas.
- (f)Provides for a plan of development that is compatible with adjacent and nearby properties.
- (g)Insures compliance of objectives by the inclusion of protective deed covenants.

(2)Guidelines for review. The review of the Planned Residential District shall consider the following general intentions, objectives, and purpose prior to approval by the governing authority:

- (a)Whether the development will be compatible with the topography, hydrology, and other natural features of the land, and whether any unusual topographic or other natural features will be affected.
- (b)Whether the character, design, and layout of the proposed uses will be adequate and appropriate to encourage a desirable living environment.
- (c)Whether the development will adversely affect any adjacent properties.
- (d)Whether the development will be able to preserve the natural amenities of streams, wooded

areas, wetlands, and other similar features.

(e) Whether the existing and or proposed streets, utilities, and other public services are adequate to serve the development.

(f) Whether protective deed covenants are established to provide for the perpetual maintenance, security, and the continuation of dedicated area.

(3) Types of permitted uses. The Planned Residential District is a planned district that permits uses that are primarily residential in character and shall consist of single-family detached dwelling units and single family detached senior living residential dwelling units with customary home occupations and appropriate accessory uses and structures, and limited recreational uses, as approved by the governing authority. Churches, schools, and limited day-care facilities planned as part of the PRD, at its application inception, are also allowed; provided however, that such uses, if introduced as a part of the PRD development after the PRD development has been reviewed and approved by the governing authority, shall require review and approval by the applicable governing authority through a subsequent amended application process.

(4) Minimum site area. The minimum site area shall be restricted to no less than fifty (50) contiguous acres developed under one coordinated plan.

(5) Gross density. The maximum number of dwelling units per gross acre in a PRD shall not exceed 3.0 units.

(6) Ownership. The PRD site shall be under single ownership and a unified control until developed in accordance with an approved plan. If the common open space is to be deeded to a Homeowner's Association, the developer shall file a declaration of covenants and restrictions that will govern the association and the association must be established prior to selling any of the homes. The Association must be mandatory for each homeowner and they must be responsible for liability insurance, local taxes, and the maintenance of recreational and other facilities.

(7) Application for approval of a Planned Residential Development. An application for a Planned Residential Development shall be submitted on forms provided by the Department of Community Development, of Paulding County, Georgia, Planning and Zoning Division as provided for in this Ordinance, and shall be advertised in the same manner as applications for rezoning. Public hearings will be held in the same manner as applications for rezoning are conducted. Final consideration of Planned Residential Development Applications shall be given by the Mayor and Council of the City of Hiram, Georgia. All applications shall be accompanied by an application fee as established by the Board of Commissioners, of Paulding County, Georgia.

The application shall be supported by a written statement of intent and a site development plan. At the time of construction, a more detailed site development plan shall be provided consistent with plan review standards established by the Department of Community Development, of Paulding County, Georgia, and the Operations Manager of the City of Hiram, Georgia or the City Manager of the City of Hiram, Georgia or the Temporary City Manager.

(8) Site Development Plan. At the time of application for PRD, the site development plan shall contain the following:

(a) A general location map indicating existing zoning on the site, adjoining roads, and the adjacent areas.

(b) Proposed land uses for the site and the acreage to be devoted to each land use category.

(c) Surveyed boundaries, prepared by a registered surveyor, of the entire tract and its relationship to adjoining properties and public right-of-way.

(d) Standard lot layout design.

(e) General street layout configuration.

(f) A fifteen foot (15') undisturbed buffer area on the perimeter of the property shall be indicated, and a landscape plan as applicable.

(g) Existing topographic condition with contour intervals of ten feet (10') or less; areas that have slopes greater than fifteen percent (15%) shall be identified.

(h) Location of any streams, lakes, swamps, wetlands, and the boundary and elevation of the 100-year flood plain if applicable, shall be identified.

(i) Locations of parks or common open space, tree areas to be retained or added, and other open spaces. Designation of all land to be reserved or dedicated for public use or used as a planned recreational area.

(j) A report setting forth the proposed development schedule, indicating sequence of development of these various sections thereof and the approximate time period required for completion of each phase. A soil erosion plan prepared by a registered engineer or soil scientist indicating all of the techniques that will be employed during construction must be provided prior to land disturbance.

(k) The minimum lot size for building lots in the development shall be not less than twelve thousand (12,000) square feet and the minimum house size shall be not less than fourteen hundred (1,400) square feet of heated area. However, the minimum lot size may be reduced to eight thousand (8,000) square feet with a minimum house size of sixteen hundred (1,600) square feet of heated area.

(l) A note regarding the provision for sidewalks on one side of all streets.

(9) Landscaping requirement: All PRD developments shall include a minimum of two (2) trees planted in the yard of each unit. The trees shall be a minimum two (2) inch caliper at the root ball when planted.

(10) All PRD developments shall be constructed in accordance with the Development Regulations of Paulding County, Georgia, but also must include the following amenities:

(a) Underground Utilities;

(b) Street Lights;

(c) Sidewalks on at least one side of each residential street and entrance drive as set forth herein above;

(d) Permanent Entrance Monuments made of all-weather material with associated landscaping;

(e) A minimum of a two (2) Car Garage per dwelling unit.

(11) In the event that a PRD is submitted to be reviewed by the Department of Community Development, of Paulding County, Georgia, and the Operations Manager's Office, of the City of Hiram, Georgia, and that PRD development contains a commercial component as part of the overall development concept and the commercial component is a minimum of 25% of the overall acreage of the project, then the development may be considered a PRD-commercial concept development and the following shall apply:

(a) The total development must consist of a minimum of fifty (50) contiguous acres of land.

(b) Gross density. The maximum number of dwelling units per gross acre in a PRD shall not exceed 3.0 units; provided however, that gross density in a PRD-commercial concept development may be calculated by using the entire acreage of the concept development including the commercial component. This provision ensures the overall residential density of the total development will not exceed the 3.0 units per acre at any time and the commercial portion shall not be the subject of a residential rezoning in violation of the 3.0 units per acre density allowed.

(c) The green-space requirement of a standard PRD zoning is not applicable to a PRD-Commercial concept development applied for under subsection 11 herein.

(d) All other requirements with regard to a standard PRD, including, but not limited to minimum square footage for lots and heated area of homes, site plan requirements, and landscaping shall apply.

(12) Senior Living detached residential dwellings in PRD's. Purpose: Senior Living pods and/or phases are allowed to be developed in Planned Residential Development Districts and must meet the following standards. The senior living pods and/or phases must be developed as an incorporated part of the overall PRD. Individually designated single family dwelling units are not allowed within pods or phases approved for other types of PRD permitted uses.

The senior living pods/phases are designed to serve the housing needs of adults who are 55 years of age or older. It is recommended that these pods/phases be located in areas that facilitate pedestrian access to nearby commercial goods and services, and/or amenities/cultural facilities. These areas are intended to function as communities with parks and open spaces. At least 80%

of the occupied units shall be occupied by at least one person who is 55 years of age or older. The other 20% is not intended as a set aside for younger residents and efforts should be made to minimize the number of units that do not meet this requirement.

The maximum area within a PRD allowed for a Senior Living component is 25% of the total site acreage. Other PRD standards, not specified in this Section shall apply.

The following design standards shall apply to all Senior Living components of PRD's:

Site and Architectural Design Standards

- (a) All grassed areas shall be sodded; excluding natural and landscaped areas;
- (b) All dwellings shall contain single car garages, at a minimum, which may be attached or detached. All units with front loaded garages shall have garage faces with decorative design treatments to enhance their appearances, i.e. carriage style doors, windows inserts, etc;
- (c) Provide four foot (4') wide sidewalks and street trees adjacent to both sides of interior streets or private driveways;
- (d) A four foot (4') wide walkway, constructed of concrete or decorative pavers, shall extend from the sidewalk to the steps, stoop, or porch of all homes;
- (e) There shall be no open space requirement for developments of senior living pods/phases that is in addition to the overall PRD; and
- (f) Street lights within the subdivision shall be located a minimum of two hundred feet (200') apart on average.

Building Design Standards

(a) Homes shall be constructed of traditional design with brick, stone, masonry horizontal siding, and masonry shakes/shingles. Brick and/or stone shall constitute no less than seventy percent (70) (house front and sides) of the materials used. With accents of masonry siding or shakes/shingles for each building elevation; building standards must incorporate at least five (5) of the following building standards:

- 1. Dormers.
- 2. Bay or bow windows.
- 3. Garage setback at least 2 ft. behind the facade of the principal structure.
- 4. Covered porch entry (covered front porch).
- 5. Transoms or sidelights.
- 6. Off-sets on building face or roof (minimum 2 ft.).
- 7. A roof with a pitch greater than 8:12 and a minimum overhang of 12 inches on all sides.
- 8. Columns, pillars, or posts on facade.
- 9. Arched or Palladian windows.
- 10. Hip or gable roof lines.
- 11. Front stoops and/or steps made of rock, brick, marble or other material as approved by the Department of Community Development, of Paulding County, Georgia, and the Operations Manager's Office, of the City of Hiram, Georgia.

(b) All dwellings shall incorporate accessibility standards which shall include the following:

- 1. A step-free feature to at least one entrance of the unit;
- 2. 36-inch wide, clear passage doorways throughout the unit;
- 3. Wheelchair, step-free access to the following areas, at a minimum: kitchen; dining area; entertainment area (e.g., living room/den, great room, etc.); at least one bedroom; at least one full bathroom; and laundry room with washer/dryer connection; and
- 4. The installation of full sheets of $\frac{3}{4}$ " plywood, blocking and/or its equivalent in all bathrooms to allow for future installation, if necessary, of grab bars.

Mandatory Homeowner's Association Required

The mandatory homeowner's association requirement for PRD's shall also apply to the Senior Living Components of a PRD. The homeowner's association shall provide for building and grounds maintenance and repair, insurance and working capital. Said association shall publish and adhere to policies and procedures that demonstrate that the planned residential community has senior living pods/phases that are intended to provide housing for persons 55 years of age

and older including maintaining surveys or affidavits verifying compliance with 55 years of age and older occupancy requirements as permitted by 42 U.S.C. Section 3607, (b)(2)(c) of the federal Fair Housing Act and implementing regulations. Said association shall provide an affirmative declaration to be governed by the "Georgia Property Owners' Association Act" (POA) and the applicable provisions of O.C.G.A. § 44-3-220 et seq. Said association shall also include declarations and bylaws including rules and regulations, which shall at a minimum, regulate and control the following within the Senior Living pod/phases of the PRD:

(a) Restriction on homes being occupied, at least 80% of the occupied units must be occupied by at least one resident who is age 55 years of age or older. The other 20% is not intended as a set aside for younger residents and efforts should be made to minimize the number of units that do not meet this requirements.

(b) Restrictions on persons under 18 years of age permanently residing in the senior living component. Permanently residing in the senior living component shall mean longer the 90 consecutive days in any 180 day period or establishing residency as defined by state or local law. However, the HOA shall provide for a hardship provision allowing for an owner/occupant to house and care for a child less than 18 years of age in situations where the owner/occupant assumes responsibility for caring for the child due to urgent circumstances stemming from actions not under the owner/occupant's control. The association may, but is not required to, allow for hardship exceptions to the requirement;

(c) Restrictions on single family residential use only and leasing of units. No more that 5% of the total units may be leased by individual owners at any one time;

(d) Except for a central amenity package designed for senior living, prohibit playground equipment, trampolines or like fixtures; Amenities designed for senior living shall be incorporated in the senior living component and may include the following: Indoor lap pool, outdoor pool, health and fitness center, aerobic studio, amphitheatre, and card and billiards rooms, tennis courts and walking trails, etc.

(e) The HOA shall also provide that the covenants automatically renew at the end of the 20 year term, unless 100% of the owners at that time vote that the covenants should not renew; and

(f) The HOA and/or community management association for the HOA shall give written notice to any grantee of the restrictions covered in this zoning at or before any sale or transfer of any property.

Covenants and Restrictions

Legally binding covenants and/or deed restriction that run with the land shall apply to all dedicated senior living pods/phases/areas/lots within a PRD that will bind the applicant, any assignee, mortgagee, or buyer, and all other parties that receive title to the property. The grantor must state in any deed or instrument conveying title to an approved senior living housing unit, that the property conveyed is intended to be housing for older persons and is subject to the restrictions contained in this Section. No covenant referencing any of the regulations or restrictions herein for housing for older persons housing unit shall be recorded until and unless said covenant contains restrictions approved by the Department of Community Development, Planning and Zoning Division, of Paulding County, Georgia, which are consistent with the requirements of this Section. Such review and response shall be completed within thirty (30) calendar days following date of submission of such documents to the Department of Community Development, Planning and Zoning Division, of Paulding County, Georgia.

The Department of Community Development, Planning and Zoning Division, of Paulding County, Georgia, and the Operations Manager of the City of Hiram, Georgia or the City Manager of the City of Hiram, Georgia or the Temporary City Manager, shall publish and adhere to policies and procedures that demonstrate that communities in approved senior living components of a PRD are intended to provide housing for persons 55 years of age and older including maintaining surveys or affidavits verifying compliance with 55 years of age and older occupancy requirements as permitted by 42 U.S.C. Section 3607, (b)(2)(c) of the Federal Fair Housing Act and implementing regulations.

Area, Dimensional, and Design Standards

(a) A landscape strip shall be provided on the property as follows:

1. Minimum two-foot (2') wide landscape strip is required adjacent to the curb on both sides of all streets and shall be subject to the following:

a. Landscape strips along local streets shall be planted with sod and may include a variety of low, hardy shrubbery and flowering plants with mulched beds. Areas of exposed earth shall not be allowed.

b. All landscape materials required by this ordinance shall be maintained by the property owner or property owners' association. Such maintenance shall keep landscape materials healthy, neat, and orderly in appearance and free of litter and debris.

(b) All dwellings shall have a minimum 1,800 square feet (1,400 heated space);

(c) All dwellings shall be limited to single story, however, bonus rooms over garages and/or basements shall be allowed (excludes windowed basements due to topography); and

(d) Within the senior living component of a PRD, the following requirements shall be met:

1. Maximum density: Five (5) units per acre; however the maximum number of housing units and required greenspace approved for the overall PRD shall be maintained;

2. Minimum lot area: Six thousand (6,000) square feet;

3. Minimum lot width: Fifty feet (50');

4. Maximum height of building: Thirty Five (35') feet;

5. Minimum front yard: Fifteen feet (15') from right-of-way line, including any porches; front entrance carports or garages must be twenty five feet (25') from right-of-way line.

6. Minimum side yard: Five feet (5'), with a minimum of at least fifteen feet (15') between buildings; and side yards adjacent to a street must be a minimum twenty five feet (25') from right-of-way line.

7. Minimum rear yard: Twenty feet (20');

8. Any senior living pod/phase/area of a PRD that abuts a low density residential land use zoning district (2.5 units per acre or less) shall be set back a minimum of twenty five feet (25') from said property line.

9. The minimum fifteen feet (15') perimeter buffer shall be also required for the senior living component of a PRD.

(Ord. No. 2022-04, § 1(Exh. A), 6-7-2022)

Sec. D. - R-4 Multi-Family Non Fee Simple (Rental) Residential District.

(1)Purpose and Intent. Commencing June 7, 2022, no new applications for rezoning to the R-4 Multi-Family Non Fee Simple (Rental) Residential District will be accepted by the City of Hiram. Any conforming property currently zoned to the R-4 Multi-Family Non Fee Simple (Rental) Residential District shall retain its zoning as R-4 Multi-Family Non Fee Simple (Rental) Residential District.

This district is specifically created to provide an area for multi-family housing which is occupied as non fee simple, rental housing, including but not limited to, apartment homes and other such rental communities. Fee simple units which are sold to individual owners in fee simple, including but not limited to fee-simple townhomes, and condominiums, are not included in this district. Multi-family non fee simple housing shall be defined as residential dwellings of three or more units which are attached by either the roof line of the structure or attached through a common heated structural wall.

(2)Permitted Uses. Within the R-4 Multi-Family Residential District, the following uses are permitted:

(a)Multi-family residential dwellings of three or more units, including but not limited to, apartment buildings, provided the units are attached as set forth above, with the following amount of heated area:

- 1.One bedroom units, 800 square feet;
- 2.Two bedroom units, 1000 square feet;
- 3.Three bedroom units, 1200 square feet.

(b)Churches, synagogues, and similar places of worship and their customarily related uses, on tracts of no less than five (5) contiguous acres, provided that any building for such proposed use is located no less than 50 feet from the front and rear property lines and 25 feet from the side property lines.

(c)Home office subject to provisions of this Ordinance.

(d)Municipal, county, State of Georgia, federal and other public uses, including parks and playgrounds.

(e)In-home children's day care subject to all provisions identified within this Ordinance, subject to applicable Federal, State of Georgia, Paulding County, Georgia, and/or City of Hiram, Georgia, licensing, including Fire Marshal, of the State of Georgia, and/or Fire Department, of Paulding County, Georgia, approval.

(f)Recreational areas developed as an amenity for the multi-family development provided all buildings for such proposed use are located a minimum of 50 feet from any property line.

(3)Lot Size, Area, and Setback Requirements.*

*Unless otherwise specified; also subject to approval by State Environmental Health.

(4)Off-street parking: See Article VII of this Ordinance.

(5)Required buffers: See Article VI, Sec. E. of this Ordinance.

(6)Sign regulations: See Article XII of this Ordinance.

(7)Density: Density shall be calculated based upon only property zoned R-4 within the development. There shall be no more than five (5) units on any one (1) acre of R-4 zoned property. Density shall not be calculated by the gross density of the entire project site.

(8)Greenspace Requirement: An R-4 platted development of larger than 5 acres must include at least fifteen percent (15%) of the total area designated for undisturbed open space. One hundred percent (100%) of the open space must be located outside of the flood plain as defined by the Department of Community Development, of Paulding County, Georgia, and the Operations Manager of the City of Hiram, Georgia or the City Manager of the City of Hiram, Georgia or the Temporary City Manager. The undisturbed open space areas must be defined and delineated on specific site plans for the subdivisions as open space and must be accompanied by an appropriate deed and protective covenants stating the open space is perpetual. The required open space shall remain undeveloped or be developed and landscaped by the developer in accordance with an approved landscape plan through the Department of Community Development, of Paulding County, Georgia, and the Operations Manager of the City of Hiram, Georgia or the City Manager of the City of Hiram, Georgia or the Temporary City Manager.

(9)Parking lot cooling and landscaping requirement: An R-4 platted development of larger than two (2) acres must include a plan to create parking lot/asphalt cooling areas through landscaping including, but not limited to, the planting of a landscaped area of vegetation and at least one tree per eight (8) parking spaces within the parking area of the development. Said parking lot cooling landscape plan shall be approved by the Department of Community Development, of Paulding County, Georgia, and the Operations Manager of the City of Hiram, Georgia or the City Manager of the City of Hiram, Georgia or the Temporary City Manager.

(10)All R-4 developments shall be constructed in accordance with the Development Regulations of Paulding County, Georgia, but also must include the following amenities:

(a)Underground Utilities;

(b)Street Lights;

(c)Sidewalks on at least one side of each residential street and entrance drive;

(d)Permanent Entrance Monuments made of all-weather material with associated landscaping;

(e)All internal water and sanitary sewer systems shall be privately maintained with a Master Meter located on the City of Hiram, Georgia's, right of way near the entrance to the development;

(f)All infrastructures, including streets, roads, water, and sewer systems shall be constructed in accordance with the Development Regulations and Standard Details, of Paulding County, Georgia.

(Ord. No. 2022-04, § 1(Exh. A), 6-7-2022)

A.

Sec. G. - R-7 Multi-Family Fee Simple (Non-Rental) Residential District.

(1)Purpose and Intent. Commencing June 7, 2022, no new applications for rezoning to the R-7 Multi-Family Fee Simple (Non-Rental) Residential District will be accepted by the City of Hiram. Any conforming property currently zoned to the R-7 Multi-Family Fee Simple (Non-Rental) Residential District shall retain its zoning as R-7 Multi-Family Fee Simple (Non-Rental) Residential District.

This district is specifically created to provide an area for multi-family housing which is occupied as fee simple, non-rental housing. Units which are sold to individual owners in fee simple, including but not limited to fee-simple townhomes and condominiums are included in this district. Non-fee simple multi-family rental homes are not included in this district. Multi-family housing shall be defined as residential dwellings of three or more units which are attached by either the roof line of the structure or attached through a common heated structural wall.

(2)Permitted Uses. Within the R-7 Multi-Family Fee Simple Residential District, the following uses are permitted:

(a)Multi-family residential dwellings of three or more units, provided the units are attached as set forth above, with the following amount of heated area:

- 1.One bedroom units, 800 square feet;
- 2.Two bedroom units, 1,000 square feet;
- 3.Three bedroom units, 1,200 square feet.

(b)Churches, synagogues, and similar places of worship and their customarily related uses, on tracts of no less than five (5) contiguous acres, provided that any building for such proposed use is located no less than 50 feet from the front and rear property lines and 25 feet from the side property lines.

(c)Home office subject to provisions of this Ordinance.

(d)Municipal, county, State of Georgia, federal and other public uses, including parks and playgrounds.

(e)In-home children's day care subject to all provisions identified within this Ordinance, subject to applicable Federal, State of Georgia, Paulding County, Georgia, and/or City of Hiram, Georgia, licensing, including Fire Marshal, of the State of Georgia, and/or Fire Department, of Paulding County, Georgia, approval.

(f)Recreational areas developed as an amenity for the multi-family development provided all buildings for such proposed use are located a minimum of 50 feet from any property line.

(3)Lot Size, Area, and Setback Requirements.*

*Unless otherwise specified; also subject to approval by State Environmental Health.

(4)Off-street parking: See Article VII of this Ordinance.

(5)Required buffers: See Article VI, Sec. E. of this Ordinance.

(6)Sign regulations: See Article XII of this Ordinance.

(7)Density: Density shall be calculated based upon only property zoned R-7 within the development. There shall be no more than four (4) units on any one (1) acre of R-7 zoned property. Density shall not be calculated by the gross density of the entire project site.

(8)Greenspace Requirement: An R-7 platted development of larger than 5 acres must include at least twelve percent (12%) of the total area designated for undisturbed open space. One hundred percent (100%) of the open space must be located outside of the flood plain as defined by the Department of Community Development, of Paulding County, Georgia, and the Operations Manager of the City of Hiram, Georgia or the City Manager of the City of Hiram, Georgia or the Temporary City Manager. The undisturbed open space areas must be defined and delineated on specific site plans for the subdivisions as open space and must be accompanied by an appropriate deed and protective covenants stating the open space is perpetual. The required open space shall remain undeveloped or be developed and landscaped by the developer in accordance with an approved landscape plan through the Department of Community Development, of Paulding County, Georgia, and the Operations Manager of the City of Hiram, Georgia or the City Manager of the City of Hiram, Georgia or the Temporary City Manager.

(9)Landscaping requirement: All R-7 developments shall include a minimum of one (1) trees planted in the yard of each unit. The trees shall be a minimum two (2) inch caliper at the root ball when planted.

(10)All R-7 developments shall be constructed in accordance with the Development Regulations of Paulding County, Georgia, but also must include the following amenities:

(a)Underground Utilities;

(b)Street Lights;

(c)Sidewalks on at least one side of each residential street and entrance drive;

(d)Permanent Entrance Monuments made of all-weather material with associated landscaping;

(e)A minimum of a one (1) Car Garage per dwelling unit for one (1) and two (2) bedroom units and a two (2) Car Garage for all three (3) bedroom units, provided however, garage buildings may be constructed separately from the residential buildings;

(f)All utilities shall be public and constructed according to the Development Regulations and Standard Details, of Paulding County, Georgia.

(Ord. No. 2022-04, § 1(Exh. A), 6-7-2022)

A.

Appendix Section 2.0

Reserved

Appendix Section 3.0

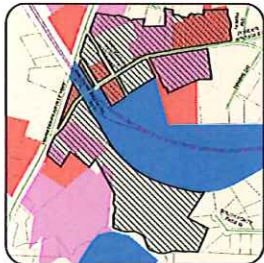
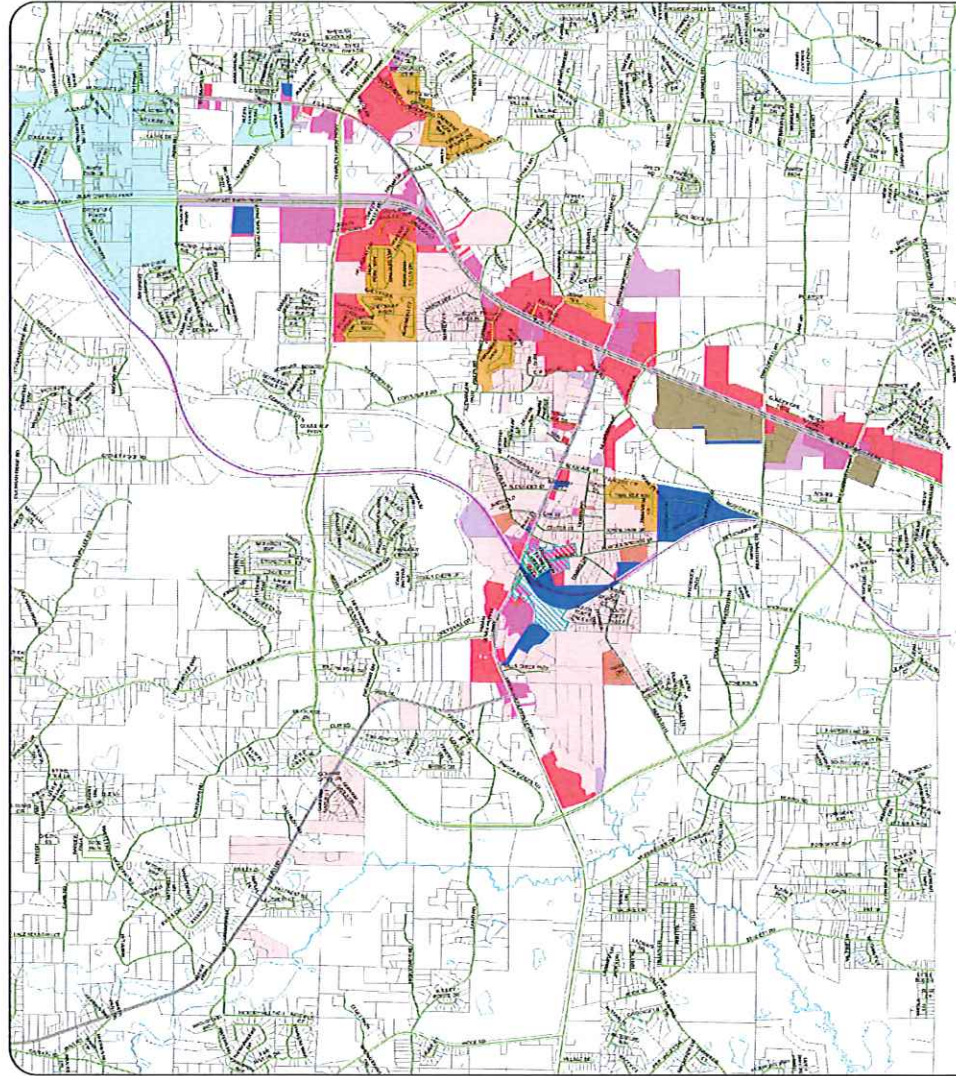
List of Amendments

City of Hiram - Zoning Map

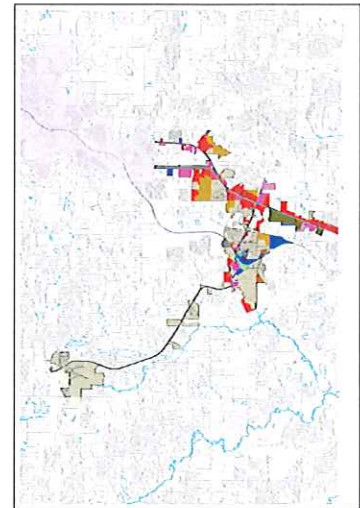
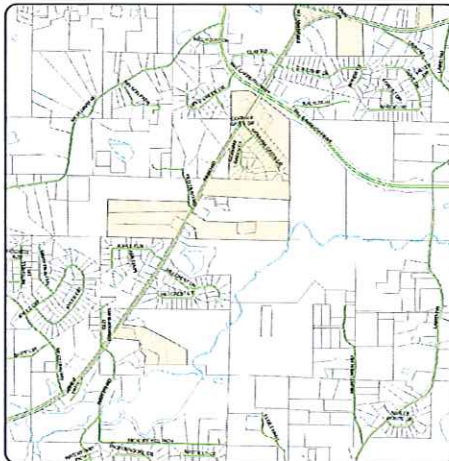
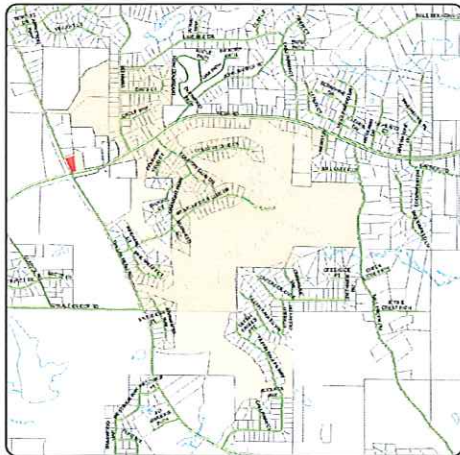


Legend

- railroad
- Silver Comet Trail
- Land Lots
- ZONING DISTRICTS**
- A-1 (Agricultural)
- ER (Estate Residential)
- R-1 (Rural Residential)
- R-2 (Suburban Residential)
- R-3 (Severed Suburban Residential)
- MRR (Master Planned Residential)
- OSRD (Open Space Residential District - Adopted 4/28/05)
- RD (Duplex District)
- MHP (Manufactured Home Park)
- R-55 (Active Adult Residential Zoning District)
- LRO (Low Rise Office)
- O-I (Office & Institutional)
- NB (Neighborhood Business)
- B-1 (General Business)
- PSC (Planned Shopping Center)
- B-2 (Highway Business)
- ECR (e-Commerce Retail)
- ECBP (e-Commerce Business Park)
- B2CL (Business to Consumer Logistics)
- AML (Advanced Manufacturing Logistics)
- I-1 (Light Industrial)
- I-2 (Heavy Industrial)
- AB (Agricultural Business)
- (Low Density Quality Res. Dev. District) - Adopted 6/14/07
- R-4 (N/A) Family/Tenant
- R-7 (N/A) Family/Tenant
- PRD (Planned Residential Development - Amended 9/28/04)
- PSC (Planned Shopping Center)
- Downtown Overlay District



Downtown Overlay District



OVERVIEW MAP

Coordinate System: NAD 1983 StatePlane Georgia West FIPS 1002 Feet
 Projection: Transverse Mercator
 Datum: North American 1983
 Map by Paulding County Community Development GIS Department
 June 29, 2021
 Effective Map Date - March 7, 2023

