

## CHAPTER 10: DEFINITIONS

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## CHAPTER 10: DEFINITIONS

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### 17-1000 GENERALLY; RULES OF CONSTRUCTION.

- (A) For the purpose of these regulations, certain numbers, abbreviations, terms, and words used herein shall be used, interpreted and defined as set forth in this Code. [Existing]
- (B) Unless the context clearly indicates to the contrary, words used in the present tense include the future tense; words used in the plural number include the singular; the word "herein" means "in this Code"; the word "regulations" means "these regulations." [Existing]
- (C) A "person," includes, but is not necessarily limited to, a corporation, a partnership, and an incorporated association of persons such as a club; "shall" is always mandatory; a "building" includes a "structure"; a "building" or "structure" includes any part thereof. [Existing]
- (D) Words or phrases not defined in this chapter shall have definitions as stated elsewhere in the Code itself or, if not defined elsewhere in the Code, shall be considered to have definitions consistent with generally accepted planning principles as determined by the planning department. [Existing]
- (E) Use categories are defined in Section 17-401.
- (F) For simplicity, the definitions related to driveway construction are stated in terms of single radius curves of the edge of driveways or intersecting highways. Where compound curves or tapers are used, an equivalent single radius curve may be used as a control guide. [Existing]

### 17-1001 DEFINITIONS

**010. Administratively approved use.**

A use that is allowed in the respective zoning district, subject to issuance of an administratively approved permit by the Planning Director. [New]

**020. Adult establishment.**

Any adult entertainment establishment, adult business, adult video store, bathhouse, or escort bureau as defined by the Hall County Business License Code (Sec. 5.20.020). [Existing]

**030. Adult congregate living facility.**

A facility for people who cannot live independently and who need assistance with daily chores and housekeeping. [New]

**040. Agricultural products.**

Products obtained primarily through farming or agricultural activities, including, but not necessarily limited to: pumpkins; grains and seed crops; fruits of all kinds; vegetables; nursery, floral, ornamental, and greenhouse products; trees and forest products, including Christmas trees, firewood, and pinestraw; bees and beekeeping products; seafood; and dairy products. [Existing]

**050. Airfield.**

Any area of land or water utilized for the landing or taking off of aircraft. [Existing]

**060. Airport.**

Any area of land or water designed and set aside for the landing and taking off of aircraft and utilized or to be utilized in the public interest for such purposes. An airport shall include all runways, terminal buildings, hangers, and related facilities located on the airport premises. As used in Sec. 17-306(B)(1), Airport Overlay District, the term applies specifically to the Lee Gilmer Memorial Airport or Gilmer Memorial Airport. [Existing]

**070. Airport approach zone.**

The area so designated on an officially approved airport plan for the use of aircraft approaching the airport runway for landing purposes. [Existing]

**080. Airport Overlay District definitions.****Airport elevation.**

1,277 feet above mean sea level. [Existing]

**Airport reference point.**

A horizontal *reference* point calculated in accordance with Federal Aviation Administration Advisory Circular 150/5300-4B. (For the airport configuration on July 1, 1990, the position is 34°16'22" N, 83°49'47" E.) [Existing]

**Airport zones and height limitations.**

Definitions of all terms related to airport approach and transitional zone surfaces are found in Sec. 17-306(B)(1), Airport Overlay District. [Revised]

**Approach surface.**

A surface longitudinally centered on the extended runway center line, extending outward and upward from the end of the primary surface and at the same slope as the approach zone height limitation slope set forth in Sec. 17-306(B)(1), Airport Overlay District. In plan the perimeter of the approach surface coincides with the perimeter of the approach zone. [Existing]

**Conical space.**

A surface extending outward and upward from the periphery of the horizontal surface at a slope of 20 to 1 for a horizontal distance of 4,000 feet. [Existing]

**Hazard to air navigation.**

An obstruction determined to have substantial adverse effect on the safe and efficient utilization of the navigable airspace. [Existing]

**Horizontal surface.**

A horizontal plane 150 feet above the established airport elevation, the perimeter of which in plan coincides with the perimeter of the horizontal zone. [Existing]

**Navigable airspace.**

That area of airspace greater than 200 feet above ground level or above the established airport elevation (Lee Gilmer Memorial Airport elevation of 1,277 feet plus 200 feet equals 1,477 feet), whichever is higher, within three nautical miles of the established airport reference point, which height increases in the proportion of 100 feet for each additional nautical mile of distance from the airport to a maximum of 500 feet. [Existing]

**Obstruction (or obstruction to air navigation).**

Any structure, growth, or other object, including a mobile object, which exceeds a limiting height set forth in Sec. 17-306(B)(1), Airport Overlay District. [Existing]

**Primary surface.**

A surface longitudinally centered on a runway. When the runway has a specially prepared hard surface, the primary surface extends 200 feet beyond each end of that runway; for military runways or when the runway has no specially prepared hard surface, or planned hard surface, the primary surface ends at each end of that runway. The width of the primary surface is set forth in Sec. 17-306(B)(1), Airport Overlay District. The elevation of any point on the primary surface is the same as the elevation of the nearest point on the runway center line. [Existing]

**Runway.**

A defined area on an airport prepared for landing and take-off of aircraft along its length. [Existing]

**Runway, larger than utility.**

A runway that is constructed for and intended to be used by propeller driven aircraft of greater than 12,500 pounds maximum gross weight and jet powered aircraft. [Existing]

**Runway, nonprecision instrument.**

A runway having an existing instrument approach procedure utilizing air navigation facilities with only horizontal guidance, or area type navigation equipment, for which a straight-in nonprecision instrument approach procedure has been approved or planned. [Existing]

**Runway, precision instrument.**

A runway having an existing instrument approach procedure utilizing an instrument landing system (ILS) or a precision approach radar (PAR). It also means a runway for which a precision approach system is planned and is so indicated on an approved airport layout plan or any other planning document. [Existing]

**Runway, utility.**

A runway that is constructed for and intended to be used by propeller driven aircraft of 12,500 pounds maximum gross weight and less. [Existing]

**Runway, visual.**

A runway intended solely for the operation of aircraft using visual approach procedures. [Existing]

**Transitional surfaces.**

These surfaces extend outward at 90-degree angles to the runway center line and the runway center line extended at a slope of seven feet horizontally for each foot vertically from the sides of the primary and approach surfaces to where they intersect the horizontal and conical surfaces. Transitional surfaces for those portions of the precision approach surfaces, which project through and beyond the limits of the conical surface, extend a distance of 5,000 feet measured horizontally from the edge of the approach surface and at 90-degree angles to the extended runway center line. [Existing]

- 090. Alley.**  
A private or public thoroughfare which affords only a secondary means of access to a building or property and [is] not intended for general traffic circulation. [Existing]
- 100. Alternative structure.**  
Alternative structure, as used in the use-specific standards for telecommunications, Sec. 17.402 (c)(1) b., Telecommunications Antennas and Towers, means clock towers, flag poles, bell towers, church steeples, light/power poles, electric transmission towers, manmade trees and similar natural or manmade alternative-design mounting structures that camouflage or conceal the presence of antennas or towers. [Revised]
- 110. Animal, dangerous.**  
Any domestic, native or exotic mammal, reptile, fish, fowl, insect, spider, or other creature that is considered inherently dangerous to human beings. This includes all such animals so identified by the department of natural resources, game and fish division. See Title 4, Article 4, *Dangerous and Potentially Dangerous Animals*, of county code. [Existing]
- 120. Animal, exotic.**  
Any animal not native to the United States or any large native animal not customarily kept in captivity outside zoological gardens. This would include but not be limited to large reptiles, predatory birds, toothless mammals, wild hoofed animals, elephants, wild cats, wild dogs, bears, musk bearing carnivores, marsupials, fowl, primates, hippopotamuses and rhinoceroses. [Existing]
- 130. Animal, farm.**  
Any domestic fowl or hoofed mammals normally raised for some type of consumption, to include but not be limited to food, eggs, hide or fur. Farm animals include livestock and fowl raised for gain or profit on a farm. [Existing]
- 140. Animal hospital.**  
A place for the medical care of animals, or a veterinary hospital. The boarding of animals at an animal hospital is limited to that incidental to the hospital use. [New]
- 150. Antenna.**  
Any exterior apparatus designed for the sending and/or receiving of electromagnetic waves for telephonic, radio, television, or personal wireless services. For the purposes of this chapter, the term "antenna" does not include any tower and antenna which is owned, operated and solely used by an amateur radio operator licensed by the Federal Communications Commission, and any device designed for over-the-air reception only of radio or broadcast signals. [Existing]
- 160. Apartment building.**  
A multi-family dwelling located on a parcel of land under a single ownership designed for use by three or more housekeeping units living independently of each other and doing their own cooking on the premises. [Existing]
- 170. Appeal.**  
The process by which an aggrieved party may petition for review of a decision made by an official or department of county government. [Existing]
- 180. Approved street.**  
Any street, whether public or private, meeting all applicable construction and design standards and specific actions in this title, or any accepted public streets. [Existing]

- 190. Aquifer.**  
Any stratum or zone of rock beneath the surface of the earth capable of containing or producing water from a well. [Existing]
- 200. Archery range.**  
An outdoor facility that may include buildings or structures used for target practice with bows and arrows. [New]
- 210. Arterial street or major highway.**  
A highway, parkway, freeway, expressway or arterial street utilized primarily for high vehicular speeds or for heavy volumes of traffic on a continuous route with intersections at grade or separated. [Existing]
- 220. Awning.**  
A cloth, plastic, or other nonstructural covering that either is permanently attached to a building or can be raised or retracted to a position against the building when not in use. [Existing]
- 230. Bank.**  
A business establishment in which money is accepted for deposit from the public and is invested or supplied for loans; e.g., a commercial bank, savings institution, or credit union. [Existing]
- 240. Banner.**  
A sign with or without characters, letters, illustrations, or ornamentations applied to cloth, paper, or fabric of any kind with only such material for backing. [New]
- 250. Basement or cellar.**  
That portion of a building below the first floor joists, the floor of which is more than one-half the clear ceiling height below the adjacent ground. [Existing]
- 260. Bed and breakfast inn.**  
A private residence, generally a single-family dwelling, in which guest rooms are made available to transient visitors. The establishment shall not contain restaurant facilities, but may provide food service for transient guests only. [New]
- 270. Block.**  
A parcel of land entirely surrounded by public highways, streets, alleys, railroads, rivers, streams, or U.S. government property, regardless of size or shape of such land or the number of lots thereon. [Existing]
- 280. Board of commissioners, or Board of County Commissioners, or County Commissioners.**  
The elected governing body of Hall County, Georgia, sometimes abbreviated as "BOCC." [Revised]
- 290. Boardinghouse.**  
A dwelling in which, for compensation, lodging and meals are furnished to four or more but not exceeding nine guests. Such dwelling shall contain no more than five guest rooms. [Existing]
- 300. Buffer.**  
A natural and/or landscaped open space and/or screen for buffering incompatible land uses or to visibly separate uses through distance to shield or block noise, light, glare, or visual or other nuisances; that portion of a given lot, not covered by buildings, pavement, parking, access and service areas, established for the purpose of screening and separating properties with

incompatible land uses, width of which is measured from the common property line or extensions of such line. A buffer consists of trees, shrubs and other natural vegetation undisturbed by grading or site development and replanted where sparsely vegetated or where disturbed for approved access and utility crossings. When used in the context of driveway construction, buffer area means the border area along the frontage between the traveled way and the right-of-way line and within the frontage boundary lines (see buffer island). [Revised]

**310. Buffer, undisturbed.**

A buffer left in a natural state or augmented with plantings to achieve the goal of buffering. [Existing]

**320. Buffer, vegetation.**

A vegetation strip planted along a lot line in the setback area and consisting of evergreen trees and/or shrubs. It is intended to shield the property from public view of the surrounding properties and, in some cases, the public right-of-way, to reduce noise emitting from the site and to protect the surrounding properties from impacts produced by the use. The vegetated buffer strip shall be used to form a hardy screen dense enough to interrupt vision and noise. [Revised]

**330. Buffer island.**

The area between the frontage right-of-way line and a line parallel to and a minimum of a four-foot distance from the right-of-way line extended away from the right-of-way line. [Existing]

**340. Building.**

Any structure, either temporary or permanent, above or below ground, having a roof or other covering and designed, built or used as a shelter or enclosure for persons, animals, or property of any kind, including tents or awnings used for purposes of a building. Said definition of "building" shall include a structure as defined by this Code which may be permanently attached to the building. [Existing]

**350. Building, accessory.**

A building detached from and subordinate to a main building or use on the same lot and used for purposes customarily incidental to the use of that property. Any agricultural use shall be deemed to be an accessory building whether situated on the same lot with the principal building or not. [Existing]

**360. Building line.**

A line beyond which the foundation wall and/or any roofed porch, vestibule or other such portion of a building shall not project. [Existing]

**370. Building official.**

The official or other designated authority charged by the county board of commissioners with the administration and enforcement of this title, and the issuance of building permits in accordance with this title, or his or her duly appointed representative. [Revised]

**380. Building permit.**

A written permit issued by the building official authorizing construction, renovation, or repairs to a structure. [Existing]

**390. Building, principal.**

A building in which is conducted the principal use of the lot on which the structure is situated. [Existing]

- 400. Bus station.**  
A premises for the transient housing or parking of motor-driven buses, and the loading and unloading of passengers. [New]
- 410. Business services.**  
Services rendered to business establishments, such as advertising, credit reporting, collection of claims, mailing, reproduction, computer programming, photocopying, duplicating, data processing, services to buildings, and employment services. [Existing]
- 420. Caliper.**  
Tree trunk diameter measured at a point six inches above ground level. (See also DBH.) [Existing]
- 430. Campground, private.**  
A private outdoor facility designed for overnight accommodation of persons in tents, rustic cabins and shelters for recreation, education, naturalist, or vacation purposes. Office, retail, and other commercial uses commonly established in such facilities and related parking structures shall be allowed as accessory appurtenances. [New]
- 440. Canopy tree.**  
A species of tree that normally reaches a height at maturity in excess of 40 feet and in which the layers of leaves and branches of the tree are so arranged or formed to provide shade. Examples of canopy trees would include scarlet oak, northern red oak, shumark oak, water oak, white oak, yellow poplar, red maple, sugar maple, American elm, winged elm, Chinese elm, trident maple, pin oak, American beech, pecan, southern magnolia, sweetgum, and willow oak. [Existing]
- 450. Caretaker or employee residence.**  
An accessory residence (which may include a manufactured home in zone where such homes are permitted) placed on an occupied tract for use by a bona fide caretaker, employee or the owner himself and approved by the Planning Commission in accordance with Sec. 17-403(B), Caretaker or Employee Residence. [Existing]
- 460. Cemetery.**  
Land used for the burial of the dead. [New]
- 470. Centerline.**
- A. The centerline of any right-of-way having a uniform width; or
  - B. The original centerline where a right-of-way has been widened irregularly; or
  - C. The new centerline whenever a road has been relocated.
- [Existing]
- 480. Class A--Dwelling units.**  
All single-family and two-family dwellings, including industrialized dwelling units, and manufactured homes that meet or exceed the standards for single-family and two-family dwellings under this Code. [Existing]

- 490. Class B--Dwelling units.**  
All single-family and two-family dwellings including industrialized dwelling units and manufactured homes that do not meet the standards for single-family and two-family dwellings under this Code. [Existing]
- 500. Clear cut.**  
The large-scale, indiscriminate removal of trees, shrubs, and undergrowth with the intention of preparing real property for non-agricultural development purposes. [Existing]
- 510. Coffeehouse**  
An informal restaurant primarily offering coffee, tea, and other beverages, and where light refreshments and limited menu meals may also be sold. [New]
- 520. Collector street.**  
Any street designed and located to collect traffic from intersecting minor streets while still giving access to abutting property, and to conduct such traffic to and from a variety of destinations outside a single subdivision, neighborhood or business district. [Existing]
- 530. Common access driveway.**  
The primary means of access to a public street, shared by and connecting three but no more than five parcels, tracts, lots, building sites or structures. [Existing]
- 540. Common areas.**  
Those portions of a site and/or building(s) collectively owned or controlled. [Existing]
- 550. Common land.**  
That land set aside for open space or recreational use for the owners of lots in a subdivision, which land is conveyed by the developer in fee simple absolute title by a warranty deed to trustees whose trust indenture provides that the common land be used for the sole benefit, use and enjoyment of the lot owners and their guests, present and future. No lot owner shall have the right to convey his interest in the common land except as an incident of the ownership of a regularly platted lot. [Existing]
- 560. Composting.**  
Processing waste in a controlled environment to produce a stable product by microbiologically degrading organic matter under aerobic conditions. [New]
- 570. Conditional use.**  
A use which is not automatically permitted inherently but which may be permitted within a zoning district subject to meeting specific conditions set forth in this Code and subject to the approval of the Planning Commission or County Commissioners. [Revised]
- 580. Condominium.**  
A building or complex of multiple-unit dwellings in which a tenant holds full title to his unit and joint ownership in the common grounds. [Existing]
- 590. Confined animal feeding operations.**  
Confined Animal Feeding Operation (Also known as Feedlots) means an agricultural operational unit that meets all of the following criteria: (1) is designed to confine more than 1,000 animal units, (2) animals are confined, fed, and maintained for 45 consecutive days or more between May 15 and September 15, (3) crop or forage growth is not maintained in the area of confinement, (4) a majority of the crops or forage used to feed the animals is not grown on the

same property, and (5) generates an average of more than 5 truck trips per week transporting animals to or from the confinement area. [New]

**600. Construction plan.**

The maps or drawings accompanying a subdivision plat and showing the specific location and design of improvements to be installed in the subdivision in accordance with the requirements of the planning commission as a condition of the approval of the plat. [Existing]

**610. Construction trailer.**

A trailer designed for temporary office use by a contractor working on building project, utility line installation or road improvements. For the purposes of this regulation, the term will also include any storage areas, parking areas or other accessory uses or structures normally associated with such contracts. [Revised]

**620. Convalescent home.**

See "Nursing home."

**630. Convenience store with gas pumps**

A facility that sells gasoline products and also sells prepackaged food items and tangible consumer goods, primarily for self-service by the consumer. [New]

**640. Corner clearance.**

Corner clearance (C) means, at an intersecting street or highway, the dimension measured along the edge of the traveled way between the frontage boundary line opposite the intersection of the two right-of-way lines and the tangent projection of the nearest edge of the driveway. [Existing]

**650. County.**

Hall County, Georgia. [Existing]

**660. County-utilized compactor sites.**

A fixed facility where solid waste from collection vehicles is compacted and temporarily stored for subsequent transport to a permanent disposal site. See Sec. 8.60.290, Solid Waste Compactor Sites. [New]

**670. Critical root zone.**

The land area circular in shape and centered on the trunk of a tree, the radius of which circle is determined by the farthest extent of the drip line from the trunk. [Existing]

**680. Cross drain.**

The pipe system designed to accommodate a drainage basin's 25-year storm water runoff passing under a street. [Existing]

**690. Cul-de-sac.**

A local street with only one outlet, closed and terminated by a vehicular turnaround. [Existing]

**700. Currency exchange.**

A commercial use that exchanges common currencies, sells money orders or cashiers checks, and cashes checks, drafts, money orders, or travelers checks for a fee as its principal business activity. This use shall not include banks, credit unions, or long-term loan companies. [New]

- 710. Day care center.**  
A place operated by a person, society, agency, corporation, institution, or group wherein are received for pay, for supervision and care for fewer than 24 hours per day, without transfer of legal custody, 19 or more children under 18 years of age, and which is required to be licensed or commissioned by the Georgia Department of Human Resources. (See also "family day care home" and "group day care home.") [Existing]
- 720. DBH (diameter-at-breast-height).**  
DBH (diameter-at-breast-height) means tree trunk diameter (in inches) at a height of four and one-half feet above the ground. If a tree splits into multiple trunks below four and one half feet, then each trunk is measured as a separate tree. (See also Caliper.) [Existing]
- 730. Department of Community Affairs or DCA.**  
The Georgia Department of Community Affairs. [New]
- 740. Dead end street.**  
A street having only one end open for vehicular traffic and the other permanently terminated by an approved turnaround for vehicles. [Existing]
- 750. Decision-making body.**  
The individual or appointed or elected body within the Hall County government charged with the responsibility of making a specific decision pursuant to Chapter 2 of this Code. [New]
- 760. Development site.**  
When used in the context of tree protection, development site means that portion of a tract of land that will be dedicated to a proposed development, including that land containing trees that will be counted toward satisfying the requirements of these provisions. Where a development site is smaller than the tract in its entirety, only those trees specified to be within the construction area shall be counted toward meeting the 15 units per acre requirement. [Existing]
- 770. Director.**  
The planning director of the Hall County Department of Planning or his/her designee. [Existing]
- 780. Director of engineering.**  
The engineer for Hall County, licensed and registered in the State of Georgia to perform the duties of engineer as described in this Code. [Existing]
- 790. Disability.**  
A physical or mental impairment which substantially limits one or more of a person's major life activities, or impairs their ability to live independently, or a record of having such an impairment, or being regarded as having such an impairment, but such term does not include current use of, or addiction to, a controlled substance. (See the definition of "community residence.") [Existing]
- 800. Distance between double driveways.**  
Distance between double driveways (D) means the distance measured along the right-of-way line between the tangent projection of the inside edges of two adjacent driveways to the same frontage. [Existing]
- 810. Domestic violence shelter.**  
A residential facility serving as a center to receive and house persons who are victims of domestic violence, including dependents of the victim, to provide temporary boarding, lodging,

- counseling, and day care. The facility shall meet all certification requirements of the State of Georgia. [New]
- 820. Double-frontage lot.**  
A lot having non-adjacent frontage on two streets, as distinguished from a corner lot. [Existing]
- 830. Drastic.**  
When used in the context of groundwater pollution, the standardized system for evaluating groundwater pollution potential using the hydrogeologic settings described in U.S. Environmental Protection Agency document EPA-600/2-87-035. The "drastic" methodology is the most widely used technique for evaluating pollution susceptibility. [Existing]
- 840. Drip line.**  
A perimeter formed by the points farthest away from the trunk of a tree where precipitation falling from the branches of that tree lands on the ground. [Existing]
- 850. Drive-in or drive-up.**  
A retail or service enterprise in which service is provided to consumers in their vehicles on the outside and/or inside of the principal building. The terms "drive-in" and "drive-up" include drive-in restaurants and dairy bars, theaters, banks, automated teller machines (ATM), laundries, food stores and/or car washes. [Revised]
- 860. Driveway.**  
An access way connecting one or more dwelling units or businesses and/or their parking spaces with a street. [Existing]
- 870. Driveway angle.**  
Driveway angle (Y) means the angle of 90 degrees or less between the driveway centerline and the edge of the traveled way. [Existing]
- 880. Driveway width.**  
Driveway width (W) means the narrowest width of the driveway measured parallel with the edge of the traveled way. [Existing]
- 890. Dwelling unit.**  
"Dwelling unit" means one or more rooms, which are arranged, designed, or used as living quarters for a family as a single housekeeping unit. A dwelling unit includes bathroom and kitchen facilities in addition to sleeping and living areas. [Existing]
- 900. Dwelling unit, attached.**  
One of two or more dwelling units having a common or party wall separating units. [Existing]
- 910. Easement.**  
A grant to a person or to the public by a property owner of a strip of his land for road right-of-way or other specified purposes. [Existing]
- 920. Edge clearance.**  
Edge clearance (E) means the distance measured along the edge of the traveled way, between the frontage boundary line and the tangent projection of the nearest edge of the driveway. [Existing]

- 930. Emergency facility.**  
A facility for conduct of public safety and emergency services, including fire and police protection services and emergency medical and ambulance services. [New]
- 940. Engineer.**  
A registered, practicing engineer, licensed by the State of Georgia. [Existing]
- 950. Equestrian center.**  
A tract of land of five acres or more on which more than four adult horses, mules or burros are kept for the purpose of training, boarding, sales or breeding or where instruction pertaining to the same is given for a fee. For the purposes of this regulation this term also includes facilities for riding trails and rings, shows, competitive equestrian events and riding lessons. [Existing]
- 960. Expressway.**  
A highway to which access is restricted except by ramps or interchanges. [Existing]
- 970. Façade.**  
The portion of the side of a building, between the ground and the eaves. [Revised]
- 980. Factory and warehouse outlet.**  
A portion of a main building or a freestanding building where the products manufactured in the same building or a nearby building are kept and offered for wholesale or retail sale. [New]
- 990. Family.**  
One or more persons permanently occupying a single dwelling unit, provided that all members are related by blood or marriage, or up to 5 persons not related by blood or marriage. Full-time domestic servants may be housed on the same property in the primary residence or accessory structure, and not counted towards the limit on non-related persons. [Revised]
- 1000. Family day care home.**  
A private residence operated by any person who receives compensation for the supervision and care in such residence, for fewer than 24 hours per day and without transfer of legal custody, of between three and six children under 18 years of age who are not related to such person and whose parents or guardians are not residents in the same private residence. (See also "day care center" and "group day care home.") [Revised]
- 1010. FAR.**  
See "Floor Area Ratio." [New]
- 1020. Farm.**  
A parcel of land five acres or more on which bona fide agricultural and related uses are conducted as specified in Sec. 17.20.030. [Existing]
- 1030. Farm, small animal specialty.**  
The commercial production on less than five acres of land of small animals, to include but not be limited to rabbits, birds, fish, mink, bees, worms or other similar animals. This includes only the sale of the animals and a container to hold them. No sales of cages, feed in bags, or animal accessories shall be transacted. [Existing]
- 1040. Final plat.**  
The map or plan or record of a subdivision and any accompanying material, as provided in Chapter 7 of the UDC. [Existing]

**1050. Financial services.**  
See 17-401(E)(7)b.5.

**1060. Flag.**  
Any fabric, banner, or bunting containing distinctive colors, patterns, or symbols, used as a symbol of a government, political subdivision, or other entity.

**1070. Flood Damage Prevention Definitions.**  
Unless specifically defined below, words or phrases used in the Flood Damage Prevention Regulations shall be interpreted so as to give them the meanings they have in common usage and to give these provisions their most reasonable application.

**Addition (to an existing building).**

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

**Appeal.**

A request for a review of the building inspector's interpretation of any provision of this chapter or a request for a variance.

**Area of shallow flooding.**

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

**Area of special flood hazard.**

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

**Base flood.**

The flood having a one percent chance of being equaled or exceeded in any given year.

**Basement.**

That portion of a building having its floor below grade.

**Breakaway wall.**

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

**Building.**

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

**Development.**

Any man-made change to improved or unimproved real estate, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavating, drilling operations or permanent storage of materials or equipment.

**Director of inspections.**

The director of the building inspection department of the county or the director's designee.

**Elevated building.**

Non-basement building built to have the lowest floor elevated above the ground level by means of fill, solid foundation perimeter walls, pilings, columns (post and piers) or shear walls. If solid foundation perimeter walls are used, they shall be provided with openings sufficient to facilitate the unimpeded movement of floodwaters into and out of the enclosed area.

**Engineer.**

The department head of the public works department/engineering division of the county or the director's designee.

**Existing construction.**

Any structure for which the start of construction commenced before the effective date of the initial FIRM, November 2, 1983. "Existing construction" also means "existing structures."

**Existing manufactured home park or subdivision.**

A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) was completed before the effective date of this chapter.

**Expansion to an existing manufactured home park or subdivision.**

The preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

**Flood or flooding.**

A general and temporary condition of partial or complete inundation of normally dry land areas from:

1. The overflow of inland or tidal waters;
2. The unusual and rapid accumulation or runoff of surface waters from any source.

**Flood hazard boundary map (FHBM).**

An official map of a community, issued by the Federal Emergency Management Agency, where the boundaries of the areas of special flood hazard have been defined as zone A.

**Flood insurance rate map (FIRM).**

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

**Flood insurance study.**

The official report provided by the Federal Emergency Management Agency, containing flood profiles, as well as the flood boundary floodway map and the water surface elevation of the base flood.

**Floodway.**

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

**Floor.**

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

**Functionally dependent facility.**

A facility which cannot be used for its intended purpose unless it is located or carried out in a close proximity to water, such as a docking or port facility necessary for the loading and unloading of cargo or passengers, shipbuilding, ship repair, or seafood processing facilities. The term does not include long-term storage, manufacture, sales or service facilities.

**Hall County Planning Commission.**

A board that has been established by the BOCC to hear requests for variances of the Flood Damage Prevention Regulations.

**Highest adjacent grade.**

The highest natural elevation of the ground surface, prior to construction, next to the proposed walls of a building.

**Historic structure.**

Any structure that is:

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

**Lowest floor.**

The lowest floor of the lowest enclosed area (including basement). An unfinished or flood-resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; provided, that such enclosure is not built so as to render the structure in violation of the applicable nonelevation design requirements of the Flood Damage Prevention Regulations.

**Manufactured home.**

A building, transportable in one or more sections, which is built on a permanent chassis and designed to be used with or without a permanent foundation when connected to the required utilities. The term also includes park trailers, travel trailers, and similar transportable structures placed on a site for 180 consecutive days or longer and intended to be improved property.

**Mean sea level.**

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

**National Geodetic Vertical Datum (NGVD) as corrected in 1929.**

A vertical control used as a reference for establishing varying elevations within the floodplain.

**New construction.**

Structures for which the "start of construction" commenced on or after the effective date of February 8, 1988 (the date of adoption of the [former] Hall County Flood Protection Ordinance. The term also includes any subsequent improvements to such structure.

**New manufactured home park or subdivision.**

A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of floodplain management regulations adopted by a community.

**Recreational vehicle.**

means a vehicle which is built on a single chassis; four hundred square feet or less when measured at the largest horizontal projection; designed to be self-propelled or permanently towable by a light duty truck; and designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel or seasonal use.

**Start of construction.**

Includes (for other than new construction or substantial improvements under the Coastal Barrier Resources Act [P.L. 97-348]) substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction or improvement was within 180 days of the permit date. The actual start means the first placement of permanent construction of a building (including a manufactured home) on a site, such as the pouring of slabs or footings, installation of piles, construction of columns, or any work beyond the stage of excavation or the placement of a manufactured home on a foundation. Permanent construction does not

include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main building. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

**Structure.**

A walled and roofed building that is principally aboveground, a manufactured home, a gas or liquid storage tank, or other man-made facilities or infrastructures.

**Substantial damage.**

Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

**Substantial improvement.**

The total cost of reconstruction, alteration, rehabilitation, addition or other improvements to a building (including electrical, plumbing, heating and air conditioning) taking place during a ten-year period, which equals or exceeds 50 percent of the market value of the building. The market value of the building is the appraised or assessed value of the building, less the land, prior to the start of the initial repair or improvement. In the case of damage, the market value of the building is that prior to the damage occurring. If the assessed value represents only a percentage of building value, then the market value equals the assessed value plus an amount representing the discount percentage. This term includes structures which have incurred "substantial damage," regardless of the actual repair work performed. It does not include repairs for damage from any origins which are determined to be less than "substantial improvement" as defined in this chapter. For the purposes of this definition, "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor or other structural part of the building commences, whether or not that alteration affects the external dimensions of the building. The term does not, however, include:

(1) Any project for improvement of a building required to correct existing violations of state or local health, sanitary or safety code specifications which have been identified by the code enforcement official, which have been cause for issuance of a citation or condemnation, and which are solely the minimum necessary to assure safe living conditions; or

(2) Any alteration of a "historic structure," provided that the alteration will not preclude the structure's continued designation as a "historic structure," and for which a variance has been granted pursuant to this ordinance [chapter].

**Substantially improved existing manufactured home parks or subdivisions.**

Where the repair, reconstruction, rehabilitation or improvement of the streets, utilities and pads equals or exceeds 50 percent of the value of the streets, utilities and pads before the repair, reconstruction or improvement commenced.

**Variance.**

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

**Violation.**

The failure of a structure or other development to be fully compliant with the Flood Damage Prevention Regulations. A building or other development without the elevation certificate, other certifications or other evidence of compliance required in the Flood Damage Prevention Regulations is presumed to be in violation until such time as that documentation is provided.

**1080. Floor Area Ratio (FAR).**

The total floor area of all buildings or structures on a zoning lot divided by the area of said lot. [New]

**1090. Fraternal lodge.**

A place for meetings and social activities of a fraternal organization. [Revised]

**1100. Fraternal organization.**

A non-profit membership organization based primarily on social affinity (as distinguished from a civic, economic, occupational, political, religious, or other basis for association). [Existing]

**1110. Frontage.**

That dimension of a lot measured along the front street line of the lot, or, if the front street line is curved, along the chord of the arc. [Existing]

**1120. Frontage boundary line.**

Frontage boundary line means a line perpendicular to the highway centerline, at each end of the frontage lines, extending from the right-of-way to the edge of the through-traffic lane.[Existing]

**1130. Fully shielded.**

When used in the context of lighting fixtures, fully-shielded means constructed in such a manner that all light emitted by the fixture, either directly from the lamp or a diffusing element, or indirectly by reflection or refraction from any part of the luminaire, is projected below the horizontal. [Existing]

**1140. Funeral home.**

An establishment, which provides human funeral, services, including embalming and memorial services. Provision of cremation services is a permitted accessory use, however a crematorium is a separate use. [New]

**1150. Garage, private.**

An accessory building or portion of a principal building used only for the private storage of motor vehicles as an accessory use. [Existing]

**1160. Garage, public.**

Any garage other than a private garage which is used for storage, rental, servicing, washing, adjusting or equipping of automobiles or other motor vehicles. [Existing]

- 1170. Garage, vehicle repair.**  
Buildings and premises designed or used for the purpose of service and/or major commercial repair of motor vehicles, including engine repair or overhaul, body work, transmission repair, frame repairs, or electrical repairs. [Existing]
- 1180. Golf driving range.**  
A limited area on which golfers do not walk, but onto which they hit golf balls from central driving tees. [New]
- 1190. Governing body.**  
The board of commissioners for Hall County, Georgia. [Existing]
- 1200. Group day care home.**  
Any place operated by any person(s), partnership, association or corporation wherein are received for pay, for supervision and care, not less than seven or more than 18 children under 18 years of age, for less than 24 hours, without transfer of legal custody, and which is required to be licensed or commissioned by the Georgia Department of Human Resources. [Existing]
- 1210. Group home.**  
A residence under the ownership and supervision of a public educational, religious or governmental institution occupied or intended for occupancy by several unrelated persons or families but in which separate cooking facilities are not provided for such resident persons or families. [Existing]
- 1220. Group living for agricultural workers.**  
Agriculture workers' dormitories on farms, including migratory farm workers' camps on farms, bunkhouses for ranch hands, and other dormitories on farms.
- 1230. Guest house.**  
An accessory living quarters situated within a detached or semi-detached site-built structure located on the same premises with a site-built principal residence, meeting the requirements of Sec. 17-403 (F). [Revised]
- 1240. Hardship manufactured home.**  
A single-family, accessory, manufactured home which has been approved by the zoning board of adjustment due to hardship, placed on an occupied residential lot in compliance with Sec. 17-404(J), Temporary Hardship Manufactured Home. [Revised]
- 1250. Hazardous waste.**  
Any solid waste which has been defined as a hazardous waste in regulations, promulgated by the administrator of the U.S. Environmental Protection Agency pursuant to the federal act, which are in force and effect on February 1, 1988, codified as 40 C.F.R. Sec. 261.3. [Existing]
- 1260. Health club.**  
A facility where members or nonmembers use equipment or space for the purpose of physical exercise, and related classes and therapies. [New]
- 1270. Health department.**  
The Hall County Health Department, which is duly authorized to perform health services in the county. [Existing]

**1280. Heliport.**

An area, either at ground level or elevated on a structure, licensed or approved for the landing and takeoff of helicopters and which may include auxiliary facilities such as parking, waiting room, fueling and maintenance equipment. [New]

**1290. Home occupation.**

An occupation or profession conducted entirely within a dwelling and that is carried on by an occupant of the dwelling and that is clearly incidental and secondary to the use of the dwelling for residential dwelling purposes. A home occupation is designed to be more restrictive than a residential business in regard to access by the public, size, visibility, number of employees and types of business. [Existing]

**1300. Hospital.**

Any institution receiving inpatients and rendering medical care, including those wherein developmentally disabled, mentally ill, epileptic, alcoholic, drug addicted, chronically ill and physically handicapped patients are treated or cared for. [Revised]

**1310. Hotel and motel.**

Hotel and motel are to be considered synonymous uses. A hotel or motel means a building or a group of buildings in which sleeping accommodations are offered to the public and intended primarily for rental for temporary occupancy by persons on an overnight basis, not including bed and breakfast establishments or boardinghouses. [Revised]

**1320. Household.**

Any one of the following:

- One or more persons related by blood, marriage, adoption, or legal guardianship, including foster children, living together in a dwelling unit; or
- A group of not more than five persons not related by blood, marriage, adoption, or legal guardianship living together in a dwelling unit; or
- Two unrelated persons and their children living together in a dwelling unit.

[New]

**1330. Impervious surface.**

Man-made structures or surfaces that prevent the infiltration of stormwater into the ground below the structure or surface. Examples include, but are not limited to, buildings, roads, driveways, parking lots, swimming pools or patios. [Existing]

**1340. Improvements.**

Street pavement, sidewalk pavement, pedestrian way pavement, water mains, storm sewers, sanitary sewers, signs, monuments, landscaping, street lights, buildings or other structures, and other similar items. [Existing]

**1350. Industrial park.**

A tract of land subdivided and developed according to a comprehensive development plan in a manner, which provides a park-like setting for industrial establishments. [Existing]

**1360. Industrial service, heavy.**

See Sec. 17-401(F)(1), Industrial Service. [New]

**1370. Industrial service, light.**

See Sec. 17-401(F)(1), Industrial Service. [New]

**1380. Industrialized dwelling unit.**

A dwelling 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 and which bear the insignia of approval issued by the Commissioner of the Georgia Department of Community Affairs, and that does not meet the definition of a manufactured home. [Revised]

**1390. Intake.**

When used in the context of the Water Supply Watershed Overlay District, intake means the intake for the purpose of determining the watershed above the intake is the structure by which water will be removed from the North Oconee River and pumped to the reservoir, and will be located in the approximate area of the intersection of the Buffington Mill Creek and the North Oconee River. [Existing]

**1400. Inventory items.**

Those items not designed or intended to function outdoors or independently, including but not limited to washing machines, clothes dryers, refrigerators, water heaters and other appliances and parts of automobiles, boats and other vehicles. [Existing]

**1410. Junk yard.**

The use of any space whether inside or outside a building for the storage, keeping, salvage and/or sale of junk, scrap metals or other scrap materials, including the dismantling, demolition or abandonment of one or more automobiles or other vehicles or machinery or parts thereof. [Existing]

**1420. Jurisdictional wetlands.**

An area that meets the definitional requirements for wetlands as determined by the U.S. Army Corps of Engineers. [Existing]

**1430. Jurisdictional wetlands determination.**

A delineation of jurisdictional wetland boundaries by the U.S. Army Corps of Engineers, as required by Section 404 of the Clean Water Act, 33 U.S.C. § 1344, as amended. [Existing]

**1440. Keeping of animals accessory to a residential use.**

See Sec. 17-403(I).

**1450. Kennel, commercial.**

Any place in or at which more than four adult dogs (or cats) are kept for the purpose of sale, boarding, care, breeding or training and for which any fee is charged. A commercial kennel shall be located on not less than five acres of land in the residential zoning districts. The raising of four or fewer adult dogs (or cats) would be inherently allowed in all residential zones that allow a commercial kennel. [Existing]

**1460. Laboratory.**

An establishment or premises where scientific services are provided, including testing or analysis of a medical, chemical, physical, mechanical, electric or electronic nature or the calibration of instruments. [Existing]

**1470. Laboratory, medical and dental.**

A building or portion of a building containing offices and facilities for performing diagnostic or therapeutic medical procedures of a nonsurgical nature. [New]

**1480. Land-disturbing activity.**

Any grading, scraping, excavating, or filling of land; clearing of vegetation; and any construction, rebuilding, or alteration of a structure. Land-disturbing activity shall not include activities such as ordinary maintenance and landscaping operation, individual home gardens, yard and grounds upkeep, repairs, additions or minor modifications to a single-family dwelling, and the cutting of firewood for personal use. [Existing]

**1490. Land use plan.**

A development plan or any part thereof adopted by the county, which indicates the general location for the various classes of public works, places, and structures and depicting the general, planned physical development of the county or a portion thereof. This includes the Hall County Comprehensive Plan adopted pursuant to the Minimum Standards and Procedures for Local Government Planning established by the Department of Community Affairs.[Revised]

**1500. Landfill.**

A facility for the burial of non-hazardous and non-medical farm, residential, institutional, commercial, or industrial waste. [New]

**1510. Landing field.**

See "Airfield."

**1520. Livestock barn.**

A large accessory building used exclusively for the sheltering of livestock.

**1530. Lot.**

A parcel of land, which is designated as a single unit of property. [Existing]

**1540. Lot, through.**

A lot that runs from street to street. [New]

**1550. Lot area.**

The computed ground area inside the lot lines. [Existing]

**1560. Lot depth.**

The mean horizontal distance between the front and rear lot lines measured in the general direction of the side lot lines. [Existing]

**1570. Lot line, front.**

Any boundary line of a lot that abuts a street right of way line. A lot with more than one street frontage will have more than one front lot line. On a flag lot, one additional lot line adjacent to the buildable portion of the lot will also be deemed a front lot line. This front lot line shall either be the lot line nearest to and most parallel to the street upon which the lot fronts, or the lot line adjacent to and most parallel to the accessway from the street to the buildable area of the lot. [Revised]

**1580. Lot line, rear.**

The lot line that is generally opposite the front lot line. If the rear lot [line] is less than ten feet in length or if the lot comes to a point at the rear, the rear lot line shall be deemed to be a line parallel to the front lot line not less than ten feet long lying wholly within the lot and farthest from

the front lot line. If there are several line segments that lie generally opposite the front lot line, all segments less than 45 degrees from the front lot line bearing will be considered rear lot lines. On a corner lot, the rear lot line is defined as being the lot line opposite the front lot line towards which the building front is oriented. On a flag lot, the rear lot line is that line opposite the designated front lot line. [Revised]

**1590. Lot of record.**

A lot which legally existed as evidenced by plat, deed or other official record prior to August 28, 1978, or is reflected in a plat that has been legally recorded with the county clerk of superior court since that date, and which actually exists as so shown or described. [Revised]

**1600. Lot width.**

The distance between the side lot lines measured at the front building line. [Existing]

**1610. Lot, corner.**

A lot located at the junction of and abutting on two or more intersecting streets. [Existing]

**1620. Lot, interior.**

A lot other than a corner lot. [Existing]

**1630. Mainstreaming facility.**

A facility designed to provide temporary accommodations for persons who were previously housed in formal detention, incarceration, or treatment centers, and who are not yet prepared or permitted to live independently. Examples include halfway houses or group living facilities for such individuals. [New]

**1640. Major fraction.**

Any fraction which, when converted to decimal form, has a value between .50 and 1.00, non-inclusive. [New]

**1650. Manufactured home.**

A dwelling fabricated in an off-site facility for installation or assembly at the building site, bearing a label certifying that it is constructed in compliance with the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. 5401, et seq.), which first became effective on June 15, 1976. The term "manufactured home" includes a structure, transportable in one or more sections, which, in the traveling mode, is eight body feet or more in width or 40 body feet or more in length, or when erected on-site, is 320 or more square feet in floor area, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities and includes the plumbing, heating, air-conditioning, and electrical systems contained therein, except that such term includes any structure which meets all the requirements of this definition except the size requirement and with respect to which the manufacturer voluntarily files a certification required by the Secretary of Housing and Urban Development and complies with the standards established under the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. 5401, et seq.). [Existing]

**1660. Manufactured home park.**

A parcel of land containing not less than five acres under single ownership which has been planned and improved for the placement of two or more manufactured homes or mobile homes for nontransient uses. Included in this definition are those parcels of land on which two or more manufactured homes or mobile homes existed prior to August, 1978, and are identified on public records maintained in the Hall County Planning Director's Office. [Revised]

- 1670. Manufacturing, heavy.**  
See Sec. 17-401(F)(2), Manufacturing and Production. [New]
- 1680. Manufacturing, light.**  
See Sec. 17-401(F)(2), Manufacturing and Production. [New]
- 1690. Marquee.**  
A permanent structure other than a roof attached to, supported by, and projecting from a building and providing protection from the elements.
- 1700. Medical and dental offices and outpatient clinics.**  
A building or portion of a building containing offices and facilities for providing medical, dental, and psychiatric services for outpatients only. [New]
- 1710. Micro telecommunication facilities.**  
Those antenna located on existing buildings, poles or other existing support structures, where antennae do not project more than 20 feet above the top of the roof line, parapet or top of the structure, whichever is higher, and there are no more than 12 antennae per site. Micro telecommunications facilities may exceed the height limitation specified for the zoning district. [Existing]
- 1720. Minor subdivision.**  
] The subdivision of a parent tract, which is a lot of record, into two lots conforming with all requirements of this Code, where no road (or tract intended to be a road) is created, and no community water or sewer system must be installed. Only one minor subdivision, creating one additional lot, may be created per year per original parent tract that has been divided under this process.
- 1730. Mobile home.**  
A dwelling manufactured prior to June 15, 1976, transportable in one or more sections, which, in the traveling mode, is eight body feet or more in width or 40 body feet or more in length, or when erected on-site, is 320 or more square feet in floor area, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities and includes the plumbing, heating, air-conditioning, and electrical systems contained therein. [Existing]
- 1740. Modular home.**  
A detached single-family dwelling which is fabricated entirely or in part at some location other than its permanent site and which may be a complete unit or closed segments thereof. [Existing]
- 1750. Motel.**  
See "Hotel and Motel."
- 1760. Multi-family dwelling unit.**  
A residential building designed exclusively for permanent occupancy by three or more families in separate dwelling units living independently of each other. [Existing]
- 1770. Nonconforming structure, object, or use:**  
Any structure, object of natural growth, or use of land that lawfully exists at the time of adoption of this Code and that does not conform with the provisions of this Code or an amendment to this Code. [Existing]

**1780. Nonresidential subdivision.**

A subdivision whose intended use is other than residential, such as commercial or industrial. Such subdivision shall comply with the applicable provisions of these regulations. [Existing]

**1790. Nuisance.**

Any condition, including visual conditions, or use of any premises or building, including exterior surfaces, which is detrimental to the public health, safety, morals, or welfare or which is detrimental to the property of others, or causes or tends to cause substantial diminution in the value of property in the subdivision. Nuisance includes, but is not confined to, any of the following: garbage, trash, weeds, building materials or debris, abandoned, discarded, or unused objects, junk, or collections of equipment such as automobiles, furniture, stoves, refrigerators, freezers, cans, boxes, or containers. [Existing]

**1800. Nursing home.**

A rest home, nursing home, convalescent home, home for the aged or similar use established and operated on a profit or non-profit basis to provide lodging and/or meals and/or domiciliary care for the aged, infirm, chronically ill or convalescent persons. The term shall include the term "extended care facility" as defined by Georgia law. [Revised]

**1810. Occupy.**

To use land or buildings for any length of time for a purpose for which the land or a building or part thereof is used or is intended to be used. Any variation of the term "occupy" shall be encompassed by this definition. [Existing]

**1820. Office, government.**

An office owned, operated, or occupied by a governmental agency. [New]

**1830. Office, residential conversion.**

A single-family residential structure occupied by or converted for an office use. [New]

**1840. Open space.**

A parcel or parcels of land or an area of water or a combination of both land and water within the site designated for development, designed and intended for the use and enjoyment of residents of a development or for the general public, not including streets or off-street parking areas. Open space shall be substantially free of structures but may contain such improvements as are in the plans as finally approved and are appropriate for the benefit of residents of the development. [Existing]

**1850. Overlay district.**

A zoning district that encompasses one or more underlying zones and that imposes additional requirements above that required by the underlying zone(s). An overlay district can be coterminous with existing zoning districts or contain only parts of one or more such districts. [Existing]

**1860. Owner.**

Any individual, firm, association, syndicate, partnership, corporation, trust or any other legal entity having sufficient (51 percent) proprietary interest in the land sought to be subdivided to commence and maintain proceedings to subdivide the same under these regulations. [Existing]

**1870. P-loop street.**

A relatively short street that has a more or less circular loop at one end with significant non-street land in its center; closes back on itself and has only one point of access to another street. [New]

- 1880. Parcel.**  
A general term including all plots of land shown with separate identification on the official tax appraisal maps. [Existing]
- 1890. Park, community.**  
A parcel of land owned by a unit of government or a private organization used or intended to be used for recreational or leisure time activities. Such parks may include playgrounds, and food and/or recreational sales as accessory uses. [Existing]
- 1900. Parking as an accessory use.**  
Any area, paved or unpaved, used for to store or park the vehicles of those patronizing a different primary use of the property. The areas designated for the display of new and used vehicles for sale are not included in this definition. [New]
- 1910. Pavement.**  
That portion of a street having an all-weather, stable constructed surface and subsurface for the support and movement of vehicular traffic. [Existing]
- 1920. Pavement width.**  
The shortest distance as measured from edge of pavement to edge of pavement exclusive of curb and gutter sections. [Existing]
- 1930. Pawn shop.**  
Any business that loans money on deposit of personal property or deals in the purchase or possession of personal property on condition of selling the property back again to the pledger or depositor, or loans or advances money on personal property by taking chattel mortgage security thereon, and takes or receives such personal property. Personal property includes but is not limited to motor vehicles. [New]
- 1940. Perennial stream.**  
A stream, which flows throughout the entire year as, indicated by a solid blue line on a USGS 7 1/2 minute topographic series map. [Existing]
- 1950. Permanent occupancy.**  
Occupancy or use by an owner, or by a tenant for periods of 30 consecutive days or more. Such occupancy is characteristic of single-family, two-family, and multiple-family dwelling units, including mobile homes, industrialized homes, manufactured homes, town homes, and condominiums. [New]
- 1960. Permitted use.**  
A use that is allowed by right in the respective zoning district, without further approval of the Planning Commission or County Commissioners, subject to compliance with the use-specific regulations and with all other applicable regulations set forth in this Code. [New]
- 1970. Person.**  
An individual, firm, partnership, corporation, company, association, joint stock association or government entity; includes a trustee, a receiver, an assignee, or a similar representative of any of them. [Existing]
- 1980. Personal services.**  
See 17-401(E)(7)b.4.

- 1990. Pet day care.**  
A facility that regularly provides day care for less than 24 hours per day for dogs or dogs and cats for a fee or compensation. [New]
- 2000. Pet grooming.**  
Any place or establishment, public or private, where domestic animals are bathed, clipped, or combed for the purpose of enhancing their aesthetic value and/or health and for which a fee is charged. [New]
- 2010. Planned development.**  
Development of land pursuant to the provisions of Sec. 17-305 of this Code, Planned Development Districts. [Revised]
- 2020. Planning commission.**  
The Hall County Planning Commission. [Existing]
- 2030. Planning director.**  
The director of the Hall County Planning Department. [Existing]
- 2040. Plat.**  
A sketch, map or survey of a lot, tract or parcel of land, including lot lines, street rights-of-way and easements, with the dimensions of these features inscribed thereon. [Existing]
- 2050. Plat, final.**  
A finished drawing of a subdivision showing completely and accurately all legal and engineering information and certification necessary for recording. [Revised]
- 2060. Pollution susceptibility.**  
The relative vulnerability of an aquifer to being polluted from spills, discharge, leaks, impoundments, application of chemicals, injections and other human activities in the recharge area. [Existing]
- 2070. Pollution susceptibility maps.**  
Maps prepared by the Department of Natural Resources showing relative vulnerability of aquifers to pollution. Pollution susceptibility maps categorize the land areas of the state into areas having high, medium and low groundwater pollution potential. [Existing]
- 2080. Poultry house.**  
A building or structure where chickens, turkeys, ducks or other domestic birds are raised for commercial use, and where the structure(s) in which they are housed is not less than 200 square feet in aggregate. [New]
- 2090. Private club.**  
Facilities owned or operated by an organization of persons for special purposes, such as the promulgation of sports, arts, literature, politics, but not operated for profit, and excluding religious institutions, and also excluding structures and uses associated with commercial or non-commercial outdoor recreation.
- 2100. Public improvements.**  
Any drainage ditch, roadway, parkway, sidewalk, pedestrian way, tree, lawn, off-street parking area, lot improvement, or other facility for which the county may ultimately assume the

responsibility for maintenance and operation, or which may affect an improvement for which county responsibility is established. [Existing]

**2110. Public use.**

A use conducted by a unit of government. [Existing]

**2120. Public way.**

A street or road, which has been dedicated for public use by deed, plat and/or prescription. [Existing]

**2130. Recharge areas.**

Any portion of the earth's surface, where water infiltrates into the ground to replenish an aquifer. [Existing]

**2140. Recharge areas, significant.**

Those areas mapped by the Department of Natural Resources in Hydrologic Atlas 18 (1989 edition). Mapping of recharge areas is based on outcrop area, lithology, soil type and thickness, slope, density of lithologic contacts, geologic structure, the presence or karst, and potentiometric surfaces. Significant recharge areas for Hall County are typified by those in the Piedmont and Blue Ridge, where rocks have primary porosity, with most groundwater being stored in the overlying soils. [Existing]

**2150. Regulated activity.**

When used in the context of groundwater recharge and water pollution control, "regulated activity" means any activity which will, or which may reasonably be expected to, result in the discharge of dredged or fill material into waters of the U.S. excepting those activities exempted in Section 404 of the Federal Clean Water Act. [Existing]

**2160. Religious institution.**

A structure or place in which worship, ceremonies, rituals, and education are held, together with its accessory buildings and uses (including buildings used for educational and recreational activities), operated, maintained, and controlled under the direction of a religious group. Religious institutions include churches, mosques, synagogues, temples, and similar facilities. Accessory uses may include part-time religious school facilities, parking, caretaker's housing, pastor's housing, and group living facilities such as convents. [New]

**2170. Reservoir boundary.**

The edge of a water supply reservoir defined by its normal pool level. [Existing]

**2180. Residence.**

A building containing only dwelling units and which meets all the applicable requirements of the Standard Building Code for conventional construction. The term "residence" or any combination thereof shall not be deemed to include a hotel, boarding house, rooming house, motel or other accommodations used for transient occupancy, and shall not for the purpose of this chapter [title] include a mobile home or modular home. [Existing]

**2190. Residence, duplex or two-family.**

A detached residence designed for or occupied exclusively by two families living independently of each other. [Existing]

**2200. Residence, multi-family.**

A detached residence designed for or occupied exclusively by three or more families living independently of each other. This includes, but is not limited to, townhouses and apartments. [Existing]

**2210. Residence, single-family.**

A detached residence other than a mobile home, manufactured home or travel trailer designed for or occupied by one family. [Existing]

**2220. Residential business.**

An occupation or profession conducted within a dwelling, and which is carried on by an occupant thereof and which is clearly incidental and secondary to the use of the dwelling for residential dwelling purposes. The business may require access by the public. The residential business is designed to be less restrictive than a home office or home occupation but more restrictive than a rural business in regard to access by the public, size, visibility, number of employees and types of business. [Existing]

**2230. Restaurant.**

Any establishment, however designated, at which food is sold for consumption on the premises. However, a snack bar or refreshment stand at a public or non-profit community swimming pool, playground, park or marina operated solely for the convenience of patrons of the facility shall not be deemed a restaurant. [Existing]

**2240. Restaurant, sit-down.**

An establishment where meals or prepared food, including beverages and confections, are served to customers for consumption on the premises, but only indoor seating is available for on-site consumption. [New]

**2250. Restaurant, fast-serve.**

An establishment engaged primarily in the business of preparing food and purveying it on a self-serve or semi self-serve basis for consumption on or off premises. Customer orders and/or service may be by means of a walk-up counter or window, but shall not be by means of a window designed to accommodate food pick-up from automobiles. [New]

**2260. Restaurants with drive-in/ drive-through facilities.**

An establishment where provision is made on the premises for the selling, dispensing, or serving of food, refreshments, or beverages to persons in automobiles and/or in other than a completely enclosed building on the premises, including those establishments where customers may serve themselves and may eat or drink the food, refreshments, or beverages in automobiles on the premises. A restaurant, which provides drive-in facilities of any kind, shall be deemed a drive-in restaurant. Such an establishment by design encourages or permits customers to obtain goods while remaining in their motor vehicles. [New]

**2270. Resubdivision.**

A legal subdivision which has been altered by changing of a line, bearing or other measurement which either reduces or enlarges the number of lots or size of lots originally created and which is subsequently platted and recorded in a legal manner. [Existing]

**2280. Retreat.**

A private establishment consisting of a structure or structures located in a rural or semi-rural setting in which temporary lodging is provided along with conference and meeting facilities, and which may also include restaurant or banquet facilities and recreational amenities. A retreat

includes a campground operated by a not-for-profit organization for use by not-for-profit association members, such as a scout camp. [New]

**2290. Right-of-way.**

A strip of land occupied or intended to be occupied by any or all of the following: a street, crosswalk, railroad, road, electrical transmission line, oil or gas pipeline, water main, sanitary or storm sewer main, or for another special use. The usage of the term "right-of-way" for land platting purposes shall mean that every right-of-way hereafter established and shown on a final plat is to be separate and distinct from the lots or parcels adjoining such right-of-way and not included within the dimensions or areas of such lots or parcels. [Existing]

**2300. Right-of-way width.**

The distance between property lines measured at a right angle to the centerline of the right-of-way. [Existing]

**2310. Road, county.**

A street that is owned or maintained by the county. [Existing]

**2320. Rough grade.**

Proposed finished grade plus or minus one foot as shown on the appropriate construction plans. [Existing]

**2330. Rural business.**

An occupation or profession conducted within a dwelling, an accessory structure or outside and which is carried on by a resident of that property and which is clearly incidental and secondary to the use of the property for residential dwelling purposes. The rural business is designed to be less restrictive than a home office, home occupation or residential business in regard to access by the public, size, visibility, number of employees and types of business. Planning commission approval is required for a rural business in accordance with the conditions outlined in Sec. 17-403(E), Rural Businesses. [Existing]

**2340. Sanitary sewerage system, private.**

On-site means for disposing and treating human and domestic waste, such as a septic tank and soil absorption system or other system, allowed by state and city regulations; used where authorized the city when access to the municipal sewer system is not required or feasible. [New]

**2350. Sanitary sewer, public.**

A system of subterranean conduits that carries refuse liquids or waste matter to a plant where the sewage is treated, as contrasted with storm drainage systems (that carry surface water) and septic tanks or leech fields (that hold refuse liquids and waste matter on-site). [New]

**2360. Sawmill, on-site.**

A sawmill used to process timber grown and harvested on the property where it is processed. [New]

**2370. Scrap materials.**

Any items normally considered as salvage, scrap, junk, or as useless or worthless materials. This includes, but is not limited to, pieces, fragments, and parts of items no longer usable as originally intended, materials left over from fabricating, leftover bits of food and empty containers. [Existing]

**2380. Sales, Gasoline.**

A building and/or lot where gasoline, oil, grease, batteries, tires, and other vehicle accessories may be dispensed at retail and where no automobile repair or maintenance services are performed. [New]

**2390. Setback.**

The minimum horizontal distance between the street, rear or side lines of the lot and the front, rear or side lines of the building or structure attached thereto. The term "required setback" means a line beyond which a building or structure attached thereto is not permitted to extend under the provisions of this title establishing minimum depth and width of yards. [Existing]

**2400. Shooting range.**

The use of land for the discharging of firearms for the purposes of target practice, skeet and trap shooting, or temporary competitions. [New]

**2410. Shopping center.**

A group of commercial establishments planned, developed and owned or managed as a unit with on-site parking and of similar architectural characteristics. [Existing]

**2420. Shoulder.**

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

**2430. Sidewalk.**

The portion of the right-of-way, which is parallel to the street or road and paved to accommodate pedestrian traffic. [Existing]

**2440. Sign.**

A surface (or series of surfaces connected to a common supporting structure) on which is displayed an announcement, name, illustration, symbol or insignia used to inform the public or to identify, advertise or promote the interest of any person. [Existing]

**2450. Sign area.**

The area of the smallest rectangle within which all elements of a flat sign are contained (a flat sign being one with two display surfaces facing exactly opposite directions, or one display surface if against the wall of a building); or the maximum projected surface area (projected in one direction) of any other sign.

Supporting structures for signs shall not be counted in the sign area, provided such supporting structures consist of posts, hangers, or brackets of the minimum number and size necessary to support the sign. A wall or fence on which a sign is mounted shall not be counted in the sign area, provided it serves primarily to enclose, divide, or protect an area.

Supporting structures of natural-finish brick masonry, stone masonry, or wood shall not be counted in the sign area, provided that:

- (1) Such structures do not extend more than one foot above or two feet beyond the ends of the sign;
- (2) The height of the combined sign and supporting structure does not exceed six feet; and

(3) The area of the combined sign and supporting structure does not exceed twice the area of the sign itself.

[Existing]

**2460. Sign, address.**

Sign displaying the street address of the property. [Existing]

**2470. Sign, billboard.**

A free-standing or attached outdoor advertising structure promoting any business, product, service, industry or use other than that performed on the property on which the sign is placed. The billboard may or may not be illuminated and may be any size up to the maximum size permitted by these regulations. [Existing]

**2480. Sign, construction.**

A sign displaying the name of the development and the owner, contractor, architect, engineer, and financing entity for a building under construction; which sign shall be removed from the site within ten days after completion of the project. [Existing]

**2490. Sign, free-standing.**

A sign that is not mounted on a principal building. [Existing]

**2500. Sign, marquee.**

A sign that (a) is attached to a canopy or covered structure projecting from and supported by a building and (b) does not extend above or below such canopy or structure. [Existing]

**2510. Sign, monument.**

Any sign that has a brick, masonry, or stone base and frame within which advertising panels are contained. [New]

**2520. Sign, nonconforming.**

Any sign that does not conform to the provisions of this Code. [New]

**2530. Sign, off-premises.**

A sign that is not located upon the premises of the business or entity indicated or advertised by the sign. [New]

**2540. Sign, portable.**

A sign which is not permanently affixed by rigid structures to a permanent, concrete foundation or a building; including any sign mounted on a vehicle, trailer, or other device designed to be moved periodically from place to place. [Existing]

**2550. Sign, private directional.**

A sign informing the public of the direction to follow to reach a particular structure or portion of the site, and not intended primarily as an advertising device. [Revised]

**2560. Sign, real estate.**

A sign announcing the availability of the property for sale or rent, and displaying information about the property and the name, address, and telephone numbers of the owner or agent. [Existing]

**2570. Sign, roof.**

A sign projecting over the coping of a flat roof, or wholly or partially over the ridge of a gable, hip or gambrel roof, and supported by or attached to the roof. [New]

**2580. Sign, temporary event.**

(A) Sign displaying the name of a workman or company currently making physical improvements on the property; or notice of a garage sale, auction, or similar activity; which sign is displayed only for the duration of the activity, but not longer than 14 days.

(B) Sign announcing an event held by a civic, charitable, or religious organization to raise money for charitable purposes; which sign is erected no more than 30 days prior to the event and is removed immediately thereafter.

(C) Sign displaying information about candidates for political offices or issues in a referendum, which sign is displayed only for the duration of the campaign (for an election, from the close of qualification for candidacy through the general election; and for a referendum, from official notice of the referendum date through that date).

[Existing]

**2590. Sign, traffic control.**

A sign displaying information such as "entrance" or "exit" or directions to off-street parking necessary to direct vehicles entering or leaving the property; and a logo or name where necessary to indicate the property to which the sign applies. [Existing]

**2600. Sign, subdivision announcement.**

A sign announcing a land subdivision development, which sign shall be removed when 75 percent of the lots are conveyed. [Existing]

**2610. Sign, wall.**

A sign which is mounted on the facade of the building in which the activity advertised by the sign is located, is in a plane parallel to the wall (i.e., does not project at an angle to the wall), and does not project more than 12 inches from the wall. [Existing]

**2620. Sign, warning.**

Sign displaying notices about trespassing, dangerous animals, and the like. [Existing]

**2630. Sign, window.**

A sign placed on or visible only through a window, display case, or entry door of a building. [Existing]

**2640. Signable wall area.**

The largest rectangular or (in the case of a gable) triangular area on the facade of a building which is free of architectural details (any projection, relief, cornice, column, change of building material, window, or door opening); or such defined area on that part of a building in which the activity advertised by the sign is located. [Existing]

**2650. Single-family detached dwelling unit.**

A residential building, whether site-built or a manufactured home or an industrialized building, designed for permanent occupancy by one family. [Existing]

**2660. Site-built single-family detached dwelling unit.**

A single-family detached dwelling constructed on the building site from basic materials delivered to the site, and which is constructed in accordance with all requirements of the Building Code as adopted by Hall County. [Existing]

**2670. Site-built two-family dwelling unit.**

A two-family dwelling constructed on the building site from basic materials delivered to the site and which is constructed in accordance with all requirements of the building codes as adopted by Hall County. [Existing]

**2680. Slope, average.**

The characteristic slope of the ground surface of an area of land, expressed as a percent, based on the most accurate available topographic information. Average slope shall be determined using one of the following methods.

1. *Basic Method.* This method can be used where the director determines that slopes are uniform, with little variation. Where line drawn between the highest and lowest points on a parcel is adequate to represent the direction and extent of slope for the entire parcel, the difference in elevation between the high and low points, divided by the distance between the points will determine the average slope.

2. *Contour Measurement Method.* Where varied slope conditions or complex topography exist, the most precise measurement of average slope is the following formula.

$S = .0023IL/A$ , where S = percent average slope; I = contour interval in feet; L = contour length in feet; and A = parcel area in acres.

[New]

**2690. Slow rate land treatment system.**

A system for wastewater treatment by spray irrigation (land application). The term refers to the advanced treatment of wastewater by irrigation onto land to support vegetative growth. When properly sited, designed and operated as defined by state and local regulations, there is no direct discharge to surface waters. The irrigated wastewater evaporates and transpires to the atmosphere or enters the groundwater through percolation. Organic constituents in the wastewater are stabilized by soil bacteria. Organic and ammonia nitrogen are taken up by plants, nitrified by soil bacteria, lost to the atmosphere through denitrification, and leached into the groundwater. Phosphorus and other constituents are adsorbed in the soil profile and taken up by plants. Properly sited, designed and operated wastewater irrigation systems produce a percolate water of high quality and thus protect ground and surface water resources. For purposes of this regulation, the use may include ponds (lagoons) for the temporary storage of the treated wastewater before application to the spray fields. The treated wastewater stored in the lagoons must have been treated to a level that could be sprayed without further treatment. These ponds shall have liners to prevent seepage. This land use is permitted only with the approval of the county commission after a recommendation by the planning commission. [Existing]

**2700. Special event.**

A temporary outdoor use on private property that extends beyond the normal uses and standards allowed by the zoning ordinance of the county. Special event includes, but is not limited to, art shows, sidewalk sales, Christmas tree sales, haunted houses, carnivals, special auto sales, grand openings, festivals, home exhibitions, and church bazaars. [New]

- 2710. Stable, commercial.**  
Any place established for gain or profit at which more than four adult horses are kept for the purpose of training, boarding, sale or breeding or where instruction pertaining to the same is given for a fee. [Existing]
- 2720. Storage, outdoor, of materials and inventory.**  
The storage of any materials outside the principal or accessory buildings on a property.
- 2730. Storage yard.**  
An area that is permitted under this Code, and specifically designed and approved for the outdoor storage of materials and inventory.
- 2740. Storm sewer.**  
The pipe system designed to accommodate the ten-year storm water runoff collected in the street. [Existing]
- 2750. Street.**  
A public or dedicated thoroughfare or a private right-of-way or easement shown on a recorded plat and which has been approved by the planning commission. [Existing]
- 2760. Street grade.**  
The grade of the centerline of a street measured at any point along the street, expressed as a percent. [Existing]
- 2770. Street right-of-way.**  
A line defining the outer edges of a street boundary and separating the street from abutting property or lots or a proposed street line shown on any plan approved by the planning commission. [Existing]
- 2780. Street, arterial.**  
A major street, highway or state route with intersections at grade and direct access to abutting property, and on which geometric design and traffic control measures are used to expedite the safe movement of through traffic between major traffic generators. [Existing]
- 2790. Street, collector.**  
Any street designed and located to collect traffic from intersecting minor streets while still giving access to abutting property, and to conduct such traffic to and from a variety of destinations outside a single subdivision, neighborhood or business district. See also "street, residential collector." [Existing]
- 2800. Street, local.**  
A street intended solely to provide access to immediately adjacent land; in residential areas, a residential access or residential subcollector street. See also "street, residential access." [Existing]
- 2810. Street, marginal access.**  
A special-purpose street provided parallel and adjacent to a collector or higher order street for safety, by providing access to abutting properties and separation from through traffic on the higher order street. [Existing]

**2820. Street, residential access.**

The lowest order street in the hierarchy of streets; a street having the sole purpose of providing frontage for service and access to private lots. These streets carry only traffic having either destination or origin on the street itself. The elimination of through traffic and the geometric design of the street are means to promote safety and to create a desirable residential neighborhood. This street is designed to carry average daily traffic (ADT) of no more than 200 for each outlet to another street (e.g., a cul-de-sac or other single-access street will carry 200; a loop street will carry 200 per outlet, or 400). See also "street, local." [Existing]

**2830. Street, residential collector.**

The next level above a residential subcollector street in the hierarchy of streets; a street which conducts and distributes traffic between other residential streets of lower order in the streets hierarchy and either higher order streets or major activity centers. This is the highest order of street appropriate to a residential neighborhood, and residential frontage along it is normally prohibited or severely restricted. This street is designed to carry average daily traffic (ADT) of no more than 3,000 at any point. [Existing]

**2840. Street, residential subcollector.**

The next level above a residential access street in the hierarchy of streets; an access street that provides frontage for residential lots and may carry a small amount of residential through traffic collected only from tributary residential access streets. This street is designed to carry average daily traffic (ADT) of no more than 500 for each outlet to another street (e.g., a cul-de-sac or other single-access street will carry 500; a loop street will carry 500 per outlet, or 1,000). [Existing]

**2850. Structure.**

Anything constructed or erected, the use of which requires permanent or semi-permanent location on the ground or which is attached to something having permanent location on the ground. In the context of airport area regulation, the term applies also to mobile objects, constructed or installed by man, including but not limited to buildings, towers, cranes, smokestacks, earth formations, and overhead transmission lines. [Existing]

**2860. Subdivider.**

Any person who, having an interest in land, causes it, directly or indirectly, to be divided into a subdivision. [Existing]

**2870. Subdivision.**

The division of a tract or parcel of land into two or more lots, building sites, or other divisions for the purpose of sale, legacy, a new street, or a change in existing streets, and includes resubdivision. Where appropriate to the context, subdivision also relates to the process of subdividing or to the land or area subdivided. The term shall also include the opening of a new street or road. The combination or recombination of portions of previously platted lots where the total number of lots is not increased and the resultant lots meet the standards of the county subdivision regulations is not included within this definition. [Existing]

**2880. Subdivision, minor.**

Minor subdivision includes only the division of land creating one new lot and a remaining lot, and not involving the creation of any new roads or parcel intended to become a road or any community water or sewer system. [New]

**2890. Subdivision amenity.**

An area and improvements to an area intended to create aesthetic features, provide desirable buffers, and provide recreation facilities for the pleasure and benefit of subdivision residents. The

control, management and maintenance of amenities will be the responsibility of an association of all subdivision lot owners and will be for their exclusive use. Amenities include, but are not be limited to, swimming pools, tennis courts, picnic tables and pavilions, ball fields, basketball courts, fishing docks, shuffleboard courts, walking trails, landscaped areas, all with customary, accessory structures and entry signs. [Existing]

**2900. Substation, electrical.**

A terminal at which electric energy is received from the transmission system and is delivered to other elements of the transmission system and, generally, to the local distribution system. [New]

**2910. Substation, utility.**

A structure for collecting, processing, or distributing a public utility commodity, including electric substations, gas metering stations, and telephone exchanges, but not including any part of a water or sewer system. [New]

**2920. Surveyor.**

A registered, practicing surveyor, licensed by the State of Georgia. [Existing]

**2930. Telecommunications facilities.**

Telecommunications facilities mean antennae or towers, and supporting or accessory ground structures, either individually or together. [Revised]

**2940. Temporary classroom space**

A building, without a permanent foundation, to be used exclusively for classroom instruction.

**2950. Temporary sales office.**

A real estate office that is located within an approved recorded subdivision and is restricted in use to the sale of approved lots within the boundaries of that subdivision. [Existing]

**2960. Temporary seasonal and holiday sales**

Sales of plant materials (including potted plants, wreaths, and decorative or dried plant arrangements), fresh or dried produce, and food products prepared from produce (including such items as preserves, roasted nuts, baked goods, and cider). [New]

**2970. Theater, drive-in.**

A facility for showing motion pictures outdoors where the audience views the motion picture from automobiles or while seated outside. [New]

**2980. Tower, monopole.**

A telecommunications tower consisting of a single pole, constructed without guy wires or ground anchors. [Existing]

**2990. Tower, telecommunications.**

A structure, such as a lattice tower, guy tower or monopole tower, constructed as a free-standing structure on which is located one or more antennas intended for transmitting and/or receiving analog, digital, microwave, cellular, telephone, personal wireless service, or similar forms of electronic communication. The term includes microwave towers, common carrier towers, and cellular telephone towers. [Existing]

**3000. Tower height.**

The dimension from the average finish grade adjacent to the tower foundation pad to the top of any antenna, lightning rod or other appurtenance attached to the tower. [Existing]

**3010. Townhouse.**

Residential structures containing three or more attached single-family units designed as a single structure having common or party walls. Each unit shall have its own front door which opens to the outdoors, and the units shall have two floors, but without access between adjoining units. [Existing]

**3020. Transient Occupancy.**

Occupancy or use by a paying guest or tenant for a period of less than 30 consecutive days or the offering or advertising of a residence as being available in whole or part to be used for such occupancy. Such occupancy is characteristic of hotels, motels, boardinghouses and rooming houses.

**3030. Travel trailer.**

A vehicular portable structure not over eight feet by 35 feet and designed as a temporary dwelling for travel, recreational and vacation uses, which may or may not have kitchen equipment, toilet, lavatory and bathing facilities, but, if such facilities are included, a sewage holding tank for sanitary waste is required. Any vehicle designed or converted to a design with plumbing connections for attachment to outside sewage systems shall not be included in this definition. [Existing]

**3040. Travel trailer park.**

A parcel of land which has been planned and developed to accommodate two or more travel trailers, tents or other camping units for temporary occupancy of not over 60 days' duration. [Existing]

**3050. Tree.**

Any self-supporting woody plant, usually having a single woody trunk, and a potential DBH of two inches or more. [New]

**3060. Tree farming.**

The planting, cultivating, and harvesting of trees in a continuous cycle as a regular practice on a tract of land, not including the removal of trees for purposes of development or the removal of trees without replanting. [Existing]

**3070. Truck terminal.**

A facility for the receipt, transfer, short-term storage, and dispatching of goods transported by truck. Included in the use type would be express and other mail and package distribution facilities, including such facilities operated by the U.S. Post Office. [New]

**3080. Turnaround.**

The circular pavement paved area intended to facilitate turning around of vehicles at the end of a cul-de-sac. [Existing]

**3090. Two-family dwelling unit.**

A residential building designed exclusively for permanent occupancy by two families in separate dwelling units living independently of each other. [Existing]

**3100. Unavoidable Encroachment.**

Intrusion into the critical root zone that cannot be avoided or prevented without alteration of the design of the structure being built, installed, or repaired. [New]

**3110. Uniformity Ratio.**

The average level of illumination in relation to the lowest level of illumination for a given area. Example: UR =4:1 for the given area, the lowest level of illumination (1) should be no more than 4 times the average level of illumination. [New]

**3120. Use, principal.**

The principal purpose for which a lot or building is designed, arranged, intended, occupied or maintained. [Existing]

**3130. Uses subject to approval of the planning commission.**

A use that may be permitted in the zoning district upon the specific approval of the individual application by the Planning Commission. [Existing]

**3140. Utility, minor.**

Infrastructure services that need to be located in or near the neighborhood where the service is provided but not including electric substations, gas metering stations, or telephone exchanges. [New]

**3150. Variance.**

A modification of the strict terms of this Code granted by the Planning Commission where such modification will not be contrary to the public interest, and where, owing to conditions unique to the individual property on which the variance is sought and not as a result of any action on the part of the property owner, a literal enforcement of this Code would result in unnecessary and undue hardship; provided, however, that no variance shall be granted which shall authorize a land use not otherwise permitted in a particular district. [Existing]

**3160. Vehicle, inoperable.**

Any motor vehicle, recreational vehicle, boat, trailer, or semi-trailer that lacks a current registration or that is unable to move under its own power. [New]

**3170. Vehicle and boat storage.**

Any operation of business activity in which the principal use is the storage of operating and licensed vehicles or boats,. Such operation or business shall not include salvage activities. [New]

**3180. Vehicle sales and rental.**

Open premises arranged, designed, or used for storage and display for sale or rental of any motor vehicle, boat, or any type of trailer. [Revised]

**3190. Vehicle service**

A building and/or a lot where gasoline, oil, grease, batteries, tires, and other vehicle accessories may be sold and installed at retail and where only light automotive or marine services such as muffler repair, oil and fluid changes, tire repair, car washing and detailing or other related services are provided, but where no heavy repairs, body work, engine or transmission repair, or overhaul are provided. No part of the premises may be used for the storage of dismantled or wrecked vehicle parts.

**3200. Vehicle towing yards.**

Establishment that provides for the removal and temporary storage of vehicles but does not include disposal, permanent disassembly, salvage, or accessory storage of inoperable vehicles.

**3210. Veterinary clinic.**

A facility for the care and treatment of small animals, including household pets. Such facilities may be entirely indoors or may have both indoor and outdoor components. [New]

**3220. Veterinary service, on-call.**

A home occupation conducted by a veterinary professional who does not see any patients at home but makes house calls to sites where the patient is diagnosed and/or treated. [New]

**3230. Wallpack.**

A wall-mounted luminaire with optical elements (reflectors and/or refractors) that generally direct a large portion of light at angles near the horizontal. The term wallpack includes luminaires commonly described as “shielded” that do not meet the definition of “fully shielded” in this Ordinance. [Existing]

**3240. Warehousing, general.**

The storage of manufactured products, supplies, and equipment excluding bulk storage of materials that are flammable or explosive or that present hazards or conditions commonly recognized as offensive. [New]

**3250. Waste-Related Uses**

See Sec. 17-401(F)(4), Waste-Related Uses. [New]

**3260. Wastewater treatment plant, major.**

A facility or group of units used for the treatment of industrial or domestic wastewater for sewer systems and for the reduction and handling of solids and gases removed from such wastes, processing a volume greater than 0.25million gallons per day.

**3270. Wastewater treatment plant, minor.**

A facility or group of units used for the treatment of industrial or domestic wastewater for sewer systems and for the reduction and handling of solids and gases removed from such wastes, processing a volume less than or equal to 0.25 million gallons per day.

**3280. Water supply reservoir.**

A governmentally owned impoundment of water for the primary purpose of providing water to one or more governmentally owned public drinking water systems. This excludes multi-purpose reservoirs owned by the U.S. Army Corps of Engineers. [Existing]

**3290. Water supply watershed.**

The area of land upstream of a governmentally owned public drinking water intake. [Existing]

**3300. Water supply watershed protection plan.**

A land use plan prepared and adopted by local government for the protection of the quality of drinking water obtained from the watershed. [Existing]

**3310. Water system.**

A potable water supply and treatment system other than individual or community water systems, owned by a unit of government. [Existing]

**3320. Water system, community.**

A potable water supply and treatment system other than an individual or public water system serving more than one building, residence or other facility designed or used for human occupancy or congregation. The system is one that is owned by a person or legal unit other than a unit of government. [Existing]

**3330. Water system, individual.**

A potable water system other than a community or public water system serving a single building, residence or other facility designed or used for human occupancy or congregation. [Existing]

**3340. Wetland protection district.**

All wetlands within Hall County that are indicated on the wetlands protection district overlay map as "wetlands providing significant wildlife habitat and/or which may be subject to extensive mitigation." [Existing]

**3350. Wetlands.**

Those areas that are inundated or saturated by surface or groundwater at a frequency and duration to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions, and that meets the definition of natural conditions. Wetlands shall include any area delineated as a wetland by the United States Army Corps of Engineers under their jurisdiction pursuant to Section 404 of the Federal Clean Water Act as amended; or any area shown on a 1:24,000 scale, United States Fish and Wildlife Service National Wetland Inventory Map as being a wetland; or any area shown on a 1:24,000 scale, Georgia Department of Natural Resources land cover database map as being a wetland. [Existing]

**3360. Wetlands, freshwater.**

A wetland, as defined in this Code, that does not include any areas defined as "coastal marshlands" by the State Coastal Marshlands Protection Act. [Existing]

**3370. Wetlands maps, generalized.**

All wetlands within the jurisdiction of Hall County, Georgia, as indicated on the National Wetlands Inventory Maps. The generalized wetlands map does not necessarily represent the boundaries of jurisdictional wetlands within Hall County and cannot serve as a substitute for a delineation of wetland boundaries by the U.S. Army Corps of Engineers, as required by Section 404 of the Clean Water Act, as amended. [Existing]

**3380. Wholesale/warehouse, limited**

An establishment that is engaged in the smaller scale storage and sale of goods to other businesses for resale, excluding major distribution centers, motor freight terminals, moving and storage firms, and similar high volume, high turnover facilities. Limited wholesale and warehouse operations are fully enclosed, generally less than 50,000 square feet in area, and operate during conventional business hours. [New]

**3390. Yard.**

A required open space located on the same lot as the principal building, and which is unoccupied and unobstructed from the ground upward except for tree or shrub growth and fences or walls, or where other encroachments, utilities and accessory uses are expressly permitted. A yard requirement may also be referred to as a "required setback." [Revised]

**3400. Yard, front.**

A yard situated between the front building line and the front [lot] line extending the full width of the lot. [Existing]

**3410. Yard, maintenance.**

Any area used for outside storage, handling, and processing of construction materials, property maintenance materials, landscaping materials, recycling materials, composting materials, or related vehicles, equipment, trailers, containers, or job-site trailers or structures, or any combination of the above. [New]

**3420. Yard, rear.**

A yard situated between the rear building line and rear lot line and extending the full width of the lot. [Existing]

**3430. Yard, side.**

A yard situated between a side building line and a side lot line and extending from the front yard to the rear yard. [Existing]

**3440. Yard sale.**

Sales of used household belongings by an individual at his principal residence or by a group of individuals combining such items for a group yard sale at one of their principal residences. The term also includes garage sales (residential only), basement sales, or other similar usage. [Revised]

**3450. Zoning regulations.**

The zoning regulations adopted by the county, codified in title 17 of this Code. [Existing]