

**CITY OF RINGGOLD
STATE OF GEORGIA**

ORDINANCE NUMBER: 2014 - 0224

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF RINGGOLD, GEORGIA BY STRIKING, DELETING AND REPEALING THE ZONING ORDINANCE OF THE CITY OF RINGGOLD, GEORGIA IN ITS ENTIRETY AND SUBSTITUTING IN LIEU THEREOF A NEW ZONING ORDINANCE; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE, AND FOR OTHER PURPOSES ALLOWED BY LAW.

WHEREAS, the duly elected governing authority of the City of Ringgold, Georgia is authorized under Article IX, Section II, Paragraph III of the Constitution of the State of Georgia to adopt reasonable ordinances to protect and improve the public health, safety, welfare, and aesthetics of the citizens of the City of Ringgold, Georgia; and

WHEREAS, the duly elected governing authority of the City of Ringgold, Georgia is the Mayor and Council thereof; and

WHEREAS, all of the notice requirements of State law and the Zoning Ordinance have been complied with, and a public hearing has been held by the Planning Commission prior to consideration by this governing body;

NOW, THEREFORE, IT IS HEREBY ORDAINED BY THE GOVERNING AUTHORITY OF THE CITY OF RINGGOLD, GEORGIA AS FOLLOWS:

SECTION 1.

That the Zoning Ordinance of the City of Ringgold, Georgia is hereby amended by striking, deleting and repealing the Zoning Ordinance of the City of Ringgold in its entirety and substituting in lieu thereof a new Zoning Ordinance which shall read as follows:

Purpose

The Zoning Ordinance of the City of Ringgold, Georgia regulates the use of land and buildings by dividing the City of Ringgold into districts; defining certain terms used therein; imposing regulations, prohibitions and restrictions governing the erection, construction and reconstruction of structures and buildings and the use of lands for business, industry, residence, social and other specified purposes; regulating and limiting the height of buildings and open spaces, regulating and limiting the density of population; limiting congestion on the public streets; providing for the gradual elimination of nonconforming uses of land, buildings and structures; establishing the boundaries of districts; and providing the means of enforcing said Ordinance and providing a penalty for violation of said Ordinance, and repeal conflicting ordinances.

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ARTICLE I. - PURPOSE AND INTRODUCTION

Sec 1.1. - Short title.

This ordinance shall be known and may be cited as the “Zoning Ordinance of the City of Ringgold, Georgia.”

Sec. 1.2. - Authority of enactment.

The Mayor and council of the City of Ringgold enact this ordinance under the exercise of powers conferred upon it by the Georgia State Constitution, Article IX, Section II, Paragraph IV (Zoning Procedures Law).

The purpose of said zoning ordinance is to lessen congestion in the streets; to secure safety from fire, panic and other dangers; to promote health and the general welfare; to provide adequate light and air; to prevent the overcrowding of land; to protect property values; to avoid undue concentration of population; to facilitate the adequate provisions of transportation, water, sewerage, schools, parks and other public requirements; to conserve the value of buildings and encourage the most appropriate use of land throughout the corporate area, all in accordance with a comprehensive zoning ordinance for the City of Ringgold.

ARTICLE II. – DEFINITIONS

Sec. 2.1. - Definitions.

As used in this chapter, the following terms shall have the respective meanings indicated:

Agriculture. The tilling of the soil, raising of crops or animals, horticulture, gardening, beekeeping, aquaculture, and storage of the products of these activities produced on the lot or lots under one ownership or lease control.

Accessory structure. A structure detached from the principal building on the same lot and customarily incidental and subordinate to the principal building.

Acreage. Acres collectively in a tract of land.

Alley. A platted roadway which affords only secondary means of access to abutting property and not intended for general traffic circulation.

Alteration, structural. See "Structural alteration."

Amusements, commercial. Businesses which operate for a profit by amusing or entertaining patrons through the use of electronic/video pinball games; pool/ping pong tables; miniature racetracks, gaming devices, etc.; services may include light food/refreshment services, but not including establishments serving alcoholic beverages or indoor/outdoor shooting ranges. (Also, see Chapter 22 of the Code.)

Amusement machines. Any mechanical, electronic and/or coin-operated game and/or device for the amusement of patrons. This definition shall not be construed to include coin-operated music players, coin-operated mechanical kiddy rides or coin-operated television.

Apartment house. See "Dwelling, multiple."

Assisted living home/facility. An intermediate care facility licensed or approved to provide full-time assistance as necessary, including, but not limited to rooms, meals, and attention to personal needs, to non-family ambulatory individuals who, by reason of advanced age or infirmity, are unable to care completely for themselves, but who remain largely self-sufficient. Synonymous with Personal Care facility.

Auction houses. Commercial establishments which cater to a wide segment of the population where tangible items excluding cars, boats, trailers, motor homes, trucks, motorcycles, other motorized, self-propelled machines and real estate, are sold on a scheduled, open competitive bid basis to more than two people, provided that all sales, display, and storage be conducted within a completely enclosed building.

Bed and breakfast home. Any private owner-occupied residence offering transient lodging accommodations and breakfast to not more than three (3) guest rooms for compensation. (See also Section 9.4(j).)

Bed and Breakfast Inn. A building, not necessarily owner-occupied, that offers transient lodging accommodations and breakfast for up to 12 guest rooms for compensation. Such use has eighty (80) percent of the rooms occupied by a different registered guest every seven (7) days, provides patrons with daily maid service, and complies with the applicable requirements of the Catoosa County Health Department and O.C.G.A. Section 31-28-1 et. seq. (See also Section 9.4(k).)

Berm. A mound of earth, or the act of pushing earth into a mound.

Board. The board of zoning appeals.

Boarding house. A dwelling, permanently occupied by the owner or operator, where sleeping accommodation and meals, served upon the table family style with no provision for cooking in any of the occupied rooms, are provided for five (5) or more persons not of the same family by prearrangement for definite periods and for compensation.

Buffer. That portion of a lot or parcel of land set aside for open space and/or visual screening purposes, pursuant to applicable provisions of this resolution, to separate different use districts, or to separate uses on one property from uses on another property of the same use district or a different use district. Such buffer area may be either a natural buffer or landscaped buffer.

Building. Any permanent structure attached to the ground designed or built for the support, shelter or protection of persons, animals, chattels or property of any kind.

Building, alterations of. Alterations of buildings include any change in the supporting members of a buildings (such as bearing walls, beams, columns, and girders); any addition to a building; or any change of a building from one location to another.

Building, height of. The vertical distance measured from the average elevation of the proposed finished grade at the front of the building to the highest point of the roof for flat roofs; to the deck line of mansard roofs, and the mean height between the eaves and the ridge for gable, hip or gambrel roofs.

Building line, front. A line parallel to the street right-of-way line at a distance therefrom equal to the depth of the front yard required for the zoning district in which the lot is located. When the lot frontage is an arc and less than the minimum required lot width, the building line is parallel to the chord of the arc and located where the minimum lot width requirement is obtained. (See Setback Line).

Carport. A roofed area open on one, two, three sides or four sides for the storage of one or more motor vehicles.

Campground. An area designated and approved for the use of two (2) or more parked recreational vehicles or tents having access to public water and sewer facilities provided by the campground operator. See "recreational vehicles."

Cemetery. A cemetery is an area of land set apart for the sole purpose of the burial of bodies of dead persons or animals and for the erection of customary markers, monuments, mausoleums, and columbariums.

Change of occupancy. The term "change of occupancy" shall mean a discontinuance of an existing use and the substitution of a use of a different kind or class. Change of occupancy is not intended to include a change of tenants or proprietors unless accompanied by a change in the type of use.

Church. A building in which persons regularly assemble for religious worship of the same faith and which is publicly designated as a church, but shall not include a parsonage, thrift or clothing store, or soup kitchen/homeless shelter. Accessory uses of a church, customarily incidental and subordinate to the principal use of a building as a church, includes day care facilities, kindergartens, family exercise or sport facilities, cemeteries, mausoleums, and columbariums.

Clinic. An establishment where patients, who are not lodged overnight, except for observation or emergency treatment, are admitted for examination and treatment by one person or group of persons practicing any form of healing or health building services to individuals, which is lawful in the state.

Club, lodge, civic or fraternal organization. An incorporated or unincorporated association for civic, social, cultural, literary, political, recreational, or like activities, operated for the benefit of its members and not open to the general public. Excludes clubs which are operated for profit, shooting clubs, and places of religious worship or assembly.

Columbarium. A vault with niches for urns, containing the ashes of cremated bodies.

Commission. The planning commission of the city.

Comprehensive plan. The plan adopted by the City of Ringgold to comply with the Georgia Planning Act of 1989, as amended.

Conditional use. A use of land which is permitted in a particular zoning district only after a finding that the location and operation of the proposed use shall not be detrimental to adjoining land or land uses. Such review by the Ringgold Planning Commission and final action by the Mayor and Council is required as established by the Zoning Procedures and Standards Ordinance of the City of Ringgold, Georgia. (See Zoning Procedures and Standards Ordinance.)

Condominium. A building, or group of buildings, in which dwelling units are owned individually, and the structure, common areas and facilities are owned by all the owners on a proportional, undivided basis.

Conference/convention center. A facility typically designed to accommodate 300 or more people and used for conventions, conferences, seminars, product displays, training, recreation activities, and entertainment functions, along with accessory functions including outdoor displays, food and beverage preparation and service for on-premise consumption. The accommodations can include sleeping, eating, and recreation. The site shall be of sufficient size to accommodate or arrange for all off-street parking associated with an individual event.

Convalescent home. See "Nursing home."

Corner lot. See "Lot, corner."

Cultural facility. A structure or portion of a structure used as art gallery, museum, historical display, theatre, library, and other uses similar in character to those listed.

Day care center. A building or portion of a building wherein is provided care and supervision of persons away from their place of residence for less than twenty-four hours per day on a regular basis for compensation; serves nineteen (19) or more persons and is licensed by the State of Georgia. For the purposes of this Ordinance, the term "Day Care" shall include, but not be limited to the terms "child care," "nursery school," "early learning center," "pre-kindergarten," "private kindergarten," "play school," and "pre-school."

Day care home, family. A customary home occupation which provides, for six (6) or less persons who are not residents of the premises; care and supervision is provided by a state of Georgia registered adult for less than twenty-four (24) per day on a regular basis for compensation.

Day care center, group. A building or portion of a building wherein is provided care and supervision of persons away from their place of residence for less than 24 hours a day on a regular basis for compensation; serves seven (7) to eighteen (18) persons and is licensed by the State of Georgia.

Density. The number of dwelling units developed on an acre of land. As used in this ordinance, all densities are stated in dwelling units per gross acre.

Development standards. Site design regulations such as lot area, lot coverage, height limits, frontage, and yard requirements (setback distances).

District (or zoning district). A section of Ringgold designated in this resolution and delineated on the official zoning district maps for Ringgold, in which requirements for the use of land and building and development standards are presented with all such requirements being uniform in each district.

Depth of lot. See "Lot, depth of."

Double frontage lot. See "Lot, double frontage."

Drive-in restaurant. Food or refreshment place where space is provided for automobiles to park for the purpose of serving the occupants with food and refreshments. This includes barbecue stands and pits or other roadside facilities serving food or refreshments.

Duplex. See "Dwelling, two-family."

Dwelling. A building which is designed or used exclusively for residential purposes, including single-family, and multi-family residential buildings, boarding houses, fraternities, sororities, dormitories, manufactured homes, and industrialized homes, but not including hotels and motels.

Dwelling, attached single-family. A structure subdivided by a coincidental property line and common wall which separates the structure into a maximum of two (2) dwelling units, each occupying its own lot.

An attached single-family structure must meet all front, rear, and side yard setback requirements in the zoning district in which it is located, except for the coincidental property line and wall. The common party wall shall meet or exceed the applicable Georgia State Minimum Standard Fire Code requirements as determined by the building inspector. The firewall separating units of two or more stories must extend only to the roof decking of the two-story unit. Otherwise, an attached single-family structure must meet all standards that would be required for two-family dwellings in the zone districts in which they are located.

Dwelling, detached single-family. A detached residential building containing one (1) dwelling unit only entirely surrounded by open space. A single-family detached dwelling includes site-built homes, manufactured homes, and industrialized homes. The term also includes zero-lot line dwellings.

Dwelling, loft. A dwelling unit, occupied by not more than four persons with the following characteristics: 1) there shall be no more than four loft dwelling(s) per floor in a single building wherein the principal use of such building shall be commercial; 2) each loft dwelling(s) shall have a private entry door; 3) shall have either a private access stairway to the ground floor or a common stairway in conjunction with an common upstairs foyer; 4) shall have a minimum of 425

square feet of dwelling space for the first occupant and 100 square feet of added space for each additional occupant; 5) the loft dwelling(s) and all other floors of the same building including the basement shall be equipped with a fire suppression sprinkler system complying with the National Fire Protection Association (NFPA) Standard 13; 6) shall have no doorway or window inter-connection between loft dwellings; 7) shall be compliant with all current building codes in effect in City; and 8) shall be located in the rear of the building if a commercial use is carried on in any portion of a floor above the ground level of the building. *[Note: Per the definition, such use is adaptable to a mixed use commercial-residential environment and can include condominium style ownership.]*

Loft dwelling(s) located on the first floor above ground level shall be permitted by right, but units proposed two or more floors above ground level require approval as a conditional use as set forth in this Ordinance. Window air conditioning units or window fans shall not be permitted in a loft dwelling.

Dwelling, multiple; apartment house. A building designed for occupancy by three or more families living independently of each other. Also known as multifamily dwelling(s).

Dwelling, two-family; duplex. A building designed for or occupied exclusively by two families, living independently of each other.

Dwelling unit. One or more rooms located within a building and forming a single habitable unit with individual permanent bathroom and kitchen facilities and is used or intended to be used for living, sleeping, cooking, and eating purposes of a single-family.

Easement. The right of a person, government agency, or public utility to use public or private land owned by another for a specific purpose.

Event center. A facility used for weddings, anniversaries, birthdays, showers, reunions, recitals, dances, and ethnic and religious celebrations, etc. The accommodations can include sleeping, eating, and recreation. The site shall be of sufficient size to accommodate or arrange for off-street parking associated with an individual event.

Extended stay facility. A motel-like facility in which fifty (50) percent or greater of all guest rooms have facilities for both the storage, refrigeration, and preparation of food, and /or which are advertised, designed or used for weekly, monthly, or longer occupancy.

Facade. The architectural details of the face of a building which are intended to be viewed by the public. The front facade of the building is the wall which contains the primary entrance to the building.

Family. Except as otherwise provided herein, means one or more persons related by blood, legal adoption, or marriage occupying a dwelling where such persons are all related to each other within the fourth degree, as defined in O.C.G.A. 53-2-1, which includes parents, children, grandparents, grandchildren, brothers and sisters. Great-grandparents shall also be included in the definition of family. State of Georgia authorized foster children of a family member shall also be deemed a member of the family for this purpose, or not more than five adults, not necessarily related by blood or marriage, living together as a single housekeeping unit in a dwelling unit where compensation is not made for housekeeping service for room and board to the owner or operator of such dwelling unit. In zones R-1 and R-2 not more than two adults, not related by blood or marriage, living together as a single housekeeping unit in a single-family dwelling unit where compensation is not made for housekeeping service for room and board to the owner or operator of such dwelling unit will be considered a family for purposes

of this definition. For the purposes of this definition, a person shall be considered to reside in a dwelling unit if he or she stays overnight in a dwelling unit for more than thirty (30) days within a ninety (90) day period, receives mail at the dwelling unit, or lists the dwelling unit as his or her home address on any document. The term "family" does not include any organization or institutional group.

Flea market. A commercial marketing use, temporary or permanent in nature, held in an open area or structure where groups of individual sellers, leasing or renting spaces from the owner, offer goods for sale to the public. (Also, see Chapter 22 of the Code.)

Flood. The general overflow of a stream which results in inundation of lands not normally covered by water. In this ordinance land subject to flood shall be:

- (a) Along South Chickamauga Creek and East Chickamauga Creek, any land which is below the elevation of the regional flood as determined by the plate, "High Water Profiles, South Chickamauga Creek and East Chickamauga Creek, vicinity of Ringgold, Georgia", (Tennessee Valley Authority, February 1970), which plate is made a part of this ordinance.
- (b) Along Little Chickamauga Creek, any land which is below the elevation of the regional flood as determined by the plate, "High Water Profiles, Little Chickamauga Creek, Vicinity of Ringgold, Georgia", (Tennessee Valley Authority, February 1970), which plate is made a part of this ordinance.
- (c) Along other streams, any land which is below the elevation reached by an overflow rising six feet above median street flow elevation unless it can be shown in a study by a registered engineer that a lower elevation would be a reasonable elevation for carrying out the intent of this ordinance.

Floodplain. See the definition contained in the Flood Hazard Reduction Ordinance, Chapter 42 of the Code.

Floodway. The channel of a stream and that part of the adjoining flood plain designated as the minimum area required for the passage of flood flow and in which no filling shall be allowed, which in this ordinance shall be:

- (a) Along South Chickamauga, East Chickamauga, and Little Chickamauga Creeks, the floodway shown on the maps, "Floodway South Chickamauga Creek and East Chickamauga Creek, and Little Chickamauga Creek in the vicinity of Ringgold, Georgia" (City of Ringgold Planning and Zoning Commission, January, 1971), which maps shall become a part of this ordinance, as updated or amended.
- (b) Along other streams, an area extending to each side of the stream equal to five times the width of the stream at top of banks unless it can be shown in a study by a registered engineer that a smaller areas would be a reasonable requirement.

Floodway fringe. The area outside the floodway but immediately adjacent to it which is subject to flood and within which Chapter 42 of the Code apply.

Floor area. Except as may be otherwise indicated in relation to particular districts and uses, "floor area" shall be construed as the sum of the gross horizontal areas of the several floors including basement areas, of a building. These areas are to be measured from the exterior faces of the exterior walls or from the centerline of walls separating two buildings, and exclude

public corridors, common restrooms, attic areas with a headroom of less than seven feet, unenclosed stairs or fire escapes, elevator structures, cooling towers, areas devoted to air conditioning, ventilating, heating, or other building machinery and equipment, parking structures, and basement space where the ceiling is not more than an average of 48 inches above the general finished and graded level of the adjacent portion of the lot.

Front yard. See yard, front.

Frontage. All the property touching one side of a street between two intersecting streets, measured along the street line.

Garage apartment. An accessory building, not a part of or attached to the main building, where a portion thereof contains living facilities for family and an enclosed space for one or more automobiles.

Garage, mechanical. Any building or land where automotive vehicles are repaired, rebuilt, reconstructed or painted; where tires are recapped and welding work is performed.

Garage, private. A detached or attached accessory building or a portion of a principal building for the storage of automobiles of the occupants of the premises. "Private garage" shall include "carport."

Garage, storage. Any building or portion thereof other than a private or mechanical garage, used exclusively for the parking or storage of motor vehicles. Services other than storage shall be limited to refueling, lubrication, washing and polishing.

Gas station. See "motor vehicle service station."

Governing body. The mayor and council of the City of Ringgold.

Grade.

- (a) For buildings adjoining one street only, the elevation of the sidewalk at the center of the wall adjoining the street;
- (b) For buildings adjoining more than one street, the average of the elevations of the sidewalk at the centers of all walls adjoining streets;
- (c) For buildings having no wall adjoining a street, the average level of the finished surface of the ground adjacent to the exterior walls of the building.

Group home. A single-family dwelling, housing persons who are mentally/physically handicapped, elderly, terminally ill, AIDS/HIV victims, Alzheimer's patients, or children and teens with emotional problems, operating as a single housekeeping unit under a common housekeeping management plan based on an intentionally structured relationship providing the organization and stability of a home environment.

Group personal care homes. A residential care facility wherein:

- (a) The operator is not legally related to the individuals supervised and is licensed by the State of Georgia to provide community alternatives in a residential environment to institutional care for individuals in need of such care;

- (b) More than four persons reside, including operators, supervisors, and individuals under care; and
- (c) Such individuals are provided with room, board, personal, physical care and supervision in a family environment. The term “group personal care home” shall include, without limitation by reason of enumeration, home as established under the “Community Services Act for the Mentally Retarded” (GA Laws 1972, page 700), and other homes of similar intention and purpose; but shall not include facilities housing persons convicted of crimes but not houses in penal institutions. The number of persons occupying a group home as defined herein shall not exceed 15 in number at any given time, including a minimum of one supervisory personnel.

Half story. See “story, half.”

Halfway house. A building for temporary residence by non-related persons, who are recovering from alcohol abuse or other chemical-based substances, with one or more surrogate parents that provide services that include room, meals, supervision, rehabilitation, and counseling to enable residents to move back into society and live independently. *Height of building.* See building, height of.

Home occupation. An occupation, profession or trade customarily carried on by an occupant wholly within the principal building as a secondary use which is clearly incidental to the dwelling unit for residential purposes. And subject to the following conditions:

Not more than twenty-five (25) percent of the floor area of the principal building is used for the conduct of said home occupation.

No merchandise or articles are displayed for advertising purposes, nor are displayed in such a way as to be visible from outside the dwelling or stored other than in the principal building.

There is no alteration of the residential character of the building or premises.

No person not resident on the premises is employed.

Signage shall be limited to a name plate, not more than two (2) square feet in area.

Hospice. A building, or portion thereof, in which terminally ill persons live in order to receive appropriate Medicare-certified hospice services.

Hotel, motel. A building or buildings kept, used, maintained and advertised as a place where sleeping accommodations are supplied for pay to transient or permanent guests, with or without eating facilities.

Industrialized home. Any structure or component thereof which is wholly or in substantial part made, fabricated, formed, or assembled in manufacturing facilities for 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. Industrialized buildings are constructed and regulated in accordance with the “Industrialized Building Act”, Georgia Law 1982 pp. 1637-1643 (Official Code of Georgia Annotated, Title 8, Chapter 2, Article 2, Part 1).

An industrialized home is a single-family detached dwelling and its placement in a residential district must meet or exceed the Compatibility Standards as provided in Section 4.13.

Interior lot. See "Lot, interior."

Itinerant vendors. Shall include any person, whether a resident of the city or not, who has no permanent place of business within the city, and who engages in the transient business in one temporary fixed place of business or sells goods from a vehicle.

Junk yard. The term "junk yard" includes automobile wrecking yards and includes any area of more than 200 square feet for the storage, keeping or abandonment of junk, including scrap metals or other scrap materials, or for the use of dismantling, demolition or abandonment of automobiles, or other vehicles or machinery or parts thereof, but does not include uses established entirely within enclosed buildings.

Kenel. Any lot or premises on which three or more dogs, four months or more old are kept either permanently or temporarily, for purpose of sale, care, breeding or training for which any fee is charged.

Kindergarten. A school for pre-elementary school children ranging in age from four through six years which operates for less than four hours per day.

Laundry, self-service. A business rendering a retail service by renting to the individual customer equipment for the washing and drying of laundry.

Loading space. A space on the lot or parcel of land accessible to an alley or street not less than 12 feet in width, four feet in depth and 14 feet in height.

Lot. A piece, parcel or plot of land which may consist of one or more platted lots in single ownership legally transferable as a single unit of land.

Lot, corner. A lot abutting two or more streets at their intersection.

Lot, depth of. The distance measured in the mean direction of the side lines of the lot from the midpoint of the front lot line to the midpoint of the opposite main rear line of the lot.

Lot, double frontage. A lot having a frontage on two non-intersecting streets, as distinguished from a corner lot.

Lot, interior. A lot other than a corner lot.

Lot, lines. The lines bounding a lot.

Lot of record. A lot, which existed prior to the adoption or subsequent amendment of this ordinance, as shown or described on a plat or deed in the records of the Catoosa County Superior Court Clerk.

Lot, width of. The mean horizontal distance between the side lines of a lot measured at right angles to the depth and at the front (building) setback line.

Lot width (curvilinear street frontage). For a lot having frontage upon a curvilinear street, the lot width shall be the distance between the side lines of the lot where the minimum lot width is obtained, measured parallel to the chord of the arc formed by the two (2) outermost points of

intersection of the side lines with the road right-of-way line. The lot width line is synonymous with the front (building) setback line in this circumstance.

Manufactured home. A structure defined by and constructed in accordance with the National Manufactured Housing Construction and Safety Standards Act of 1974 as amended, 42 U.S.C. 5401, et seq. The definition at the date of adoption of this part is as follows:

‘Manufactured Home’ means a structure, transportable in one or more sections, which, in the traveling mode, is eight (8) body feet or more in width or forty (40) body feet or more in length, or, when erected on site, is three hundred twenty (320) or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning, and electrical system contained therein; except that such term shall include any structure which meets all the requirements of this paragraph and the manufacturer voluntarily files a certification required by the Secretary of Housing and Urban Development and complies with the standards established under this title.

A manufactured home is a single-family detached dwelling and its placement in a residential district must meet or exceed the Compatibility Standards as provided in Section 4.13.

Manufactured home park. A licensed business operation which leases spaces for permanent or for temporary occupancy for periods exceeding 30 days for manufactured homes.

Mini warehouse. A building(s) that contains varying sizes of individual, compartmentalized and control-access stalls or lockers for storing the excess personal property of an individual or family.

Mobile home. A structure, transportable in one or more sections, which, in the traveling mode, is eight (8) body feet or more in width or forty (40) body feet or more in length or, when erected on site, is three hundred and twenty (320) or more square feet and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities and includes the plumbing, heating, air-conditioning, and electrical systems contained therein and manufactured prior to June 15, 1976. A mobile home is not considered a single-family detached dwelling.

Modular home. See “Industrialized Home.”

Motel. See “Hotel.”

Motor vehicle repair service, specialty. A building, lot, or both in or upon which specialty repair services are provided quickly for operational motor vehicles; services may include but are not limited to removal and/or replacement of oils, fluids, filters, grease, minor parts like mufflers, shocks, and brakes; and may include tuning of engines; service repair time is routinely less than 24 hours on-site.

Motor vehicle service station. A building or lot for motor vehicle refueling using fixed dispensing equipment connected to pumps and storage tanks; where oils or accessories for the use of motor vehicles are dispersed, sold, or offered for sale at retail; and may include one or more service bays for vehicle washing, lubrication and minor replacement, or adjustment and repair services.

Multiple dwelling. See “Dwelling, multiple.”

Multifamily dwellings. See “Dwelling, multiple.”

Non-conforming use. The use of a building or land existing at the time of enactment of this Ordinance, or subsequent amendment, which does not conform to the regulations for the district in which it is located. A use is non-conforming if it is not a permitted use in the district where it is located or the use, itself, does not comply with regulations dealing with area regulations, parking/loading regulations, setbacks, height, or floor area requirements.

Nursing home. A building in which through its ownership or management admits patients on medical referral only, provides continuous medical supervision and provides skilled nursing care and services. Nursing services shall be those services which may be rendered by a person licensed under the Nurse Practice Act (O.C.G.A. §43-26-1 et seq.). Nursing home is synonymous with convalescent home and long-term care facility.

Off-street loading and unloading space. A space with dimensions no less than 12 feet in width, 40 feet in length and 14 feet in height, exclusive of access aisles, maneuvering space or alley right-of-way.

Off-street parking space. A minimum net area of 200 square feet of appropriate dimensions, and not less than nine feet in width, for parking an automobile, exclusive of access drives or aisles thereto or any street or alley right-of-way.

Open space. A yard area which is not used for or occupied by a driveway, off-street parking, or loading space.

Open air business uses. Open air business uses shall include the following but not limited to:

- (a) Retail sale of trees, shrubbery, plants, flowers, seed, topsoil, humus, fertilizer, trellises, lawn furniture, playground equipment and other home garden supplies and equipment;
- (b) Retail sale of fruit and vegetables;
- (c) Miniature golf, golf driving range, children’s amusement park, or similar recreation uses;
- (d) Bicycle, trailer, motor vehicle, boats or home equipment sales, service or rental services; and
- (e) Outdoor display and sale of garages, swimming pools, and similar use.

Overlay zone, overlay. A mapped zone that imposes a set of requirements in addition to those of the underlying zoning district.

Parking space. A surfaced area, enclosed or unenclosed, sufficient in size to store one automobile, together with a driveway connecting the parking space with a street or alley and permitting ingress and egress of an automobile.

Peddler. See Street Vendor.

Permit. A certificate of zoning compliance or special zoning permit or any other permit required by this ordinance.

Personal care home. See “Assisted living home/facility.”

Planning commission. The Ringgold Planning Commission, or equivalent body, established by the Mayor and Council of Ringgold.

Plat. A map, plan, or layout of a county, city, town, or section of subdivision indicating the location and boundaries of properties.

Principal use. The primary purpose or function that land serves or is intended to serve.

Private garage. See garage, private.

Rear yard. See yard, rear.

Recreational vehicles. A vehicular type portable structure without permanent foundation, which can be towed, hauled or driven and primarily designed as temporary living accommodation for recreational, camping and travel use, and including but not limited to travel trailers, truck campers, camping trailers and self-propelled motor homes. See "Campground."

Recycling center. A facility in which recoverable resources, such as papers, glassware, plastics, and metal cans, or any non-hazardous recycling materials, are collected, stored, flattened, crushed, or bundled, by hand or machines within a completely enclosed building.

Recycling collection station. An incidental use that serves as a neighborhood drop-off point for temporary storage of recoverable resources. No processing of such items would be allowed. This station would generally be located in a commercial parking lot, or at other public/quasi-public areas, such as churches and schools.

Regional flood. A flood used in TVA flood studies comparable to the largest floods known to have occurred on streams of similar physical characteristics and within the same general geographic region.

Restaurant. A public eating establishment in which the primary function is the preparation and service of food on the premises. A drive-in restaurant is not a restaurant for the purpose of these regulations.

Rooming-house. See "Boardinghouse."

Right-of-way line. The dividing line between a lot, tract or parcel of land and a contiguous street, railroad, or other public utility right-of-way.

Rooming house. A building other than a hotel where lodging without meals for three but not more than 20 persons is provided.

Salvage yard. See "Junk yard."

Satellite dish antenna. A device which is used to intercept satellite television signals and consists of two main components: the antenna itself, often called a dish, and low noise amplifier (LNA).

Self-service laundry. See "Laundry, self-service."

Service station. See "Motor vehicle service station."

Setback line (or building line). The line that is the required minimum distance from the street right-of-way line or any other lot line that establishes the area within which walls of the

principal structure must be erected or placed. The minimum measurement is to the wall, not the eave/overhang, and a cantilever building design measures to any wall projecting nearest to the property lines. The area contained within the boundaries formed by the setback lines is considered the buildable area of the lot.

Senior housing. A multi-family residence with eighty (80) percent or more of the dwelling units occupied by residents, ages 62 and over or handicapped; or couples where either the husband or wife is 62 years of age or older; does not include convalescent or nursing facilities.

Shopping Center. A group of commercial establishments planned, constructed and managed as a total entity with customer and employee parking provided on-site, provision for goods delivery separated from customer access, aesthetic considerations and protection from the elements.

Side yard. See "Yard, side."

Single-family dwelling. See dwelling, single-family.

Storage garage. See "Garage, storage."

Story. That portion of a building included between the surface of any floor and the surface of the floor next above it; or if there be no floor above it, then the space between the floor and the ceiling next above it.

Story, half. A story under a gabled, hip, or gambrel roof, the wall plates of which on at least two opposite exterior walls are not more than three feet above the finished floor of such story.

Street. A public thoroughfare which affords principal means of access to abutting property.

Structural alteration. Any change in the supporting members of a building, such as bearing walls, bearing partitions, columns, beams or girders; or any complete rebuilding of the roof or the exterior walls.

Street vendor/peddler. Shall include any person, whether a resident of the city or not, traveling by foot, wagon, automotive vehicle or any other type of conveyance, from place to place, from house to house, or from street to street carrying, conveying or transporting goods, merchandise, meats, fish, vegetables, fruits, garden truck, farm products or provisions, offering and exposing the same for sale, or making sales and delivering articles to purchasers or any person who, without traveling from place to place shall sell or offer the same.

Structure. Anything constructed or erected for use, occupancy, or ornamentation, including signs, the use of which requires location on the ground, or attachment to something having location on the ground. Structures include industrialized buildings, manufactured homes, mobile homes, billboards, swimming pools, advertising signs, satellite dishes, tents, backstops for tennis courts, fences, pergolas, and fall-out shelters. "Structure" shall include "building."

Studio, commercial. A building or portion of a building used as a place of work by an artist, photographer, or artisan, or used for radio or television broadcasting.

Subdivision. A division of land into two or more lots, plats or sites. See "Ringgold Subdivision Regulations."

Territorial boundary. The area lying within the corporate limits of the City of Ringgold.

Townhouse, fee simple. A type of dwelling unit that is one or more stories in height which has outside, individual, front and rear entrances, is separated from other dwelling units by common party walls that meet or exceed the applicable Georgia State Minimum Standard Fire Code requirements as determined by the building inspector, occupies its own lot and is part of a contiguous group of at least three (3) such townhouses.

Travel trailer. See “Recreational vehicles.”

Two-family dwelling. See dwelling, two-family.

Used car lot. A lot or group of contiguous lots used for the storage, display and sale of used automobiles and where no repair work is done except the necessary reconditioning of the cars to be displayed and sold on the premises.

Used for. Includes “designed for.”

Variance. A variance is a modification of the strict terms of the zoning regulations based upon circumstances unique to a particular piece of property. This does not include a variance as to a use of land within a specified zone, but does concern performance standards. See “Article VIII – Board of Zoning Appeals.”

Width of lot. See lot, width of.

Yard. An open space on the same lot with a building, unoccupied and unobstructed from the ground upward, except by trees or shrubbery or as may otherwise be provided.

Yard, front. A yard across the full width of a lot, extending from the front line of the building to the front of the lot, excluding steps.

Yard, rear. A yard extending across the full width of the lot and lying between the rear lot line and the nearest line of the building. Rear yard depth shall be measured at right angles to the rear line of the lot. Corner lots fall within an exception.

Yard, side. A yard extending between a building and the side line of the lot, and extending from the front line to the rear lot line.

Zoning ordinance. An ordinance or resolution by the mayor and council of the City of Ringgold establishing procedures and zones or districts within its respective territorial boundaries which regulate the uses and development standards of property within such zones or districts. The term also includes the zoning map adopted in conjunction with a zoning ordinance which shows the zones and districts and zoning classifications of property therein and F.E.M.A. maps. See “Zoning Procedures and Standards Ordinance”

ARTICLE III. - DISTRICT REGULATIONS

Sec. 3.1. - Division of city into districts; districts enumerated.

In order to regulate and limit the height and size of buildings; to regulate and limit the intensity of the use of lot areas; to regulate and determine the area of open spaces within the surrounding buildings; to classify, regulate and restrict the location of trades and industries, and

the location of buildings designed for specified industrial, business, residential and other uses; the city is hereby divided into the following districts:

- R-1 Single-family residential district
- R-2 Single-family residential district
- R-3 Two family/multi-family residential district
- R-4 Manufactured home district
- O-1 Office district
- C-1 Sidewalk commercial district
- C-2 General commercial district
- C-3 Downtown commercial district
- I-1 Industrial district
- A-1 Agriculture

Sec. 3.2. - Official zoning map.

The boundaries of all districts, as shown upon the official zoning map, are hereby adopted, established and declared to be in effect upon all land included within the boundaries of each district shown upon the official zoning map.

Sec. 3.3. - Rules for determining boundaries.

Where uncertainty exists as to boundaries of any district shown on the official zoning map, the following rules shall apply:

- (a) Where such district boundaries are indicated as approximately following street lines, alley lines or lot lines, such lines shall be construed to be such boundaries.
- (b) In unsubdivided property or where a district boundary divides a lot, the location of such boundary, unless the same is indicated by dimensions, shall be determined by the use of the scale appearing on the original map.
- (c) In case any further uncertainty exists, the governing body shall interpret the intent of the map as to the location of such boundaries.
- (d) Where any street or alley is officially vacated or abandoned, the regulations applicable to each parcel of abutting property shall apply to that portion of such street or alley added thereto by virtue of such vacation or abandonment.

Sec. 3.4. - Incorporated by reference.

The zoning map on file in the Office of the City Manager of Ringgold, the Ringgold Sign Ordinance, the Historic Preservation Ordinance, the Flood Damage Prevention Ordinance and

the Zoning Procedures and Standards Ordinance, each as amended, are hereby incorporated and applicable to this ordinance as set out at length herein.

Sec. 3.5. - Copy for public inspection.

A copy of the original zoning map shall be framed and placed at some conspicuous place in the city hall, so as to be subject to inspection at any time during regular office hours by any interested person.

Sec. 3.6. - Annexation.

All lands proposed for annexation to the corporate limits of the City of Ringgold shall be processed in compliance with the Ringgold Zoning Procedures and Standards Ordinance, as amended, in addition to any other applicable laws of Georgia.

Sec. 3.7. - Non-Conforming Uses.

(a) *Land.*

- (1) The lawful use of land existing at the time of the enactment of the ordinance from which this section is derived, although such use does not conform to the provisions of this chapter, may be continued; provided, that no such nonconforming use shall be enlarged or increased, nor shall any nonconforming use be extended to occupy a greater area of land than that occupied by such use at the time of such enactment.
- (2) If such nonconforming use shall be discontinued for a continuous period of 90 days, any future use of such land shall be in conformity with the provisions of this chapter.

(b) *Buildings.*

- (1) The lawful use of a building or structure existing at the time of the enactment of the ordinance from which this chapter is derived may be continued, although such does not conform to the provisions of this chapter.
- (2) Such use may be extended throughout the building, provided no structural alterations, except those required by law or ordinances, or ordered by an authorized officer to assure the safety of the building, are made therein.
- (3) No such use shall be extended to occupy any land outside such building.
- (4) If such nonconforming building is removed or the nonconforming use of such building is discontinued for a continuous period of 90 days, every future use of such premises shall be in conformity with the provision of this chapter.

(c) *Destroyed buildings.*

- (1) Nothing in this chapter shall be taken to prevent the restoration of a building destroyed by fire, explosion or other casualty, or act of God or the public enemy, nor the continued occupancy or use of such building or part thereof which existed

at the time of such partial destruction except when loss is valued at 80 percent or above.

Sec. 3.8. - Reserved.

Sec. 3.9. - Stormwater control applies to all districts.

In all development, including commercial and industrial construction, stormwater collection facilities shall be constructed and maintained to retain or detain stormwater created or affected by the development, as determined appropriate to prevent harm to downstream property owners and otherwise in compliance with the Clean Water Act. 33 U.S.C. § 1251-1376 (1994) and related sections. The same shall be certified by an engineer licensed in the State of Georgia with substantial experience in storm water regulation and control.

ARTICLE IV. - GENERAL REGULATIONS

Sec. 4.1. - Scope of Regulations.

No building shall be moved, erected, reconstructed or structurally altered, nor shall any building or land be used which does not comply with all the district regulations specified by this chapter for the district in which the building or land is located. All ordinances, including but not limited to, water and sanitary sewer systems, public sewer service, street regulations must be observed as a condition to the uses provided for in this ordinance.

Sec. 4.2. - Lot regulations.

- (a) *Substandard lots.* Any residentially zoned lot which was of record at the time of the adoption of this ordinance that does not meet the requirements of this ordinance for yards or other area or open space, may be utilized for single residence purposes, provided:
 - (1) The area for such yard or court in width, depth, or open space is not less than 75 percent of that required by the terms of this ordinance, excepting that vacant lots having in the aggregate a continuous frontage of 120 feet or more shall not be subject to this exception;
 - (2) In the absence of an approved community water supply and/or wastewater treatment system, said lot can meet the requirements of the county health department for the installation of wells and/or septic tanks. The purpose is to permit utilization of recorded lots which lack adequate width or depth as long as reasonable health and living standards can be provided.
- (b) *Lot may not be reduced in size below minimum requirements.* No parcel of land, even though it may consist of one or more adjacent lots of record, shall be reduced in size so that lot width or depth, front, side, or rear yard, inner or outer courts, lot area per unit, or other requirements of this resolution are not maintained. This section shall not apply when a portion of a lot is acquired for public use.

- (c) *Lot size.* All lots shall conform to the area requirements set forth in the zoning districts in which they are located. Residential corner lots shall have adequate width to permit appropriate building setbacks from and orientation to both abutting streets.
- (d) *Building lines.* A building line (setback line), meeting the front, rear and side yard setback requirements of the zoning district in which the parcel of land is located, shall be established on all lots.
- (e) *Double frontage lots.* Double frontage lots should be avoided, except where essential to provide separation of residential development from traffic arteries or to overcome specific disadvantages of topography and orientation. When allowed subject to the standards of this ordinance, a strip of land at least ten feet in width, and across which there shall be no right of access, shall be provided along the lot or line of lots abutting such traffic artery.
- (f) *Corner lots.* On lots having frontages on two streets, the required front yard setback shall be observed on both streets, but the rear setback corresponding to each front is not necessarily required. A setback compatible with the setback along the line of the adjoining property may be used. This section applies to all zones.
- (g) *Lot frontage on a public or private street.* No building or structure shall be erected on a lot or portion of a lot which does not have a minimum frontage of thirty (30) feet on a public or private street, or has adequate easements for access to a public/private street.
- (h) *Driveways.* All driveways constructed after the adoption of this ordinance, shall enter the main street at negative degree of not less than five percent. If not able to meet this requirement, grated collectors capable of handling stormwater runoff shall be installed.

Sec. 4.3. - Prohibited uses in all residential districts.

- (a) To park or store wrecked/junked vehicles, unlicensed or inoperable vehicles, power driven construction equipment, used lumber or metal, or any other miscellaneous scrap of salvageable material shall be considered a nuisance and shall be prohibited in all residential zone districts.
- (b) Due to access, weight-load limitations, and public safety issues, tractor-trailer combinations (also known as 18-wheelers), individual tractors, or individual trailers shall not be parked or stored in residentially zoned districts. (See Section 6.10)
- (c) Kennels. No grandfathering of rights shall apply to any kennel when the same creates a nuisance.

Sec. 4.4. - Accessory structures and temporary buildings.

- (a) *Accessory structures.* The location and use of accessory structures in all zone districts shall be governed by the following:
 - (1) When an accessory structure is attached to the principal building by breezeway, passageway or other structure, it shall comply with the setback requirements of the principal building to which it is accessory.

- (2) A detached accessory structure shall not be closer than three (3) feet to a side or rear lot line.
 - (3) Except for portable carports or detached garages on residential lots, a detached accessory building shall not be located in a front yard. A detached accessory building shall not exceed the height of the main building nor cover more than 35 percent of the side or rear yard.
 - (4) Accessory storage of a boat, boat trailer, camper/recreational vehicle shall not be permitted in the front yard.
 - (5) Open swimming pools may occupy a rear or side yard, provided that they are not located closer than five feet to a rear lot line or 10 feet to an interior side lot line. The pool must be enclosed by a wall or fence at least four (4) feet in height. A walk space at least three feet wide shall be provided between pool walls and protective fences or barrier walls. On double fronting lots, an open or enclosed swimming pool, located behind the dwelling, shall meet the front setback requirement for the district where the lot is located.
 - (6) In the A-1 zone district, accessory building and structures which are not intended for use or used for the housing of livestock or poultry and are ancillary to the residential use shall maintain the same front and side yard requirements as the principal structure, however, they shall not project beyond the established building line. The rear yard setback shall be a minimum of ten (10) feet.
- (b) *Temporary buildings.* Temporary buildings may be used only in conjunction with construction work in any zone district and shall be removed immediately upon the completion of construction. A certificate of zoning compliance must be obtained for use of a temporary building.

Sec. 4.5. - One principal building per lot.

Only one principal building and its customary accessory buildings shall hereafter be erected on any lot, except for the following uses:

- (a) Institutional buildings;
- (b) Public or semi-public buildings;
- (c) Multi-family dwellings (unless otherwise limited by zone district requirements);
- (d) Commercial or industrial buildings;
- (e) Planned developments;
- (f) Agricultural buildings.

Sec. 4.6. - Maximum Occupancy of Dwellings. In order to protect the health, safety, and welfare of the public, no person shall occupy any dwelling which does not meet the following minimum size requirements per occupant thereof: There shall be at least one hundred fifty (150) square feet of habitable floor area within a habitable room for the first occupant of each dwelling, with at least seventy five (75) square feet of habitable floor area within a habitable

room for each additional occupant thereof. For purposes of this requirement, an occupant shall be considered any person who spends, on average, more than two (2) nights per week or eight (8) nights per month, whichever is greater, at such dwelling.

Sec. 4.7. - Site distance at intersections.

In all zoning districts, no fence, wall, hedge, or shrub planting which obstructs the sight distance lines at elevations between three and one half feet and eight feet above the roadways shall be placed on any corner lot within the triangular area formed by the street property lines and a line connecting them at points 25 feet from the intersection of the street lines, or in the case of a rounded property corner, from the intersection of the street property lines.

Sec. 4.8. - Yards.

- (a) Every part of a required yard shall be open from its lowest point to the sky, unobstructed, except for the ordinary projections of sills, belt courses, cornices, buttresses, ornamental features, chimneys and flues and eaves, but none of these projections shall project into a minimum side yard more than 24 inches.
- (b) On double frontage lots, the required front yard shall be provided on each street.
- (c) Open or enclosed fire escapes, fireproof outside stairways and balconies may project into a minimum yard or court not more than three and one-half feet.
- (d) Where an official line has been established by an official action of the proper authority for the widening or opening of a street or major thoroughfare upon which a lot abuts, the depth of a front yard shall be measured from such official line to the nearest line of the building.
- (e) The minimum yard, court, or open space required by this section for each building shall not be encroached upon, nor considered as a yard, court, or open space for any other building.

Sec. 4.9. - Buffer areas and screening.

Buffer areas are required to reduce potential incompatibility between dissimilar zone districts that are adjacent to each other. Similarly, the granting of conditional uses within some zone districts may require buffer requirements, if the proposed conditional use is deemed to have a potential negative effect upon existing and adjacent land uses.

- (a) *Buffer areas.* Buffer areas, when required, shall be established within set back areas and permanently maintained under the following provisions:
 - (1) A planted evergreen area combining trees and shrubs with existing vegetation or a landscaped earthen berm is required and intended for permanent maintenance;
 - (2) The buffer shall not be less than twenty (20) feet wide measured at right angles to property line(s) of the subject lot;
 - (3) Be landscaped with trees, shrubs, flowers, grass, stone, rocks and other landscaping materials;

- (4) Be free of structures other than a fence, and not be used for parking, utility easements, or drainage improvements, unless the applicant can demonstrate that these improvements are necessary;
 - (5) The natural topography of the land shall be preserved and natural growth shall not be disturbed beyond that which is necessary to prevent a nuisance, or to thin this natural growth where too dense for normal growth, or to remove diseased or dangerous and decayed timbers. A slope easement may be cleared and graded where required to prevent soil erosion.
- (b) Where, by reason of the topography of the land or by reason of the prior removal or lack of timber and foliage, the owner of the buffer area may be required to erect a permanent wall or fence of not less than six feet in height or screen of evergreen plantings, so designed and developed to provide visual screening. These plantings shall consist of evergreen shrubs which will, with normal growth, attain a height of six feet within three years.
 - (c) The width of a buffer, resulting from a review under the terms of this ordinance, can exceed minimum setback distances by not more than 25 percent.
 - (d) Trees and shrubs planted within the buffer shall be maintained so that their foliage shall not encroach upon adjacent properties.

Sec. 4.10. - Fences, walls and hedges.

- (a) A fence, wall, or hedge erected, placed, or maintained on any lot line or within any front, rear, or side yard in any residential zone district shall not encroach upon adjacent properties and shall not exceed a maximum height of six (6) feet, measured from the natural grade of the adjacent lot or the subject lot (whichever is lower), except as follows:
 - (1) Where a residential lot abuts a business or industrial lot upon which a business is located;
 - a. Where peculiar circumstances warrant approval by the mayor and council.
 - b. Particular restorative covenants provide for an aesthetic scheme or design.
- (b) See Section 4.7 regarding site distance at intersections.

Sec. 4.11. – Motor Vehicle service stations.

- (a) All motor vehicle service stations shall conform to the following requirements:
 - (1) All pumps shall be set back at least 15 feet from the right-of-way line, or where a future widening setback line has been established, this setback shall be measured from such line. Pumps shall be set back at least 15 feet from any property line.
 - (2) The number of curb breaks shall not exceed two for each one hundred feet of street frontage, each having a width of not more than 30 feet or less than 25 feet and located not closer than 15 feet to a street intersection. Two or more curb breaks on the same street shall be separated by an area of not less than ten feet.

- (3) When the station abuts a residential district, it shall be separated therefrom by a solid wall or equivalent planting screen at least six feet high.

Sec. 4.12. - Satellite receiving dish antenna.

- (a) Satellite receiving dish antenna shall be allowed in all zoning districts.
- (b) However, in all residential zones, the following requirements will apply:
 - (1) Antenna will be erected only in a rear yard and the setback requirements from the property line will be the same as those required of an accessory building.
 - (2) May be placed in the side yard if attached to principal building.
 - (3) The location of any antenna under this sub-section shall be in compliance with the stated criteria or shall be subject to enforcement proceedings allowed by this ordinance.
 - (4) Dish antennas which are attached to the principal dwelling and are 18 inches or less in diameter are exempt from the regulations of this subsection.
- (c) In all other zoning districts, antenna will be so placed as not to create a hazard to traffic or public utilities.
- (d) A property owner who has in place a nonconforming antenna at the effective date of this ordinance may continue to maintain the antenna, provided it complied with prior ordinances.

Sec. 4.13. - Appearance/Compatibility standards for homes.

Appearance standards shall apply to all single-family detached dwellings including site-built housing, industrialized housing, and manufactured homes. Any housing qualifying as a single-family detached dwelling shall meet the following compatibility standards to protect and preserve the overall character of established neighborhoods and the property values of the residential area. Approval shall be granted upon the finding that such dwelling shall meet or exceed the Appearance Standards as shown on Table 4.13: Appearance Standards for Single-Family Detached Dwellings.

Table 4.13: Appearance Standards for Single-Family Detached Dwellings*

TYPE	TYPE I	TYPE II	TYPE III	TYPE IV
PERMITTED ZONES	R-1	R-2	R-3	R-4
Minimum Dwelling Width	24'	24'	16'	16'
Minimum Roof Pitch	4/12	3/12	2/12	2/12
Minimum Floor Area	1,500 sf	1,200 sf	960 sf	960 sf
Roof Materials	(1)	(1)	(1)	Not Required
External Siding Materials	(2)	(2)	(2)	Not Required
Permanent Foundation	Required (3)	Required (3)	Required (3)	Required (4)

Towing Devices	(5)	(5)	(5)	Not Applicable
Landing Area at each exit door must be a <u>minimum</u> of 3 feet by 3 feet.	Yes	Yes	Yes	Yes

* The standards in Table 4.13 are not applicable to the manufactured home units within a manufactured home park unless all such units are owned by the owner of the manufactured home park.

Notes:

- (1) The roof shall have a surface of wood shakes, asphalt composition, wood shingles, concrete, fiberglass or metal tiles, slate, built-up gravel materials or other materials approved by the building inspector. Corrugated metals or plastic panels are prohibited. Colored metal roofing materials from the following are acceptable: Exposed Fastened Panels, Standing Seam Metal Roofing, Commercial Metal Roofing, Metal Shingles and Metal Shake Roofing and Metal Tile Roofing.
- (2) The exterior siding materials shall consist of brick, wood, masonry, concrete, stucco, masonite, metal or vinyl lap or other materials of like appearance, but shall not include corrugated metal or plastic panels.
- (3) The permanent foundation shall meet the requirements of the standard building code and the home cannot be built upon a frame and must have outside load bearing walls.
- (4) For a manufactured home, a poured in place footing shall support interior load bearing piers and a curtain wall (brick, masonry, or stucco) un-pierced except for the required ventilation and access must be installed and maintained in perpetuity so that it encloses the area under the manufactured home to ground level. See Section 9.4(b).
- (5) All towing devices, wheels, axles, and hitches must be removed.

Sec. 4.14. - Reserved.

Sec. 4.15. - Floodway fringe requirements.

In all districts which abut the floodway district there is an overlapping district which includes that land which is subject to flood. This area outside the floodway is the floodway fringe. Any use of land which lies within the floodway fringe must meet the requirements of the district in which it lies, all other requirements of law, and is also subject to the following regulations:

- (a) No building or structure shall be erected and no existing building or structure shall be extended or moved unless the main floor of the building or structure is placed at least two feet above the elevation subject to flood.
- (b) No basement floor (except a garage floor) shall be constructed below the elevation subject to flood.
- (c) Foundations of all structures shall be designed to withstand flood conditions at the site.
- (d) Flood elevation certificate by professional engineer or state licensed surveyor.

ARTICLE V. - HOME OCCUPATIONS

Sec. 5.1. - Home occupations.

Home occupations are accessory uses in residential districts and shall be governed by the standards set out in this section. These standards are intended to ensure compatibility with the residential character of the neighborhood and to emphasize the clearly secondary or incidental status of the home occupation in relation to the residential use of the main building.

Sec. 5.2. - Standards.

The following standards must be met for all home occupations:

- (a) Such occupation shall be located and conducted in such a manner that the average neighbor, under normal circumstances, would not be aware of its existence.
- (b) Such occupations shall be conducted solely by occupants at the residence.
- (c) No structural alteration of the residence, accessory buildings, or the property shall be made, and no more than 25 percent of the gross floor area shall be utilized.
- (d) The applicant must be the owner of the property on which the home occupation is to be located; or, if applicant is a tenant, he must have written approval of the owner of the property.
- (e) No stock in trade (except articles produced by the members of the immediate family residing on the premises) shall be displayed or sold upon the premises.
- (f) No outside storage related to the home occupation shall be permitted.
- (g) The use may increase vehicular traffic flow and parking by no more than one additional vehicle at a time.
- (h) No uses shall create noise, dust, vibration, smell, smoke, glare, electrical interference, fire hazard, or any other hazard or nuisance to a greater or more frequent extent than that usually experienced in an average residential occupancy.
- (i) Signs advertising the home occupation shall be limited to four square feet and not illuminated.
- (j) One commercial vehicle is permitted in connection with the home occupation, subject to parking, setback, noise, and weight restrictions of this ordinance and state law.

Sec. 5.3. - Home occupations; allowed.

Home occupations include, but are not limited to, the following:

- (a) Telephone and office use;
 - (1) Applicant's business activities at the residence shall be confined to telephone and office use;

(2) No employee or jobbers shall meet or congregate at the applicant's residence.

- (b) Antique shops;
- (c) Artists, sculptors, authors, or composers;
- (d) Barber or beauty shops;
- (e) Dressmakers, seamstresses, or tailors;
- (f) Gift shops;
- (g) Home crafts, such as model making, rug weaving, and lapidary work;
- (h) Office facility for a minister, rabbi, or priest;
- (i) Office facility for a salesman, sales representative, or manufacturer's representative, provided that no retail or wholesale transactions are made on the premises;
- (j) Tutors and musical instructors; and
- (k) Day care homes.

Sec. 5.4. - Home occupations; not allowed.

Home occupations allowed shall not, in any event, be deemed to include the following:

- (a) Funeral chapels or funeral homes;
- (b) Nursery schools, kindergartens, or day care centers;
- (c) Private clubs;
- (d) Restaurants;
- (e) Tourist homes;
- (f) Stables or kennels;
- (g) Auto repair or similar establishments;

Sec. 5.5. - Expiration.

A zoning permit for a home occupation business shall expire:

- (a) Whenever the applicant ceases to permanently and continuously occupy the premises for which the home occupation permit was issued. No subsequent occupant of such premise shall engage in any home occupation until proper application has been made, and a new permit issued.
- (b) Whenever the holder of such permit fails to carry on the occupation for which the permit was issued for any period of six consecutive months.

Sec. 5.6. - Voidance of permit.

A home occupation conducted in violation of this or any other provision of these regulations, shall be void, provided that a hearing shall be afforded the permit holder if requested in writing within 30 days of notice of the action. The city manager may give notice that such permit is void.

ARTICLE VI. - OFF-STREET PARKING AND LOADING

Sec. 6.1. - General requirements; off-street parking.

- (a) Parking spaces for all dwellings shall be located on the same lot with the main building.
- (b) Parking spaces for other uses shall be provided on the same lot or not more than 300 feet distance, measured along the nearest pedestrian walkway.
- (c) Parking requirements for two or more uses of the same or different types may be satisfied by the allocation of the required number of spaces for each use in a common parking facility, provided, that the total number of spaces is not less than the sum of the individual requirements and that the requirements of location are complied with.
- (d) Parking spaces for dwelling structures shall be located back of the building line.
- (e) Areas reserved for off-street parking or loading shall not be reduced in area or changed to any other use unless the permitted use which it serves is discontinued or modified, or unless equivalent parking or loading is provided on another approved site or parking structure to the satisfaction of the city manager.
- (f) Lighting facilities shall be so arranged that light is reflected away from adjacent properties.
- (g) Along lot lines of a parking area which abut a residential district, a dense planting of trees and shrubs shall be established on a strip of land not less than eight feet in width adjacent to the districts, and such planting shall not be less than six feet in height and a substantial bumper rail of wood, metal, or concrete shall be installed on the inside of the planting strip except where topography or other conditions would make the bumper rail unnecessary.

Sec. 6.2. - Drainage, construction and maintenance.

All off-street parking, loading, and service areas shall be constructed of concrete or asphalt or other approved materials suitable for the purpose. All such areas shall be at all times maintained at the expense of the owners thereof, in a clean, orderly, and dust-free condition. No gravel or dirt areas shall be allowed.

Sec. 6.3. - Separation from walkways, sidewalks and streets.

All off-street parking, loading, and service areas shall be separated from walkways, sidewalks, and streets by curbing or other suitable protective device. Curbing and other protection devices must be set back a minimum of three feet to prevent vehicle overhang.

Sec. 6.4. - Parking area design.

Parking stalls shall have a minimum width of nine feet and length of 18 feet. There shall be provided adequate interior driveways to connect each parking space with a public right-of-way. Interior driveways shall be at least 24 feet wide where used with 90 degree angle parking, at least 18 feet wide where used with 60 degree angle parking, at least 13 feet wide where used with 45 degree parking, and at least 12 feet wide where used with parallel parking, or where there is no parking, interior driveways shall be at least ten feet wide for one-way traffic movement and at least 20 feet wide for two-way traffic movement.

Sec. 6.5. - Pavement markings and signs.

Each off-street parking space shall be clearly marked, and pavement directional arrows or signs shall be provided in each travel way wherever necessary. Markers, directional arrows and signs shall be properly maintained so as to ensure awareness of motorists.

Sec. 6.6. - Right-of-way.

No sign, whether permanent or temporary, shall be placed within the public right-of-way. Signs and planting strips shall be arranged so that they do not obstruct visibility for drivers or pedestrians.

Sec. 6.7. - Landscaping.

For each 20 parking spaces there shall be required adjacent to the parking spaces three canopy trees, two understory trees and six shrubs. All plant materials required herein shall meet the following minimum size standards when planted:

Canopy tree - 12 feet in height.

Understory tree - Four feet in height.

Shrub - One foot in height.

Sec. 6.8. - Parking space requirements for all districts except C-1 and C-3 districts.

For uses not specifically listed, the off-street parking requirements shall be those of the most similar use. Gross leasable area (GLA) is the total building floor area in square feet that a developer may lease. Gross floor area (GFA) is the sum of the areas of several floors of a building, including all areas for human occupancy, as measured from the interior faces of the walls, but excluding unenclosed porches, interior parking spaces, or any space where the floor to ceiling height is less than six (6) feet, six (6) inches.

- (a) Computation. When determination of the number of off-street parking spaces required by this Ordinance results in a requirement of a fractional space, any fraction in excess of one-half shall be counted as one (1) parking space.
- (b) Handicapped Parking. Parking for the handicapped within a non-residential district shall be provided at a size, number, and location according to the requirements of the Georgia Handicapped Accessibility Code.

- (c) In lieu of the specific standards shown in Table 6.8, a detailed parking study that evaluates site-specific circumstances and demand or off-site parking relative to any uses or combination of uses, may be considered valid at the discretion of the Code Enforcement Officer. The Board of Zoning Appeals shall mediate indecision by the Code Enforcement Officer.

Sec. 6.9. - Off-street loading requirements.

On the same premises with every building, structure or part thereof, erected and occupied for manufacturing, storage, warehouse, truck freight terminal, goods display, department store, wholesale store, market, hotel, hospital, mortuary, laundry, dry cleaning or other uses similarly involving the receipt or distribution of vehicles, materials, or merchandise, there shall be provided and maintained on the lot of adequate space for standing, loading and unloading services in order to avoid undue interference with public use of the streets and alleys.

- (a) Such loading and unloading space, unless otherwise adequately provided for, shall be an area 12 feet by 50 feet, with 15 feet height clearance, and shall be provided according to the following schedule.
- (b) Off-street loading spaces shall be provided as appropriate to the functions and scope of operation of individual or groups of buildings and uses.
- (c) Off-street loading spaces shall be designed and constructed so that all maneuvering to park and unpark is within the property lines of the premises. Loading spaces shall be provided so as not to interfere with the free, normal movement of vehicles and pedestrian on public rights-of-way.

TABLE 6.8 MINIMUM OFF-STREET PARKING REQUIREMENTS BY USES	
USES	PARKING SPACES
RESIDENTIAL	
Dormitory for Worker Employed on the Premises	1 per 3 employees plus 1 per dormitory manager.
Dwelling, Multi-family	2.0 per dwelling unit.
Dwelling, Attached/Detached Single-family	2 per dwelling unit.
Dwelling, Two-family (duplex)	2 per dwelling unit.
Dwelling, Townhouse/Condominium	2 per dwelling unit.
Efficiency apartments	1 per dwelling unit.
Senior Housing	1 space per dwelling unit.
Group Home	1 per employee plus 1 per 2 bedrooms.
Manufactured Home, Industrialized Home	2 per dwelling unit.
Neighborhood Center	1 per 250 sf GFA.
Nursing Home/Assisted Living facility	1 per 2 beds + 1 per employee on the largest shift
Rooming House/Boardinghouse	1 per room to be let.

TABLE 6.8 MINIMUM OFF-STREET PARKING REQUIREMENTS BY USES	
USES	PARKING SPACES
COMMERCIAL - RETAIL	
Boat Sales, Service and Repair	1 per 300 sf GFA, 2 spaces minimum.
Convenience Store (can include fuel service)	5 per 1,000 sf GFA.
Farmer's Market/Flea Market	2 per rentable booth or table site.
Furniture, Home Furnishing & Equipment Store	1 per 500 sf GFA.
Grocery Store	1 per 200 sf GFA.
Hardware Store	1 per 200 sf GFA.
Liquor Store	1 per 400 sf GFA.
Manufactured Home Sales	4 per sales person plus 1 per employee.
Motor-vehicle Parts Store	1 per 400 sf GFA + 1 per employee on max. work shift.
Motor-vehicle, Sales & Service	1.0 space per 250 sf of sales floor area + 2 spaces per service bay.
Produce/Roadside Stand	5 spaces per stand.
Restaurant, Cafeteria, Fast-Food (with seating)	1 per 4 seats, 1 additional space per 2 total employees
Restaurant, Fast Food w/Drive-in Facility (no seating)	Minimum of 10 spaces
Retail Stores, General Merchandise	1 per 200 sf GLA.(retail space only, not storage)
Shopping Center, Planned - Under 400,000 sf GLA	4 per 1,000 sf GLA.
+ Over 400,000 sf GLA	4.5 per 1,000 sf GLA.
Tire Sales, Service and Vulcanizing	1 per 300 sf GFA.
COMMERCIAL - SERVICE & ENTERTAINMENT	
Amusement Center, Game Room; arcades	1 per 100 sf GFA.
Amusement Park	Spaces equal in number to 30% of capacity.
Bait Shop	1 per 250 sf GFA.
Bank or Financial Institution, Full Service	1 per 175 sf GFA.
Bar, Cocktail Lounge, Tavern, Night Club	1 per 4 seats; minimum of 10 spaces.
Barber Shop, Beauty Salon (personal service establishments)	3 per workstation on maximum capacity.
Bed and Breakfast Home	1 per guest room, plus 2 per owner's dwelling unit.
Bed and Breakfast Inn	1 per guest room, plus 2 additional
Bowling Alley	4 per alley.
Campground/RV park	1.5 per campsite + five additional
Dry Cleaning	1 per 200 sf GFA.
Event Center	1 per sleeping room, plus 1 per 3 guests at maximum occupancy.

TABLE 6.8 MINIMUM OFF-STREET PARKING REQUIREMENTS BY USES	
USES	PARKING SPACES
Funeral Home/Mortuary	1 per 4 seats in chapel + 1 per 2 employees + spaces for company vehicles.
Health Club and Facilities	1 per 100 sf of GFA (excluding courts), plus 3 per racquetball/tennis court.
Hotel, Motel, Motor Lodge, Extended Stay	1 per sleeping room or suite, 1 add'l space per 2 employees.
Laboratory, Research & Development Facilities	1.5 per employee.
Laundromat	1 per 200 sf GFA.
Machinery Sales, Service and Repair	4 per sales person, plus 1 per other employees.
Miniature Golf Course	3 per hole + 1 per employee on maximum shift.
Offices (business, medical, dental, and professional)	1 per 225 sf GFA for single floor designs; 1 per 275 sf GFA for designs with two or more floors.
Oil Change Shop, motor vehicle	3 per service bay
Pet Shop and Dog Grooming Shop	1 per 400 sf GFA w/ a minimum of 4 spaces.
Pool Rooms	1 per 100 square feet of GFA.
Printing, Publishing and Engraving	1 per 2 employees on premises + 1 per 300 sf of sales space.
Race track, motor vehicle	1 per 4 seats.
Recycling Center	2 per employee for the max. employees per shift
Repair Service, General Merchandise	1 per 2 employees on premises + 1 per 300 sf of sales space.
Repair & Body Shop, motor-vehicle	1 per 400 sf GFA, plus 2 for each service bay; minimum of 4 spaces.
RV Sales and Camper Sales, Service & Repair	4 spaces per sales person, plus 1 per employee.
Service Station, motor vehicle (full service)	1 per employee plus 3 per service bay.
Service Station, motor vehicle (self-serve fuel only)	1 per employee.
Shooting Range, Indoor	1 per employee plus 1 per shooting lane.
Studio for Art, Photograph and Similar Uses	1 per 400 sf GFA, 3 spaces minimum.
Theater, Movie or Drama	1 per 3 seats.
Truck Terminal	1 per 1,000 sf GFA.
Veterinary Clinic	4 spaces per doctor, plus 1 per additional employee.
Video Store	1 per 200 sf GFA.
INDUSTRIAL - STORAGE/WAREHOUSING/ WHOLESALE TRADE	
Mini-Warehouse (Self-Service Storage Facilities)	1 per 10 storage units + 1 per employee.

TABLE 6.8 MINIMUM OFF-STREET PARKING REQUIREMENTS BY USES	
USES	PARKING SPACES
Warehouse and Storage Buildings	1 per employee on maximum working shift, plus space for storage of truck or vehicles used.
Junkyard, Salvage Yard.	2 per employee.
Wholesale, Trade Establishments	1 per employee, plus 1 per 200 sf of sales floor area
INDUSTRIAL - MANUFACTURING ESTABLISHMENT/PROCESSING	
Manufacturing and Industrial Uses	1 per employee on the maximum working shift.
Contract Construction	1 per 250 sf of gross office space + 1 per non-office on-site employee.
Mineral Extraction & Processing	1 per 2 employees on maximum working shift.
PUBLIC/INSTITUTIONAL	
Ambulance Services	1 per emergency vehicle plus 1 additional space for each employee.
Art Gallery	1 per 250 sf GFA.
Auditorium, Assembly Hall, Civic Center, Community Center, Conference/Convention Center	1 per 4 seats or bench seating spaces.
Cemetery, mausoleum	1 per employee.
Childcare Facilities	1 per 1.5 employees + 1 per 4 pupils.
Church	1 per 4 seats or bench seating spaces.
Club and Lodges, Non-Commercial	1 per two employees, plus 1 per 200 sf GFA
Convent & Monastery	1 per 2 beds.
Cultural facility	3 spaces per 1,000 square feet of GFA
Fire Station	1 per each employee on the maximum working shift.
Governmental Offices	1 per 300 sf GFA
Halfway House/Hospice	1 space per four beds + 1/employee (based on max./shift)
Hospital, Health and Medical Institution	1 per 2 patient beds, 1 additional per 3 employees.
Library	1 per 400 sf GFA + 1 per 2 employees.
Museum	1 per 250 sf GFA.
Police Station/Correctional Facility	2 per employee on the maximum working shift, plus 1 per 8 inmates considering the maximum inmate holding capacity.
Post Office	1 per 200 sf GFA + 1 per employee on maximum working shift.
Recycling Center	1 per employee.

TABLE 6.8 MINIMUM OFF-STREET PARKING REQUIREMENTS BY USES	
USES	PARKING SPACES
School, Public or Private Elementary/Middle	2 per classroom, but not less than 1 per full-time employee.
School, Public or Private High	1 per 3 students + 1 per full-time employee.
School, College	10 per classroom.
School, Vocational/Technical	20 per classroom.
TRANSPORTATION/COMMUNICATION/UTILITIES	
Bus Terminal	4 per a loading and unloading bay.
Radio, TV & Communication Transmission Tower	1 per 2 employees on premises + 1 per 300 sf of sales or customer space.
Utility Facilities	1 per employee + 1 per stored vehicle.
Water Treatment Facilities	1 per employee.
PARK/RECREATION/CONSERVATION	
Golf Courses and Club Houses, Private	Six per hole, plus additional spaces for each accessory facility.
Golf Courses and Club Houses, Public	Eight per hole, plus additional spaces for each accessory facility.
Golf Driving Range	2 per driving tee.
Park with Recreational Facilities	Spaces equal in number to 30% of capacity.
Recreation Vehicle Park	1 for every RV space; 1 for every 2 employees
Shooting Range, Outdoor	Skeet Range & Trap Range: 1 per employee, plus 1 per shooter. Target Range: 1 per employee plus 1 per shooting lane.
Skating Rink, Roller and Ice	5 spaces per 1,000 sf of GFA
Swimming Pool, Public	30 spaces minimum.
AGRICULTURAL	
Agricultural Services	2 per 3 employees or 1 per 400 sf GFA.
Kennel	1 per employee + 1 per 1,000 sf GFA.
Lumber Yard	1 per 500 sf GFA.
Meat Pack & Processing/Slaughter Yard	1 per 1,000 sf GFA.
Nursery/Greenhouse	1 per 400 sf of GFA, plus 1 per 2,000 sf of exterior nursery area.
Saw Mill	1 per employee.
Stock Yard	1 per employee on maximum shift.

TABLE 6.8 MINIMUM OFF-STREET PARKING REQUIREMENTS BY USES	
USES	PARKING SPACES
RESIDENTIAL	
Dormitory for Worker Employed on the Premises	1 per 3 employees plus 1 per dormitory manager.
Dwelling, Multi-family	2.0 per dwelling unit.
Dwelling, Attached/Detached Single-family	2 per dwelling unit.
Dwelling, Two-family (duplex)	2 per dwelling unit.
Dwelling, Townhouse/Condominium	2 per dwelling unit.
Efficiency apartments	1 per dwelling unit.
Senior Housing	1 space per dwelling unit.
Group Home	1 per employee plus 1 per 2 bedrooms.
Manufactured Home, Industrialized Home	2 per dwelling unit.
Neighborhood Center	1 per 250 sf GFA.
Nursing Home/Assisted Living facility	1 per 2 beds + 1 per employee on the largest shift
Rooming House/Boardinghouse	1 per room to be let.
COMMERCIAL - RETAIL	
Boat Sales, Service and Repair	1 per 300 sf GFA, 2 spaces minimum.
Convenience Store (can include fuel service)	5 per 1,000 sf GFA.
Farmer's Market/Flea Market	2 per rentable booth or table site.
Furniture, Home Furnishing & Equipment Store	1 per 500 sf GFA.
Grocery Store	1 per 200 sf GFA.
Hardware Store	1 per 200 sf GFA.
Liquor Store	1 per 400 sf GFA.
Manufactured Home Sales	4 per sales person plus 1 per employee.
Motor-vehicle Parts Store	1 per 400 sf GFA + 1 per employee on max. work shift.
Motor-vehicle, Sales & Service	1.0 space per 250 sf of sales floor area + 2 spaces per service bay.
Produce/Roadside Stand	5 spaces per stand.
Restaurant, Cafeteria, Fast-Food (with seating)	1 per 4 seats, 1 additional space per 2 total employees
Restaurant, Fast Food w/Drive-in Facility (no seating)	Minimum of 10 spaces
Retail Stores, General Merchandise	1 per 200 sf GLA.(retail space only, not storage)
Shopping Center, Planned - Under 400,000 sf GLA	4 per 1,000 sf GLA.
+ Over 400,000 sf GLA	4.5 per 1,000 sf GLA.

TABLE 6.8 MINIMUM OFF-STREET PARKING REQUIREMENTS BY USES	
USES	PARKING SPACES
Tire Sales, Service and Vulcanizing	1 per 300 sf GFA.
COMMERCIAL - SERVICE & ENTERTAINMENT	
Amusement Center, Game Room; arcades	1 per 100 sf GFA.
Amusement Park	Spaces equal in number to 30% of capacity.
Bait Shop	1 per 250 sf GFA.
Bank or Financial Institution, Full Service	1 per 175 sf GFA.
Bar, Cocktail Lounge, Tavern, Night Club	1 per 4 seats; minimum of 10 spaces.
Barber Shop, Beauty Salon (personal service establishments)	3 per workstation on maximum capacity.
Bed and Breakfast Home	1 per guest room, plus 2 per owner's dwelling unit.
Bed and Breakfast Inn	1 per guest room, plus 2 additional
Bowling Alley	4 per alley.
Campground/RV park	1.5 per campsite + five additional
Dry Cleaning	1 per 200 sf GFA.
Event Center	1 per sleeping room, plus 1 per 3 guests at maximum occupancy.
Funeral Home/Mortuary	1 per 4 seats in chapel + 1 per 2 employees + spaces for company vehicles.
Health Club and Facilities	1 per 100 sf of GFA (excluding courts), plus 3 per racquetball/tennis court.
Hotel, Motel, Motor Lodge, Extended Stay	1 per sleeping room or suite, 1 additional space per 2 employees.
Laboratory, Research & Development Facilities	1.5 per employee.
Laundromat	1 per 200 sf GFA.
Machinery Sales, Service and Repair	4 per sales person, plus 1 per other employees.
Miniature Golf Course	3 per hole + 1 per employee on maximum shift.
Offices (business, medical, dental, and professional)	1 per 225 sf GFA for single floor designs; 1 per 275 sf GFA for designs with two or more floors.
Oil Change Shop, motor vehicle	3 per service bay
Pet Shop and Dog Grooming Shop	1 per 400 sf GFA w/ a minimum of 4 spaces.
Pool Rooms	1 per 100 square feet of GFA.
Printing, Publishing and Engraving	1 per 2 employees on premises + 1 per 300 sf of sales space.
Race track, motor vehicle	1 per 4 seats.

TABLE 6.8 MINIMUM OFF-STREET PARKING REQUIREMENTS BY USES	
USES	PARKING SPACES
Recycling Center	2 per employee for the max. employees per shift
Repair Service, General Merchandise	1 per 2 employees on premises + 1 per 300 sf of sales space.
Repair & Body Shop, motor-vehicle	1 per 400 sf GFA, plus 2 for each service bay; minimum of 4 spaces.
RV Sales and Camper Sales, Service & Repair	4 spaces per sales person, plus 1 per employee.
Service Station, motor vehicle (full service)	1 per employee plus 3 per service bay.
Service Station, motor vehicle (self-serve fuel only)	1 per employee.
Shooting Range, Indoor	1 per employee plus 1 per shooting lane.
Studio for Art, Photograph and Similar Uses	1 per 400 sf GFA, 3 spaces minimum.
Theater, Movie or Drama	1 per 3 seats.
Truck Terminal	1 per 1,000 sf GFA.
Veterinary Clinic	4 spaces per doctor, plus 1 per additional employee.
Video Store	1 per 200 sf GFA.
INDUSTRIAL - STORAGE/WAREHOUSING/ WHOLESALE TRADE	
Mini-Warehouse (Self-Service Storage Facilities)	1 per 10 storage units + 1 per employee.
Warehouse and Storage Buildings	1 per employee on maximum working shift, plus space for storage of truck or vehicles used.
Junkyard, Salvage Yard.	2 per employee.
Wholesale, Trade Establishments	1 per employee, plus 1 per 200 sf of sales floor area
INDUSTRIAL - MANUFACTURING ESTABLISHMENT/PROCESSING	
Manufacturing and Industrial Uses	1 per employee on the maximum working shift.
Contract Construction	1 per 250 sf of gross office space + 1 per non-office on-site employee.
Mineral Extraction & Processing	1 per 2 employees on maximum working shift.
PUBLIC/INSTITUTIONAL	

TABLE 6.8 MINIMUM OFF-STREET PARKING REQUIREMENTS BY USES	
USES	PARKING SPACES
Ambulance Services	1 per emergency vehicle plus 1 additional space for each employee.
Art Gallery	1 per 250 sf GFA.
Auditorium, Assembly Hall, Civic Center, Community Center, Conference/Convention Center	1 per 4 seats or bench seating spaces.
Cemetery, mausoleum	1 per employee.
Childcare Facilities	1 per 1.5 employees + 1 per 4 pupils.
Church	1 per 4 seats or bench seating spaces.
Club and Lodges, Non-Commercial	1 per two employees, plus 1 per 200 sf GFA
Convent & Monastery	1 per 2 beds.
Cultural facility	3 spaces per 1,000 square feet of GFA
Fire Station	1 per each employee on the maximum working shift.
Governmental Offices	1 per 300 sf GFA
Halfway House/Hospice	1 space per four beds + 1/employee (based on max./shift)
Hospital, Health and Medical Institution	1 per 2 patient beds, 1 additional per 3 employees.
Library	1 per 400 sf GFA + 1 per 2 employees.
Museum	1 per 250 sf GFA.
Police Station/Correctional Facility	2 per employee on the maximum working shift, plus 1 per 8 inmates considering the maximum inmate holding capacity.
Post Office	1 per 200 sf GFA + 1 per employee on maximum working shift.
Recycling Center	1 per employee.
School, Public or Private Elementary/Middle	2 per classroom, but not less than 1 per full-time employee.
School, Public or Private High	1 per 3 students + 1 per full-time employee.
School, College	10 per classroom.
School, Vocational/Technical	20 per classroom.
TRANSPORTATION/COMMUNICATION/UTILITIES	
Bus Terminal	4 per a loading and unloading bay.
Radio, TV & Communication Transmission Tower	1 per 2 employees on premises + 1 per 300 sf of sales or customer space.
Utility Facilities	1 per employee + 1 per stored vehicle.
Water Treatment Facilities	1 per employee.

TABLE 6.8 MINIMUM OFF-STREET PARKING REQUIREMENTS BY USES	
USES	PARKING SPACES
PARK/RECREATION/CONSERVATION	
Golf Courses and Club Houses, Private	Six per hole, plus additional spaces for each accessory facility.
Golf Courses and Club Houses, Public	Eight per hole, plus additional spaces for each accessory facility.
Golf Driving Range	2 per driving tee.
Park with Recreational Facilities	Spaces equal in number to 30% of capacity.
Recreation Vehicle Park	1 for every RV space; 1 for every 2 employees
Shooting Range, Outdoor	Skeet Range & Trap Range: 1 per employee, plus 1 per shooter. Target Range: 1 per employee plus 1 per shooting lane.
Skating Rink, Roller and Ice	5 spaces per 1,000 sf of GFA
Swimming Pool, Public	30 spaces minimum.
AGRICULTURAL	
Agricultural Services	2 per 3 employees or 1 per 400 sf GFA.
Kennel	1 per employee + 1 per 1,000 sf GFA.
Lumber Yard	1 per 500 sf GFA.
Meat Pack & Processing/Slaughter Yard	1 per 1,000 sf GFA.
Nursery/Greenhouse	1 per 400 sf of GFA, plus 1 per 2,000 sf of exterior nursery area.
Saw Mill	1 per employee.
Stock Yard	1 per employee on maximum shift.

Sec. 6.10. - Storage and parking of trailers and commercial vehicles.

Commercial vehicles and trailers of all types, including travel, boat, camping and hauling shall not be parked or stored on any lot occupied by a dwelling or any lot in any residential district except in accordance with the following requirements:

- (a) No more than one commercial vehicle per dwelling shall be permitted, and in no case shall a commercial vehicle used for hauling explosives, gasoline, or liquefied petroleum products, hazardous chemicals, or commercial waste be permitted.
- (b) A commercial vehicle shall be of a size no greater than 10,000 pounds gross vehicle weight.

- (c) Travel trailers, hauling trailers, or boat trailers shall be permitted if parked or stored behind the front yard building line or in the confines of a building.
- (d) A travel trailer shall not be occupied either temporarily or permanently while it is parked or stored in any area except a travel trailer park authorized under this ordinance.

ARTICLE VII. - ADMINISTRATION

Sec. 7.1. - Administration and enforcement of provisions.

The zoning administrator shall administer and enforce the provisions of this ordinance.

Sec. 7.2. - Basis for provisions and compliance with the comprehensive plan.

The regulations and requirements set forth in this ordinance shall be in general accordance with the policies and guidance of the comprehensive plan, as amended, with reasonable consideration to land use patterns, growth characteristics, and the character of the respective districts and the particular uses of land throughout the city.

Sec. 7.3. - Interpretation of provisions; property inadvertently omitted from zoning districts.

- (a) In interpreting and applying the provisions of this ordinance, they shall be held to be the minimum requirements for the promotion of the public, health, safety, morals and general welfare of the community.
- (b) It is not intended by this ordinance to interfere with or abolish or annul any easements, covenants or other agreements between parties; provided, however, that where this ordinance imposes a greater restriction upon the use of buildings or premises or upon the height of buildings, or requires larger open spaces than are imposed or required by other ordinances, rules, regulations or by easements, covenants, or agreements, the provisions of this ordinance shall control.
- (c) If, because of error or omission in this ordinance or the zoning map any property within the city is not shown as being included in a zoning district, the classification of such property shall be R-1 district (single-family residence), unless changed by an amendment to this ordinance.
- (d) Annexation of property shall follow the requirements of the state law.

Sec. 7.4. - Outline of steps required for amendment to the ordinance.

Applications for amendments to the accompanying official zoning map may be initiated at the request of a private property owner or someone holding his/her power of attorney, the city council of Ringgold, or the Planning Commission. Requests for a special use (conditional use), annexation, or variance may be similarly initiated by a private petitioner. Only the city council of Ringgold or the Planning Commission may initiate a text amendment. More specific details about the zoning map, the zoning text, reviewing special (conditional) uses, and annexation are found in the Ringgold Zoning Procedures and Standards Ordinance.

In general, all zoning related applications (adoption of zoning ordinance/map, text amendments, map changes, conditional uses, annexations, and appeals/variances) shall follow the following steps to secure approval or denial.

- (a) Any petition for a zoning change must be filed in the form of a written application with the Zoning Administrator and fees paid at that time. No application for zoning shall be considered unless applied for by property owner(s) or person with lawful power of attorney for property owner(s).
- (b) The zoning administrator will inform the applicant of the public hearing dates at which his/her petition will be considered.
- (c) The zoning administrator will advertise the public hearing(s) and provide notification to affected parties by written notice and by the posting of a notice on the subject property.
- (d) The adoption of a zoning ordinance/map, the amendment of a zoning ordinance/map, review of special (conditional) uses, and review of annexations shall follow the provisions of the Zoning Procedures and Standards Ordinance.
- (e) Variances and appeal requests will be reviewed by the planning commission, which shall serve as the Board of Zoning Appeals as needed, ultimately making an advisory ruling that is approved or disapproved by the Mayor and Council as outlined in Article VIII of this ordinance. The zoning administrator shall keep a record of all proceedings whether approved or denied.

Sec. 7.5. - Approval period.

Any building permit issued shall become invalid unless the work authorized by it shall have been commenced within six months of the date of issuance or if the work authorized by the permit is suspended or abandoned for a period of one year.

Sec. 7.6. - Administrative assistance.

The zoning administrator shall provide such technical, administrative and clerical assistance as necessary to or required the planning commission to carry out its function under the provisions of these regulations.

Sec. 7.7. - Fees.

All applicants for a rezoning, a text amendment, a conditional use, a home occupation license, or other required inspections, within a district, shall be accompanied by a fee payable to the city to defray expenses incidental to the complete review and action upon such applications. A listing of all applicable scheduled fees is available in the office of city hall.

ARTICLE VIII. – BOARD OF ZONING APPEALS

Sec. 8.1. - Creation of the board of zoning appeals.

The Board of Zoning Appeals is hereby created to provide a mechanism for relief in an individual case where certain dimensional requirements of this code pose undue hardship.

These regulations also provide for appeals from actions of the Zoning Administrator/Building Inspector in the administration, enforcement, and interpretation of this Ordinance. The grant of authority and powers delegated by the Governing Authority is limited to the provisions herein and shall be sparingly used by the Board of Zoning Appeals, also known herein as the Board.

The Ringgold Planning Commission shall serve as the Board of Zoning Appeals, an advisory body to the Mayor and Council, which shall make the final decisions on the matters of the Board. Meetings of the Board shall be held at the call of the Chairman and at such other times as the Board may determine.

The Board shall keep minutes of its proceedings, showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the Office of the Zoning Administrator and shall be a public record. All meetings of the Board of Zoning Appeals shall be open to the public. The Board may adjourn any public hearing or meeting in order to obtain additional information.

Section 8.2. - Appeals, hearings, notices, and stay of proceedings.

Matters before the Board of Appeals may be taken by any person aggrieved or by any officer, department, board, or bureau of the City of Ringgold affected by any decision of the Zoning Administrator/ Building Inspector. Such matters shall be taken within thirty (30) days of the decision or determination prompting the appeal, on forms provided by the Zoning Administrator/Building Inspector, specifying the grounds thereof. The Zoning Administrator/Building Inspector shall forthwith transmit to the Board all the papers constituting the record upon which the action appealed from was taken. The application shall be accompanied by a site plan drawn to scale, showing the dimensions and arrangement of the proposed development. The Zoning Administrator/Building Inspector may require other drawings or materials essential to an understanding of the appealed matter and its relationship to the surrounding properties.

A fee, to be set periodically by the Mayor and Council, shall also be submitted with the application to cover the advertising costs.

- (a) An appeal stays all legal proceedings in furtherance of the action appealed from, unless the Zoning Administrator/Building Inspector certifies to the Board of Zoning Appeals after the notice of appeal shall have been filed with him, that by reason of facts stated in the certificate a stay would, in his opinion, cause imminent peril to life and property. In such cases, proceedings shall not be stayed otherwise than by a restraining order which may be granted by a court of record on application, on notice to the Zoning Administrator/Building Inspector, and on due cause shown.
- (b) *Public Hearing.* The Board of Zoning Appeals shall fix a reasonable time for the public hearing of the appeal or other matter referred to it, and give at least fifteen (15) days public notice of the time, place, and purpose, which shall be published in the newspaper of general circulation in the City of Ringgold, Georgia and shall also be posted on the property affected. The advertisement shall further advise of the time, date, and location of the next Mayor and Council meeting where a final decision is expected. At the hearing, any party may appear in person or by agent, or by attorney, or both. Any action by the Board tabling matters shall cause the Mayor and Council to take up such matters at their next available council meeting after receipt of a written recommendation from the Board.

Sec. 8.3. - Powers and duties of the board of appeals.

The Board of Appeals shall have the following powers and duties:

- (a) Administrative review: To hear and recommend appeals where it is alleged there is error in any order, requirement, decision, or determination made by the Building Inspector/Zoning Administrator in the enforcement of this Ordinance.
- (b) Special exceptions: To hear and recommend special exceptions to the terms of this Ordinance upon which the Board is required to pass under this Ordinance.
- (c) Variances: To authorize upon appeal in specific cases such variance from the terms of this Ordinance as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of this Ordinance will in an individual case, result in practical difficulty or unnecessary hardship, so that the spirit of this Ordinance shall be observed, public safety and welfare secured, and substantial justice done. Such variance may be recommended for approval in such individual case of unnecessary hardship upon a finding by the Board of Zoning Appeals and/or Mayor and Council that all of the following conditions exist:
 - (1) There are extraordinary and exceptional conditions pertaining to the particular piece of property that do not apply to other properties in the same vicinity or use district, and such conditions are not the result of the owner's or occupant's own actions. Such conditions may include topography, unique natural conditions, surroundings of the subject property, or the size or peculiar shape of the lot.
 - (2) The application of this Ordinance to the particular piece of property would create an unnecessary hardship or practical difficulty that renders it difficult to carry out the provisions of this Ordinance.
 - (3) The authorization of such variance will not be materially detrimental to the public welfare or injurious to property in the vicinity or district in which property is located, and the variance will be in harmony with the general purposes and intent of the provisions of this Ordinance.
 - (4) Relief, if granted, would be a minimum variance that will make possible the legal use of the land, building, or structure, provided, however, that no variance may be granted for a use of land or building or structure that is prohibited by this Ordinance nor can a variance be granted to increase the densities, by reducing lot sizes or allowing more dwelling units per lot, than established by the Ordinance. [Applications for consideration of a use variance or density variance shall not be accepted.]
- (d) *General Standards.* In consideration of all matters before it, the Board or city council shall, and in addition to other standards in this ordinance, be guided by the following general standards.
 - (1) The proposed use will be of such location, size, and character that it will in harmony with the appropriate and orderly development of the surrounding neighborhood.
 - (2) The proposed use will of a nature that will make vehicular and pedestrian traffic no more hazardous than appears to be reasonable for the district involved, taking in to

consideration vehicular turning movements in relation to routes of traffic flow, proximity and relationship to intersections, adequacy of sight distances, location and access of off-street parking and provisions for pedestrian traffic, with particular attention to minimizing child-vehicle contacts in residential districts.

- (3) The location, size, intensity, site layout and periods of operation of any such proposed use will be designed to eliminate any possible nuisance emanating there from which might be noxious to the occupants of any other nearby permitted uses, whether by reason of dust, noise, fumes, vibration, smoke or lights.
- (4) The location and height of buildings or structures and the location, nature and height of walls and fences will be such that the proposed use will not interfere with or discourage the appropriate development and use of adjacent land and buildings or unreasonably affect their value.

Sec. 8.4. - Actions of the Board of Appeals/Decisions of the Mayor and Council.

In exercising the above powers, the Board of Zoning Appeals may recommend and the Mayor and Council in their final action, in conformity with the provisions of this Ordinance, may reverse or affirm, wholly or partly, or may modify the order, requirements, decision, or determination, and to that end shall have all the powers of the Zoning Administrator/ Building Inspector and may issue or direct the issuance of a building permit.

The concurring vote of the majority of the membership of the Board shall be necessary to recommend reversing any order, requirement, decision or determination of the Zoning Administrator/Building Inspector, or to decide in favor of the applicant on any matter upon which it is required to pass under this Ordinance or to affect any variation of this Ordinance.

Conditions. The Board may recommend conditions and the Mayor and Council accept or modify such conditions necessary to accomplish the reasonable application of the *General Standards* of Section 8.3, as well as those in Section 8.3 (c). Further, performance bonds may be established to insure compliance of any requirement which may be deemed necessary for approving a variance.

Decisions of the Board shall be rendered within sixty (60) days of the public hearing unless the petitioner officially waives such period by requesting extension for cause or acknowledges that the extension is necessary to collect additional information relevant to the pending decision. The applicant shall be notified of the final decision of the Mayor and Council within fifteen (15) days in writing at the address provided in the application.

Section 8.5.- Appeals of Final Decisions.

Should the applicant wish to appeal the Mayor and Council's decision, he/she must do so within thirty (30) days of the decision by *Writ of Certiorari* directly to the Catoosa County Superior Court. There shall be no additional appeal to the Ringgold Mayor and Council or any other administrative body.

ARTICLE IX. – ESTABLISHMENT OF DISTRICTS

Sec. 9.1. - Division of city into districts.

For the purpose of this Ordinance, the City of Ringgold, Georgia, is divided into eleven (11) districts designated with the following purposes, as follows:

A-1 Agricultural District. This low density residential district establishes a minimum lot size of one (1) acre per dwelling unit. Single-family detached homes must meet Type IV Appearance Standards. The district is characterized as rural and on the fringe of the more intense urban core, where larger tracts sizes are common and certain agricultural processes and uses remain evident. Multiple agricultural buildings may occupy the parcel with or without a principal dwelling.

Family relationships. Individuals owning land at the time of the enactment of this ordinance in an area designated A-1 may convey to his or her child, stepchild, or family member related by blood or marriage, out of the then currently owned tracts, sufficient land for a building site that is less than one (1) acre in size. The latter allowance precludes the necessity for a rezoning or variance, so long as said land is intended for and used exclusively as a residence for a family member. The said conveyance shall not consist of less than the requirements set by the subdivision regulations or the requirements of the Catoosa County Health Department, whichever is greater, and shall have a minimum width of one-hundred (100) feet at the building line. The aggregate of conveyances shall not exceed fifty (50) percent of the total land originally owned by the individual.

R-1 Residential District (Low Density). This low density residential district encourages the placement of one (1) single-family detached dwelling per lot or parcel. The homes in this district are site built only and the district allows an approximate density of three (3) dwelling units per acre when the dwellings are served by an approved community water supply and wastewater treatment system. Alternative public water and individual disposal systems are allowed, however, lot sizes increase. Development is limited to single-family detached dwellings meeting Type I Appearance Standards.

R-2 Residential District (Low Density). This district is low density, allowing one (1) single-family detached dwelling per lot or parcel. The homes in this district are site built only and the district allows an approximate density of five (5) dwelling units per acre with each meeting Type II Appearance Standards and service by an approved community water supply and wastewater treatment system. Overall density is reduced if service is other than public water and individual disposal systems.

R-3 Two-Family/Multi-family Residential District (Medium Density). This district is designed to accommodate increased density allowing a smaller lot size for single-family detached homes, allowing two-family dwellings

(duplexes) per lot, and also allowing multi-family dwelling units. The multi-family dwelling units may be assembled with more than one principal building per lot. The maximum density of nine (9) dwelling units per acre is achieved with multi-family development. Because of increased densities, public water and sewer is preferred in this district, however, areas not served by such systems shall comply with Section 70-39 of the Official Code of Ordinances of Ringgold. Single-family detached dwellings are site built only and adhere to Type III Appearance Standards. The district allows some governmental, educational, and religious uses, subject to requirements necessary to preserve and protect the district's medium density character.

R-4 Manufactured Home District. This district is designed for the location of approved manufactured home parks in compatible areas of the city at a maximum density of eight (8) dwelling units per acre. Single family detached homes meeting the Type IV Appearance Standards are allowed per lot outside a park environment. Manufactured home park designs require adequate space and facilities for healthful living conditions for occupants; paved roadways are required for easy accessibility; suitable water and sewer facilities are required in accordance with all applicable state and county health regulations and statutes; and long-term residential use is required (as opposed to those units occupy a recreational vehicle park).

R-T/Z Residential Townhouse/Zero Lot Line District

A district to provide regulations for the development of townhouses (also called row houses and single-family attached dwellings), single-family zero lot line dwelling (also called patio homes), and/or mixed use moderated density residential development in a manner which is attractive, provides for efficient use of land, and is compatible with surrounding development, particularly lower density, standard single-family uses. The district, allowing up to eight (8) dwelling units per acre for attached dwellings (like condominiums or townhouses), can be transitional between low and medium density residential uses and other more intense zone districts. The district depends on creative designs to make use of open space and would often include other resident amenities. The district is established to create ownership opportunities in preference to rental opportunities. Single-family detached dwellings are limited to one per lot meeting Type II Appearance Standards.

Within this district, the term "exterior street" refers to any public, dedicated and accepted street existing prior to the R-T/Z development and the term "interior street" refers to any street built as part of the R-T/Z development, both sides of which are zoned R-T/Z. The district requires the approval of a site plan and subdivision regulations may also apply.

O-1 Office-Commercial District. A district designed to accommodate selected services as opposed to the general type of retail commercial establishments. The regulations which apply within this district are designed to encourage a non-congested environment for office type businesses or professional firms which will provide a positive transition

between busy thoroughfares and those residential uses that lie in and adjacent to this district. Single family detached dwellings are limited to one per lot meeting Type II Appearance Standards.

- C-1 Sidewalk Commercial District.** This district is intended to promote commercial activities in appropriate and concentrated locations on the fringe of the downtown area.
- C-2 General Commercial District.** This district allows the broadest, most intense mix of commercial retail and service uses with associated storage capabilities oriented to major streets, particularly collectors and arterials. The district requires construction of a principal building and also allows multiple buildings to occur per lot, all served by public sewer service, and significant traffic is a by-product of the uses typically found in this district. Shopping centers and big-box retailers are common along with a host of supporting commercial uses developed in concert with shared accesses, private streets, and other mechanisms that discourage strip developments.
- C-3 Downtown Commercial District.** The central business district (CBD) is the center for commercial retail and service uses, financial, office, government, and limited residential uses of the city. The district is characterized by shared parking and loading, and buildings typically occupying the full area of the lot. The CBD is the core activity center around which the city has historically developed and remains central to the development success of the entire community and trade area as a whole.
- I-1 Industrial District.** This district is intended for wholesale and light industrial uses where resultant noise, odors, pollution and congestion are minimized. The district is characterized by large tracts of land occupied by multiple buildings that can be large in square footage and dedicated to full manufacturing, processing, assembly of raw materials, or warehousing. Some operations occur continuously, around the clock and delivery by truck may be a necessary by-product of the uses allowed in this district. Some of the uses allowed by this district can generally be considered incompatible to residential uses, hence residential development is prohibited in this district.

Sec. 9.2. - District development standards.

The requirements regarding lots size, building size, and building placement on the lot for each zone districts shall be met as indicated in Table 9.2: **District Development Standards: Area, Floor, Yard and Height Requirements.**

Further, other regulations and ordinances that may apply to every district include: 1) Off-street parking and loading requirements within this ordinance; 2) Appearance standards within this Ordinance; 3) the City of Ringgold Sign Ordinance; and 4) the City of Ringgold Flood Hazard Ordinance.

TABLE 9.2
District Development Standards: Area, Floor, Yard and Height Requirements

DIS- TRI CT	MINIMUM LOT AREA IN SQUARE FEET	MIN. SITE AREA	ADDIT' NL REQ'M NTS	MIN STREET FRONTA GE	MIN. FLOOR AREA (square feet)	FRON T YARD SETBA CK (feet)	SIDE YAR D (feet)	REAR YARD (feet)	MAXIM UM BUILDI NG HEIGHT (feet)
A-1	All Uses	43,560		100	960	40(maj or street); 30(min or collecto r)	10	30	35
R-1	All Uses (public water/sewer)	12,000		120	1,500.	40	15	20	35
	All Uses (public water/septic) ¹	15,000		120	1,500.	40	15	20	35
R-2	Single-Family Detached	8,500		100	1,200	40	15	20	35
	Single-Family Detached (public water/septic) ¹	15,000		100	1,200	40	15	20	35
R- 3 ^{4, 5}	Single-Family Detached	8,500		85	960	30	10	20	35
	Single Family Attached	8,500	Section 9.4(f); 9.4(g); 9.4(h); 9.5	50	600/d.u.	30	10 ²	20	35
	Duplex	10,000	Section 9.4(f); 9.4(g); 9.4(h); 9.5	85	600 /d.u.	30	10 ²	20	35

DIS-TRICT	MINIMUM LOT AREA IN SQUARE FEET		MIN. SITE AREA	ADDIT'L REQ'MENTS	MIN STREET FRONTAGE	MIN. FLOOR AREA (square feet)	FRONT YARD SETBACK (feet)	SIDE YARD (feet)	REAR YARD (feet)	MAXIMUM BUILDING HEIGHT (feet)
	Multi-Family/Condominiums ^{3,4}	10,000 s.f. for 2 units, plus 4,000 s.f. for units thereafter/acre		Section 9.4(a); 9.4(f); 9.4(h); 9.5	85	---	30	10 ²	20	35
	Non-Residential Uses	5,000			85	----	30	25	20	75
R-4	Single-Family Detached	7,000			70	960.	30	10	20	35
	Manufactured Home Park ⁴	----	4.0	See Article X for detailed design guidelines.						
	Non-Residential Uses	5,000			50	----	30	10	20	75
R-T/Z	Single-Family Detached	5,445/unit/acre	----		70	960	30	10	25	35
	Single-Family Attached	5,445/unit/acre	----	Section 9.4(f); 9.4(h); 9.5	30 ⁷	800	30	10 ²	25	35
	Fee Simple Townhouse ⁴	5,445/unit/acre	----	Section 9.4(f); 9.4(g); 9.4(h); 9.5	30 ⁸ (average 20)	800	30	10 ²	25	35
	Zero Lot Line ⁴	5,445/unit/acre	----	Section 9.4(i); 9.5	30	960	30	10 ²	25	35
O-1 ⁴	Single-Family Detached ⁶	7,000	----		70	1,200	25	10	20	35
	All Uses ⁶	5,000			50	----	25	25	20	75
C-1 ⁴	All Uses	No minimum	----	Section 9.4(s)	50	---	4	0	25	75

DIS-TRICT	MINIMUM LOT AREA IN SQUARE FEET		MIN. SITE AREA	ADDIT'NL REQ'MNTS	MIN STREET FRONTAGE	MIN. FLOOR AREA (square feet)	FRONT YARD SETBACK (feet)	SIDE YARD (feet)	REAR YARD (feet)	MAXIMUM BUILDING HEIGHT (feet)
C-2 ⁴	All Uses	No minimum	----	Sections 9.4(s); 9.5	50	----	35	20	25	75
C-3 ⁴	All Uses	No minimum	----	Section 9.4(s)	50	----	4	0	25	75
I-1 ⁴	All Uses	No minimum	----	Section 9.5	50	---	50	25	50	75

FOOTNOTES

1. Service by individual sewage disposal systems shall size lots according to the requirements herein or the Catoosa County Health Department, whichever is more strict.
2. For multi-family dwellings, the side setback is relative to the building, not the dwelling units; for zero lot line dwellings the side yard is waived on one side of the lot.
3. Site plans are required for some developments.
4. All multi-family uses, and manufactured home parks, and commercial/industrial buildings shall be served by public sewer.
5. Minimum lot width, measured at the front building line, shall be a minimum of 85 feet for all uses.
6. Minimum lot width, measured at the front building line, shall be a minimum of 70 feet for all uses.
7. Minimum lot width, measured at the front building line, shall be a minimum of 30 feet.
8. For a building containing three or more units, the average lot width shall be 20 feet per unit. See Section 9.4(g).

Sec. 9.3.- Permitted Uses.

No principal building, structure, or land use shall be permitted except in the zoning districts indicated and for the purposes permitted in Table 9.3 Permitted and Conditional Uses table. A principal use listed in Table 9.3 is permitted by right in any district denoted by the letter “X” and may be subject to Section 9.4: Additional Requirements for Specific Permitted Uses, other requirements of State law, and other applicable regulations of this ordinance. A principal use denoted by the letter “C” is permitted only if a Conditional Use approval is granted by the Mayor and Council through the process required by the Zoning Procedures and Standards Ordinance, a separate Ordinance. For uses not included on this list, where the Building Inspector/ Zoning Administrator/City Manager is unable to determine placement due to similarity of use, application shall be made to the Zoning Board of Appeals for interpretation under their “special exception” powers.

**TABLE 9.3
PERMISSIBLE AND CONDITIONAL USES**

PERMITTED USES					ADDIT. REQ'MT.	RESIDENTIAL ZONE						
C-1	C-2	C-3	O-1	I-1		See Sections	A-1	R-1	R-2	R-3	R-4	R-T/Z
X	X	X	X	X	Accessory buildings and uses located on the same lot or parcel of land as the main structure and customarily incidental to the permitted or conditional use.	Section 4.4	X	X	X	X	X	X
					Agricultural and horticultural uses; livestock		X					
					Agricultural buildings such as barns, sheds, silos, granaries, windmills, and related agriculture uses or livestock for sheltering or housing livestock, which are concurrent to the operation of an agricultural enterprise shall observe minimum setback of fifty (50) feet from any property line and be spaced a minimum of 200 feet from any residence on an adjacent lot or parcel.		X					
				C	Air terminal facilities		C					
X	X	X			Ambulance services							
X	X				Appliance stores, including repairs and services.							
					Amusements, commercial; arcade (see Game room)							
X	X				Assisted living home/facility							
X	X	X			Auction houses, but not including livestock.							

PERMITTED USES

**ADDIT.
REQ'MT.**

RESIDENTIAL ZONE

C-1	C-2	C-3	O-1	I-1		See Sections	A-1	R-1	R-2	R-3	R-4	R-T/Z
C	X	C		X	Auditoriums, stadiums, coliseums, (places of assembly and entertainment)							
	X				Automotive supply store							
					Bait production		X					
	X	X			Bakeries							
X	X	X			Banks, financial establishments							
X	X	X	X		Barber and beauty salons							
	X				Bed & Breakfast Home	Sec. 9.4(j)	X			C		
X	X	X			Bed & Breakfast Inn	Sec. 9.4(k)	C			C		
X	X	X			Bicycle stores							
	X	X			Broadcasting studios, radio and television (tower facilities must meet requirement of Telecommunications Tower and Antenna Ordinance.)							
X	X	X			Boarding House; Rooming House					X		
	X				Bottling works for soft drinks							
	X	X			Bowling alleys and billiard rooms							
	X			X	Building and lumber supply establishments							
	X	X		X	Bus station and railroad terminal							
X	X	X			Cafes, grills, lunch counters, and restaurants serving alcohol							
X	X	X		X	Café							
	C				Campgrounds		C					

PERMITTED USES

**ADDIT.
REQ'MT.**

RESIDENTIAL ZONE

C-1	C-2	C-3	O-1	I-1		See Sections	A-1	R-1	R-2	R-3	R-4	R-T/Z
					Car wash (see Motor vehicle wash)							
X	X	X	X	X	Catering, carry-out, delivery only							
	X				Cemeteries; mausoleums; columbariums (not church related)	Sec. 9.4(e)	X					
X	X	X			Churches and their attendant educational, kindergartens, columbariums, and recreational facilities, and public schools, provided that: (1) Adequate ingress and egress to a major street is assured; (2) They are provided with adequate, paved off-street parking areas; (3) The buildings are placed not less than 30 feet from street lines and not less than 25 feet from property lines; (4) Adequate provisions are made for maintaining a planted buffer strip along adjoining property lines (See Section 4.10 buffer requirements).	Sec. 9.4(e)	X	C	C		C	C
					Churches and other places of worship and related accessory buildings provided they are located on a lot fronting an arterial or collector street and are placed not less than 50 feet from any property line.	9.4(e)				C		
X	X	X			Clubs, lodges, civic or fraternal lodges.							
X	X				Clothing, shoe, millinery, dry goods and notion stores.							

PERMITTED USES

**ADDIT.
REQ'MT.**

RESIDENTIAL ZONE

C-1	C-2	C-3	O-1	I-1		See Sections	A-1	R-1	R-2	R-3	R-4	R-T/Z
	X				Communication offices/centers, telephone (tower facilities must meet requirements of Telecommunications Tower and Antenna Ordinance).							
					Community/Neighborhood building, not-for-profit (provided building is not within 100 feet of any property line).		X	X	X	X	X	X
				X	Contractor's office, shop and storage							
				X	Contractor's storage and equipment yards							
					Country clubs (golf, swimming, tennis)		X	X	X			
					Country clubs (golf, swimming, tennis) and golf clubs, fishing clubs and camps, marinas, gun clubs when located on lands comprising ten acres or more and making use of land in its predominantly natural state; shooting ranges must provide protective natural or artificial barriers preventing bullets, shells or pellets from traveling to human occupied areas.		X					
X	X				Convention Center/Conference Center		C					
					Dairy Farms		X					
					Day Care Home, Family		X	X	X	X	X	X
X	X	X	X	C	Day Care Center		X			X		

PERMITTED USES

**ADDIT.
REQ'MT.**

RESIDENTIAL ZONE

C-1	C-2	C-3	O-1	I-1		See Sections	A-1	R-1	R-2	R-3	R-4	R-T/Z
X	X	X		X	Dry cleaning and laundry establishments; except in the C-1 and C-3 where such operation is for local service only and no work is done on the premises for other similar establishments or pickup stations.							
					Dwelling, Multi-family; Condominium (3 units or more)	Sec. 9.4(a); 9.4(f); Sec.9.5				X		
					Dwelling, Single Family Attached					X	X	X
X			X		Dwelling, Single Family detached – Type I		X	X	X	X	X	X
			X		Dwelling, Single Family detached – Type II		X		X	X	X	X
					Dwelling, Single Family detached – Type III		X			X	X	
					Dwelling, Single Family detached – Type IV	Section 9.4(b)	X				X	
					Dwelling, Townhouse (fee-simple)	Sec. 9.4(f); 9.4(g); 9.4(h); 9.5				X		X
					Dwelling, Two-family (duplexes) [In the A-1 district, only if the land is used for bona fide agricultural purposes and shall house only those persons and their immediate family employed in carrying out such bona fide agricultural use.]		X			X		
		C			Dwelling, Loft							
					Dwelling, Zero Lot Line – Type II (site built only)	Sec. 9.4(i); Sec. 9.5						X

PERMITTED USES

**ADDIT.
REQ'MT.**

RESIDENTIAL ZONE

C-1	C-2	C-3	O-1	I-1		See Sections	A-1	R-1	R-2	R-3	R-4	R-T/Z
X	X	X			Event Center		C					
	X				Extended stay facility	Sec. 9.4(p)						
	X			X	Farmer's market; produce stand	Sec. 9.4(l)						
					Fish Hatcheries		X					
	X			X	Flea Market	Sec. 9.4(l); Sec. 22 of municipal code						
	C			X	Food locker plant where lockers are rented for the storage of food, including sale at retail, and delivery.							
				X	Food processing plants, such as bakeries, meat packers, or fish and poultry houses.							
				X	Frozen dessert and milk processing plants							
X	X	X			Funeral homes							
X	X				Furniture and home furnishings stores.							
X	X	X			Game Room, Arcade, Commercial amusements	See Chapter 22, Municipal Code						
	X			X	Garages, motor-vehicle repair and body work	See Sec. 9.4(r)						
X	X				Garden supply stores.							
					Gardening and horticulture, except that the raising of livestock or poultry shall not be permitted;			X	X	X	X	

PERMITTED USES

**ADDIT.
REQ'MT.**

RESIDENTIAL ZONE

C-1	C-2	C-3	O-1	I-1		See Sections	A-1	R-1	R-2	R-3	R-4	R-T/Z
					Golf courses, except driving ranges, miniature courses and other similar commercial operations.							X
	X				Golf, swimming, tennis or country clubs, public and private community clubs or associations, athletic fields, parks and recreation areas, provided that no building for such proposed use is located within 100 feet of any property line.		X	X	X	X	X	X
X	X	X	X		Governmental buildings and structures, public		X					
					Group Homes	Sec. 9.4(q)	X	X	X	X		
					Guesthouses		X					
	C				Halfway houses	Sec. 9.4(c)						
X	X				Hardware and paint stores.							
X	X				Health clubs, spas, and other similar activities.							
				X	Heavy equipment sales, service, rental and storage							
	X				Homeless shelter and food service							
					Home occupations	See Definition	X	X	X	X	X	X
					Home swimming pool, provided the location is not closer than ten feet to any property line and the pool is enclosed by a wall or fence at least four feet in height.			X	X	X	X	
X	X				Hospice facility							
C	C				Hospitals, not to include sanitariums.							

PERMITTED USES

**ADDIT.
REQ'MT.**

RESIDENTIAL ZONE

C-1	C-2	C-3	O-1	I-1		See Sections	A-1	R-1	R-2	R-3	R-4	R-T/Z
X	X	X		X	Hotels and motels (In I-1, must be located adjacent to a state or federal highway and contain a minimum lot area of 40,000 square feet)							
	C			X	Ice plants							
				C	Junk yard; salvage yards	Sec. 9.4(n)						
					Kennels, including the commercial raising or breeding of dogs; if any adjoining property is a residentially zoned area, the separation distance from the district line to the kennel must be a minimum of 1,000 feet.	Sec. 9.4(m)	X					
					Kindergartens (See churches and schools)							
					Kindergartens operated by governmental units or religious organizations							X
			X		Laboratories (medical and dental)							
X	X		X		Libraries							
				X	Lumber yards, fuel yards, and building material yards to include rock, sand and gravel							
	X			X	Manufactured home sales (new and used -- body and mechanical repair must be enclosed and no parts or waste material may be stored outside the building.)							
					Manufactured Home Park	See Article X					X	

PERMITTED USES

**ADDIT.
REQ'MT.**

RESIDENTIAL ZONE

C-1	C-2	C-3	O-1	I-1		See Sections	A-1	R-1	R-2	R-3	R-4	R-T/Z
				X	Manufacturing, light; facilities for repair, assembly or processing; [not objectionable by reason of smoke, dust, odor, bright lights, noise, or vibration.]							
				X	Manufacturing, processing, fabrication, repairing and servicing of any product except those that may endanger the public health, welfare, and safety.							
					Meat processing and temporary holding lot		X					
X	X	X	X	X	Medical offices; clinics (not to include veterinary services)							
				X	Milk bottling and distribution plants and ice cream manufacturing							
	C			X	Mini-warehouses, subject to the following conditions: (1) Shall be limited to storage only. (2) All storage shall be within the building area. (3) Adequate off-street parking must be provided for auctions or commercial sales conducted on the site.	Sec. 9.4(o)						
	C				Mixed use developments to include residential uses in conjunction with commercial development in select areas within the C-2 district.							
				X	Motor-vehicle auctions							

PERMITTED USES

**ADDIT.
REQ'MT.**

RESIDENTIAL ZONE

C-1	C-2	C-3	O-1	I-1		See Sections	A-1	R-1	R-2	R-3	R-4	R-T/Z
X	X			X	Motor-vehicle washes; cleanup shops; self serve; provided they are located on an arterial or collector streets.							
	X			X	Motor-vehicle repair service; body shop	Sec. 9.4(r)						
	X				Motor-vehicle repair, specialty	Sec.9.4(r)						
X	X			X	Motor-vehicle service stations							
	X			X	Motor-vehicle and travel trailer, (new and used -- body and mechanical repair must be enclosed and no parts or waste material may be stored outside the building.)							
					Multi-Family dwellings.					X		
X	X	X	X		Museums, galleries, cultural facility							
	X				Newspaper publishing establishments							
	X				Nightclubs; dance halls							
X	X				Nurseries and greenhouses, plant		X					
X	X				Nursing home; convalescent home							
X	X	X	X		Office, professional/business; medical clinics							
		X	X	X	Office, general							
	X				Painting, blueprinting, bookbinding, copying, lithograph, and publishing establishments.							

PERMITTED USES

**ADDIT.
REQ'MT.**

RESIDENTIAL ZONE

C-1	C-2	C-3	O-1	I-1		See Sections	A-1	R-1	R-2	R-3	R-4	R-T/Z
X	X	X			Parks, playgrounds, athletic fields, etc.		X	X	X	X	X	X
					Pastures and grasslands for the production of livestock		X					
					Personal care home/facilities (See "Assisted Living home/facility")							
X	X	X	X		Personal service shops (barber and beauty shops; nail salon; massage; tanning) Tattoo/body piercing in C-2 zone only.							
X	X				Pet shops							
					Produce Stand (see Farmer's Markets)							
X	X	X			Quick print shops							
				C	Quarry; Extraction/removal of minerals/rock together with necessary buildings, machinery, and appurtenances							
	X			X	Recreation/Amusements (batting cages; driving ranges, miniature golf, etc.)							
	X			X	Recycling center	See definition						
X	X			X	Recycling collection center (church locations in any zones are included are permitted)	See definition						
					Repair/Body Shop, vehicles (See motor vehicle repair and specialty)							
	X	X			Restaurants							
X	X	X		X	Restaurants, Drive-In (only)							

PERMITTED USES

**ADDIT.
REQ'MT.**

RESIDENTIAL ZONE

C-1	C-2	C-3	O-1	I-1		See Sections	A-1	R-1	R-2	R-3	R-4	R-T/Z
X	X	X			Retail (electric, heating and plumbing, dairy products, bakeries, tires, batteries, automotive accessories/installation; sporting goods; farm and garden supplies, real estate offices; and home building supplies (the latter must be screened)							
	X				Retail sales including outside displays of merchandise, and storage.							
					Riding stables/schools; [ten (10) acres or more is required; if the property adjoins a residential district, a separation distance of 200 feet shall be required between the district line and the nearest stable area.]		X					
	X				Sanitariums							
					Sawmills; lumber yards; or related forestry uses		X					
X	X				Schools, college/university		C	C	C			
X	X				Schools, Public, Private, Parochial (kindergarten to K-12)		X	X	X	X		X
X	X				School, Technical/Trade		C					
					Senior Housing					X		
					Service stations, motor-vehicle (see motor-vehicle service stations)							

PERMITTED USES

**ADDIT.
REQ'MT.**

RESIDENTIAL ZONE

C-1	C-2	C-3	O-1	I-1		See Sections	A-1	R-1	R-2	R-3	R-4	R-T/Z
X	X	X			Shopping centers. The following guidelines govern construction of shopping centers in C-1 & C-3 districts: (1) Shopping centers should not exceed 60,000 square feet in gross floor area. (2) Shopping centers shall be located along arterial or urban collectors only.							
					Stock yard; feedlot [requires ten (10) acres or more; if adjoining a residential district, a separation distance of 1,000 feet is required between the district line and the fence enclosing the actual feedlot.]		C					
X	X	X	X		Studio, commercial (art, music, photography, preservation, etc. – low traffic and low impact)							
X	X	X			Supermarkets; grocery							
X	X	X		X	Temporary uses including sale of Christmas trees, carnivals, church bazaars, tent revivals and sale of seasonal fruits and vegetables from roadside stands, but such use is not to be permitted for a period to exceed two months in any calendar year.							

PERMITTED USES

**ADDIT.
REQ'MT.**

RESIDENTIAL ZONE

C-1	C-2	C-3	O-1	I-1		See Sections	A-1	R-1	R-2	R-3	R-4	R-T/Z
					Tenant dwelling, one-family and two-family, where the land is used for bona fide agricultural purposes, provided further, that such dwellings house only those persons and their immediate family employed in carrying out such bona fide agricultural use.		X					
X	X	X			Theater							
				X	Theater, drive-in		C					
	C			X	Tire Retreading and recapping (no building for such use shall be located within 100 feet of a residential district)							
					Townhouses (see Dwelling, townhouse)							
	X			X	Trade shops including sheet metal, roofing, upholstering, electrical, plumbing, venetian blind, cabinet making and carpentry, rug and carpet cleaning, and sign painting shops, provided that all operations are conducted entirely within a building; in C-2, such uses are not within 100 feet of any residential district.							
	C				Trade or business school							
				X	Truck terminals							
X	X				Used motor vehicle sales lot (provided that such lot is located on an arterial or collector street)							

PERMITTED USES					ADDIT. REQ'MT.	RESIDENTIAL ZONE						
C-1	C-2	C-3	O-1	I-1		See Sections	A-1	R-1	R-2	R-3	R-4	R-T/Z
	X			X	Utility office/building, public							
X	X			X	Utility facilities (water tanks, electric/telephone/natural gas substations/pump stations, buildings) – 1) vegetative screens are required; 2) no equipment or vehicle storage on site; must be enclosed in building.		X	X	X	X	X	X
				X	Veterinary hospital, clinics (all animals); grooming house.	Sec. 9.4(m)						
X	X				Veterinary hospitals, treating small animals only, provided any structure or outside area used for such purposes shall be a minimum of one hundred feet from any residential district.	Sec. 9.4(m)						
				X	Warehouse; including wholesale warehouses							
	X				Wholesale warehouse							
X	X				Wrecker services and temporary storage	Sec. 9.4(d)						
					Zero lot line single-family detached buildings (excluding factory manufactured homes constructed as a single, self-contained unit and mounted on a single chassis).					X		X

****Regarding C-1, C-2, and C-3 zone districts: See Section 9.4(s).**

Sec. 9.4. - Special requirements.

- (a) Multi-family developments shall have a minimum of thirty (30) percent of the gross acreage set aside as open space and shall provide active recreational areas within said open space.
- (b) Manufactured homes, provided that: (1) The manufactured home unit shall bear an insignia issued by the Department of Housing and Urban Development (HUD) certifying that the unit is constructed in conformance with the Federal Manufactured Home Construction and Safety Standard which came into effect on June 15, 1976. (2) The manufactured home unit shall be oriented with its long axis parallel to the street on which the subject lot fronts. (3) The manufactured home unit must be skirted completely enclosing the undercarriage with permanent construction of brick, masonry or stucco, and it must be connected to public water system in compliance with the applicable regulations; and (4) A tax decal must be obtained from the county or issuing authority and displayed as required by this office.

Further, manufactured homes in Ringgold, whether new or pre-owned, or whether established or erected as a single-family home or as a unit within a manufactured home park, shall comply with all health and safety requirements as shown below:

Health and safety requirements.

- (1) Every floor, interior wall, and ceiling shall be in sound condition, free of warping, holes, water damage, or deterioration. Doors and windows shall be operable and watertight.
- (2) The exterior shall be free of rust, loose or rotting boards or timbers, and any other conditions that might admit exterior moisture to the interior portion of the walls or occupied spaces. Roofs shall be structurally sound so that exterior moisture can neither leak to the inside or pool on the roof itself.
- (3) All plumbing fixtures, including pipes for domestic water and wastewater, shall be functional, and when connected shall be free from leaks and obstructions. Each home shall contain a kitchen sink, and at least one bathroom shall contain a lavatory, toilet, and tub and/or shower facility with all fixtures in good working condition upon connection. All homes shall contain a functional water heater.
- (4) Heating systems shall be safe and in working condition and un-vented heaters shall be prohibited.
- (5) All components of the electrical system (switches, receptacles, fixtures, etc.) shall be completely wired and in working condition. Distribution panels shall be in compliance with the approved listing, complete with required breakers, and all unused openings shall be covered with solid covers approved and listed for that purpose. The home is subject to an electrical continuity test to assure that all metallic parts are properly bonded.
- (6) Each bedroom of a home shall have at least one operable window of sufficient size to egress, if necessary.
- (7) The kitchen shall have at least one operating window or other ventilation device.

- (8) Each home shall contain one operable battery-powered smoke detector in each bedroom and the kitchen, installed in accordance with the manufacturer's recommendations.
- (9) All windows and doors shall have screens in place and in good condition, and all glass shall be intact.

Permitting and Inspection. A permit and inspection by the Enforcement Officer shall be required to locate a new or pre-owned manufactured home in Ringgold and the following items are required.

- (1) A valid location decal must be issued by the Catoosa County Tax Commissioner.
 - (2) An on-site sewage disposal permit must be obtained from the Catoosa County Health Department or evidence of the availability of public sewer through the proper authority shall be provided.
 - (3) The Enforcement Officer shall provide a satisfactory pre-move inspection, demonstrating compliance with Section 9.4(b), then provide a follow-up inspection once the home is relocated and installed.
 - (4) A location permit and inspection fee is required as addressed by Section 7.7 and upon satisfactory compliance, a certificate of occupancy shall issue.
- (c) In compliance with O.C.G.A. 36-66-4, any such halfway house location or relocation shall require a public hearing at least six (6) months and not more than nine (9) months prior to the date of final action on any zoning decision (ie. rezoning, annexation, or conditional use review). A sign posted on the subject property and a published notice shall contain a prominent statement that the proposed zoning decision relates to or will relocate a halfway house. The published notice shall be at least six (6) column inches in size and shall not be located in the classified advertising section of the newspaper. The latter posted and published notices shall appear at least fifteen (15) days and not more than forty-five (45) days prior to the date of this public hearing. The above public hearing is in addition to the public hearing that may be required nearest to making a zoning decision per the requirements of the Ringgold Zoning Procedures and Standards Ordinance.
- (d) A wrecker service with a temporary storage area is permitted in the C-1 and C-2 zone districts provided that: 1) The wreckage storage area shall not project into the front yard and shall be enclosed with a sight impermeable fence, not less than eight (8) feet high; and 2) No signs shall be posted on the fence.
- (e) All cemeteries, even those associated with churches, are required to contain a minimum site area of two (2) acres or more, however, there is no minimum area requirement for a columbarium or mausoleum. Further, there shall be a minimum front setback of 30 feet from all collector or arterials streets adjacent to the perimeter of the cemetery to the nearest grave site or cemetery-related facility.
- (f) Development Standards for Townhouses and Condominiums.
- (1) Separation Requirements: No portion of a townhouse/condominium or accessory structure shall be located less than twenty (20) feet to any boundary of the R-T/Z zone.

- (2) Open Space Between Units and Buildings: Dwelling unit shall be not less than fifty (50) feet from the front or rear face of another dwelling unit. The unattached side of a building shall be not less than twenty (20) feet from the side face of another such building and not less than forty (40) feet from the front or rear face of another such building or unit.
- (3) Alignment: No dwelling unit shall be situated so as to face the rear of another dwelling unit unless terrain differences or vegetation will provide effective visual separation.
- (4) Parking and Sidewalks: At least two parking spaces shall be provided for each dwelling unit off the public right-of-way. All off-street parking shall be designed and located so that vehicles will not be required to back into a collector or major street. Sidewalks are required according to jurisdictional standards.
- (5) Preservation of Common and Open Space Areas: A minimum of ten (10) percent of the site area shall be dedicated to open space, which shall not include areas dedicated to public or private vehicular streets or parking, or any area which is exclusively designed for storm water detention/retention. Those areas dedicated streets, parking, and storm water functions are considered common areas. The protection and maintenance of such common/open space areas shall be provided for in the recorded covenants and restrictions running with the land that are to be administered by the Homeowner's Association created by the land developer.
- (6) Buffer Areas: There shall be a buffer area with a minimum depth of twelve (12) feet consisting of a mixture of trees (evergreen) and shrubs. A buffer is required on all sides of the property except that side abutting a public street, unless such adjacent property is developed similarly or already zoned for a similar development.

All property lines abutting R-1 zoned property must have a grass-covered berm with the height determined by review and approval of the site-specific landscaping plan, and consideration given to terrain conditions and existing site-obscuring vegetation. Existing foliage and natural terrain may be considered in lieu of the berm and landscaping if the intent of this section is met.
- (7) Landscaping. A townhouse development fronting on exterior streets must have front yards which are at least 65 percent grass/landscaping with any driveway and/or sidewalk to be composed of concrete or pavers. Landscaping along all property lines fronting exterior streets must be provided subject to review and approval of a site specific landscaping plan.
- (8) Accessory Uses: A planned development shall be allowed accessory uses in compliance with requirements of Section 4.4. However, accessory uses are prohibited per individual townhouse lot.
- (9) Conversion: Multi-family units and condominiums cannot be converted to townhouses unless the original construction requirements complied with the definition of a townhouse and the subdivision regulations are met.
- (10) Sewage Disposal and Treatment: All such developments shall be required to provide an approved Public Sewage Treatment System.

(11) Special access and utility easements. Due to the special nature of these housing types, the planning commission or governing authority may insist on special access easements and other arrangements to provide for adequate serving and maintenance of the structures even though such easements and provisions might not normally be specified in the land subdivision ordinance of the City. These easements and special covenants are to be shown on a subdivision plat at the time of its recording. In addition, deed restrictions or other provisions may be required to assure that any remodeling or reconstruction of destroyed units will be accomplished in a fashion which will be compatible with the remaining units.

(g) Specific Standards for Townhouses.

- (1) The development of townhouses involves a subdivision of land and all applicable rules of the Subdivision Regulations of the City of Ringgold shall apply.
- (2) Not more than ten (10) contiguous townhouses nor fewer than three (3) shall be built in a single building.
- (3) The minimum lot width for a townhouse shall be thirty (30) feet. The minimum width for the portion of the lot on which the townhouse is to be constructed shall be sixteen (16) feet, but the minimum average width of a single unit in a contiguous group of three (3) or more units shall be twenty (20) feet.

(h) Procedures for Approval of Condominiums and Townhouses. A site plan of the proposed development shall be submitted as required in Section 9.5. Each site plan shall be prepared by an architect, engineer, or land surveyor whose State registration is current and valid. His seal shall be affixed to the plan submitted.

(i) Zero Lot Line Developments.

- (1) No windows, doors, or other openings are permitted on the zero lot line side of the structure.
- (2) The minimum side yard, opposite the side of the structure that is either on or within two (2) inches of the side property line, is ten (10) feet.
- (3) Accessory buildings/structures shall not occupy the side yard or the front yard.
- (4) These developments involve a subdivision of land and all applicable rules of the Subdivision Regulations of the City of Ringgold shall apply.

(j) Bed & Breakfast Homes.

- (1) Rooms for rent are within a single-family dwelling occupied by the owner as his/her principal residence.
- (2) The same rental occupants shall not reside in the single-family building for a period longer than seven (7) consecutive days.
- (3) Breakfast is the only meal served and only to overnight guests.
- (4) No person, not resident on the premises, is employed.

- (5) The exterior appearance of the building shall not be altered from its single-family character, except to ensure safety.
- (6) The identification sign shall be no larger than 2 square feet.
- (k) Bed and Breakfast Inns.
 - (1) Compliance with the same licensing, inspection and taxation requirements as hotels, motels, and restaurants.
 - (2) Breakfast is the only meal served and only to overnight guests.
- (l) Flea markets, farmer's markets, produce stands, and similar facilities shall have:
 - (1) Permanent sanitary facilities.
 - (2) No overnight camping on the property.
 - (3) Be located on a street with a classification of major collector or higher.
 - (4) Off-street parking is provided.
 - (5) Permanent electrical power is provided.
- (m) Veterinary clinics, animal hospitals, kennels, and grooming houses shall conduct all boarding activities for pets in an enclosed building. Open exercise areas shall be restricted to the rear yard, fenced, and if the fence is chain-link, then an evergreen buffer, like a hedge, shall be installed between the side and rear lines of the lot and the fence.
- (n) Junk yards or salvage yards are not allowed within three hundred (300) feet of a residential or commercial district boundary line. Such use shall not project into the front yard and shall be completely enclosed with a sight impermeable fence or earthen berms not less than eight (8) feet high. In addition, such use shall not be located adjacent to any Interstate or arterial route.
- (o) Mini-Warehouses shall meet the following criteria:
 - (1) Mini-warehousing sites shall not exceed three (3) acres. Each unit shall range in size from a minimum of 30 sq. ft. to a maximum of 400 sq. ft.
 - (2) Building height shall not exceed 12 feet.
 - (3) Lighting shall be shielded to direct light onto the uses established and away from adjacent property but of sufficient intensity to discourage vandalism and theft.
 - (4) All storage on the property shall be kept within an enclosed building.
 - (5) Fencing shall be required around the perimeter of the project. Fences may be erected in any required yard provided the fence is located inside of and not closer than six (6) feet from a boundary property line and such fence shall be constructed with chain-link material. In no event, shall a fence or gate be constructed of wood. Fences shall normally not exceed six (6) feet in height, but the Building Inspector may in unusual topographic or other similar situations

permit a fence not exceeding eight (8) feet in height. Signage shall not be erected upon fencing.

(p) Extended Stay Facility. Extended stay facilities are unique in creating a commercial facility environment, like a motel or hotel, where overnight accommodation is provided for community visitors, yet such facilities also provide overnight accommodation to others, who may be working temporary or full-time jobs in the community or choosing such facility for residence as if it were considered a multi-family dwelling. The latter scenarios are thus residential in nature, with some units within the facility functioning and equipped as dwelling units. The following criteria thus apply:

- (1) The minimum lot area is not less than two (2) acres.
- (2) All extended stay facilities shall have a maximum density of sixty (60) guest units per gross acre.
- (3) Not more than ten (10) percent of individual guest rooms shall have registrants who reside in, or occupy any room or rooms within the same licensed facility for more than a 90-day period.
- (4) No permanent business license shall be issued for the conduct of any business from any guest room, nor shall any home occupation function from such guest room.
- (5) Extended stay hotels/motels shall have a landscape plan submitted and approved by the city code enforcement officer, such plan shall be implemented prior to the issuance of a business license.
- (6) Each guest room shall be protected with a sprinkler system approved by the fire marshal or their designee and hard-wired smoke detector shall be provided and installed in each guest unit.
- (7) All guest rooms which have facilities for both the storage and preparation of food shall not have less than 300 square feet of floor area and are limited to a maximum of two (2) persons per such room; however, for all such guest rooms greater than 300 square feet, one additional person shall be allowable per each additional 75 square feet of floor area up to and including a maximum of four (4) persons.
- (8) An indoor or fenced outdoor active recreation areas shall be provided. The size of each recreation areas shall be calculated at a ratio of five (5) square feet per room with a minimum provision of 600 square feet.
- (9) A minimum of 25 percent of the lot area shall be dedicated to either active or passive open space. The open space shall include active recreation, such as a children's playground area, and/or passive recreation, such as green space and walking paths.
- (10) All such extended stay facilities shall provide a 50-foot undisturbed buffer from any property zoned for multi-family residential or for single family residential purposes.

(q) Group Homes. Groups homes are permitted in the designated residential districts provided that:

- (1) The home is approved and licensed by the State of Georgia Department of Human Resources or any agency through which it acts.
 - (2) The outward appearance of a group home shall have the same or similar appearance as that of the dwellings with the same residential district and shall meet the minimum square footage requirement of the district.
- (r) Motor Vehicle Repair, Body Shop, and Specialty. In the C-2 zone district, all storage of wrecked, disabled, and non-operational motor vehicles awaiting repair shall be located in the rear yard only, which shall be enclosed by a sight impermeable fence at least six (6) feet high. No parts or waste materials shall be stored outside the enclosed building.
 - (s) In the C-1, C-2, and C-3 district, retail sales, displays of merchandise, and storage must be within a completely enclosed building, except for city-sponsored special events, fairs, or parades, where increased pedestrian traffic is intended to enhance the downtown experience.
 - (t) Construction of future buildings or new facades in the C-1, C-2 and C-3 district shall be of brick, $\frac{3}{4}$ inch stucco, fiber cement siding, or EIFS (exterior insulation and finishing system). In the event EIFS is used, a 36 inch high bulkhead wainscot veneer from the ground up must be constructed of brick, cast stone, manufactured stone, natural stone or custom CMU.
 - (u) When a new commercial use seeks to occupy a vacant existing building in the C-2 district that has been unoccupied for 6 months or more and the building does not comply with the façade provisions of Section 9-4(u), then the provisions of Section 9-4(u) shall apply to such buildings before and occupancy permit is issued for a new use.

Sec. 9.5. - Site/Development Plans Required.

A site development plan shall be required for all of the following development types. The purpose is to encourage logical and innovative design and also assure that the proposed development will be compatible with surrounding areas.

- Townhouses. (see 9.4(f), et.al.)
- Condominiums. (see 9.4(f), et.al.)
- Zero lot line developments.
- Multi-family developments involving three (3) or more buildings.
- Any business or industrial development that involves shared ingress and egress to the street and parking and loading areas for two (2) or more buildings or three (3) or more tenants or owners in a single parcel.

(a) Approval Procedures.

All planned development projects shall be submitted to the Zoning Administrator and processed in accordance with applicable requirements of the Subdivision Regulations and/or this ordinance. The Zoning Administrator may approve any site plan under the provisions of this ordinance where no rezoning, variance, or subdivision plat approval is involved.

If a site plan includes a variance to the requirements of this ordinance or if the Zoning Administrator denies approval or fails to act within thirty (30) days of submission, the developer may request that the site plan be considered by the Board of Appeals. The Board of Appeals as a part of its authority may vary, except for use or density provisions, the terms of this ordinance, where, in its opinion, equal performance can be obtained by means other than those specified herein.

If rezoning a tract is required to accommodate the proposed development, plans required under this Section shall be submitted with the rezoning application. Enactment of the zone district change by the Mayor and Council shall enable the Zoning Administrator to process the application accordingly.

If the planned development involves the subdivision of a tract or tracts of land within the proposed development, the approval of the site plan and final subdivision plat shall be recommended by the Planning Commission for said tract or tracts before approval of the development application for said tract or tracts is granted by the Mayor and Council.

Duration of Approval: If initial development and/or building permits are not obtained within a period of one year after approval of a site plan, said site plan approval shall lapse.

(b)Site/Development Plan. Prior to development, a minimum of five (5) copies of a site development plan shall be submitted to the Zoning Administrator. Each site development plan shall be prepared by design professionals and shall include the following information:

- (1) Title Block. Name(s) of the proposed development. Names, address(es) and phone numbers of the owner(s) and the designer(s) of the site plan; appropriate professional seals; approval spaces for Zoning Administrator signature; date and north arrow.
- (2) Date. Date, approximate north arrow and scale.
- (3) Site Plan Format. All site plans shall be drawn on sheets no larger than 24"x36". If more than one (1) sheet is necessary to cover the proposed development, an index map at a reduced scale shall be provided to key the sheets. (Re: Sheet 1 of 2 and Sheet 2 of 2, etc.)
- (4) Scale. The scale of plan shall not be smaller than one (1) inch equals two-hundred (100) feet.
- (5) Lot/units number and size. Total acreage and proposed number of unit/lots shall be shown; range of unit sizes shall be shown; show building locations, as appropriate.
- (6) Survey Boundaries. Surveyed boundaries of the entire tract and the relationship to adjoining properties, public rights-of-way, and easements.
- (7) Location Map. A general location map at a scale of one inch equals two thousand feet (1"=2,000') indicating existing zoning on or adjacent to the site, adjoining roads and the adjacent areas.

- (8) Access. Scaled location of ingress and egress to the existing streets.
- (9) Contours. Contours with a minimum vertical interval of five feet referred to sea level datum shall be provided for both existing and proposed topography. Areas that have slopes greater than fifteen (15) percent shall be identified. (This provision may be waived if topography is substantially level and contours are not necessary for the provision of water and sewer.)
- (10) Existing Features. The location and dimensions of existing and platted property lines, streets, buildings, water courses, railroads, bridges, water mains, sewers, culverts, drain pipe, and public utility easements, both on the land to be developed and on that portion of the land immediately adjoining which abuts the land to be developed, and any other pertinent characteristics of the land; the names of adjoining subdivisions or the names of record owners of adjoining parcels; and the zoning of the property.
- (11) Proposed Improvements. The names, where appropriate, and locations and dimensions of proposed streets, alleys, sidewalks, easements, buildings, parking, recreation areas and facilities, yards and other open spaces. For units having four bedrooms or more, three parking spaces shall be required per unit.
- (12) Buffers Areas. Location, dimensions and treatment of all required buffer, landscaped or planted areas including fences in a site-specific landscaping plan.
- (13) Environmentally Sensitive Areas. The boundary and elevation of the 100-year flood plain as determined by the past history of flooding or the best available data.
- (14) Architectural Sketches. For any building expansion, reconstruction, or new development within a C-1, C-2, and C-3 zone districts, representative sketches of proposed and existing structures shall be required to show the consistency of architectural characteristics such as facade, construction materials, height, roof pitch, and style compared to other buildings in the vicinity.
- (15) Development Report. If the proposed development has more than one phase, a report setting forth the proposed development schedule, indicating the sequences of the development, and the approximate time period for completion of each phase shall be required. Statistical or technical data as necessary to accurately describe the proposed development including, but not limited to, the following shall be included in the Development Report:
 - a. Total land area.
 - b. Total number of dwelling units and gross density by type of land use.
 - c. Amount of space to be occupied by streets and parking areas.
 - d. A breakdown of the number of kinds of proposed buildings, including square footage, and the number and range of lot sizes and proposed setback and yard dimensions for typical lots and/or building types.
 - e. Deed record names of adjoining property owners or subdivisions.

- (16) Proposed Protective Covenants. A preliminary outline of proposed protective covenants, including provisions for the organization and financing of a Homeowners Association, shall be provided , as applicable.
- (c) Utility and Drainage Plans. Utility and drainage plans shall be provided including all information required respectively by the appropriate utility provider and Ringgold Public Works Department to determine that water, sewer, and storm drainage improvements will be made and located in accordance with the City requirements. If the lot is served by individual disposal systems then the requirements of the Catoosa County Health Department must be met.
- (d) Soil Erosion and Sedimentation Control. Where applicable, the site development plan shall provide information on soil erosion and sedimentation measures according to the technical standards provided by the Ringgold Soil Erosion and Sedimentation Control Ordinance. Further, regarding State waters the required buffer of 25 feet shall be designated on both sides of the water course.
- (e) Homeowner's Association. A declaration of covenants and restrictions that will govern the association shall be submitted as evidence that the Association is established before any homes are sold and shall include provisions requiring that:
- (1) Membership must be mandatory for each buyer and any successive buyer.
 - (2) The open space restrictions must be permanent, not just for a period of years.
 - (3) The association must be responsible for liability insurance, local taxes, and the maintenance of common recreational facilities, street lights, entrance signage, and any other facilities held in common.
 - (4) The association must be able to adjust the assessment to meet changing needs.

ARTICLE X. - MANUFACTURED HOME PARKS

Sec. 10.1. - General Requirements.

The following general requirements shall apply to the construction or remodeling of all manufactured home parks.

- (a) *Minimum Area.* A manufactured home park shall have a minimum size of four (4) acres and shall front upon a public highway or public street.
- (b) *Minimum Number of Spaces.* A manufactured home park shall have a minimum of ten (10) spaces prepared with all utilities in place prior to its approval for any occupancy.
- (c) *Length of residential occupancy.* Spaces within a manufactured home park, except as provided below, shall be rented for residential use for periods of thirty (30) days or more, only.

Sec. 10.2. - Design.

The following design requirements shall apply to manufactured home parks:

- (a) *Density.* A maximum of eight (8) manufactured home stands per acre, excluding streets is allowed.
- (b) *Setback.* Manufactured homes and their accessory structures shall be a minimum distance of fifteen(15) feet from adjoining property lines, twenty (20) feet from internal park streets, and at least thirty (30) feet from publicly dedicated streets.
- (c) *Access.* The manufactured home park shall front upon at least one publicly dedicated street for a minimum width of fifty (50) feet.
- (d) *Streets.* Streets within a manufactured home park shall be privately owned, privately constructed, and privately maintained and shall be maintained according to the standards for road maintenance with the city. The developer shall provide proof to the city attorney of legal means for perpetual maintenance. Such private streets shall be curbed and well-drained and provided with a paved hard surface within the standards for new road construction applicable to subdivisions. A minimum surface of ten (10) feet for one-way streets and twenty (20) feet for two-way streets shall apply. Concrete sidewalks, five (5) feet wide and at least four (4) inches deep and broom finished shall be required, with a 24-inch grassed area between the sidewalk and the curb, parallel to all roads throughout the development.
- (e) *Parking.* Each manufactured home shall be provided with a minimum of two off-street parking spaces which are side-by-side. Parking on interior streets within a park is hereby prohibited. The required front yard may be used for the minimum parking, however, required side and rear yards may not be used for the minimum parking.
- (f) *Utilities.*
 - (1) *Sewage.* The manufactured home park shall be served by the Ringgold public sewage collection and treatment system.
 - (2) *Water.* The manufactured home park shall connect to the Ringgold public water system.
 - (3) *Easements.* Publicly dedicated easements of proper size for their intended purpose shall be provided within the park if individual park stands and accessory park uses are to be serviced by a public system.
 - (4) *Utility Placement.* All water, sewer, or gas lines shall be buried a minimum of eighteen (18) inches below the finished ground surface of the pad area and 24 inches in depth below the finished ground surface of any street right-of way and shall be provided with adequate valve systems to allow the cut-off of utility service to a manufactured home stand at the stand, at the entrance of the utility service from the stand to the trunk line of the utility system. Utilities must be in separate ditches as required by the city inspector. Gas valve boxes can be located of the right-of-way.
- (g) *Recreation and Open Space.* Manufactured home parks shall have a minimum of thirty (30) percent of gross acreage set aside as open space and shall provide active recreational areas within said open space in addition to existing yard and setback requirements. Recreational facilities shall be compatible with the demographic make-up of the intended occupancy target for the park. Appropriate handicap facilities shall be provided.

Sec. 10.3. - Improvements required for manufactured home sites.

Each manufactured home site shall meet the following minimum requirements:

- (a) *Interior street access.* Each stand shall be provided with access frontage of a least forty (40) feet.
- (b) *Solid Waste Disposal.* Each park shall be provided with adequate dumpsters or garbage service that will meet the needs of the park. Garbage service shall be regular and at park expense.
- (c) *Electric power supply.* Each stand shall be provided with a properly grounded, water-proofed electrical receptacle with a minimum rated capacity of one hundred amperes. A properly sized over-current device shall be installed as a part of each power outlet.
- (d) *Site identification.* For emergency response crews, a property and street number designation or other appropriate numbering device properly identifying each manufactured home stand shall identify each lot. Such identification shall be uniformly placed throughout the park and shall be a minimum of six (6) inches in height.

Sec. 10.4. - Accessory uses permitted.

Customary accessory uses are permitted in a manufactured home park, provided such uses do not occupy more than ten (10) percent of the area of the park, are located a minimum distance of 100 feet from any adjoining property line or street or highway right-of-way, and are intended for the convenience of and service to the occupants of the park.

Sec. 10.5 - Signage.

One or more signs identifying the name of the park, and signs regulating traffic or providing for the convenience and welfare of park residents are allowed.

ARTICLE XI. - LEGAL PROVISIONS

Sec. 11.1. - Separability of provisions.

Should any article, section, subsection, or provision of this ordinance be declared by a court of competent jurisdiction to be invalid or unconstitutional, such decision shall not affect the validity or constitutionality of this ordinance as a whole, or any part thereof other than the part so declared to be invalid or unconstitutional.

Sec. 11.2. - Applicability to subject matter covered by this and other ordinances.

This ordinance shall apply to all subject matter that is regulated both by this and other ordinances, including but not limited to ordinances for the development and maintenance of land, and such other ordinances are hereby amended to reflect this. The mayor and city council may attach statements to such other ordinances to the effect that compliance with this ordinance is required by such other ordinances.

Sec. 11.3. - Conflict with other law.

Whenever the provisions and requirements of this ordinance or of any rule, regulation, or order pursuant hereto are more restrictive than those under any other statute, law, rule, regulation, ordinance, or order of the City of Ringgold, the State of Georgia, or the United States, the provisions and requirements of this ordinance, and the rules, regulations and orders pursuant hereto shall govern to the extent permissible by law. Whenever the provisions of any other statute, law, rule, regulation, ordinance, or order of the City of Ringgold, the State of Georgia, or the United States are more restrictive than this ordinance, or any rule, regulation, or order pursuant hereto, then the provisions of such other statute, law, rule, regulation, ordinance, or order shall govern.

Sec. 11.4. - Repeal of inconsistent ordinances.

Ordinances and parts of other ordinances of the City of Ringgold, Georgia, heretofore adopted that are inconsistent with any of the terms and provisions of this ordinance are hereby repealed as of this date to the extent of such inconsistencies, however shall be deemed fully effective until this date and the signing and adoption of this ordinance.

Sec. 11.5. - City not guarantor of acts or omissions of other entities.

No act or omission of the city, mayor and city council, or planning commission shall be an assurance or guarantee that the United States or any department or agency thereof, or the State of Georgia or any department or agency thereof, or any other county or any municipality or any department or agency of any other county or of any municipality, has taken, is taking, or will take any action or has made, is making, or will make any omission. No act or omission of the city, mayor and city council, or planning commission shall be construed as the rendering of advice or an opinion as to the status of legal requirements, policies, acts, or omissions of any of the other aforesaid entities.

Sec. 11.6. - Criminal acts and penalties; continuing offenses; jurisdiction over offenses.

Notwithstanding provisions elsewhere in this ordinance, the following are declared to be crimes:

- (a) It shall be unlawful to engage in any activities in violation of applicable requirements, rules, regulations, permit conditions, and orders established under this ordinance.
- (b) It shall be a criminal violation of this ordinance to furnish false or materially incomplete or misleading information to the planning commission, or a lawful designee of the planning commission, on any application, investigation, or proceeding regarding this ordinance.
- (c) Each day that a violation continues shall be deemed a separate offense. At the discretion of the presiding judge, a violator of this ordinance may be given a reasonable length of time to rectify or correct the violation.
- (d) Jurisdiction over offenses under this ordinance shall be in the City Court of Ringgold, Georgia. Any person violating the terms of this ordinance or any permit condition, rule or regulation promulgated pursuant thereto, may be punished by fine of not less than

\$50.00 nor more than \$1,000.00, or imprisonment in the county jail, not to exceed 60 days, or both.

Sec. 11.7. - Civil action by private citizen.

Nothing in this ordinance shall prevent an adjacent or neighboring property owner who would be damaged by a violation, or decision, or any other person, to bring a civil action for damages, injunctive relief, to abate a nuisance, for a writ of mandamus, or other appropriate relief.

Sec. 11.8. - Amendment.

The governing authority taking action resulting in adoption of an amendment to this ordinance shall provide for a public hearing on the proposed action. At least 15 but not more than 45 days prior to the date of the hearing, the governing authority shall cause to be published within a newspaper of general circulation within the territorial boundaries of the City of Ringgold a notice of the hearing stating the time, place, and purpose of the hearing.

SECTION 2.

All ordinances and parts of ordinances in conflict with this ordinance are repealed.

SECTION 3.

It is hereby declared to be the intention of the Mayor and Council of the City of Ringgold that the section, paragraphs, sentences, clauses and phrases of this Ordinance are severable and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional or otherwise invalid by a court of competent jurisdiction such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this Ordinance.

SECTION 4.

The adoption date of this Ordinance shall be February 24, 2014. The effective date of this Ordinance shall be February 24, 2014.

SO ORDAINED, this 24th day of February, 2014.

CITY OF RINGGOLD, GEORGIA

JOE BARGER, MAYOR

ATTEST:

JUDY PACE, CITY CLERK