

ARTICLE VI

INTERPRETATION AND DEFINITIONS

Section 6.1 INTERPRETATION

For the purpose of this Ordinance, the following interpretations shall apply:

All words used in the present tense include the future tense. All words in the plural number include the singular number, and all words in the singular number include the plural number, unless the natural construction of the wording indicates otherwise. The word "shall" is mandatory and not directory. The word "used" shall be deemed also to include "designated, intended or arranged to be used."

1 2 3 4 5 6 7 8 9 10 11 Section 6.2 DEFINITIONS

For the purpose of this Ordinance, certain words and terms used herein shall be defined and interpreted as follows:

- (1) ACCESSORY DWELLING UNIT: A dwelling unit not greater than eight hundred (800) square feet sharing ownership and utility connections with a single-family dwelling or townhouse. An accessory dwelling unit must be in an outbuilding and shall only be permitted in the Residential Small Lot Single Family District with a principal single-family dwelling exceeding two thousand (2,000) square feet of habitable space, excluding the accessory dwelling unit.
- (2) ACCESSORY USE: A use or structure on the same lot with, and of a nature customarily and subordinate to, the principal use or structure. Where an accessory building is attached to the main building in a substantial manner, as by a permanent wall or roof, such accessory building shall be considered part of the main building.
- (3) ACCESSORY USE BUILDING A closed, ancillary structure that is primarily used for the storage of tools, yard maintenance equipment, or other like residential purposes of the residents of the primary structure on the lot. This definition shall not include pool houses, meaning structures used in connection with the recreation or maintenance activities germane to swimming pools. This definition shall also not include dog houses.
- (4) ADVERTISING SIGN (BILLBOARD): Any structure or portion thereof situated on private premises, on which lettered, figured or pictorial matter is displayed for advertising purposes, except for the name and occupation of the user of the premises, the nature of the business conducted on the premises or the products sold or manufactured on the premises, and having an area of one hundred (100) square feet or more. Any signboard carrying a message accepted in this definition which also carries extraneous advertising of one hundred (100) square feet or more shall be considered a billboard.

- (5) AIR TRAFFIC CONTROL: Any person, partnership, joint venture or company engaged in the business of directing and/or controlling the taxi, take off, approach, landing, scheduling, clearing or otherwise managing flights from an airport for a fee.
- (6) AIRCRAFT: All contrivances now or hereafter used for the navigation of or flight in air or space, including, but not limited to, airplanes, gliders, lighter-than-air craft, helicopters, amphibians and seaplanes.
- (7) AIRCRAFT MAINTENANCE OR SERVICE: Engaging in the business of providing goods, supplies or services for the repairing, refurbishing, rebuilding, constructing, altering, fueling, refueling, cleaning, inspecting, testing or otherwise modifying any aircraft for a fee.
- (8) AIRLINE: Any person, partnership, joint venture or company engaged in the business of transporting passengers, baggage and/or cargo by aircraft for profit.
- (9) AIRPORT: A tract of land or water equipped with facilities for the taxi, take off, approach, landing, shelter, storage, supply, maintenance and/or service of aircraft. Airports may be used, but are not required to be used, for the transportation of passengers, baggage and/or cargo for a fee.
- (10) AIRPORT FOOD SERVICE BUSINESS: Any person, partnership, joint venture or company engaged primarily in the business of providing food and beverages to employees, guests or customers of an airport or airline for a fee.
- (11) AIRPORT RETAIL BUSINESS: Any person, partnership, joint venture or company engaged primarily in the business of providing products, goods or services to employees, guests or customers of an airport or airline for a fee.
- (12) ALLEY: A public or private way, at the rear or side of property, permanently reserved as a means of secondary vehicular access to abutting property. Frontage on said alley should not be construed as satisfying the requirements of this Ordinance related to frontage on a dedicated street.
- (13) APARTMENT: A two (2) family dwelling or multiple family dwelling in which one or more of the residential dwelling units are occupied or leased by one or more people or other entities other than the owner.
- (14) AUTOMOBILE SERVICE STATION: A building or premises where products necessary for automobile service or maintenance are sold, provided there is no storage of automobiles, and only minor services are rendered. An automobile service station is not a repair garage nor a body shop.
- (15) AVIATION: The operation of aircraft.
- (16) AVIATION BUSINESS: Any business engaged in the operation, service, support, maintenance, repair, management or control of aircraft for a fee.
- (17) BAR: A business enterprise physically separated into a free standing building or separated by a permanent or temporary wall from the restaurant portion of an establishment permitted to sell beer and wine. The business establishment shall be dedicated primarily to live entertainment and/or the consumption of alcoholic beverages, and minors shall be excluded therefrom by law. The term "primarily dedicated" shall mean fifty percent (50%) or greater of the activity in the business enterprises shall be live entertainment and/or the consumption of alcoholic beverages.

- (18) BASEMENT: A portion of a building partially underground which has more than one-half of its height measured from finished floor to finished ceiling above the average grade of the adjoining ground; and is not deemed a story unless the ceiling is six (6) feet or more above this grade.
- (19) BOARD: The Board of Appeals of the City of Lawrenceville, Georgia.
- (20) BOOKSTORE, ADULT: A regulated use which contains or is used for the display or sale of books, magazines, movie films, still pictures and any and all other written materials, photographic material, novelties, devices and related sundry items, which are distinguished or characterized by their emphasis on matters depicting, describing or relating to "Specified Sexual Activities" or "Specified Anatomical Areas," as defined herein, or an establishment with a segment or section devoted to the sale or display of such material constituting a majority of its retail value of stock displayed for sale, or a majority of the monthly gross receipts of the business.
- (21) BUFFER: A strip of land, identified in this Ordinance, established to protect one type of land use from another with which it is incompatible. A buffer may include additional transition uses, yard space, fences, landscapes areas, or height restrictions.
- (22) BUFFER USE: A use which is permitted to be located within a buffer zone as a mutually compatible transition between incompatible uses.
- (23) BUILDABLE AREA: The portion of a lot remaining after required yards have been provided.
- (24) BUILDING HEIGHT: The vertical distance from the curb level, or its equivalent, to the highest point of the under side of the ceiling beams, in the case of a flat roof; to the deck line of a mansard roof; and to the mean level of the under side of the rafters between the eaves and the ridge of a gable, hip, or gambrel roof. Where no curb level has been established, the height of the building may be measured from the mean elevation of the finished lot grade at the front of the building.
- (25) BUILDING INSPECTOR: The official appointed by the City Council of the City of Lawrenceville, Georgia, and charged with the responsibility of permit and certificate of occupancy issuance.
- (26) BUILD-TO-LINE: The build-to-line is the line parallel to the front lot line to which buildings shall enfront to the extent identified in this Section. It is a requirement, not a permissive minimum as is a setback, however, where a minimum and maximum build-to-line exist, the building may enfront anywhere between the two lines. The line shall be measured from the back of the sidewalk along all street frontages and not from the front lot line. For the purposes of this Section, the build-to-line shall exist even when not enfronted by buildings.
- (27) BUSINESS VEHICLE Any vehicle, other than Commercial Vehicles, containing an exterior logo, design, lettering, or other depiction for the purpose of advertising, or any vehicle

equipped to openly store ladders. Such advertising need not be for profit to qualify as a Business Vehicle.

- (28) CARPORT: A permanent, open-sided shelter for an automotive vehicle, usually formed by a roof projecting from the side of a building. Carports shall be constructed of the same or similar type of materials as the residence itself.
- (29) CERTIFICATE OF OCCUPANCY: A permit issued by the Building Inspector indicating that the use of the building or land in question is in conformity with this Ordinance or that there has been a legal variance therefrom as provided by this Ordinance.
- (30) CHILD CARE CENTER: A private establishment day nursery facility, (including non-residential structures) that provides supervision and care of more than six children for periods of less than twenty-four (24) hours per day. The facility charges tuition, fees, or other forms of compensation for the care of the children and is licensed or approved to operate as a child care center.
- (31) CLUSTER: A development design technique that concentrates buildings in specific areas on the site to allow the remaining land to be used for recreation, common open space and preservation of environmentally sensitive features.
- (32) CLUSTER SINGLE FAMILY DEVELOPMENT: A form of development for single-family residential subdivisions that permits a reduction in lot area requirements, provided there is no increase in the number of lots that would normally be permitted under conventional zoning and subdivision requirements and the resultant land area is devoted to open space.
- (33) COMMERCIAL VEHICLE Any vehicle that falls under one or more of the following categories that does not qualify as a Recreational Vehicle shall be classified as a Commercial Vehicle:
 - (a) Any vehicle with a manufacturer's gross vehicle weight rating of 15,000 lbs or greater (excluding pickup and dually style trucks manufactured with and having a step, sport, style, or flare side).
 - (b) Any vehicle over thirty (30) feet in length.
 - (c) Any vehicle containing one or more of the following modifications:
 - (1) Flat bed
 - (2) Flat bed dump
 - (3) Dump bed
 - (4) Box or Panel truck
 - (5) Delivery truck
 - (6) Wrecker
 - (7) Utility side bodies
 - (8) Frame rack
 - (9) Lift Truck
 - (10) Welding truck

- (11) Car carrier
- (12) Tanker
- (13) Equipment hauler
- (14) Boom truck
- (15) Crane truck
- (16) Sweeper truck
- (17) Grapple boom
- (18) Equipment trailers – enclosed, open or flatbed over sixteen (16) feet in length
- (19) Bus or trolley
- (20) Any other similar modification not normally found on vehicles

for personal use

- (34) **CONDITIONAL USE:** A use which is not allowed in a district as a matter of right, but which is permitted upon findings of the Board that under the particular circumstances present such use is in harmony with the Principal Permitted Uses of the district. Allowable conditional uses are specifically listed under the district regulations. Uses not so listed shall not be allowed as conditional uses.
- (35) **CONDITIONAL ZONING:** The granting or adoption of zoning for a property subject to compliance with restrictions as to use, size, project design or timing of development, stipulated by the City Council to mitigate adverse impacts that could be expected without the imposition of such conditions.
- (36) **CONDOMINIUM:** Individual ownership of units in a multiple family structure, together with the joint ownership of common acres of the building and grounds.
- (37) **COUNCIL:** The City Council of the City of Lawrenceville, Georgia.
- (38) **COMMISSION:** The Planning Commission of the City
- (39) **CONGREGATE LIVING FACILITY:** A residential facility shared by nonrelated individuals who live together as a single housekeeping unit and in a supportive, long-term living environment. The facility may provide personal care services such as food, shelter, education, counseling, and participation in community activities for the residents, with the primary goal of enabling the residents to live as independently as possible. This use shall also apply to homes for the handicapped (As used herein, the term "handicapped" shall mean having (1) A physical disability that substantially limits one (1) or more of such person's major life activities so that such person is incapable of living independently; (2) A record of having such disability; or (3) Being regarded as having such a disability.); however, the term "handicapped" shall not include current illegal use of or addiction to a controlled substance or alcohol, nor shall it include any person whose residency in the home would constitute a direct threat to the health and safety of other individuals. It does not include personal care homes or nursing homes, nor shall it be construed to constitute a "family," as herein defined.

Before it is permitted to operate in any zoning district, either as a permitted use or as a

special use, a Congregate Living Facility shall meet the following requirements:

- (a) The principal structure contains a façade architecturally similar to adjacent buildings;
- (b) If developed as a subdivision, Congregate Living Facilities shall not exceed five percent (5%) of the total subdivision lots in any unit or block;
- (c) The owner or operator of the Congregate Living Facility shall demonstrate to the City that it will adequately provide for the safety of the residents of the Congregate Living Facility and that it does not include any person whose residency in the home would constitute a direct threat to the health and safety of other individuals;
- (d) The structure meets all aspects of the International Building Code (or any other building code adopted by the City) including minimum dwelling space requirements.
- (e) If licensing or certification is required to operate the facility under State law, the owner or operator of the facility obtains the required licensing or certification from the appropriate state licensing body.

- (40) CONVALESCENT FACILITY See NURSING HOME below.
- (41) DRIVE-IN RESTAURANT: Any place or premises used for sale, dispensing or service of food, refreshments, or beverages in automobiles, including those establishments where customers may eat or drink the food, or beverages on the premises.
- (42) DUMPS: A commercial operation of a parcel of land on which junk, waste material, or inoperative vehicles and other machinery are collected, stored, salvaged, or sold. This includes the terms junkyard and landfill.

- (43) DWELLING, MOBILE HOME: A detached single-family dwelling unit having all of the following characteristics:
- (a) Designed for long term occupancy as opposed to transient location, containing sleeping accommodations, toilet facilities, with plumbing and electrical connections provided;
 - (b) Designed to be transported after fabrication on its own wheels or flatbed or other trailer or on detachable wheels; and,
 - (c) Built to arrive at the site where it is to be occupied as a dwelling unit complete, including major appliances, and ready for occupancy except for minor and incidental unpacking and assembly operations, location on permanent foundation, or integration into a prepared structure.
- (44) DWELLING, MULTIPLE FAMILY: A residential building designed for or occupied by three (3) or more families, with a number of dwelling units provided.
- (45) DWELLING, SINGLE-FAMILY: A detached residential unit other than a mobile home, designed for and occupied by one (1) family only.
- (46) DWELLING, TWO FAMILY: A detached residential building containing two (2) dwelling units, designed for occupancy by not more than two (2) families.
- (47) DWELLING UNIT: One (1) room, or rooms connected together, constituting a separate, independent housekeeping establishment for owner occupancy or rental or lease on a weekly, monthly or longer basis, and physically separated from any other rooms or dwelling units which may be in the same structure, and containing independent cooking, sleeping and toilet facilities.
- (48) ENFRONT: To place an element along a build-to-line.
- (49) ENTERTAINMENT ESTABLISHMENT, ADULT: A regulated use which contains, or is used for commercial entertainment where the patron directly or indirectly is charged a fee to engage in personal contact with or to allow personal contact by employees, devices, equipment, or by personnel provided by the establishment; or where the patron views a series of dance routines, strip performances, or other gyrational choreography provided by the establishment which appeals to the prurient interest of the patron.
- (50) FAMILY: An individual, or two (2) or more persons related by blood, marriage, adoption or guardianship, or a group of not more than three (3) unrelated persons occupying a single dwelling unit. All related persons are limited to the spouse, parents, grandparents,

grandchildren, stepchildren, sons, or daughters of the owner or the tenant of the owner's or the tenant's spouse, provided, however, that domestic servants employed on the premises may be housed on the premises without being counted as a separate family or families. The term "family" shall not be construed to mean Congregate Living Facilities, Personal Care Homes, or Nursing Homes, as herein defined.

- (51) FAMILY DAY CARE HOMES: A private residence day nursery facility that provides supervision and care of six (6) or fewer children for periods of less than twenty-four (24) hours per day. The facility is operated as a home occupation.
- (52) FINANCIAL INSTITUTION A state or federally chartered bank, savings association, credit union, or industrial land company located in a building, or portion of a building, which provides for the custody, loan, exchange, or issue of money, the extension of credit, or facilitating the transmission of funds, and which may include accessory drive-up customer service facilities on the same premises. This does not include small loan lenders or check cashing facilities.
- (53) FIXED BASE OPERATOR: Any person, partnership, joint venture or company engaged in the business of providing aviation services for general and commercial aviation aircraft, pilots or airlines. For purposes of this definition, "aviation services" shall mean any service provided to aircraft owners, pilots or airlines and shall specifically include, but not be limited to, the fueling and refueling of aircraft, providing access to aircraft parking and tie down, providing hangar storage space, flight training, aircraft rental, aircraft maintenance, chartering air craft, providing air-taxi, aircraft sales, scheduling of general aviation or commercial flights, and handling of passengers, baggage and/or cargo.
- (54) FLOOD PLAIN: That area within the intermediate regional flood contour elevations subject to periodic flooding as designated by the Department of Housing and Urban Development. When the flood plain is in question, it will be the responsibility of the owner to supply a plat, signed by a registered engineer indicating the flood plain.
- (55) GARAGE: A permanent building or indoor area primarily for parking or storing motor vehicles. Garages shall have at least one door that encloses the storage area from the outside premises. Garages shall be constructed of the same or similar type of materials as the residence itself.
- (56) GROUND COVERAGE: The area of a zoning lot occupied by all buildings expressed as a percentage of the gross area of the zoning lot.
- (57) GROUND TRANSPORTATION: The transportation of passengers, baggage, cargo, goods, products or other items for a fee.
- (58) HABITABLE SPACE: Covered building floor area utilized for any principal permitted use except parking, storage, digital industry switchboards, power generators, and other relay equipment.
- (59) HANGAR: A structure built upon land for the storage or housing of aircraft.
- (60) HANGAR OPERATOR: Any person, partnership, joint venture or company engaged in

- the business of providing storage or housing space for aircraft for a fee.
- (61) HELICOPTER LANDING PAD A facility which meets the following imposed standards: Air services are not permitted to be the primary business or use of the property. No commercial air services are permitted (i.e.: air taxi, sight seeing, crop dusting, aircraftsales, etc.) This Special Use Permit shall be conditioned on the Owner obtaining a permit from the Federal Aviation Administration. Permits are subject to all conditions imposed by the Mayor and Council at the hearing on the Special Use Permit.
- (62) HISTORIC OVERLAY ZONE: An area shown on the Regulating Plan where the requirements of said overlay shall supersede certain requirements contained that would otherwise be required by this Section.
- (63) HOME OCCUPATION: Any use conducted entirely within a dwelling and carried on by the occupants thereof, which use is clearly incidental and secondary to the use of the dwelling for residential purposes and operated in accordance with applicable provisions.
- (64) INDUSTRIALIZED HOME, MODULAR HOME: An industrialized home or modular home is a factory fabricated transportable building consisting of units designed to be incorporated at a building site on a permanent foundation into a structure to be used for residential purposes. An industrialized home or modular home shall be certified by the manufacturer to meet the same restrictions as an on- site built home within the City of Lawrenceville.
- (65) INTERMEDIATE CARE FACILITY See NURSING HOME below.
- (66) JUNK: Old, dilapidated, scrap or abandoned materials that shall include, but are not limited to, metal, paper, building material and equipment, bottles, glass, appliances, rags, rubber, motor vehicles and parts thereof.
- (67) JUNK OR SALVAGE YARD: A place where waste, discarded or salvaged metals, building materials, paper, textiles, used plumbing fixtures, used cars or trucks in inoperable condition, are bought, sold, exchanged, stored, baled, or cleaned.
- (68) LIMITED USE: Principal permitted uses subject to the following additional restrictions:
- (a) The maximum floor area of an individual tenant or business shall not exceed five thousand (5,000) square feet.
 - (b) Limited uses are restricted to the first story of a building.
- (69) LOADING SPACE, OFF-STREET: Space logically and conveniently located for bulk pickups and deliveries, scaled to delivery vehicles expected to be used, and accessible to such vehicles when required off-street spaces are filled.
- (70) LOT: A zoning lot unless the context shall clearly indicate a contrary definition.

- (71) LOT FRONTAGE: The portion of a lot adjacent to a street.
- (72) LOT, CORNER: A lot situated at the intersection of two (2) streets, or bounded on two or more adjacent sides by street right-of-way lines.
- (73) LOT, INTERIOR: A lot other than a corner lot.
- (74) LOT LINE: A boundary of a lot. Lot line is synonymous with property line.
- (75) LOT DEPTH: Considered to be distance between midpoints of straight lines connecting the foremost points of the side lot lines in front and the rearmost points of the side lot lines in the rear.
- (76) LOT WIDTH: The distance between side lot lines measured at the rear of the required front yard line on a line parallel with a line tangent to the street right-of-way line.
- (77) LOT OF RECORD: Land designated as a separate and distinct parcel in a subdivision, the plat of which has been recorded in the office of the Clerk of the Superior Court of Gwinnett County, or a parcel of land, the deed to which was recorded in said office prior to the adoption of this Ordinance.
- (78) MANUFACTURED HOME: A structure, transportable in one or more sections, which is built on a permanent chassis and designed to be used as a dwelling unit with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning, and electrical systems connected therein. The term "manufactured home" includes the term "mobile home."
- (79) MANUFACTURED HOME LOT: A parcel of land for the exclusive use of the occupants of a single manufactured home.
- (80) MANUFACTURED HOME PARK: A manufactured home park is a parcel of land that has been planned and improved for the placement of manufactured homes for non-transient use.
- (81) MANUFACTURED HOME SUBDIVISION: A tract of land that is used, designated, maintained, or held out for sale of lots to accommodate manufactured homes. Services such as water, sewage, recreational facilities, and solid waste collection may be provided for a service charge.
- (82) MINI-WAREHOUSE: Self service storage facility with the following qualifications:
- (a) Minimum lot area 80,000 square feet;
 - (b) Setbacks: front - fifty (50) feet; side - twenty (20) feet; rear twenty-five (25) feet, except when abutting a residential district, in which case it is forty (40) feet;

(c) Parking for storage area not required (see Section 9.5 for Accessory Use Office.); and,

(d) Interior drives will be twenty-four (24) feet, unless storage units are on only one side; than it will be twenty (20) feet.

- (83) NON-CONFORMING USE: A use which lawfully occupies a building or land at the time this Ordinance or an amendment thereto becomes effective but does not meet the requirements of this Ordinance or any amendment thereto.
- (84) NON-CONFORMING BUILDING: A building or structure or portion thereof, lawfully existing at the time this Ordinance or an amendment thereto becomes effective, which does not meet the bulk, height, yard, parking, loading or other requirements of this Ordinance or any amendment thereto.
- (85) NURSING HOME: A facility for aged or chronically ill persons licensed by the State of Georgia for whom arrangements have been made for continuous medical supervision and who are provided food, shelter and medical or nursing care services. The facility shall comply with the rules and regulations of the Georgia Department of Human Resources. This use shall not include hospitals, clinics, or similar institutions devoted primarily to the diagnosis and treatment of the sick or injured, nor shall it be construed to mean Congregate Living Facilities or Personal Care Homes, as herein defined.
- (86) OUTBUILDING: An ancillary building located towards the rear of a same lot as a single-family dwelling or townhouse. It is sometimes connected to such dwelling by an unheated covered walkway or breezeway. Outbuildings shall not exceed eight hundred (800) square feet of habitable space, excluding garages, nor shall they exceed twenty-five (25) feet in height or the height of the principal structure, whichever is less.
- (87) OUTDOOR STORAGE: Storage of items or equipment that is not completely enclosed within a structure such as a garage or home.
- (88) PARK: A publicly accessible open space that provides recreation and gathering places. A park shall be defined by streets along a minimum of fifty percent (50%) of its perimeter and shall have no more than twenty percent (20%) of its area covered with impervious surfaces.
- (89) PARKING SPACE, OFF-STREET: An off-street parking space consisting of a space adequate for parking an automobile with room for opening doors on both sides, together with properly related access to a public street or alley and maneuvering room.
- (90) PERSONAL CARE HOME: A facility which undertakes through its ownership or management to provide or arrange for the housing of persons on a 24-hour basis in a supervised residential environment. In addition to food and shelter, the facility may also provide transportation services, social or counseling services and other personal care services. This use is regulated by the State of Georgia. It does not include Congregate

Living Facilities or Nursing Homes, nor shall it be construed to constitute a "family," as herein defined.

Before it is permitted to operate in any zoning district, either as a permitted use or as a special use, a Personal Care Home shall meet the following requirements:

(a) The principal structure contains a residential façade architecturally similar to adjacent buildings.

(b) The Personal Care Home shall at all times have at least one (1) employee on-site staffing the facility.

(c) If developed as a subdivision, Personal Care Homes shall not exceed five percent (5%) of the total subdivision lots in any unit or block.

(d) The owner or operator of the Personal Care Homes shall demonstrate to the City that it will adequately provide for the safety of the residents of the Personal Care Home and that it does not include any person whose residency in the home would constitute a direct threat to the health and safety of other individuals.

(e) Such facilities obtain all necessary local and state licenses.

(f) The structure meets all aspects of the International Building Code (or any other building code adopted by the City) including minimum dwelling space requirements.

(91) PLAZA: A publicly accessible open space that is available for civic and commercial activities, but may have access limited for the purposes of providing outdoor dining areas. A plaza shall be defined by streets along a minimum of fifty percent (50%) of its perimeter and a landscape consisting of durable pavement, trees and other plant materials.

(92) PRINCIPAL PERMITTED USE: That use of a lot which is among the uses allowed as a matter of right under the zoning classifications.

(93) PUBLIC SPACES: Exterior and interior spaces appropriately improved for pedestrian amenity or for aesthetic appeal and not including areas used for vehicles, except for incidental service, maintenance or emergency actions only. public space is required at ground level and shall be available and accessible to the general public, and may include parks, plazas, and space provided as result of street and sidewalk requirements. public space shall be computed as the total horizontal area of said spaces.

(94) RECREATION FACILITY, PRIVATE: A place designed and equipped for the conduct of sports, leisure time activities and other customary and usual recreational activities. Private recreational facilities are operated by a non-profit organization, and open only to bona-fide members and guests of such non-profit organization.

- (95) RECREATIONAL VEHICLE: 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. This definition includes but is not limited to campers, class A motorhomes, bus conversions, class B campervans, class C motorhomes, truck campers, folding trailers, pop-up campers, tent campers, travel trailers, teardrop trailers, hybrid trailers, fifth-wheel trailers, park model trailers, toterhomes, toy haulers, or other like vehicles.
- (96) REGULATED USE: Any building or structure or portion of any building or structure used or proposed to be used for an adult bookstore, adult entertainment establishment, or adult theater.
- (97) REGULATING PLAN: The "Regulating Plan for Downtown Lawrenceville," dated August 26, 2004 and prepared by Tunnell-Spangler-Walsh & Associates. The Regulating Plan shall hereby serve as a supplement to the Official Zoning Map and shall regulate only those requirements specifically identified within this Section. A copy of the Regulating Plan is attached hereto as Attachment 3.
- (98) RESIDENTIAL TREATMENT: An architectural treatment that:
- (a) Is provided on the portion of the first story of a principal structure enfronting the build-to-line;
 - (b) Provides habitable space for the first ten (10) feet in depth of the enfronting building;
 - (c) Provides doors and equally sized vertical windows arranged horizontally; and,
 - (d) Provides windows for a minimum of thirty percent (30%) and a maximum of fifty percent (50%) of the total street façade area, with each façade being calculated independently.
- (99) RESTAURANT: An establishment that serves food and beverages primarily to persons seated within the building. This includes cafes, tea rooms, and outdoor cafes.

- (100) RUNWAY: A paved or cleared strip of land on which aircraft may take off and land.
- (101) RUNWAY OPERATOR: Any person, partnership, joint venture or company engaged in the business of leasing, managing, or otherwise controlling access to and the use of a runway for a fee.
- (102) SIDEWALK CLEAR ZONE: The portion of a sidewalk that is unobstructed by permanent objects to a height of eight (8) feet and is reserved for pedestrian passage. No fixed elements, including steps and stoops, traffic control boxes, and utility structures shall be placed above ground in the sidewalk clear zone. The sidewalk clear zone shall be adjacent to the sidewalk landscaped zone and have a consistent cross-slope not exceeding two percent (2%). All sidewalk clear zone paving materials and widths shall be continued across any intervening driveway.
- (103) SIDEWALK LANDSCAPED ZONE: The portion of a sidewalk adjacent to the street curb and reserved for the placement of trees and street furniture including utility poles, waste receptacles, fire hydrants, traffic signs, traffic control boxes, newspaper boxes, bus shelters, bicycle racks and similar elements in a manner that does not obstruct pedestrian access or motorist visibility, as approved by the Director of Planning and Zoning. All sidewalk landscaped zone paving materials and widths shall be continued across any intervening driveway.
- (104) SKILLED NURSING FACILITY See NURSING HOME above.
- (105) SMALL FINANCIAL INSTITUTION: A company that specializes in consumer loans of any type, and that may accept as security an interest in personal property (e.g. a lien on an automobile, tax refunds, checks, notes, or any other chattel or intangible property). This definition shall exclude full service banking institutions and licensed credit unions. These shall include, but not limited to Pawn Shops, Check Cashing Facility, Title Loan Facility, Small Loan Lender sub-definitions:

Check Cashing Facility - Any business that cashes checks for a fee, excludes "Financial Institutions". This does not include companies that do tax return preparation and offer "refund anticipation" loans.

[note: this exempts grocery stores that do not charge a fee to cash a check. Cashing customer's checks as a convenience is incidental to their main business of selling food and household items. The second sentence exempts H&R Block-type services.]

Pawn Shop An establishment engaged in the buying or selling of new or secondhand merchandise and offering loans secured by personal property.

Small Loan Lender An establishment which is engaged exclusively in the business of making consumer loans of \$3000 or less.

[note: refer to the GA Industrial Loan Act, O.C.G.A. 7-3-1]

Title Loan Lender Establishments which engage in the business of providing money to

customers on a temporary basis, where such loans are secured by a car title or a lien against a car title. Includes Title Pawn Lenders.

- (106) SOLID WASTE: Putrescible and non-putrescible wastes, except water-carried body waste, and shall include garbage, rubbish, ashes, street refuse, dead animals, sewage sludges, animal manures, industrial wastes, abandoned automobiles, dredging wastes, construction wastes, hazardous wastes and other waste material in a solid or semi-solid state not otherwise defined in this Code.
- (107) SOLID WASTE TRANSFER STATION: Any facility which collects, consolidates, and ships solid waste to a disposal facility or processing operation.
- (108) SPECIAL USE: A use which is not allowed in a district as a matter of right, but which is permitted upon findings of the City Council, after a recommendation of the Planning Commission, that under particular circumstances present such use is in harmony with the principal permitted uses of the district. Allowable conditions are specifically listed under the district regulations. Uses not listed shall not be allowed as conditional uses. Procedure for a special use permit shall follow that which is required for a rezoning, including the fees.
- (109) SPECIFIED ANATOMICAL AREAS:
- (a) Less than completely and opaquely covered:
 - (1) human genitals, pubic region;
 - (2) buttock, and,
 - (3) female breast below a point immediately above the top of the areola; and,
 - (b) Human male genitals in a discernibly turgid state, even if completely and opaquely covered.
- (110) SPECIFIED SEXUAL ACTIVITIES:
- (a) Acts of human masturbation, sexual intercourse, sodomy, or any acts of bestiality;
 - (b) Fondling or other erotic touching of human genitals, pubic region, buttock, or breast of either male or female; and,
 - (c) Human genitals in a state of sexual stimulation or arousal.
- (111) STOREFRONT TREATMENT: An architectural treatment that:
- (a) Is provided on the enfronting first story of a principal structure;
 - (b) Provides habitable space for the first twenty (20) feet in depth of the enfronting building;

(c) Provides glass for a minimum of seventy-five percent (75%) of the length of the built portion of the build-to-line, beginning at a point not more than three (3) feet above the sidewalk, to a height no less than ten (10) feet above the sidewalk.

(d) Allows views into the interior or display windows.

(e) Provides no length of façade exceeding twenty (20) feet without intervening windows or doors.

(f) Provides a storefront consisting of:

(1) A non-glass base or knee wall beginning at grade and extending to a point no less than eighteen (18) inches but not more than twenty-four (24) inches above the sidewalk.

(2) A glass display window beginning at the top of the bulkhead or knee wall, to a height not less than ten (10) feet and not more than eleven feet above said sidewalk.

(3) A glass transom located above the glass display window and sidewalk level door and having a minimum height of twenty-four (24) inches and a maximum height of thirty-six (36) inches.

(4) A non-glass frieze or sign band located above the glass transom having a minimum height of thirty-six (36) inches.

(5) Primary pedestrian entrances recessed a maximum of five (5) feet from the exterior façade and having a surface area that is at least seventy percent (70%) glass.

(g) Recesses any first-story drop ceiling a minimum of eighteen (18) inches from the display window opening.

(112) STORY: That portion of a building, other than a basement, included between the surface of any floor and the surface of the floor next above, or if there is no floor above, the space between the floor and the ceiling next above. Each floor or level in a multi-story building used for parking, even if below grade, shall be classified as a story.

(113) STREET FAÇADE: The exterior wall of a building that enfronts the BUILD-TO-LINE.

(114) STREETWALL: A seventy-five percent (75%) opaque, freestanding wall, built along the build-to-line and co-planer with the street façade, often for the purpose of masking a parking lot from the street. Street walls shall be between three and a half (3.5) and six (6) feet in height, and constructed of a material matching the adjacent street façade. An evergreen hedge, having the same height requirement of a streetwall may replace the streetwall by

approval of the Director of Planning and Zoning. streetwalls may be discontinued no more than necessary to allow automobile and pedestrian access and may have individual openings not exceeding four (4) square feet in area.

- (115) STRUCTURE: Anything constructed or erected with a fixed location on the ground, or attached to something having a fixed location on the ground. Among other things, structures include buildings, mobile homes, walls, fences, billboards and signs.
- (116) SUPPLEMENTAL ZONE: The area between the back of the sidewalk clear zone and the build-to-line. Elements that are prohibited in the supplemental zone include: recreational areas and facilities such as swimming pools, tennis courts; fences and walls greater than forty (40) inches in height; service elements such as dumpsters, loading docks and similar elements; mechanical features; and parking. Driveways are permitted only in the portion of the supplemental zone that is enfronted by buildings. Adjacent to a residential treatment, public access to the supplemental zone may be restricted. Adjacent to a storefront treatment public access may be restricted only for outdoor dining areas located adjacent to eating places.
- (117) TERMINAL, AIRPORT: A portion of an airport where passengers purchase tickets, passes or other documents for boarding aircraft and where passengers transfer between ground transportation and the facilities that allow them to board and disembark from aircraft.
- (118) TERMINAL OPERATOR: Any person, partnership, joint venture or company engaged in the business of selling aircraft or airline tickets, passes, or other documents or arranging and facilitating the boarding and disembarking from aircraft for a fee.
- (119) THEATER, ADULT: A regulated use for the viewing of performances or activities by others, whether such performances are in the form of live shows, motion pictures, slide shows or other forms of photographic or visual display, which are distinguished or characterized by their emphasis on matters depicting, describing, or relating to "Specified Sexual Activities" or "Specified Anatomical Areas", as defined herein, or an establishment with a segment or section devoted to the sale or display of such material.
- (120) TOWNHOUSE: An attached multiple-family dwelling in a row or group, each house separated from adjoining houses in the same row or group by fire walls or fire separations.
- (121) TRAILER PARK (CAMPER): A parcel of land which is used solely for the rental or lease of lots for transient campers, trailers, motor homes or temporary parking of any other recreational vehicle that is not a mobile home.
- (122) TRANSPORTATION RENTAL BUSINESS: Any person, partnership, joint venture or company engaged in the business of leasing, renting or loaning vehicles for a fee.
- (123) USE: The purpose or purposes for which land or a building is designed, arranged, or intended, or to which said land or building is occupied, maintained or leased.
- (124) VARIANCE: A variance is a relaxation of the terms of the Lawrenceville Zoning Ordinance

where such variance will not be contrary to the public interest and where owing to conditions peculiar to the property and not the result of the actions of the applicant, a literal enforcement of the Ordinance would result in unnecessary and undue hardship. As used in this Ordinance, a variance is authorized only for area and size of structure or size of yards and open spaces; establishment or expansion of a use otherwise prohibited shall not be allowed by variance, nor shall a variance be granted because of the presence of non-conformities in the zoning district or uses in an adjoining zoning district.

- (125) WATERCRAFT: A vessel for transport by water constructed to provide buoyancy by excluding water and shaped to give stability and permit propulsion. This definition includes but is not limited to watercraft both mounted and not mounted, as well as boats, air boats, jet skis, wave runners, sea doos, and the like.
- (126) YARD: A required open space located on the same lot as the principal building, unoccupied and unobstructed except for accessory uses and for shrubs, fences, etc.
- (127) YARD, FRONT: See diagrams labeled as attachments Y-1 and Y-2.
- (128) YARD, REAR: See diagrams labeled as attachments Y-1 and Y-2.
- (129) YARD, SIDE: See diagrams labeled as attachments Y-1 and Y-2.
- (130) ZONING LOT: A single tract of land, located within a single block which, at the time of filing for a building permit or a certificate of occupancy, is designated by the owner or developer as a tract to be used, developed, or built upon as a unit, under single or unified ownership or control, and assigned to the particular use, building or structure, for which the building permit or certificate of occupancy is issued and including such area of land as may be required by the provisions of this Ordinance for such use, building or structure.

¹ An Ordinance to Amend Sections, 6.2, 7.12 and 7.13 was adopted on April 3, 2006.

² An Ordinance to Amend Section 6.2 of Lawrenceville's 2005 Zoning Code to amend the definition of Group Homes was adopted on November 13, 2006.

³ An Ordinance to Amend Section 6.2 of Lawrenceville's 2005 Zoning Code to amend the definition of Group Homes was adopted on December 4, 2006.

⁴ Ordinance to Amend Section 6.2 of the City of Lawrenceville's 2005 Zoning Code was adopted on November 12, 2007.

⁵ Ordinance to Amend Section 6.2 of the City of Lawrenceville's 2005 Zoning Code was adopted on August 2, 2008.

⁶ Ordinance to Amend Section 6.2 of the City of Lawrenceville's 2005 Zoning Code regarding Small Financial Institutions was adopted on August 2, 2008.

⁷ An Ordinance to Amend Articles V, VI, VII, XI, and XVI of the City of Lawrenceville's 2005 Lawrenceville Zoning Ordinance was adopted October 6, 2008.

⁸ An Ordinance was to Amend the City of Lawrenceville's 2005 Zoning Code of Ordinances was adopted on December 1, 2008.

⁹ An Ordinance to Amend the City of Lawrenceville's 2005 Zoning Code of Ordinances was amended on January 5, 2009.

¹⁰ An Ordinance to Amend the City of Lawrenceville's 2005 Zoning Code of Ordinances was amended on March 1, 2010.

¹¹ An Ordinance to Amend the City of Lawrenceville's 2005 Zoning Code of Ordinances was amended on September 13, 2010.