



**Unified Land Development Code (ULDC) Text Amendment Status
June 2023**

1. Amendments Scheduled for Consideration on July 11th
 - (1) Variances
 - (2) Code List (Inspections Related)
 - (3) Chickens
 - (4) Time
 - (5) Solar and Enforcement
 - (6) OCGA ZBOA
 - (7) Day Cares
 - (8) Tree Bank
 - (9) Public Hearings
 - (10) Minor Amendments (Typo's, Formatting, etc.)

2. Timeline

Completed:

- 4/12/23 LCBOC Retreat (Public Meeting Update)
- 4/24/23 GLPC (Public Meeting Update)
- 4/25/23 ZBOA WS (Public Meeting Update)
- 5/2/23 TRC Review
- 5/12/23 Initial Moody Staff Meeting
- 5/24/23 LCBOC Preview and Initial Clearance E-mail
- 5/31/23 Bright From the Start Check (GA State Daycare Agency)
- 6/5/23 Application Deadline
- 6/5/23 TRC E-mail Drafts
- 6/6/23 TRC Review
- 6/8/23 OCGA Moody Public Notice (County Manager/Commander Communication)



Planned:

6/12/23 LCBOC WS Preview

TBD TRC Review/Recommendation

TBD Attorney Review

6/20/23 GLPC WS

6/21/23 Social Media Post 1

TBD Website Update

TBD VDT Advertisements Published

TBD HBA Meeting

TBD Chamber Meeting

6/26/23 GLPC

6/27/23 LCBOC OCGA Resolution

TBD Website Update

7/6/23 Social Media Post 2

7/10/23 LCBOC WS

7/11/23 LCBOC

TBD Website Update

TBD Social Media Post 3

3. Primary Staff: Jason Davenport, JD Dillard, and Glenn Coyne (GMC Network – Goodwyn Mills | Cawood)

Formatted: Font: Century
Formatted: Right
Formatted: Font: Not Bold

Amendment #1 Variances

9.02.03 Requirements for Variances

A variance may be granted upon a finding by the ZBA that ~~two one~~ of the following below conditions ~~have has been met~~. If the variance involves a nonconformity then one of the conditions must include conditions K, L, or M:

- A. There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape, or topography;
- B. Such conditions are peculiar to the particular piece of property involved;
- C. The application of this ULDC to this particular piece of property would create an unnecessary hardship;
- D. Relief, if granted, will not cause substantial detriment to the public good or impair the purposes and intent of this ULDC;
- E. A literal interpretation of the provisions of this ULDC would deprive the applicant of rights commonly enjoyed by other properties of the zoning district in which the property is located;
- F. Granting the variance requested will not confer upon the property of the applicant any special privileges that are denied to other properties of the zoning district in which the applicant's property is located;
- G. The requested variance will be in harmony with the purpose and intent of this ULDC and will not be incompatible with the neighborhood or to the general public welfare;
- H. The special circumstances are not the result of the actions of the applicant;
- I. The variance requested is the minimum variance that will make possible the legal use of the land or structure;
- J. The variance is not a request to permit a use of land or structures which are not permitted by right in the zoning district involved;
- K. The extension of said nonconforming use will not further injure a permitted use on the subject property or on adjacent property;
- L. The design, construction, and character of the nonconformance is not suitable for uses permitted in a district in which the nonconformance is situated; and
- M. The nonconforming use is similar to the prior nonconforming use.

9.02.05 Procedures for Variances

- A. Applications
 - 1. An application for a variance shall include the information required for all applications, as set forth in Chapter 10.
 - 2. An application for a variance shall include the following written explanation: the purpose of the regulation involved with the proposed variance, how the enforcement of the regulation is either incorrect, unfair, or unjust, and a

Formatted: Font: Century
Formatted: Font: Century
Formatted: Font: Century
Formatted: Left
Formatted: Font: Century
Formatted: Font: Century

5/15/23 Draft

Formatted: Font: Century
Formatted: Right

statement explaining how the variance request conforms to at least ~~two~~ one of the ~~conditions requirements~~ listed in Section 9.02.03.

Formatted: Font: Century
Formatted: Font: Century
Formatted: Font: Century
Formatted: Left
Formatted: Font: Century
Formatted: Font: Century

Amendment #2 Code List

1.07.04 Building and Construction Codes

The following list of standard building codes, as approved by the State of Georgia Department of Community Affairs, including all attachments, future editions, and amendments, is hereby adopted by reference and applicable throughout the Lowndes County jurisdiction.

2018 Each building and construction code listed in Section 1.07.04 (A) through (M) is hereby adopted by reference as if set forth in its entirety. The following standard building codes as approved by the State of Georgia include any attachments, future editions, and amendments.

- ~~B.A. 2006 International Building Code with Georgia Amendments;~~
- ~~B. 2018 International Residential Code with Georgia Amendments;~~
- ~~C. 20182006 International Fire Code with Georgia State Amendments;~~
- ~~D. 20182006 International Plumbing Code with Georgia Amendments;~~
- ~~E. 2018 International Mechanical Code with Georgia Amendments;~~
- ~~F. 2018 International Fuel Gas Code with Georgia Amendments;~~
- ~~G. 2006 International Mechanical Code with Georgia Amendments; 202005 National Electric Code with Georgia Amendments;~~
- ~~H. 201500 –International Energy Conservation Code with Georgia Supplements and Amendments;~~
- ~~I. 2018 International Swimming Pool and Spa Code with Georgia Amendments;~~
- ~~J. 2000 Life Safety Code;~~
- ~~K. Georgia Accessibility Code;~~
- ~~L. 2018 International Property Maintenance Code with Georgia Amendments;~~
- ~~C. 2006 International Fuel Gas Code with Georgia Amendments;~~
- ~~D. 2006 International Mechanical Code with Georgia Amendments;~~
- ~~E.A. 2006 International Plumbing Code with Georgia Amendments;~~
- ~~F.M. 20182003 International Existing Building Code with Georgia Amendments;~~
- ~~2000 Life Safety Code~~
- ~~G. International Property Maintenance Code~~
- ~~H.A. 2005 National Electric Code with Georgia Amendments~~
- ~~I.N. National Fire Protection Code~~
- ~~2000 International Energy Conservation Code with Georgia Amendments;~~

- Formatted: Font: Century
- Formatted: Right
- Formatted: Font: Century
- Formatted: Font: Not Bold
- Formatted: Font: 12 pt
- Formatted: Font: Century
- Formatted: Font: Century
- Formatted: Font: Century
- Formatted: Font: Century
- Formatted: No bullets or numbering

Formatted: Not Highlight

Formatted: Highlight

- Formatted: Left
- Formatted: Font: Century
- Field Code Changed

6/12/23 Draft

Formatted: Font: Century

Formatted: Right

Formatted: Font: Century

~~2006 International Fire Code with Georgia Amendments;~~

Formatted: Indent: Left: 1", No bullets or numbering, Tab stops: Not at 1.25"

~~K. 2006 International Residential Code with Georgia Amendments;~~

Formatted: No bullets or numbering, Tab stops: Not at 1.25"

~~L. 1997 Georgia Accessibility Code;~~

Formatted: Tab stops: Not at 1.25"

~~M.A. 2000 Life Safety Code~~

1.08.02 Responsibility for Interpretations

C. Should the enforcement of a building or construction code listed in Section 1.07.04 create a conflict Table 1.08.02(C) shall govern the primary and supplemental enforcement of that building or construction code:

Table 1.08.02(C). Code Reference Guide

Area	Primary Code	Supplement Code
Occupancy Classification	LSC	IBC
Building Construction Types Including allowable height, allowable building areas, and the requirements for sprinkler protection related to minimum building construction types.	IBC	LSC
Means of Egress	LSC	NONE
Standpipes	IBC	IFC
Interior Finish	LSC	NONE
HVAC Systems	IMC	NONE
Vertical Openings	LSC	NONE
Sprinkler Systems minimum construction standard	LSC	NONE
Fire Alarm Systems	LSC	NONE
Smoke Alarms and Smoke Detection Systems	State Statute and LSC	NONE
Portable Fire Extinguishers	IFC	NONE

Formatted: Left

Formatted: Font: Century

Field Code Changed

6/12/23 Draft

- Formatted: Font: Century
- Formatted: Right
- Formatted: Font: Century

Area	Primary Code	Supplement Code
Cooking Equipment	LSC and NFPA 96	NONE
Fuel Fired Appliances	IFGC	NFPA 54 or IFGC
Liquid Petroleum Gas	NFPA 58	NFPA 54 or IFGC
Compressed Natural Gas	NFPA 52	NONE

- Formatted: Left
- Formatted: Font: Century
- Field Code Changed

Amendment #3 Chickens

This is an entirely new set of ULDC regulations. All proposed amendments could be shown in red.

(Insert Ch 2 Table Format – Inserted After Livestock Row)

2.03.03 Table of Land Uses

Agricultural Uses

Chicken Coops (For an "S" See Also Section 4.03.01)

Allowed in E-A as P

All Other Zoning Districts as S

Not Allowed in CON and I-S (Blank)

4.03.01 Animal Facilities (Animal Hospitals, Veterinary Clinics, Animal Shelters, Kennels and Coops)

D. The requirements of this section apply to the keeping of a small number of female chickens and are designed to prevent nuisances and prevent conditions that are unsanitary or unsafe.

1. The keeping of chickens shall be in accordance with the requirements of this section.

12. The keeping of chickens shall comply with the nuisance requirements pertaining to animal control as set forth in the County Code of Ordinances.

23. If The keeping of chickens shall be for personal use only. Selling of eggs or poultry are to be sold the use must also comply with the Home Occupation standards in Section 5.01.00. is prohibited.

34. A maximum of six (6) female chickens are allowed. More than six (6) chickens shall be considered livestock.

45. A maximum of one (1) coop is allowed.

56. Slaughtering of chickens is prohibited.

6. 7. Chickens must be provided with an appropriate coop and kept in an outdoor adequately fenced outdoor enclosure at all times and provided with an appropriate coop.

- Formatted: Font: Century
- Formatted: Right
- Formatted: Font: Not Bold, Underline, Not Highlight
- Formatted: Font: Not Bold, Underline
- Formatted: Font: Not Bold

- Formatted: Underline, Not Highlight
- Formatted: Centered
- Formatted: Underline
- Formatted: Underline, Not Highlight
- Formatted: Underline
- Formatted: Justified
- Formatted: Font: (Default) Century, 12 pt, Underline
- Formatted: Underline
- Formatted: Font: (Default) Century, 12 pt, Underline
- Formatted: Underline
- Formatted: Normal, Justified, Indent: First line: 0.5", No bullets or numbering
- Formatted: Font: (Default) Century, 12 pt, Underline
- Formatted: Underline
- Formatted: Justified
- Formatted: Font: Century, Underline
- Formatted: Underline

- Formatted: Font: Century
- Formatted: Font: Century
- Formatted: Left, Indent: First line: 3"
- Field Code Changed
- Formatted: Font: Century

Formatted: Font: Century
Formatted: Right

a. ~~The coop shall be An outdoor enclosure that is adequately fenced to contain the chickens.~~

Formatted: Numbered + Level: 1 + Numbering Style: a, b, c, ... + Start at: 1 + Alignment: Left + Aligned at: 0.75" + Indent at: 1"

~~A covered, predator-proof, coop that is well ventilated, and designed to be easily accessed for cleaning.~~

a.

~~A building permit shall be required if the coop uses any utilities, are provided.~~

b.

~~The area of the coop shall count toward the maximum allowable structures and square footage as defined in Section 5.02.01(D)(9).~~

Formatted ... (1)

Formatted: Font: Century, Underline

Formatted: Justified, Space Before: 0 pt, After: 8 pt

Formatted: Font: Century, 12 pt, Underline

Formatted: Underline

Formatted: Normal, Justified, Indent: Left: 0"

Formatted: Justified

Formatted: Underline

Formatted: Justified

Formatted: Underline

Formatted: Justified

Formatted: Underline

Formatted: Justified

Formatted: Underline

Formatted: Justified

Formatted: Underline

Formatted: Justified

Formatted: Font: Century, Underline

Formatted: Underline

Formatted: Underline

Formatted: Justified

Formatted: Font: Century, Underline

Formatted: Underline

Formatted: Underline

Formatted: Justified

Formatted: Font: Century, Underline

Formatted: Justified

Formatted: Font: Century

Formatted: Font: Century

Formatted: Left, Indent: First line: 3"

Field Code Changed

Formatted: Font: Century

Table 4.03.01(D). Standards for Keeping of Chickens.

Development Feature	Standard
Animals Allowed	Female Chickens
Animals Prohibited	Roosters and Crowing Hens
Outdoor Fenced Enclosure	Maximum of 120 square feet
Coop	Coop made of uniform materials with solid floors, have a roof and doors that can be tightly secured, be properly ventilated, and have proper ventilation and adequate sunlight.
Minimum setback from any property line for a cCoop	Fifteen (15) feet. Shall be located in the rear yard only.
Minimum setback from any property line for the outdoor fenced enclosure	Fifteen (15) feet. Shall be located in the rear yard only.
Sanitation	Odor and pest control required. Coop and outdoor fenced enclosure must be cleaned on a regular basis to prevent the accumulation of waste.

Numbered + Level: 1 + Numbering Style: a, b, c, ... + Start at: 1 + Alignment: Left + Aligned at: 0.75" +
Indent at: 1"

▲

Formatted: Font: Century

Amendment #4 Time

1.08.05 Computation of Time

~~When~~When a number of days is prescribed for the exercise of any privilege or the discharge of any duty ~~then~~ O.C.G.A., section 1-3-1, shall govern the computation of time.

~~, the first or last day shall not be counted; and if the last day falls on Saturday or Sunday, the person having such privilege or duty shall have through the following Monday to exercise the privilege or to discharge the duty. When the last day prescribed for such action falls on a public and legal holiday as provided for in O.C.G.A., section 1-4-1, the person having the privilege or duty shall have through the following day to exercise the privilege or to discharge the duty; however, when the following day is a Saturday or Sunday, the person shall have through the following Monday to exercise the privilege or to discharge the duty.~~

Formatted: Left

Formatted: Font: Century

Field Code Changed

Formatted: Font: Century

Amendment #5 Solar and Enforcement

Formatted: Font: Not Bold

1.09.02 Definitions

Formatted

Solar Farm. A power station using photovoltaic modules and inverters for utility electricity generation equal to or in excess of 100 kilowatts alternating current (AC).

Formatted: Centered

Formatted: Font: Bold

Formatted: Font: 12 pt

2.03.03 Table of Land Uses

Formatted: Indent: Left: 0.5"

	Rural Zoning Districts			Residential Zoning Districts			Commercial, Office, and Institutional Zoning Districts			
Zoning Districts: P - Permissible S - Permissible Subject to Supplemental Standards Blank - Prohibited	E-A	R-A	CON	R-1	R-21	R-10	O1	C-C	C-G	C-H
Solar Farm	S	S					S	S	S	S

Formatted Table

	Industrial and Intensive Zoning Districts				Mixed Use Zoning Districts					
Zoning Districts: P - Permissible S - Permissible Subject to Supplemental Standards Blank - Prohibited	M-1	M-2 (See Also Section 10.02.09(C))	M-3 (See Also Section 10.02.09(C))	IS (See Also Section 10.02.09(C))	MAZ-I (See Also Section 4.02.04)	MAZ-II (See Also Section 4.02.04)	MAZ-III (See Also Section 4.02.04)	Residential/Mixed Use PD or PD-R (See Also Section 4.08.00)	Residential PD or PD-R (See Also Section 4.08.00)	Non-Residential PD or PD-R (See Also Section 4.08.00)
Solar Farm	S	S	S	S	*S	*S	S	S	S	S

Formatted Table

4.03.2930 Solar Farms

The following provisions shall apply to all solar farms in unincorporated Lowndes County. A Solar Farm is defined as a power station using photovoltaic modules and inverters for utility electricity generation equal to or in excess of 100 kilowatts alternating current (AC).

Solar Farms shall be permitted in all Agricultural (E-A, R-A) Districts as a matter of right, in accordance with the following minimal regulations and design standards set forth herein.

Formatted: Font: Century

Formatted: Left

Formatted: Font: Century

Field Code Changed

Formatted: Font: Century

Section 1. Design Standards. The design standards and bulk regulations listed in

Formatted: Font: Century

~~the Agricultural ((E-A, R-A) Districts for setbacks, lot size, lot coverage, water/sewer connection requirements, lot area, lot area, height, and signage shall be suspended for all solar farms and the following supplemental standards regulations shall apply instead. All other design standards and bulk regulations outside of these supplemental standards of Chapter 2 Zoning shall apply. Specific Development Plan requirements are set forth in 10.02.03 (G).~~

~~A. Foundations. The project's engineer or another qualified engineer~~
A certified structural or civil engineer shall certify that the foundation and/or design of the solar panels are within accepted professional standards, given local soil and climate conditions.

B. Standards and Codes. All solar farms shall be in compliance with any applicable local, state and federal regulatory standards, as amended. The installation of new solar energy generation facilities shall be installed or supervised by a qualified person as defined by applicable local, state and federal regulatory standards.

C. Power and Communications Lines. Power and communication lines running between arrays of solar panels and to the point of interconnection shall be buried underground, except where technical or physical constraints make it more practicable to install above ground. Exemptions may be given in instances where shallow bedrock, watercourses, or other elements of natural landscape interfere with the ability to bury lines, or the interconnecting utility requires overhead infrastructure. Georgia 811 shall be contacted before digging or excavating begins.

D. Minimum lot size. No solar farm shall be erected on any lot less than two and a half (2.5) acres in size.

E. Height. Systems, equipment and structures shall not exceed thirty (30) feet in height when mounted at maximum tilt. Excluded from this height requirement, however, are electric transmission lines, communications poles, and utility poles. These exclusions shall still be limited in height by applicable regulations in the VLD Overlay District (4.02.03) or the MAZ Zoning districts (4.02.04).

F. Setbacks. Ground mounted solar energy systems, as part of a solar farm, shall have a setback for all equipment (excluding fences) as follows:

1. A of a minimum of 50 feet from the rear property line and 20 feet from the side property lines, abutting any non-residential zoning district.

F.2. A minimum of 100 feet from residentially zoned lots and existing residential properties, with the exception of adjacent residential property lines. A solar energy system shall be setback 100 feet from residentially zoned lots and existing residential properties, with the setback distance to be measured from the edge of the solar equipment to the property line of the residentially zoned

Formatted: Numbered + Level: 1 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 0.08" + Indent at: 0.33"

Formatted: Font: Century

Formatted: Left

Formatted: Font: Century

Field Code Changed

Formatted: Font: Century

Formatted: Font: Century

lots or existing residential properties. ~~These setbacks shall apply across~~

G. Fencing. The solar energy system farm shall be fully enclosed and secured by a locked fence with a minimum height of six feet.

H. Lighting. If lighting is provided at the site, lighting it shall be shielded and downcast such that the light does not spill onto the adjacent parcel(s) or roadways.

I. Noise. Noise levels measured at the property line shall not exceed 50 decibels when located adjacent to an existing residence or residential zoning district.

J. Performance standards. All solar power farms/plants must conform to the performance standards as set forth by any local, state, and federal regulatory standards as amended.

J.

Formatted: No underline

Signage. An appropriate warning sign shall be provided at the entrance to the facility and along each perimeter of the solar farm project. The sign at the entrance to the facility shall include the facilities 911 address and a 24-hour emergency contact number. ~~All the signage will comply in accordance with regulations set forth in Chapter 5 (Signs) with Section 50400~~
L.K.

Formatted: Justified, Indent: Left: 0", First line: 0", Numbered + Level: 1 + Numbering Style: A, B, C, ... + Start at: 1 + Alignment: Left + Aligned at: -0.17" + Indent at: 0.08"

Formatted: No bullets or numbering

M.L. Outdoor Storage. Only the outdoor storage of materials, vehicles and equipment that directly support the operation and maintenance of the solar farm shall be allowed. During construction, there may be materials, vehicles and equipment on the site(s) that do not support the operation or maintenance of the solar farm; or, do not comply with the zoning district. All materials, vehicles or equipment on the site that does not directly support the operation and maintenance of the solar farm; or, does not comply with the zoning district will be removed at the completion of construction so as to be in compliance with this ULDC. ~~Outdoor storage will be required to meet Section 4.03.29(F) regarding applicable setbacks. with this section.~~

Formatted: Indent: First line: 0", Right: 0.07", Tab stops: 0.31", Left + Not at 0.33"

Formatted: Indent: First line: 0", Right: 0.07", Tab stops: 0.31", Left + Not at 0.33"

M. Aviation Protection. For solar energy systems farms located within the VLD Overlay District (VLD) in the MZ zoning district, the applicant shall determine if a Solar Glaze Hazard Analysis Tool (SGHAT) will be required to be completed by the applicant. ~~If required, the applicant shall complete and provide the results of the Solar Glaze Hazard Analysis Tool (SGHAT) for the airport traffic control tower cab and final approach paths, consistent with the Interim Policy, FAA Review of Solar Energy Projects on Federal Obligated Airports, or most recent version adopted by the FAA.~~

M.

Formatted: Justified, Indent: Left: 0", First line: 0", Numbered + Level: 1 + Numbering Style: A, B, C, ... + Start at: 1 + Alignment: Left + Aligned at: -0.17" + Indent at: 0.08"

Formatted: Font: Century

Formatted: Left

Formatted: Font: Century

Field Code Changed

Formatted: Font: Century

Formatted: Font: Century

9.03.00 Administrative Waivers

9.03.01 A. 3. The reduction is related to the residential setback requirements of a Solar Farm (4.03.29 (F)) and the proposed or existing buffer is sufficient to screen the project from view from adjoining property or public rights-of-way. Earth berms and other topographical features and existing wooded areas may be acceptable forms of screening.

Formatted: Font: Century, 12 pt

Formatted: Font: Century, 12 pt, Not Highlight

Formatted: Font: Century, 12 pt

10.02.03 Submittal Requirements for Development Plans

A development plan may be required. ~~An optional development plan may be submitted~~

Formatted: Strikethrough

~~G. Solar Farm Section 2- Application Requirements.~~ Due to the unique nature and special requirements of solar power farms/plants and their potential impacts to adjoining properties and government services, solar power farms/plants shall be required to submit and obtain approval on the following items in addition to the those found in the supplemental standards in Section 4.03.29: any requirements specified in the special use section of the County Code or any special conditions required by the Director of Planning and Zoning.

A-1. Site plan with existing conditions showing the following:

Formatted: Font: Century, 12 pt, Underline

a. Existing property lines and property lines extending 100 feet from the exterior boundaries of the solar project, including the names of adjacent property owners and current use of those properties.

Formatted: Font: Century, 12 pt

Formatted: Left, Space Before: 10 pt, Numbered + Level: 1 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 0.08" + Indent at: 0.33"

b. Current zoning, zoning overlays, and existing residences on the subject property, and zoning adjacent to the solar project, to including those across all right-of-way.

Formatted: Left, No bullets or numbering

~~a.c. Current zoning, zoning overlays, and existing residences adjacent to the solar project, to including those across all right-of-way.~~

Formatted: Font: Century, 12 pt

Formatted: Left, Indent: Left: 0.08", Right: 0", Space Before: 10 pt, No bullets or numbering, Tab stops: Not at 0.26"

b.d. Existing adjacent public Right-of-Way and private roads, showing widths of the roads and any associated easements.

Formatted: Indent: First line: 0"

Formatted: Font: Century

e.g. When applicable, the location and size of any abandoned wells or sewage/septic systems.

Formatted: Left

Formatted: Font: Century

Field Code Changed

Formatted: Font: Century

10

Formatted: Font: Century

d.f. When applicable, existing buildings and any impervious surfaces.

e.g. A contour map identifying topography of the area.

f.h. Existing vegetation/Land uUse (list type and percent of coverage: i.e. cropland/plowed fields, grassland, wooded areas etc.)

g.i. When applicable any waterways, watercourses, lakes, public water, and wetlands and identifying surface water drainage patterns.

h.j. When applicable, a copy of the current FEMA FIRM map that shows the subject property.

i.k. Mapped soils.

l. When applicable, the location of any subsurface drainage tiles.

j.—

B.2. Plan of Proposed Conditions:

- a. Location, number and spacing of solar panels.
- b. Location of access roads and access points.
- c. Planned location of underground or overhead electric lines connecting the solar farm to the intended point of interconnection. When applicable, new electrical equipment that is to be the connection point for the solar farm.
- d. Sketch elevation of the premises accurately depicting the proposed solar energy conversion system and its relationship to structure(s) on adjacent land.
- e. Landscape and grass control plan. The applicant shall propose and implement a landscaping and grass control plan. The plan shall take into account the type(s) of vegetation to be planted and the scheduled maintenance of vegetation. The plan shall encompass both the inside and outside of the fenced areas for the entire property. The operating company during the operation of the solar farm must maintain and adhere to the control plan.

f. Parking.

e.g. Outdoor Storage.

Formatted: Font: Century, 12 pt, Underline

Formatted: Left, Space Before: 10 pt, Numbered + Level: 1 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 0.08" + Indent at: 0.33"

Formatted: Font: Century, 12 pt

C.3. Informational items to be included:

- a. A description of the method of connecting the array to a building, substation, or other utility infrastructure.
- b. At the time of applying for the special use application initial construction permit(s) a written statement shall be provided that the applicant is in the queue to acquire an interconnect agreement with a power provider.

Formatted: Indent: Left: -0.21", Hanging: 0.21", Numbered + Level: 1 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 0.08" + Indent at: 0.33"

Formatted: Font: Century

Formatted: Left

Formatted: Font: Century

Field Code Changed

Formatted: Font: Century

Formatted: Font: Century

D.4. Decommission plan: A plan shall be required to ensure that facilities are properly removed after their useful life. Decommissioning of solar panels must occur in the event that the plant is not in use for 12 consecutive months, at this time the operating company and or land owner will have twelve (12) months to complete the decommission plan or the county will take the necessary steps to force decommission. The plan shall include provisions for removal of all structures (including equipment, fencing, roads and foundations), restoration of soil and vegetation and a plan ensuring financial resources will be available to fully decommission the site. Disposal of structures and/or foundations shall meet the provisions and regulations of the Georgia Environmental Protection Agency or the United States Environmental Protection Agency.

Formatted: Indent: Left: 0", First line: 0", Numbered + Level: 1 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 0.08" + Indent at: 0.33"

The county is granted the right to seek injunctive relief to effect and complete decommissioning, as well as to seek reimbursement from the applicant or applicant successor for decommissioning costs against any real estate owned by applicant or applicant's successor, or in which they have an interest and to take all steps allowed by law to enforce said lien.

E.5. Liability insurance: The owner operator of the solar farm shall obtain and hold a general liability policy covering bodily injury and property damage and name Lowndes County as an additional insured with limits of at least two million dollars (\$2,000,000.00) per occurrence and five million dollars (\$5,000,000.00) in the aggregate with a deductible of no more than five thousand dollars (\$5,000.00). The applicant/owner must provide proof of insurance to the Lowndes County Planning and Zoning Office County Manager prior to construction.

Formatted: Not Highlight

Formatted: Indent: Left: 0", First line: 0", Numbered + Level: 1 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 0.08" + Indent at: 0.33"

Formatted: Font: 12 pt, Not Highlight

Formatted: Not Highlight

~~Other: The County reserves the right to require additional information or components to the plan as the county deems necessary to ensure that an adequate proposal is in place. In the event that the State of Georgia enacts a law with regard to solar farms, the stricter requirement(s) shall apply.~~

Formatted: Indent: Left: 0", First line: 0", Numbered + Level: 1 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 0.08" + Indent at: 0.33"

Section 3 Fees, Signs & Enforcement: 10.06.00 Enforcement and Penalties

Formatted: Indent: Left: -0.25", Numbered + Level: 2 + Numbering Style: a, b, c, ... + Start at: 1 + Alignment: Left + Aligned at: 0.58" + Indent at: 0.83"

~~a. All signage will comply in accordance with the regulations set forth in Chapter 5 (Signs)~~

Formatted: Heading 1

Formatted: Font: Century, 12 pt

~~A. If not stated elsewhere, The Director of Planning and Zoning shall enforce the provisions of this ordinance through an inspection of the solar farm as needed. The Director may enter the premises for such inspections if needed, but only after coordinating a reasonable time to meet with the operator/owner of the facility. Any person, firm or cooperation corporation who violates, disobeys, omits, neglects, refuses to comply with, or resists enforcement of any of the provisions of this ULDC section may face a face fines of not more than \$750.00 for each offense~~

Formatted: Space Before: 10 pt, Numbered + Level: 1 + Numbering Style: A, B, C, ... + Start at: 1 + Alignment: Left + Aligned at: 0.58" + Indent at: 0.83"

Formatted: Font: Century, 12 pt

Formatted: Font: Century

Formatted: Left

Formatted: Font: Century

Field Code Changed

Formatted: Font: Century

5/15/23 Draft

Formatted: Font: Century

per week penalty of up to \$1,000 and/or 60 days in the Lowndes County jail per offense per day as determined by the Lowndes County Magistrate Court.

Formatted: Font: Century, 12 pt

Formatted: Font: Century, 12 pt

Formatted: Font: Century, 12 pt

Formatted: Font: Century

Formatted: Left

Formatted: Font: Century

Field Code Changed

Formatted: Font: Century

Formatted: Font: Century

Formatted: Tab stops: 4.25", Left + 6.5", Right

Amendment #6 OCGA11

9.02.06 Appeal of ZBA Action

An appeal of a decision of the ZBA shall be to the Superior Court. Pursuant to O.C.G.A., section 36-66-5.1, the officer shall be the Chair of the ZBA and the designee shall be the County Manager.

10.01.05 Procedures for Action by the Board of Commissioners

F. Actions by the Board of Commissioners are subject to appeal through the Superior Court. Therefore, actions by the Board of Commissioners are not final until thirty (30) days after the date that such actions are recorded. Pursuant to O.C.G.A., section 36-66-5.1, the officer shall be the Chair of the Board of Commissioners and the designee shall be the County Manager.

Formatted: Indent: Left: 0.25"

Formatted: Font: Century, 12 pt

Formatted: Font: Century, 12 pt

Formatted: Font: Century

Formatted: Left, Indent: First line: 3"

Field Code Changed

Amendment #7 Day Care

1.09.01 Acronyms

DECAL – Georgia Department of Early Care and Learning

1.09.02 Definitions

Day Care Establishment. Any place operated by a person, society, agency, corporation, institution or group wherein are received for pay for group care, for fewer than twenty-four (24) hours per day without transfer of legal custody, children under eighteen (18) years of age and which is required to be licensed or commissioned by the Georgia Department of Human Resources of Early Care and Learning (DECAL). The following categories shall be designated:

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

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

Family Day Care (6 or less children). A private residence operated as day care for up to six (6) children.

Day Care Homes (7 to 18 children). Any place operated as day care for not less than seven (7) or more than eighteen (18) children.

Day Care Centers (19 or more children). Any place operated as day care for nineteen (19) or more children.

Formatted: Font: Century
Formatted: Font: Century
Formatted: Font: Not Bold

Formatted: Font: Not Bold

Formatted: Font: Century, 12 pt
Formatted: Font: Bold
Formatted: Font: Century, 12 pt
Formatted: Font: Century, 12 pt
Formatted: Font: Century, 12 pt
Formatted: Font: Century, 12 pt
Formatted: Font: Century, 12 pt
Formatted: Font: Century, 12 pt
Formatted: Font: Century, 12 pt
Formatted: Font: Century, 12 pt
Formatted: Font: Century, 12 pt

Formatted: Font: 12 pt

Formatted: Font: Century
Formatted: Font: Century
Formatted: Font: Century
Formatted: Left
Formatted: Font: Century
Formatted: Font: Century
Formatted: Font: Century

Formatted: Font: Century
Formatted: Font: Century

2.03.03 Table of Land Uses

~~Child Care Learning Center – P in OI, Remains S in MAZ-II*, S in E-A, R-A, R-1, R-21~~

Formatted: Font: Not Bold
Formatted: Font: Not Bold
Formatted: Font: Not Bold
Formatted: Font: Not Bold
Formatted: Font: Not Bold
Formatted: Font: Not Bold

~~Delete Home Day Care Row in its entirety~~

Family Child Care Learning Home (No changes other than name)

List of Tables

- Table 4.03.08(EG). Standards for Child Day-Care Learning Centers, Nursery Schools, and Preschools.
- Table 4.03.08(FH). Standards for Child Day-Care Homes and Day-Care Family Facilities ~~Family Child Care Learning Homes.~~
- Table 4.03.08(GF). Standards for Adult Day Care Centers.

4.03.08 Day Care Facilities (Adult or Child Day Care)

- A. The requirements of this section apply to ~~Child day-Care Learning Centers~~, group day care homes, nursery schools, preschools, Family Child Care Learning Homes, ~~family day-care homes~~, adult day care facilities, and adult day care centers.
- B. All facilities regulated in this section shall comply with State regulations and acquire applicable State licenses for operation.
- C. Adult day care within a dwelling shall be limited to the provision of care and supervision to not more than six (6) persons.
- D. When the day care facility is operated as a home occupation, it shall comply with the provisions of Section 5.01.00 pertaining to home occupations.
- E. Day care centers shall comply with the following standards:

Table 4.03.08(EG). Standards for Child Day-Care Learning Centers, Nursery Schools, and Preschools.

Development Feature	Standard
Number of total children (Unrelated and Related Added Together)	
Child Care Learning Centers in E-A, R-A, and R-1	Eighteen (18) or fewer (Unrelated and Related)
Child Care Learning	Twelve (12) or fewer (Unrelated and Related)

Formatted: Font: Century
Formatted: Font: Century
Formatted: Font: Century
Formatted: Left
Formatted: Font: Century
Formatted: Font: Century
Formatted: Font: Century

Formatted: Font: Century
Formatted: Font: Century

Centers in R-21 or MAZ-II* (*Outside of the APZ II area) Number of children	Nineteen (19) or more
Place of operation	Freestanding structure, or Within a religious facility (see Section 4.03.15 for standards), or Within a public or private school.
Outdoor play area	Minimum of 200 square feet per child, based on the number of users at any one (1) time, and Fully enclosed by a security chain link fence, a minimum of four (4) feet in height, or Fully enclosed by a solid decorative fence, a minimum of four (4) feet in height
Indoor play area	Minimum of 35 square feet per child
Access requirements	Drop-off location, separated from parking, and located off-street

Commented [JD1]: DECAL Current Standards: 100 sqft per child based on 1/3 of licensed capacity of users at any one time

Commented [JD2]: 25 sqft for up to 2 hours with DECAL Approval

F. Day care homes and family care facilities Family Child Care Learning Homes shall comply with the following standards:
Table 4.03.08(FH). Standards for Child Day Care Homes and Day Care Family Facilities Family Child Care Learning Homes.

Development Feature	Standard
Number of total children (Unrelated and Related Added Together) A Family Child Care Learning Home in MAZ-II* (*Outside of the APZ II area) Number of children Day care home Day care home in R-21 Day care - family	No more than six (6) Unrelated and No more than six (6) Related (Total of 12 (6 Unrelated and 6 Related)) Eighteen (18) or fewer Twelve (12) or fewer Six (6) or fewer
Place of operation	Freestanding structure, or Within a dwelling.
Outdoor play area	Minimum of 200 100 square feet per child, based on the number of users at any one (1) time, and Fully enclosed by a security chain link fence, a minimum of four (4) feet in height, or Fully enclosed by a solid decorative fence, a minimum of four (4) feet in height
Indoor play area	Minimum of 35 square feet per child
Access requirements	Drop-off location, separated from parking, and located off-street.

Formatted: Font: Century
Formatted: Font: Century
Formatted: Font: Century
Formatted: Left
Formatted: Font: Century
Formatted: Font: Century
Formatted: Font: Century

G. Adult day care centers shall comply with the following standards:
Table 4.03.08(GI). Standards for Adult Day Care Centers.

Development Feature	Standard
Number of adults	More than six (6).

Formatted: Font: Century

Formatted: Font: Century

Place of operation	Freestanding structure, or Within a religious facility (see Section 4.03.15 for standards).
Recreation areas	Fully enclosed by a fence, a minimum of four (4) feet in height. Chain link is permissible in side or rear yards; decorative fencing is required in front yards.
Access	Drop-off facilities shall be provided off-street and separated from parking.

5.01.00 HOME OCCUPATIONS

5.01.01 Generally

- A. A home occupation is permissible in a lawfully established dwelling unit in any zoning district where residential uses are permissible. All home occupations shall meet the standards set forth in Section 5.01.02. Home occupations in the E-A and R-A zoning districts shall meet the additional standards in Section 5.01.03.
- B. The following and similar uses shall be considered home occupations:
 - 6. ~~Family Child Care Learning Home~~ Day care for six (6) or fewer children;

5.01.02 Standards for All Home Occupations

- A. All home occupations shall have ~~an occupational tax registration a business license from Lowndes County.~~
- B. Employees of the home occupation shall be limited to the residents of the dwelling.
- C. The home occupation shall be clearly incidental to the residential use of the dwelling.
- D. The use of the dwelling for a home occupation shall not change the residential character of the building.
- E. No internal or external alterations which are inconsistent with the residential use or character of the dwelling shall be permitted.
- F. Products for sale or use in the home occupation shall not be visible from the street.
- G. Use of a dwelling for a home occupation shall not exceed twenty-five (25) percent of one (1) floor of the dwelling.
- H. The home occupation shall not constitute a nuisance to the surrounding neighborhood, as evidenced by the use of machinery or equipment that produces noise, smoke, odor, vibration, electrical interference, or other objectionable condition beyond the property line of the lot on which the home occupation is located.

Formatted: Font: Century

Formatted: Font: Century

Formatted: Font: Century

Formatted: Left

Formatted: Font: Century

Formatted: Font: Century

Formatted: Font: Century

Formatted: Font: Century
Formatted: Font: Century

- I. Outside storage of materials used in connection with a home occupation is prohibited.
- J. A home occupation shall not be conducted in an accessory building; however, storage of materials is permissible.
- K. Up to two (2) commercial vehicles may be used in connection with the home occupation, provided that such vehicles are parked only in the rear yard.
- L. No business shall be conducted between the hours of 8:00 p.m. and 7:00 a.m.
- M. Only one wall (1) sign shall be permissible in associated with the home occupation. The sign shall comply with the following standards:
 - 1. The sign shall not exceed eight (8) square feet in area;
 - 2. The sign shall be motionless.

Formatted: Font: Century
Formatted: Font: Century
Formatted: Font: Century
Formatted: Left
Formatted: Font: Century
Formatted: Font: Century
Formatted: Font: Century

Formatted: Font: Century
Formatted: Right
Formatted: Font: 12 pt, Not Bold

Amendment #9 Public Hearings

10.00.07 Procedures for Conducting Board of Commissioner Public Hearing Procedures

The following rules of procedures shall govern Board of Commissioner public hearings pertaining to applications listed as under their responsibility in Table 10.01.03. The ZBA and the Planning Commission are not required to observe these procedures, development subject to the provisions of this ULDC:

- A. The proposal or request to be considered shall be introduced by the Chair and presented by the County Manager.
- B. Public comments shall be heard in an orderly fashion. Comments and testimony shall be provided in the following order:
 - 1. Citizens speaking in opposition to the proposal or request;
 - 2. The applicant or applicant's agent;
 - 3. Citizens speaking in favor of the proposal or request; and
 - 4. Rebuttal.
- C. Any party may appear at the public hearing in person or by agent or by attorney.
- D. Each opponent or proponent person who speaks shall state appears shall identify himself by their name and address. If the person is the applicant, he shall state whether he is the owner of the property or agent for owner.
- E. Each applicant or other interested party who submits documents at the hearing shall identify each document. Each document submitted shall be made a part of the official record of the hearing.
- F. Time periods for testimony: Opponents shall have a minimum of ten (10) minutes to present data, evidence, and opinions pertinent to the proposal. Proponents, including the applicant and other speaking in favor of the proposal, shall have a minimum of ten (10) minutes to present data, evidence, and opinions pertinent to the proposal. The Chair chair of the board hearing the request or proposal Board of Commissioners may otherwise limit discussion. The chair Chair of the Board of Commissioners board hearing the request or proposal may allow additional time at in their the chair's discretion.
- G. The board hearing the request or proposal Board of Commissioners retains the privilege to ask any questions of the County Manager, other staff, or persons who have spoken on the matter.
- H. At the conclusion of the hearing After the final action by the board hearing the request or proposal Board of Commissioners, the Chair board hearing the request or proposal shall announce the its decision. The County Manager shall notify the an applicant or agent in writing of the decision of the board hearing the request or proposal Board of Commissioners. The written notification shall be made a part of the record.

Formatted: Font: Century
Formatted: Left
Field Code Changed

5/15/23 Draft

Formatted: Font: Century

Formatted: Right

I. The Board of Commissioners board hearing the request or proposal may table the application, continue the public hearing where additional information is necessary in order to render a decision. The tabling continuation shall be to a date certain. Where an application is remanded by the Board of Commissioners to the Planning Commission for consideration of additional conditions, it shall be heard by the Planning Commission on the next available meeting date.

Formatted: Font: Not Bold

Formatted: Font: Not Bold

Formatted: Font: Century

Formatted: Left

Field Code Changed