

## **Section 1.02. - Specific definitions.**

When used in this Resolution, the following words and phrases shall have the meanings given in this section. (Supplementary definitions of words and terms are contained in [Chapter 5](#), "Flood Hazard District Regulations," [Chapters 20A, B & C](#), "Airport Hazard Districts," Chapter 25, "Signs," Chapter 27, "Zoning Administration," Chapter 28, "Design Review," [Chapter 31](#), "Environmental Conservation," and [Chapter 32](#), "Street Classification Chart and Special Setbacks.")

*Accessory use or structure.* A subordinate use or structure, clearly incidental, subordinate and related to the principal structure, building or use of land, which does not alter, change, or in any way detract from the principal structure, building, or use of land and is located on the same lot as that of the principal structure, building, or use.

*Adjacent (Adjacency) Property.* A property adjoining another property or so nearby to the other property as to affect or be affected by a use or condition on the other property to a similar extent and in a similar manner as if adjoining.

*Adult arcade.* An establishment, where for any form of consideration, one (1) or more motion picture projectors, slide projectors or similar machines, for viewing by five (5) or fewer persons each, are used to show films, motion pictures, video cassettes, slides or other photographic reproductions which are characterized by an emphasis upon the depiction or description of "specified anatomical areas" or "specified sexual activities." (Added March 22, 1993, ZA93-03-01)

*Adult book store.* An establishment in which more than twenty (20) percent of its stock in trade is offered for sale for any form of consideration any one (1) or more of the following:

(a) Books, magazines, and periodicals containing pictures, films, motion pictures, photographs, video cassettes, slides or other visual representations which are characterized by an emphasis upon the depiction of "specified anatomical areas" or specified sexual activity."

(b) Instruments, devices or paraphernalia which are designed for use in connection with "specified sexual activities." (Added March 22, 1992, ZA93-03-01)

*Adult cabaret.* A nightclub, bar, restaurant or similar establishment which features or allows live performances which are characterized by the exposure of "specified anatomical areas" or by "specified sexual activity", or which features motion pictures, video cassettes, slides or other photographic reproductions which are characterized by an emphasis on "specified anatomical areas" or "specified sexual activity." (Added March 22, 1993, ZA93-03-01)

*Adult day care facility.* Any building, buildings, or part of a building, whether operated for profit or not, in which is provided through its ownership or management, for a part of a day, personal care services to three (3) or more persons who are eighteen (18) years of age or older, who are not related to the owner or operator, and who require such services.

*Adult entertainment.* Adult entertainment is defined as entertainment that is characterized by an emphasis on the depiction, display or the featuring of "specified anatomical areas" or "specified sexual activity." (Added March 22, 1993, ZA93-03-01)

*Adult entertainment establishment.* Any commercial establishment which features or allows any form of adult entertainment as defined in this chapter; and shall specifically include: Adult bookstore, adult cabaret, adult motion picture theater, adult theater, and adult arcade. However, traditional or live theater as defined herein shall not be included in this definition. (Added March 22, 1993, ZA93-03-01)

*Adult movie theater.* An establishment where, for any form of consideration, films, motion pictures, video cassettes, slides or similar photographic reproductions are shown, and in which a substantial portion of the total presentation time is devoted to the showing of material which is characterized by an emphasis upon the depiction or description of "specified sexual activities" or "specified anatomical areas." (Added March 22, 1993, ZA93-03-01)

*Adult theater.* An establishment such as a theater, concert hall, auditorium or similar entertainment facility which, for any form of consideration, features or allows live performances which are characterized by the exposure of "specified anatomical areas" or by "specified sexual activities." Traditional or live theater as defined herein shall not be included in this definition. (Added March 22, 1993, ZA93-03-01)

*Agriculture/General.* The use of land predominantly for the cultivation of crops and livestock including cropland, pastureland, orchards, vineyards, nurseries, ornamental horticulture areas, groves, confined feeding operations, specialty farms, silviculture, aquaculture, floriculture, viticulture, forestry, dairy, poultry, bees, and any and all forms of farm products and farm production.

*Agriculture/Limited.* Agriculture, general farming, forestry and horticulture uses excluding the commercial raising of livestock and poultry where commercial raising includes the breeding of livestock or poultry for wholesale and/or retail sales.

*Agriculture Uses.* Activities including silviculture, livestock and poultry raising, cattle and animal grazing, cultivation of crops and other commercial production for sale to others, including apiculture, aquaculture, floriculture, groves and orchards, horticulture, pasturing of animals, training or instruction of animals, sod farming, tree farming, viticulture, on-farm composting and similar activities. Preparation and sale of value-added goods made using products

produced onsite shall be considered an agricultural use. A produce stand (up to 1000 square feet in size) for the purpose of seasonal sales of products grown or produced on the premises on which it is located is allowed as an accessory use to an agricultural use.

*Airport obstruction.* Any structure, tree, or use of land which obstructs the airspace required for the flight of an aircraft in landing or taking off at any airport or is otherwise hazardous to such landing or taking off.

*Alcohol.* Ethyl alcohol, hydrated oxide of ethyl, or spirits of wine, from whatever source or by whatever process produced. (Added September 24, 2012, ZA13-004)

*Alcoholic beverage.* Any beverage containing alcohol whether distilled spirits, beer, malt beverage, wine, or fortified wine. (Added September 24, 2012, ZA13-004)

*Alcoholic Beverage Retail Sales.* A retail establishment engaged primarily in the sale of alcoholic beverages for off-premise consumption.

*Alley.* A platted service way providing a secondary means of access to abutting properties.

*Amphitheater, Arena, or Stadium.* A building or structure, enclosed or open-air, designed or intended for use for spectator sports, entertainment events, expositions, and other public gatherings. Such uses may include lighting facilities for illuminating the field or stage area, concessions, parking facilities, and maintenance areas.

*Amusement facility.* Establishment with more than 6 amusement machines or in which thirty (30) percent or more of the gross floor area is utilized by amusement machines or their patrons. This can be a primary or secondary use within the establishment.

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

*Animal Uses.* The Animal Uses category is characterized by use types related to the provision of medical services, general care, and boarding services for household pets and domestic animals.

*Antique Shop.* A consumer goods establishment that sells items such as furniture, household wares and decorations, and related articles, which have value and significance because of factors such as age, rarity, historical significance, design, and sentiment.

*Aquatic Center.* An indoor complex with facilities for water sports, including swimming pools.

*Aquatic Center, Outdoor.* An outdoor complex with facilities for water sports, including swimming pools.

*Art Gallery.* An establishment engaged in the sale, loan, or display of art books, paintings, sculpture, or other works of art.

*Asphalt or concrete batching plant.* A facility that produces a final mixture of asphalt or concrete batch by batch.

*Assisted Living Facility.* A facility for the frail elderly (55 years of age and older) that provides residential quarters, rooms, meals and personal care services.

*Auction houses.* Commercial establishments which cater to a wide segment of the population where tangible items excluding cars, boats, trailers, motorhomes, trucks, motorcycles, other motorized, self-propelled machines and real estate, are sold on a scheduled, open competitive bid basis to more than two (2) people, provided that all sales, display, and storage shall be conducted within a completely enclosed building.

*Automobile Parts Store.* An establishment that sells new parts for automobiles, such as batteries, tires, canned motor oil, and cleaning materials. This use does not include establishments dedicated to the sale or service of automobiles and other vehicles, which are included in the Vehicle Services and Sales Uses category.

*Automobile Repair Garage.* A building or portion thereof, other than a public or private parking garage, designed or used for the temporary storing, servicing, repairing and equipping of motor-driven vehicles. This use does not include the servicing of commercial vehicles such as large trucks, motor homes, recreational vehicles, mass transit vehicles, or other similar vehicles in excess of twelve thousand (12,000) pounds gross vehicular weight. This use includes the on-site storage of vehicles.

*Automobile Service and Maintenance.* Any building, land area or other premises, or portion thereof, used or intended to be used for minor automobile service and maintenance including tune ups, oil and fluid changes. Automobile service and maintenance also includes the repair or replacement work on the following parts or systems: air conditioning, auto accessories, batteries, brakes, front end alignment, tire alignment and balancing, tire repair and replacement. This use excludes major automotive repairs such as the removal of motor heads, entire motors and crankcases, auto body work and auto painting; and excludes a junk or auto wrecking business. All service and maintenance work shall occur within an enclosed structure.

*Bank or financial institution.* An establishment that provides retail banking services, mortgage lending, or similar financial services to individuals and businesses. This use type does not include check cashing services or bail bond brokers. Accessory uses may include automated teller machines (ATMs) and facilities providing drive-through service.

*Bar, Tavern, and Nightclub.* A commercial establishment dispensing alcoholic beverages for consumption on the premises in which the service of food is merely incidental defined as the establishment deriving no more than fifty (50) percent of its gross revenue from the sale of

food consumed on the premises. Dancing and musical or other entertainment may be permitted. subject to the requirements of Section 23.11.02.

*Batting Cage.* An outdoor baseball facility used for practicing hitting, typically with screening to limit the flight of balls.

*Beer or malt beverage shop.* Establishment engaged in the sale of malt beverages for off-premise consumption. (Added September 24, 2012, ZA13-004)

*Beer or malt beverage.* Any alcoholic beverage obtained by the fermentation of any infusion or decoction of barley, malt, hops, or any other similar product, or any combination of such products in water, containing not more than fourteen (14) percent alcohol by volume and including ale, porter, brown, stout, lager beer, small beer, and strong beer. The term does not include sake, known as Japanese rice wine. (Added September 24, 2012, ZA13-004; Amended January 22, 2018, ZA17-005)

*Bicycle sales, rental, service, or repair.* An establishment engaged in the sales, rental, service, or repair of bicycles.

*Block.* A piece or parcel of land entirely surrounded by public highways or streets, other than alleys.

*Boarding house.* A building other than a hotel, where for compensation and/or by prearrangement, meals, or lodging and meals, are provided for three (3) or more persons, but not exceeding twenty (20) persons.

*Boundary line.* The outer limits of a tract of land that is to be subdivided.

*Bowling Alley.* An indoor facility with multiple bowling lanes; accessory uses often include arcade games and limited service eating and drinking establishments.

*Broadcasting or communications towers.* See definition of Communication Tower in Section 23.08.01 of this Resolution.

*Buffer.* That portion of a lot or parcel of land set aside for open space and/or visual screening purposes, pursuant to applicable provisions of this Resolution, to separate different use districts, or to separate uses on one (1) property from uses on another property of the same use district or a different use district. Such buffer area may be either a natural buffer or landscaped buffer.

*Building.* A "building" is a structure, either temporary or permanent, having a roof impervious to weather and used or built for the shelter or enclosure of persons, animals, chattels, or property of any kind. This definition shall include tents, cabanas, or vehicles situated on private property and serving in any way the function of a building, but it does not include screened enclosures not having a roof impervious to weather.

*Building, front line of.* A line extending along the minimum required setback distance (from the front lot line) of the most advanced position under roof of a building toward the front yard, extending to the side lines of the lot.

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

*Building line.* A line extending along the minimum required setback distance (from the corresponding lot line) of the most advanced position under roof of a building, which line extends to each of the lot lines perpendicular to such line. The term building line is synonymous with the term minimum (or required) building setback line. References in this Resolution to an "actual" or "existing" building line refer to the line formed by the most advanced position under roof of an existing or actual building on a lot toward a parallel lot line. An existing or actual building line may be set back further, but not less, from a given lot line than the required (or minimum) set back distance. (Amended June 13, 1988, ZA88-06-02)

*Building, main.* A building in which is conducted the principal use of the lot on which it is situated.

*Building, rear line of.* A line extending along the minimum required setback distance (from the rear lot line) of the most advanced position under roof of a building side toward the rear yard, extending to the side lines of the lot.

*Building, side line of.* A line extending along the minimum required setback distance (from the side lot line) of the most advanced position under roof of a building side toward the corresponding side lot line, extending to the front and rear building lines.

*Building supply and lumber sales (contractor's yard).* A lot, yard or a structure or part thereof that is not attached to a home building or garden supply store (see RETAIL SALES USES) used for the sale of building supply, landscaping materials and lumber sales.

*Bulk Retailing.* The sale of merchandise in large quantities, such as in unbroken cases or oversized containers, directly to ultimate consumers.

*Business, retail.* Business establishments that generally sell commodities or services in varying quantities to the general public. These commodities are basically for the utilization of the party purchasing the commodity or service.

*Business, wholesale.* Business establishments that generally sell commodities in large quantities or by the piece to retailers, jobbers, other wholesale establishments, or manufacturing establishments. These commodities are basically for further resale, for use in the fabrication of a product, or for use by a business service.

*Call Center.* An establishment primarily engaged in answering telephone calls and relaying messages to clients or in initiating or receiving communications for telemarketing purposes, such as promoting clients' products or services, taking orders for clients, or soliciting contributions or providing information for clients.

*Car wash.* Any building or premises or portions thereof used for washing cars, trucks or other similar vehicles.

*Catering Establishment.* An establishment that specializes in the preparation of food or beverages for social occasions, such as weddings, banquets, parties, or other gatherings, with or without banquet facilities for these private pre-arranged occasions that are not open to impromptu attendance by the general public.

*Cemetery.* A cemetery is an area of land set apart for the purpose of the permanent interment of dead human bodies (including their cremated remains) or animal bodies and for the erection of customary markers, monuments, and mausoleums and may include a memorial garden.

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

*Channel.* A natural or artificial watercourse of perceptible extent, with beds and banks to conduct and confine continuously or periodically flowing water.

*Childcare Facility (child day care center).* Any place operated for less than twenty-four (24) hours per day caring for seven (7) or more children under seventeen (17) years of age, without legal custody of such children and where tuition, fees, or other forms of compensation for the care of children is charged.

*Childcare/In Home (Day care home).* The use of a single-family detached dwelling for the daily care of three (3) to six (6) children under seventeen (17) years of age for compensation, without legal custody of such children, for periods of less than twenty-four (24) hours per day. (Amended December 13, 1993, ZA93-12-01; Amended July 23, 2007, ZA07-07-03; Amended July 11, 2022, ZA22-001)

*Clinic/Laboratory.* An establishment where patients, who are not lodged overnight, are admitted for examination, testing and/or treatment by one person or a group of persons practicing any form of the healing sciences, whether such persons be medical doctors, chiropractors, osteopaths, chiropractists, naturopaths, optometrists, dentists, acupuncturist, or any such profession the practice of which is lawful in the State of Georgia, or where medical tests are performed.

*Commercial Parking Facility.* Facilities that provide parking not accessory to a principal use, for which a fee may or may not be charged. This definition includes parking lots, parking garages, deck parking, and under-building parking areas. A use may either be private (owned by a non-governmental entity) or public (owned by the city, county, state, or federal government). This use does not include the parking of commercial vehicles such as large trucks, motor homes, recreational vehicles, mass transit vehicles, or other similar vehicles in excess of twelve thousand (12,000) or more pounds gross vehicular weight (SEE INDUSTRIAL USES Category).

*Commission.* The Macon-Bibb County Planning and Zoning Commission.

*Communication antenna.* See definition of Communication Antenna in Section 23.08.01 of this Resolution.

*Community Center/Civic Club.* A facility used for recreational, social, educational, and cultural activities. This includes private nonprofit recreational and social facilities, recreational buildings and facilities, banquet facilities used for hosting special occasion events, and community centers operated by public agencies, and may be private or open to the general public.

*Community Garden.* A public facility for the cultivation of fruits, flowers, vegetables, or ornamental plants by more than one person or family.

*Community Service Facility.* Facilities where food, meals or commodities are served/distributed for not-for-profit social services purposes, or facilities that provide temporary accommodations generally for not-for-profit social service purposes.

*Community Service Uses.* The Community Service Uses category includes use types of a public, nonprofit, or charitable nature providing a local service directly to people of the community. Generally, such uses provide ongoing continued service on-site or have employees at the site on a regular basis. The category does not include uses with a residential component. Accessory uses may include offices, meeting areas, food preparation and dining areas, health and therapy areas, and indoor and outdoor recreational facilities.

*Comprehensive development plan or comprehensive plan.* A plan, or any portion thereof, proposed by the Commission and approved by the Macon-Bibb County Commission, showing the general location and extent of present and proposed physical facilities including housing, industrial and commercial uses, major streets, parks, schools, and other community facilities and establishing developmental goals, objectives, and policies for the community. (Amended July 11, 2022, ZA22-001)

*Condominium.* A form of individual ownership of a unit, combined with joint ownership of common areas of the building and grounds in a development, as defined under the "Georgia Condominium Act," O.C.G.A. § 44-3-70 et seq.

*Construction.* The commencement and continuous uninterrupted prosecution of construction pursuant to a permit or certificate of appropriateness which includes the permanent placement and fastening of materials to the land or structure for which the permit or certificate of appropriateness has been issued. Where demolition, grading, clearing, excavation, or removal of an existing structure has been substantially begun preparatory to new construction, such excavation, demolition or removal shall be deemed to be actual construction, provided that work shall be reasonably continuous until the completion of the new construction involved. Filling, grading and the installation of the drainage facilities shall be considered a part of construction. If construction is not going to be continuous over the life of the project, the applicant must disclose the phasing of the construction activity if there will be an interruption of construction or activity before the completion of the project. References in the text to "actual construction" shall mean the same as "construction." (Amended January 10, 1994, ZA94-01-01)

*Consumer Goods Establishment.* Establishments that sell consumer goods at retail, such as antique stores; art galleries; bicycle sales, rental, services, or repair; bulk retailing; catering establishments; convenience store; department stores; florist and gift shops; hobby and craft shops; home building and garden supplies stores; monument or headstone sales establishments; and similar uses (e.g., floor covering stores, window treatment stores, camera stores, optical goods stores, shoe stores, luggage stores, jewelry stores, piece goods stores, and pet shops). There are two (2) sizes of consumer goods establishments - a consumer goods establishment (five thousand (5,000) square feet or less) has a maximum of five thousand (5,000) square feet of gross floor area; a consumer goods establishment (more than five thousand (5,000) square feet) has more than five thousand (5,000) square feet of gross floor area. A consumer goods establishment does not include a grocery or neighborhood market, which are listed as separate uses.

*Contractor's Office (includes lawn care, pool and pest control services).* An establishment used by a building, heating, plumbing, electrical, or other development contractor or an establishment primarily engaged in providing lawn care services (e.g., mowing, aeration, seeding, fertilizer, landscaping), swimming pool services (e.g., cleaning, draining, equipment repair), or pest control services (e.g., inspection, extermination) that serves as both an office and for the storage of a limited quantity of materials, supplies, and equipment inside. Outdoor storage is considered a specific and separate use under this COMMERCIAL USE category for a Contractor's Office and requires a conditional use permit. Outdoor storage is a permitted or limited use as a "contractor's yard" under the INDUSTRIAL USE category (SEE WHOLESALE, WAREHOUSE, STORAGE AND DISTRIBUTION).

*Convenience store.* Establishment selling products and other commodities intended primarily to serve the day-to-day needs of residents in the immediate neighborhood, or the traveling public, including a limited variety of pre-packaged food items, beverages, including alcoholic beverages, tobacco products, and over the counter pharmaceutical items. (Added September 24, 2012, ZA13-004)

*County.* Macon-Bibb County, Georgia.

**Crematory.** Crematory or crematorium means a location containing properly installed and certified apparatus intended for use in the act of cremation.

**Cultural Facility.** A facility for storing, using, and loaning — but not (primarily) for sale — of literary, historical, scientific, musical, artistic, or other reference materials or for displaying or preserving objects of interest or providing facilities for one or more of the arts or sciences to the public. Example uses include a library and museum. The facility may also include offices and storage facilities used by staff, meeting rooms, a gift shop and similar support facilities. Use may include holding of meetings and social events.

**Department Store.** A general merchandising store offering a variety of unrelated goods and services that may include clothing, housewares, body products, and specialty items.

**Design review district.** Design review district shall have the meaning provided in [Section 28.02](#). (Added July 11, 2022, ZA22-001)

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

**Distilled spirits.** Any alcoholic beverage obtained by distillation or containing more than twenty-four (24) percent alcohol by volume, including, but not limited to, all fortified wines. For purposes of licensing and regulation, the term “distilled spirits” includes liquor, spirituous liquor, whiskey and fortified wine. (Added September 24, 2012, ZA13-004)

**District (zoning district).** A section of Macon-Bibb County, designated in this Resolution and delineated on the official zoning district maps for Macon-Bibb County, in which requirements for the use of land and building and development standards are presented with all such requirements being uniform in each district. A “base” zoning district refers to the underlying district, as opposed to an “overlay” district, where certain additional requirements or provisions are superimposed upon a base zoning district.

**Dormitory.** A structure used for sleeping accommodations related to an educational facility.

**Downtown Business District.** All that tract or parcel of land lying and being in the former City of Macon (now Macon-Bibb County) and lying within the boundary as outlined herein: Commence at the intersection of Hazel Street and Seventh Street which is formed at the northeasterly right of way of Hazel Street and northwesterly right of way of Seventh Street, said point being the most southern point of the area and thence run along the northwestern right of way of Seventh Street in a northeasterly direction to the intersection of Riverside Drive (its southerly right of way); thence run along the southerly right of way of Riverside Drive in a northwesterly direction to the intersection with Spring Street (its eastern right of way); thence run along the easterly right of way of Spring Street in a southwesterly direction which later turns into Calhoun Street until it intersects with Hazel Street (its northeasterly right of way); thence run along the northeasterly right of way of Hazel Street in a

southeasterly direction until it intersects with Seventh Street, said point being the point of beginning.

There is excepted from this area the property known and designated as 935 High Street, and being more fully described in a deed dated August 1, 1973 and recorded in Deed Book 1190, page 101, Clerk's Office, Bibb Superior Court.

This area is also outlined on the attached 1981 City of Macon map compiled by Sam K. Stefano. (Added March 22, 1993, ZA93-03-01)

*Drinking and Entertainment Uses.* Drinking and Entertainment Uses category consists of establishments primarily engaged in the preparation and serving of beverages for on-premises consumption. Accessory uses may include areas for outdoor seating, drive-through service facilities, facilities for live entertainment, and valet parking services. Live musical entertainment that is enhanced by electronic amplification is considered a specific and separate use under these regulations and requires a conditional use permit. A drive-through facility (or service) is considered a specific and separate use requiring a conditional use permit and must comply with § 23.09.01 of this Resolution.

*Drive-through Facility (Service).* A facility or service providing a drive-way approach for motor vehicles to a structure or building so as to serve patrons that remain in their motor vehicle rather than serving them within a building. A drivethrough facility or service is an accessory conditional use and must comply with Section 23.09.01.

*Dwelling.* Any site built (building constructed in conventional manner) building, industrial dwelling (modular home) or portion thereof which is designed for or used for residential purposes. The term "dwelling," as used in these regulations, is not to be construed to include travel trailers, housing mounted on self-propelled or drawn vehicles, tents or other forms of portable or temporary housing. (Amended November 22, 1999, ZA99-11-02)

*Dwelling Unit, Accessory (Additional).* An additional dwelling unit, including a separate entrance and permanent provisions for living, sleeping, eating, cooking and sanitation, attached or detached from the primary residential unit, on a single-family lot. Accessory dwelling units are subordinate in size and location to the primary unit and are subject to the requirements of Section 23.27.01 or 23.01.01, whichever is applicable.

*Dwelling unit.* One (1) or more rooms in a residential building or residential portion of a building which are arranged, designed, used, or intended for use as a complete, independent living facility for one (1) family, and which include permanent provisions for living, sleeping, eating, cooking and sanitation.

*Dwelling, Multifamily.* A building consisting of three (3) or more dwelling units that are attached or in the same building with varying arrangements of entrances and common walls, excluding single-family attached dwellings. Multifamily dwellings include what are commonly called apartments or condominium units.

*Dwelling, Single-Family Detached.* A detached building designed for or occupied exclusively by one (1) family located on its own lot that does not share an exterior wall with another building.

*Dwelling, Single-Family Attached\_(Townhome).* One (1) of a series of two (2) or more single-family dwelling units which are joined at one (1) or more points by one (1) or more common walls. Each dwelling unit must have a separate entrance leading directly to the outdoors at ground level and be separately owned, with the owner of such unit having title to the land on which it sits.

*Dwelling, tenant.* A residential structure located on a farm and occupied by a farm worker employed by the owner of the farm.

*Dwelling, Two-Family (Duplex).* A dwelling containing two (2) dwelling units sharing a common wall on a single lot. Each dwelling unit must be occupied exclusively by one family.

*Educational Facilities.* The Educational Facilities category includes use types such as public schools and private schools (including charter schools) at the elementary, middle, or high school level that provide State-mandated basic education or a comparable equivalent. This use category also includes colleges, universities, and other institutions of higher learning such as vocational or trade schools that offer courses of general or specialized study leading to a degree or certification. Accessory uses at all education uses may include offices, play areas, recreational and sport facilities, cafeterias, theaters, auditoriums, and before- or after-school day care. Accessory uses at colleges or universities may additionally include dormitories, food service, laboratories, health care facilities, meeting areas, athletic facilities and fields, maintenance facilities, and supporting uses (e.g., eating establishments, bookstores).

*Electronics Shop.* A retail store that offers a variety of home and portable electronic devices, such as televisions, computers, cameras, mobile phones, car stereos, home appliances.

*Erected.* The word "erected" includes built, constructed, reconstructed, moved upon, or any physical operation on the premises required for building. Excavation, fill, drainage, demolition of an existing structure, and the like shall be considered part of erection. (See "Construction, actual.")

*Executive director.* Executive director shall mean the executive director of the Macon-Bibb County Planning and Zoning Commission and for the purposes of these regulations may mean the zoning enforcement officer or his designee. (Added May 26, 1987, ZA87-05-03)

*Family.* One (1) person or two (2) or more persons related by blood or marriage, with no more than two (2) roomers or boarders, and with any number of natural children, foster children, stepchildren or adopted children; a group of not more than four (4) persons not necessarily related by blood or marriage; or a group of persons otherwise meeting the requirements of Section 4.14 of this Resolution.

*Farm Winery.* A winery licensed as a "farm winery" under O.C.G.A. § 3-6-21.1. Alcoholic beverages may be sold for consumption on and off the premises to the extent allowed under and in compliance with applicable state and local law, including O.C.G.A. Title 3, Chapter 6. Food may be served, and events may be held, on the premises. (Added January 24, 2022, ZA21-002)

*Fence.* A structure, barrier, wall or enclosure, sturdily constructed of permanent materials such as wood, metal or wire gauge chain-links, stone (brick), etc. that is used to mark a boundary, define a specific area, or enclose a site for the purpose of protection, privacy, separation or confinement. (Added November 22, 1999, ZA99-11-01)

*Flag lot.* A lot or parcel, with frontage on a public right-of-way which frontage does not meet the lot width requirements for the district in which it is located, and which lot is connected to the public right-of-way by a narrow strip of land referred to as a "flag pole". (Amended November 22, 1999, ZA99-11-04)

*Flea Market.* A facility consisting of one or more buildings and/or open space in which small stalls or open sales areas are set aside and rented or otherwise provided to multiple individual sellers or businesses for retail sale of various articles, goods and merchandise, typically used or handmade. (but may include new merchandise)

*Floor area.* Except as may be otherwise indicated in relation to particular districts and uses, "floor area" shall be construed as the sum of the gross horizontal areas of the several floors, including basement areas, of a building. These areas are to be measured from the exterior faces of the exterior walls or from the centerline of walls separating two (2) buildings, and exclude public corridors, common restrooms, attic areas with a headroom of less than seven (7) feet, unenclosed stairs or fire escapes, elevator structures, cooling towers, areas devoted to air conditioning, ventilating, heating or other building machinery and equipment, parking structures, and basement space where the ceiling is not more than an average of forty-eight (48) inches above the general finished and graded level of the adjacent portion of the lot.

*Florist or Gift Shop.* An establishment primarily engaged in selling flower arrangements, plants, cards, small gifts, and the like.

*Fueling Center.* Any building, land area or other premises, or portion thereof, used or intended to be used for the retail dispensing or sales of fuel for motor vehicles on a retail basis. Such a facility may or may not also include a retail use such as a convenience store, grocery store or other retail store. Body work, straightening of frames or body parts, painting, storage of automobiles not in operating condition, or welding is prohibited. Car washing is allowed as an accessory use.

*Funeral Home.* A building used for human funeral services and related services, including facilities for embalming and other services used in preparing the dead for burial; display of the deceased; the performance of funeral ceremonies; the performance of autopsies and

similar procedures; the sale and storage of caskets, funeral urns, and other related funeral supplies; and the storage of funeral vehicles.

*Garage, parking.* A building or portion of a building used for the parking or storage of automobiles of the occupants of the main building or for the public.

*Garage, repair.* [same as automobile repair garage]

*Go-Cart Track.* An outdoor commercial amusement area with a track exclusively for the use of go-carts.

*Golf, Driving Range.* A limited area on which golf players drive golf balls from central driving tees. A putting or chipping green may be present as an accessory use.

*Golf, Miniature Outdoor.* An outdoor facility typically comprised of nine (9) or eighteen (18) small putting greens, where patrons in groups pay a fee to move in consecutive order from the first hole to the last.

*Government Building or Government Facility.* A building or facility housing the offices or operations of a department or agency of the city, county, state, or federal government, or a quasi-governmental unit, including but not limited to a building or facility that provides fire protection, police protection, social services, or emergency medical services (not including a hospital or medical or dental clinic), together with community meeting space, incidental storage, and space for maintenance of necessary vehicles.

*Grade, finished.* The finished surface of the land on a site after completion of development.

*Greenhouse, Commercial.* A building used for the growing of flowers, vegetables, shrubs, trees and similar vegetation for wholesale or retail sale.

*Grocery Store.* A grocery store is an establishment that offers a diverse variety of unrelated, non-complementary food and non-food commodities, such as beverages, dairy, dry goods, fresh produce, and other perishable items, frozen foods, prepared foods, household products, and paper goods; the establishment may provide beer, wine, and/or liquor sales for consumption on or off the premises with the appropriate beverage license; may include a prescription pharmacy; may include a delicatessen, and prepare minor amounts of food on site for immediate consumption; markets the majority of its merchandise at retail prices; and may have a bar, restaurant or coffee shop as an accessory use.

*Group Living Uses.* The Group Living Uses category includes use types providing for the residential occupancy of a group of living units by persons who may or may not constitute a single family and may receive some level of personal care services. Individual living units often consist of a single room or group of rooms without cooking and eating facilities (though some do have such facilities), but unlike a hotel/motel, are generally occupied on a monthly or longer basis. This use category does not include use types where persons generally occupy

living units for periods of less than thirty (30) days (e.g., hotel/motels), which are categorized in the Commercial category. It also includes use types where residents or inpatients are routinely provided more than modest health care services (e.g., nursing homes and supportive care facilities). Accessory uses common to group living uses include recreational facilities, administrative offices, and food preparation and dining facilities.

*Guest quarters.* A residence or portions thereof, as well as any accessory buildings to such residence that contain one or more guest rooms or units, which must exist as an owner-occupied residence which provides rooms for guests for compensation and consists of no more than ten (10) separate guest rooms or units for a length of stay not to exceed any ninety (90) day consecutive period; not more than two (s) meals per day may be prepared and served on the premises only to registered evening guests; no public or private bars, taverns, restaurants, night clubs or special event centers may be operated or included as a part of a guest quarter facility, provided however, that alcoholic beverages may be provided only to registered over-night guests assuming all county alcohol regulations are complied with.

*Gym or fitness center.* A place or building where passive or active exercises and related activities are performed for the purpose of physical fitness, improved circulation or flexibility, and/or weight control. Fitness center may also include incidental accessory uses such as childcare for patrons, professional physical therapy services, and incidental food and beverage sales and accessory structures such as pools. Also includes indoor facilities that provide training of amateur or professional athletes in a particular sport.

*Hazardous waste.* Hazardous waste is any solid waste which has been defined pursuant to the Resource Conservation and Recovery Act [42 USC § 6903(5)] and the Code of Federal Regulations [40 C.F.R. § 261.3] as hazardous waste.

*Health and Medical.* The *Health and Medical* uses category includes use types providing a variety of health care services, including surgical or other intensive care and treatment, various types of medical treatment, nursing care, preventative care, diagnostic and laboratory services, and physical therapy. Care may be provided on an inpatient, overnight, or outpatient basis. This use category does not include assisted living facilities or similar facilities which focus on providing personal care rather than medical care to residents and are categorized in the Group Living Uses category. Accessory uses may include food preparation and dining facilities, recreation areas, offices, meeting rooms, teaching facilities, hospices, maintenance facilities, staff residences, and limited accommodations for members of patients' families.

*Heavy Industrial Uses.* Manufacturing or other enterprises with significant external effects, or which pose significant risks due to the involvement of explosives, radioactive materials, poisons, pesticides, herbicides, or other hazardous materials in the manufacturing or other process.

*Heavy machinery and equipment sales and repair.* An establishment for the repair, servicing and/or sale of heavy industrial or business machinery equipment, vehicles, products, or by-products. Few customers, especially the general public, come to the site.

*Hobby and Craft shop.* A retail store primarily selling craft and model supplies.

*Home, Building, and Garden Supplies Store.* An establishment primarily engaged in the retail sale of a general line of home repair and improvement materials and supplies such as lumber, plumbing goods, electrical goods, tools, house wares, appliances, hardware, and lawn and garden supplies.

*Home occupation.* An occupation for gain or support conducted within a dwelling only by persons residing on the premises except where one additional person may be allowed in certain districts pursuant to Section 23.01.06[B] of this Resolution.

*Hospital.* An institution receiving inpatients and rendering medical and surgical care on a 24-hours-per-day basis. The term includes general hospitals, trauma centers, and institutions in which service is limited to special fields, such as cardiac, eye, ear, nose, and throat, pediatric, orthopedic, skin, cancer, mental, tuberculosis, chronic disease, and obstetrics. The facilities may also include outpatient care, ambulatory care, offices of medical practitioners, adult day care, respite care, medical day care and day care for sick children, gift shops, restaurants, and other accessory uses. The term shall not include establishments intended primarily for permanent or long-term care or custodial care, provided continually or daily.

*Hotel, Motel.* A building, or portion thereof, or a group of buildings which provides sleeping accommodations in six (6) or more separate units or rooms for transients on a daily, weekly, or similar non-permanent basis, whether such establishment is designated as a hotel, motel, inn, automobile court, motor inn, motor lodge, tourist court, tourist home or otherwise. Such uses may include kitchenettes for each guest unit. Where such an establishment is permitted as a principal use, all uses customarily and historically accessory thereto for the comfort, accommodation, and entertainment of the patrons, including restaurants, shall be permitted. Bars, taverns, and nightclubs may be operated in conjunction with any such establishment in the same manner and to the same extent as allowed within the applicable zoning district.

*Household Living Uses.* The Household Living Uses category includes use types providing for the residential occupancy of a dwelling unit by a single family. This use category does not include residential use types that generally involve some level of managed personal care for a larger number of residents (e.g., continuing care communities or large group homes), which are categorized in the Group Living Uses category. Accessory uses common to Household Living Uses include accessory living units, home-based businesses, swimming pools, the growing and processing of agricultural products for personal use and the keeping of livestock and poultry.

*Incidental food and beverage sales.* Sales, storage, preparation, and service of food and/or beverages that occurs as an accessory use to an established commercial or industrial use, which may or may not be directly associated with that use.

*Independent Living Facility.* A facility in which adults at least 55 years of age or older live within multifamily rental properties with central dining facilities that provide residents, as part of

their monthly fee, access to meals and other services such as housekeeping, linen service, transportation, and social and recreational activities. Independent living facilities do not provide, in a majority of the units, personal care services such as would be provided in an *Assisted Living Facility*. There are no licensed skilled nursing beds on the property.

*Industrial dwelling (modular home)*. Any building or component thereof designed for or used for residential purposes which is wholly or in substantial part made, fabricated, formed, assembled, or manufactured in such a manner that all parts or processes cannot be inspected at the installation site without disassembly damage to, or destruction thereof. An industrial dwelling is not to be construed to include a manufactured home. This structure will have a DCA decal. (Added November 22, 1999, ZA99-11-02; Amended January 22, 2018, ZA17-005)

*Intermediate Care Home*. A facility that admits residents on medical referral only, and includes the provision of food, and special diets when required, shelter, laundry and personal care services, such services being under appropriate licensed supervision. Intermediate care does not normally include providing care for bed-ridden patients except on an emergency or temporary basis. See Ga. R & Reg. 111-8-47-.01.

*Jewelry Store*. An establishment that sells and services jewelry. A jewelry store does not include a pawnbroker operation or pawnshop.

*Junk, salvage, or recycled metal yard*. A lot, land, or a structure, or part thereof, used primarily for the collection, storage, and sale of waste paper, rags, scrap metal, or discarded material or equipment; or for the collecting, dismantling, storing, and salvaging of machinery or vehicles not in running condition, or for the sale of parts thereof.

*Kennel*. Any location where raising, breeding, grooming, caring for, training or boarding of dogs, cats, or other small animals for commercial purposes is conducted.

*Kindergarten*. A school for pre-elementary school children ranging in age from four (4) through six (6) years, which typically operates for less than four (4) hours per day.

*Laboratory*. A facility for scientific laboratory analysis of natural, medical or manufactured materials.

*Landing area*. The area of an airport used for landing, takeoff, or taxiing of aircraft.

*Landscape*. The resulting feature of a deliberate attempt to control the design, appearance, and view of the exterior living environment including the removal or addition of trees, shrubbery, and other landscape features or structures. (Added January 28, 2002, ZA02-01-03)

*Laundromat (Laundry, self-service)*. A business that provides home-type washing, drying, and/or ironing machines for hire.

*Laundry.* A commercial establishment with facilities for laundering clothes, linens, etc., and such facilities are not for hire as in the case of a laundromat.

*Laundry and dry cleaning, pickup.* A business that provides only for the convenience of taking and picking-up of laundry or dry cleaning; such establishments do not have any equipment for processing of laundry or for dry cleaning.

*Light Industrial Uses.* The Light Industrial use category includes use types involved in the processing, production, fabrication, packaging, or assembly of goods including a research and development lab. Products may be finished or semi-finished and are generally made for the wholesale market, made for transfer to other plants, or made to order for firms or consumers. This use category does not include heavy manufacturing or other heavy industrial uses, which generally have more significant impacts off-site and additional outside storage. Goods are generally not displayed or sold on-site, but if so, such sales are a subordinate part of total sales. Relatively few customers come to the site. Accessory uses may include limited retail sales and wholesale sales, offices, cafeterias, employee recreational facilities, warehouses, storage yards, repair facilities, and security and caretaker's quarters.

*Live musical entertainment enhanced by electronic amplification.* Live entertainment accompanied by music where the sound of such music is enhanced by electronic amplification is an accessory use to Drinking and Entertainment Establishments that is permitted only by a conditional use permit and is subject, where applicable, to Sections 23.11.02 and/or 23.11.03 of this Resolution.

*Loading space.* A space within the main building or on the same lot, providing for the standing, loading or unloading of trucks and other carriers.

*Lot.* A plot or parcel of land occupied or to be occupied by one (1) or more main buildings and accessory buildings with such open and parking spaces as are required by the provisions of this Resolution and having its frontage upon a public street or streets.

*Lot area.* The total horizontal area included within the rear, side, and front lot or proposed lines of the lot. This area excludes any street or highway, whether dedicated or not dedicated to public use, and includes off-street automobile parking areas and other accessory uses.

*Lot, corner.* A lot abutting upon two (2) or more streets at their intersection.

*Lot coverage.* The ratio of enclosed ground floor area of all buildings or structures on a lot to the horizontally projected area of the lot, expressed as a percentage.

*Lot, depth of.* The average horizontal distance between the front lot line and the rear lot line.

*Lot, double frontage.* A lot having a frontage on two (2) streets as distinguished from a corner lot.

*Lot, interior.* A lot other than a corner lot, with only one (1) frontage on a street.

*Lot lines.* The property lines bounding the lot along the outermost reaches of either the front, rear or side yards.

*Lot of record.* A lot or parcel of land whose existence, location, and dimensions have been recorded in the office of the clerk of the superior court of Bibb or Jones County prior to May 27, 1955.

*Lot width.* Lot width is that distance between two (2) side property lines as measured at the minimum required front yard setback distance (building line). (Amended June 13, 1988, ZA88-06-01)

*Major Utilities.* Facilities such as electric generation plants, high power transmission lines (excluding communication towers and antennae) and substations, major gas distribution lines, water purification plants and sewage treatment and disposal plants.

*Manufactured home.* A building transportable in one (1) or more sections which is built on a permanent chassis and designed to be used as a single-family residence with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning, and electrical systems contained therein. See O.C.G.A. § 8-2-131(4). This structure will have a HUD decal. (Added November 22, 1999, ZA99-11-02)

*Manufactured home community (park).* A contiguous parcel of land under single ownership which has been planned and improved for the placement of three (3) or more manufactured homes for residential occupancy. (Added November 22, 1999, ZA99-11-02)

*Manufactured home subdivision.* A subdivision designed and/or intended primarily for the sale of individual lots for the placement of manufactured or mobile homes. Manufactured homes are a permitted use within approved manufactured home subdivisions and mobile homes are a permitted use within approved mobile home subdivisions.

*Micro-Brewery.* Establishment in which beer and/or malt beverages are brewed with a capacity not to exceed 12,000 barrels per year and in which such manufactured or brewed beer or malt beverages may be sold, along with other alcoholic beverages, for consumption on and off the premises to the extent allowed and in compliance with the state and local laws for sales of such beverages. As used in this definition, the term "barrel" shall be defined as 31 gallons or as otherwise set forth in O.C.G.A. § 3-5-1. Food may be served, and events may be held, on the premises. (Added January 24, 2022, ZA21-003)

*Micro-Distillery.* Establishment in which various distilled spirits are distilled, blended, or otherwise processed or manufactured, with a capacity not to exceed 750 barrels per year, in which such distilled spirits may be sold, along with other alcoholic beverages, for consumption on and off the premises, to the extent allowed under and in compliance with the state and local laws for sales of such beverages. As used in this definition, the term

"barrel" shall be defined as 53 gallons or as otherwise set forth in O.C.G.A. § 3-4-1. Food may be served, and events may be held, on the premises. (Added January 24, 2022, ZA21-003)

*Miniature Golf, Indoor.* An indoor facility typically comprised of nine (9) to eighteen (18) small putting greens, where patrons pay a fee to move in consecutive order from the first hole to the last.

*Mining, Excavation and Fill Uses.* The development of natural resources including the removal of surface and subsurface materials. These may include but are not limited to minerals and natural material.

*Minor Utilities.* Facilities such as water and sewage pipes and pump stations, stormwater pipes and retention/detention facilities, telephone lines and local exchanges, electric lines and transformers, gas transmission pipes and valves, cable television lines, and bus and transit shelters.

*Mobile food sales.* Person or persons who prepare or serve food and/or beverages for sale to the general public on a recurring basis from a licensed and movable vehicle or trailer. Catering and delivery services to private events not serving the general public shall not be considered mobile food sales under this Resolution.

*Mobile home.* A manufactured home that was built prior to June 16, 1976 and which does not have affixed to it the seal of approval of the U.S. Department of Housing and Urban Development. (Amended November 22, 1999, ZA99-11-02)

*Mobile home park.* Any lot on which are customarily parked three (3) or more mobile homes for a longer period of time than thirty (30) days.

*Mobile home subdivision.* A subdivision designed and/or intended primarily for the sale of lots for residential occupancy by mobile homes. (Added September 24, 1990, ZA90-09-01)

*Monument or Headstone Sales Establishment.* An establishment primarily engaged in cutting, shaping, and finishing marble, granite, slate, and other stone, or engaged in buying or selling monuments or headstones for use in cemeteries of mausoleums.

*Motel.* See "Hotel."

*Mural.* A large-scale work of art applied to an exterior wall, or fence whose function is to be artistic in nature, rather than purely informational or signage. (Added September 24, 2012, ZA13-003; Amended January 22, 2018, ZA17-005)

*Museum.* An establishment for preserving and exhibiting artistic, historical, scientific, natural, or man-made objects of interest. Such activity may include the sale of the objects collected and memorabilia, the sale of crafts work or artwork, boutiques, and the holding of meetings or social events.

*Neighborhood market.* An establishment that provides staple grocery items, which can include fresh vegetables, meats, delicatessen, and dairy products, specialty or gourmet food items, and non-alcoholic beverages. These establishments are no more than 15,000 square feet and serve those living and visiting within walking distance. (Added September 24, 2012, ZA13-004)

*Newspaper/Periodical Publishing Establishment.* An establishment that reproduces large quantities or copies of printed material for distribution such as newspapers and magazines.

*Nonconforming use, lot or structure.* A use, lot or structure existing and lawful at the time of the enactment of this Resolution, or at the time of a zoning amendment, which does not thereafter conform with the regulations of the district in which it is located.

*Nursing Home.* A home for aged, chronically ill, or incurable persons in which three (3) or more persons not of the immediate family are received, kept, and provided with food and shelter or care for compensation on a 24-hours-per-day basis; but not including hospitals, clinics or similar institutions devoted primarily to the diagnosis and treatment of the sick or injured. Nursing homes typically admit patients on medical referral only and include arrangements for continuous medical supervision. Services and facilities for skilled and rehabilitative nursing care are provided, and the home typically has an arrangement with a doctor and dentist who will be available for medical and/or dental emergency and provide general supervision for the home. See Ga. R. & Reg. 111-8-56-.01. Accessory uses may include dining rooms and recreation and physical therapy facilities for residents, and offices and storage facilities for professional and supervisory staff.

*Office and Business/Professional Services uses.* The Office and Business/Professional Service uses category includes use types primarily providing routine business support functions for the day-to-day operations of other businesses, as well as office buildings that house activities conducted in an office setting, usually with limited contact with the general public, and generally focusing on the provision of business services, professional services (e.g., accountants, attorneys, engineers, architects, planners), financial services (e.g., lenders, brokerage houses, tax preparers), or small-scale video or audio production services that are entirely conducted indoors (e.g. video editing, podcast recording and production). This use category does not include offices that are a component of or accessory to a principal use in another use category, such as medical/dental offices (categorized in the Health Care Uses category). Accessory uses may include cafeterias, lunch rooms, recreational or fitness facilities, incidental commercial uses, or other amenities primarily for the use of employees in the offices. Outdoor storage is considered a specific and separate use under this use category and requires a conditional use permit.

*Open-air farmers' market.* A lot or parcel used by farmers for the direct sale of farm and food products to consumers. For this purpose, the term "farm and food products" means any agricultural, horticultural, forest or other product of the soil or water, including, but not limited to, fruits, vegetables, eggs, dairy products, meat and meat products, poultry and poultry products, fish and fish products, grain and grain products, honey, nuts, syrups, apple cider, fruit juice, ornamental or vegetable plants, nursery products, fiber or fiber products,

firewood and Christmas trees. However, the term does not include wines, malt beverages, or distilled beverages. (Added September 24, 2012, ZA13-004)

*Open space.* An area, either landscaped or left natural, which is not used for or occupied by asphalt, concrete (or similar material), structure, driveway, off-street parking, loading space, drying yard, or refuse storage space.

*Park, Community.* A park, approximately 10—30 acres in size, that provides natural areas and recreational facilities to serve a broader community than a neighborhood park. It generally serves a broader area than a Neighborhood Park and is often a destination to which residents may drive. The park may include natural areas, small performance areas such as band shells, and recreational facilities such as playgrounds, lawns, paths, baseball diamonds, and volleyball, basketball, or tennis courts. This use does not include commercial business but may include accessory retail, eating, and drinking uses.

*Park, Neighborhood.* A park, less than 10 acres in size, that provides a variety of small-scale, localized natural areas and recreational facilities such as playgrounds, lawns, paths, and volleyball, basketball, or tennis courts, and is primarily designed to serve residents in adjoining neighborhoods who access the park by sidewalks and trails.

*Parks and Open Areas Uses.* The Parks and Open Areas Uses category includes use types focusing on open space areas largely devoted to natural landscaping and outdoor recreation and tending to have few structures. This use category does not include golf courses, golf driving ranges, or other primarily outdoor recreational uses (categorized in the Recreation and Lodging Uses category). Accessory uses may include caretaker's quarters, clubhouses, statuary, fountains, maintenance facilities, concessions, and parking.

*Park-and-Ride Lot.* An off-street parking facility designed or intended to provide storage of motor vehicles and bicycles to accommodate commuter traffic into or out of the community. An accessory structure may include passenger shelters.

*Parking Lot, Commercial.* A lot or other parcel of land used for parking of vehicles for compensation as a principal use.

*Performance standard.* A minimum requirement or maximum allowable limit on the effects, location or characteristics of a use.

*Permit.* A certificate of zoning compliance, conditional use permit, variance or any other permit required by this Resolution. (Amended July 11, 2022, ZA22-001)

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

*Personal care services.* Individual assistance with or supervision of self-administered medication, assistance with ambulation and transfer, and essential activities of daily living such as eating, bathing, grooming, dressing, and toileting.

*Personal Services.* The Personal Services category consists of establishments primarily engaged in the provision of frequent or recurrent needed services of a personal nature. Use types include arts, performing arts, or craft studio; beauty salon, barber shop, or nail salon; caterer; interior decorating shop; laundry; dry cleaning; laundry or dry-cleaning pick-up establishment; laundry, self-service; lawn care, pool, or pest control service; personal or household goods repair shop; travel agency; and similar uses.

*Personal Vehicle Rentals.* An establishment that provides for the rental of autos, small trucks or vans, trailers, motorcycles, and similar vehicles. Typical examples include car rental agencies and moving equipment rental establishments (e.g., U-Haul).

*Personal Vehicle Sales.* An establishment that provides for the sale (including through auction) of new or used autos, small trucks or vans, trailers, motorcycles, or recreational boats. Typical examples include automobile dealers, auto malls, boat dealers, and moving equipment rental establishments (e.g., U-Haul). This use does not include the sale of commercial vehicles such as large trucks, motor homes, recreational vehicles, mass transit vehicles, or other similar vehicles in excess of twelve thousand (12,000) or more pounds gross vehicular weight.

*Pet store.* An establishment wherein domestic or exotic pets are sold and/or grooming services are provided, within a completely enclosed building. The boarding or breeding of pets is not included within this definition.

*Place of Assembly.* A commercial area, building(s) or structure(s) primarily used to facilitate persons gathering for events, entertainment, education, socializing, consumption of food and/or alcohol and/or other activities, which is not otherwise identified as a more specific use, for example, as a school, church, museum, theatre, community center or civic club.

*Places of Worship.* Churches and ecclesiastical or denominational organizations or established physical places for worship in this state at which nonprofit religious services and activities are regularly conducted and carried on, and also means church cemeteries. Places of worship include chapels, churches, mosques, shrines, synagogues, tabernacles, temples, and other similar religious places of assembly. Accessory uses may include administrative offices, classrooms, meeting rooms, schools, day care facilities, and cooking and eating facilities. A place of worship may include other uses that generally exist as principal uses — e.g., day care center, school, or recreational facility. Such uses shall be treated as principal uses and are subject to the standards and limitations applicable to such uses.

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

*Playschool.* A school for pre-kindergarten children ranging in age from three (3) to four (4) years and which operates for less than four (4) hours per day.

*Post Office.* A government facility that provides mailing services, post office boxes, offices, vehicle storage areas, and sorting and distribution facilities for mail.

*Pool Hall.* An indoor facility with multiple billiards tables. Accessory uses may include the preparation and serving of food.

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

*Print shops, job printing, bindery, silk screening.* An establishment that reproduces individual orders from a business, profession, service, industry, or government organization for printed or bound and printed work that is output on paper or on other materials such as fabric (e.g., t-shirts), wood, or ceramics. An allowed establishment would typically include not only general printing and copying services, but services that allow individual customers to copy their own documents. The use shall not include industrial-type printing operations.

*Private Landing Strip.* A strip of land used or intended for use for the landing and take-off of the private aircraft of the owner or lessee of the landing strip and his guests and such accessory structures customarily incidental to the operations which may include one building for the storage and maintenance of not more than two such private aircrafts.

*Professional.* When used in connection with "use" and "occupancy," professional refers to a use or occupancy by persons generally engaged in rendering personal, executive, sales, or administrative services or activities, including, but not limited to, accountants, architects, professional engineers, land surveyors, doctors, lawyers, insurance officers, real estate offices, religious organizations, stockbrokers and administrative agencies considered professional in character. The term, however, does not include repairs or sales of tangible personal property stored or located within the structure or any use which would create any loud noise or noxious odors.

*Recreation Facility, Indoor.* A commercial establishment that provides indoor facilities for recreation or entertainment-oriented activities by patrons or members. Use types include: amusement facility; aquatic center; bowling alley; climbing wall; court games (basketball, tennis, etc.); indoor miniature golf; jai-alai fronton; pool hall; indoor shooting and target range; axe-throwing; skating facility; and video arcade. Accessory uses for indoor recreation facilities may include spectator seating, offices, meeting rooms, training rooms, videotape rooms, a restaurant, a pro shop, and a snack bar.

*Recreation Facility, Outdoor.* A commercial establishment that provides outdoor facilities for recreation, sports or entertainment-oriented activities by patrons or members. Accessory uses for outdoor recreation facilities may include spectator seating, offices, meeting rooms, training rooms, videotape rooms, a restaurant, a pro shop, and a snack bar.

*Recreation Uses.* The Recreational Uses category includes use types providing indoor or outdoor facilities for recreation or entertainment-oriented activities by patrons or members. It does not include recreational facilities that are accessory to parks (categorized as open space uses), or that are reserved for use by a residential development's residents and their guests (e.g., accessory community swimming pools and other recreation facilities). Accessory uses for indoor recreation facilities may include spectator seating, offices, meeting rooms, training rooms, videotape rooms, a restaurant, a pro shop, and a snack bar.

*Recreational Vehicle / Mobile Home Sales.* An establishment that provides for the sale of new or used motor homes, recreational vehicles, travel trailers or mobile homes.

*Research, development or experimental lab.* A facility that engages in research, or research and development, of innovative ideas in technology-intensive fields. Examples include research and development of computer software, information systems, communication systems, transportation, geographic information systems, multi-media, and video technology. Development and construction of prototypes may be associated with this use.

*Residential over Commercial (also referred to as Live Work).* A use in which a dwelling unit is used for both dwelling (living) purposes and any nonresidential use permitted in the zoning district in which the unit is located.

*Resource-based Recreation Uses.* Recreational activities that are essentially dependent upon the natural, scenic, or historic resources of the area provided the associated activities do not have significant adverse impacts on the ecological integrity or ecological or historical values of the resources in these areas.

*Rest home (convalescent home).* An establishment which provides full-time convalescent or chronic care or both for three (3) or more individuals who are not related by blood or marriage to the operator and who, by reason of chronic illness or infirmity, are unable to care for themselves. No care for the acutely ill, or surgical or obstetrical services, shall be provided in such a home; a nursing home, hospital or sanitarium shall not be construed to be included in this definition.

*Restaurant.* A public eating, sit-down establishment in which the primary function is the preparation and service of food for consumption on the premises (though prepared food and drink may also be sold "to go") and where the establishment's employees take orders from and serve patrons, and meals are served and consumed at tables primarily within the principal building. Accessory uses may include areas for outdoor seating, facilities for live entertainment, and valet parking services. Drive-through service facilities are considered a specific and separate use under these regulations and require a conditional use permit. Live entertainment shall be allowed, however, live musical entertainment that is enhanced by electronic amplification is considered a specific and separate use under these regulations that requires a conditional use permit.

*Restaurant with alcohol.* A restaurant, as defined herein, dispensing alcoholic beverages. Live entertainment shall be allowed, however, live musical entertainment that is enhanced by electronic amplification is considered a specific and separate use under these regulations that requires a conditional use permit and must comply with § 23.15.03[4] of this Resolution. Drive-through service may be allowed if permitted as an accessory use in the zoning district where the establishment is located. Restaurants with alcohol may not derive more than 50% of their gross revenue from the sale of alcohol. Drive-through service may be allowed as an accessory conditional use (if allowed in the zoning district where the establishment is located) and must comply with § 23.09.01.

*Restaurants, without alcohol.* A restaurant, as defined herein, that does not dispense alcoholic beverages. Live entertainment shall be allowed, however, live musical entertainment that is enhanced by electronic amplification is considered a specific and separate use under these regulations that requires a conditional use permit and must comply with § 23.15.04[3] of this Resolution. Drive-through service may be allowed as an accessory conditional use (if allowed in the zoning district where the establishment is located) and must comply with § 23.09.01.

*Restaurants and Eating Establishment Uses.* The Restaurants and Eating Establishment Uses category consists of restaurants and other eating establishments primarily engaged in the preparation and serving of food including alcoholic beverages for on- or off-premises consumption. Restaurants and other eating establishments may not derive more than 50% of their gross revenue from the sale of alcohol. This category includes, in addition to restaurants and without limitation, take-out/delivery establishments where food and drink are prepared and served for consumption outside the principal building and drive-in restaurants.

*Restaurant, drive-in.* An eating establishment which caters to motor-driven vehicle business where the person being served consumes his food and/or drink while sitting in a motor-driven vehicle, as opposed to a restaurant serving exclusively or primarily inside an enclosed building.

*Retail Sales Uses.* The Retail Sales Uses category includes use types involved in the sale, rental, and incidental servicing of goods and commodities that are generally delivered or provided

on the premises to a consumer. This use category does not include sales or service establishments related to vehicles (the Vehicle Sales, Rental, Service and Repair Uses category) or uses providing recreational or entertainment opportunities (categorized in the Recreation and Tourism Uses category). Accessory uses may include offices, storage of goods, assembly or repackaging of goods for on-site sale, concessions, ATM machines, and outdoor display of merchandise.

*Right-of-way.* Access over or across particularly described property for a specific purpose or purposes.

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

*Roadside Produce Stand.* A produce stand larger than 1,000 square feet, or which sells produce or products not grown or produced on the property on which the produce stand is located, on an active farm or agricultural use.

*Rooming house.* A building other than a hotel where lodging without meals for three (3) but not more than twenty (20) persons is provided.

*Satellite Earth Station.* A device which is used to intercept satellite television signals and consists of two (2) main components: the antenna itself, often called a dish, and a low-noise amplifier (L.N.A.). (Added May 27, 1986, ZA86-05-01; Amended October 13, 1997, ZA97-10-01)

*Sawmill.* A facility where timber from off-site areas is sawn, split, shaved, stripped, chipped or otherwise processed to produce various wood products.

*School, Secondary, (K-12).* An educational institution that offers a program of instruction for pre-college educational instruction for all or any primary through secondary grades, ranging from pre-kindergarten (pre-K) or nursery school through twelfth grade, including high school grades 9-12), middle school or junior high school (grades 6-8), and/or elementary school (including kindergarten, pre-K, pre-K—8, or nursery school), or any combination thereof. Such uses include classrooms, laboratories, auditoriums, libraries, cafeterias, after school care, athletic facilities, dormitories, and other facilities that further the educational mission of the institution.

*School, Higher Education (college or university).* An institution offering a program of post-secondary education and instruction leading to associate, baccalaureate, or higher degrees.

*School, Vocational or Trade.* A public or private school that offers students business, vocational, or trade instruction — such as teaching of trade or industrial skills, clerical, or data processing, barbering or hair dressing, computer or electronic technology, or artistic skills, and that operates in buildings or structures or on premises on land leased or owned by the educational institution. Such uses include classrooms, laboratories, auditoriums, libraries, cafeterias, and other facilities that further the educational mission of the institution.

*Security Quarters.* A single housing unit providing complete, independent living facilities for one housekeeping unit, including permanent provisions for living, sleeping, eating, cooking, and sanitation, integrated into a property which has a primary nonresidential use. The housing unit is intended solely for occupancy by the proprietor or an employee (and their family) of an establishment in the building, or by an employee of a business that is under contract to provide ongoing security, maintenance, management or similar services for the building.

*Self-storage facility.* A structure(s) used for the purpose of renting or leasing individual storage space to persons or businesses for the self-storage of personal property. Accessory uses may include leasing offices and security quarters for a resident manager or security guard. The rental of trucks or trailers, outdoor storage of boats and recreational vehicles, incidental sales or rental of moving supplies and equipment, are all separate principal uses and not considered accessory to this use. (See INDUSTRIAL USES for outdoor storage).

*Setback or Setback distance.* The closest distance between the most advanced position under roof of a building (or the most advanced position of any structure) and the corresponding lot line (either front, side or rear).

*Shooting and Target Range, Indoor.* An indoor facility the use of which is primarily devoted to firearm target practice, competitions, and similar uses, including but not limited to archery, skeet, trap, and similar shooting activities.

*Shooting Range Facility, Outdoor.* A facility, including individual shooting ranges, safety fans or shot fall (or shortfall) zones, structures, parking areas, and other associated improvements, designed for the purpose of providing a place for the discharge of various types of firearms or the practice of archery. Does not include target practice areas on private property.

*Shopping center/Large Retail Center.* A group of commercial retail establishments planned, constructed and managed as a total entity, exceeding in the aggregate of seven thousand five hundred (7,500) square feet of gross leasable area, planned and developed as a unit, with common off-street parking provided on the property or an individual retail establishment exceeding in the aggregate of fifty thousand square feet (50,000). (Amended July 22, 1985, ZA85-07-02)

*Sign.* Sign shall have the meaning provided in [Section 25.02](#) throughout this Resolution. (Added July 11, 2022, ZA22-001)

*Sign structure facing.* The surface of the sign upon, against, or through which the message of the sign is exhibited, not including architectural trim and structural supports.

*Skating Facility, indoor.* An indoor facility, the use of which is primarily devoted to roller skating/blading or ice skating. The facility may also be used as a site for competitive events and as a practice and training facility.

*Solar Energy Collection Facility, Large-Scale.* A facility consisting of solar panels, modules, and related equipment (e.g., heat exchanger, pipes, inverter, wiring, storage) that collects solar radiation and transfers it as heat to a carrier fluid for use in hot water heating or space heating and cooling, and/or that collects solar energy and converts it into electricity. As a principal use, a solar energy collection system is designed to meet demands for a large area and is typically mounted on the ground.

*Specified anatomical areas.* Shall include any of the following:

- (a) Less than completely and opaquely covered human genitals or pubic region; cleft of the buttocks; or any portion of the female breast encompassed within an area falling below the horizontal line one would have to draw to intercept a point above the top of the areola, or any portion of the areola, or any simulation thereof. This definition shall include the entire lower portion of the human female breast, but shall not include any portion of the cleavage of the human female breast exhibited by a dress, blouse, shirt, leotard, bathing suit, or other wearing apparel, provided the areola is not so exposed.
- (b) Human male genitalia in a discernibly turgid state, even if completely and opaquely covered. (Added March 22, 1993, ZA93-03-01)

*Specified sexual activities.* As used herein, "specified sexual activities" shall mean and include any of the following:

- (a) The fondling or other erotic touching of human genitals, pubic region, buttocks, anus or female breasts;
- (b) Sex acts, normal or perverted, actual or simulated, including intercourse, oral copulation or sodomy;
- (c) Masturbation, actual or simulated; or
- (d) Excretory functions as part of or in connection with any of the activities set forth in (a) through (c) above. (Added March 22, 1993, ZA 93-03-01)

*Sporting Goods.* An establishment primarily engaged in the retail sale of equipment for participation in sports, such as tennis rackets, baseball gloves, golf clubs, and athletic apparel.

*Story.* A space in a building between the surface of any floor and the surface of the next floor above, or if there is no floor above, then the space between such floor and the ceiling or roof above. Where the floor level of the first story is at least five feet below the adjoining finished grade, the space shall not be counted as a story.

*Street.* A public or private thoroughfare which affords the principal means of access to abutting property.

*Street, half.* A street which does not meet the minimum right-of-way width as set forth in this Resolution.

*Street lines.* A line defining the edge of a street right-of-way and separating the street from abutting property or lots.

*Structures.* Anything constructed or erected, the use of which requires a location on the ground, or attached to something having a location on the ground, including, but not limited to, buildings, fences, and swimming pools.

*Subdivider.* Any person who undertakes the subdivision of land as herein defined.

*Subdivision.* Any division of a tract or parcel of land into two (2) or more lots, building sites, or other divisions for the purpose, whether immediate or future, of sale, legacy, or building development. This definition includes any division of land involving a new street or a change in existing streets, resubdivision, and, where appropriate to the context, includes the process of subdivision or the land or area subdivided; provided, however, that the following are not included in this definition:

(a) The division of land into parcels of five (5) acres or more where no new street is involved; and

(b) The sale or exchange of parcels of land between separate or common owners of adjoining properties, provided that additional lots are not thereby created, and that the lots created are in accordance with the provisions of this Resolution.

*Television and Radio Station.* A building or portion of a building used as a place to stage and record television, radio programs, music, videos, and other related media for broadcast on television or radio. This use does not include uses that create digital content such as videos or podcasts. In addition, it does not operate within general business offices, which are included in the General Business Office use. This use does not allow facilities for transmission such as large-format satellite dishes.

*Traditional or live theater (Mainstream theater).* A theater, concert hall, auditorium or similar establishment which regularly features live performances which are not distinguished or characterized by an emphasis on the depiction, description, or display or the featuring of "specified anatomical areas" or "specified sexual activity" in that the depiction, display, description or featuring is incidental to the primary purpose of any performance. (Added March 22, 1993, ZA93-03-01)

*Transportation and Transportation Terminals.* The Transportation and Transportation Terminals Uses category includes use types providing for passenger and freight terminals for surface

transportation. Accessory uses may include freight handling areas, concessions, offices, maintenance, limited storage, and fueling facilities. This use category does not include transit-related infrastructure such as bus stops and bus shelters (deemed minor utilities under the Utility Uses category).

*Transportation Terminal and Station.* A structure or facility that is primarily used as part of a system for the purpose of loading, unloading, or transferring passengers and/or freight or accommodating the movement of passengers and/or freight from one mode of transportation to another.

*Travel trailer.* A vehicular portable structure designed as a temporary dwelling for travel, recreational and vacation uses, which is not more than eight (8) feet in body width and is of any weight, provided its body length does not exceed twenty-nine (29) feet.

*Travel trailer park.* Any lot on which are temporarily parked two (2) or more travel trailers for a period that is typically less than thirty (30) days.

*Use.* Any purpose for which a building or other structure or a tract of land may be designed, arranged, intended, maintained, or occupied, or any activity, occupation, business, or operation carried on, or intended to be carried on, in a building or other structure or on a tract of land.

*Use, permissible.* A use which is allowed or potentially allowed in one or more districts, either as a permitted, conditional, limited or accessory use.

*Utilities Uses.* The Utilities Uses category includes both major utilities, which are infrastructure services that provide regional or City-wide service, and minor utilities, which are infrastructure services that need to be placed in or near where the service is provided. Large-scale solar energy collection systems that constitute a principal use of a lot are included as a special type of major utility use. Services may be publicly or privately provided and may include on-site personnel. Accessory uses may include offices, monitoring, or storage areas. Communication Uses in this category include television and radio stations; wireless communication facilities; and related uses.

*Veterinary Hospital or Clinic.* A facility used for the care, diagnosis, and treatment of sick, ailing, infirm, or injured animals and preventive care for healthy animals. The use is limited to dogs, cats, and other comparable household animals. Accessory uses may include animal grooming services, short-term boarding (including overnight) that is incidental to medical care or treatment, and limited retail sales of pet-related merchandise.

*Vehicle Sales, Rental, Service, Repair, and Parking Uses.* The Vehicle Sales, Rental, Service, Repair and Parking Uses category includes use types involving the direct sales and servicing of motor vehicles, including automobiles, trucks, motorcycles, and recreational vehicles, as well as trailers — whether for personal transport, commerce, or recreation. Accessory uses may include offices, sales of parts, maintenance facilities, and vehicle storage.

*Waste-Related Uses.* The waste-related uses category includes any uses involving the collection, storage, transfer, treatment, sale, recovery, recycling or disposal of waste materials. This category includes landfills.

*Water Park.* An outdoor facility primarily dedicated to water-related recreational activities, including water slides, wave pools, swimming pools, and wading pools.

*Wine.* Any alcoholic beverage containing not more than twenty-four (24) percent alcohol by volume made from fruits, berries, or grapes either by natural fermentation or by natural fermentation with brandy added. The term includes, but is not limited to, all sparkling wines, champagnes, combinations of such beverages, vermouths, special natural wines, rectified wines, and like products. The term does not include cooking wine mixed with salt or other ingredients so as to render it unfit for human consumption as a beverage. A liquid shall first be deemed to be a wine at that point in the manufacturing process when it conforms to the definition of wine contained in this section. (Added September 24, 2012, ZA13-004)

*Wine, fortified.* Any alcoholic beverage containing more than twenty-four (24) percent alcohol by volume made from fruits, berries, or grapes either by natural fermentation or by natural fermentation with brandy added. The term includes, but is not limited to, brandy. (Added September 24, 2012, ZA13-004)

*Wine shop.* Establishment engaged primarily in the sale of wine, for off premise consumption. (Added September 24, 2012, ZA13-004)

*Wholesale, Warehouse, Storage and Distribution Uses.* The Wholesale, Warehouse, Storage and Distribution Uses category includes use types involving the storage or movement of goods for themselves or other firms or businesses. Goods are generally delivered to other firms or the final consumer, except for some will-call pickups. There is little on-site sales activity with the customer present. Accessory uses include offices, truck fleet parking, and maintenance areas. Example use types include separate storage warehouses (used for storage by retail stores such as furniture and appliance stores), distribution warehouses (used primarily for temporary storage pending distribution in response to customer orders), cold storage plants (including frozen food lockers), and outdoor storage (as a principal use). This use category does not include uses involving the transfer or storage of solid or liquid hazardous material.

*Yard.* A space on the same lot with a main building, such space being open, unoccupied, and unobstructed by buildings or structures from ground to sky, except where encroachments and accessory buildings are expressly permitted.

*Yard, front.* An open, unoccupied space on the same lot with the main building, extending the full width of the lot and situated between the right-of-way line that the property address is or will be derived from and the existing front line of the main building (as projected to the side lines of the lot). The depth of the front yard shall be measured between the existing front line of the building and the front lot line (right-of-way). Covered porches, whether enclosed or

unenclosed, shall be considered as part of the main building and shall not project into a required front yard.

*Yard, rear.* An open space on the same lot with the main building, such space being unoccupied except possibly by an accessory building and extending the full width of the lot and situated between the rear line of the lot and the existing rear line of the main building projected to the side lines of the lot. The rear yard shall be at the opposite end of the lot from the front yard.

*Yard, side.* An open, unoccupied space on the same lot with the main building, situated between the existing side line of the building and the adjacent side line of the lot extending from the rear line of the front yard to the front line of the rear yard. If no front yard is required, the front boundary of the side yard shall be the front line of the lot, and if no rear yard is required, the rear boundary of the side yard shall be the rear line of the lot.

*Zero lot line.* A development technique in which a building is sited on one (1) or more lot lines, thus allowing flexibility in site design (i.e., patio homes and single-family attached dwellings).

*Zoning enforcement officer.* The executive director of the Macon-Bibb County Planning and Zoning Commission or his designee.

*Zoological Garden.* A facility where animals are kept for viewing by the public.