

## **ARTICLE 2. DEFINITIONS OF TERMS USED**

### **Sec. 201. Interpretation of certain common terms.**

When used in this ordinance, the following words and phrases have the meaning as defined in this article. Terms not defined here have the same meaning as is found in most dictionaries, where consistent with the context. The terms "must," "will," and "shall" are mandatory in nature, indicating that an action has to be done. The term "may" is permissive and allows discretion regarding an action. When consistent with the context, words used in the singular number include the plural, and those used in the plural number include the singular. Words used in the present tense include the future. The word "developer" includes a "firm," "corporation," "co-partnership," "association," "institution," or "person." The word "lot" includes the words "plot" and "parcel." The word "building" includes the word "structure." The words "used" or "occupied" as applied to any land or building include in its meaning the words "intended," "arranged," or "designed," "to be used" or "occupied."

All terms not defined herein shall be defined as elsewhere in the Pike County Code. Terms not found in the Pike County Code shall be defined as in the Official Code of Georgia Annotated. Terms not found in the Official Code of Georgia Annotated shall be defined by the APA Planners Dictionary or Websters Dictionary.

### **Sec. 202. General definitions.**

- A. **Administrative officer:** The person, officer or official or his/her authorized representative, whom the Board of Commissioners of Pike County has designated as its agent for the administration of these regulations. Unless otherwise specifically designated by the Board of Commissioners, the Planning and Development Director shall be the Administrative Officer.
- B. **Agriculture:** The raising of soil crops, livestock, fish, fowl, and commercial timber in a customary manner on tracts of land at least five (5) acres in size, including all associated activities. Retail selling of products raised on the premises is permitted provided that space necessary for the parking of customers' vehicles is provided off the public right-of-way.
- C. **Agriculture-tourism or agritourism enterprise:** An entity that owns or operates a farm (as that term is defined in section 202, subject to the limitations contained in this article) which offers to the public the opportunity to participate, observe or otherwise engage, for the purposes of recreation, education, or active involvement, in the farm's operation. An agriculture-tourism enterprise may engage in and conduct all those uses (whether primary or accessory or permitted as a matter of right or as a special use permit) in the agriculture-residential zoning district.
- D. **Agritourism:** The business or practice of offering to the general public the opportunity to visit a farm for recreation, education, entertainment, events or active involvement and participation in the operation and activities (other than as a contractor or employee) of the farm.
- E. **Airport:** A transportation terminal facility where aircraft take off and land.
- F. **Airstrip, private:** An area designated for the take-off and landing of private, non-commercial aircraft, with no terminal facilities and no scheduled take-offs and landings.
- G. **Alley:** A secondary way that affords access to the side or rear of abutting property.
- H. **Alteration:** Any change in the supporting members of a building, any modification or change in construction, any addition that increases the area or height, any change in use from that of one district classification to another, or movement of a building from one location to another.

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- I. **Antenna:**
1. Any exterior apparatus designed for telephone, radio or television communication through the sending and/or receiving of electromagnetic waves;
  2. Communications equipment that transmits, received, or transmits and received electromagnetic radio frequency signals used in the provision of wireless services or other wireless communications; or
  3. Communications equipment similar to equipment described in subparagraph (b) of this section used for the transmission, reception or transmission and reception of surface waves.
  4. Antennas designed for television broadcasts, amateur radio use, or satellite dishes for residential or household purposes are not included within this definition.
- J. **Antenna, domestic:** Any antenna, as defined in section 202, used primarily for residential purposes and which does not exceed eighteen (18) feet in height. In addition, thereto, this definition shall include any exterior apparatus (of whatever diameter) affixed to an amateur radio tower owned and operated by a federally licensed amateur radio station operator.
- K. **Automobile service station:** A land use where gasoline, oils, greases, batteries, tires, and general automobile accessories may be provided, but where no part of the premises is used for the storage or dismantling of wrecked or junked vehicles.
- L. **Bathroom:** A room, with a door that closes and locks, which must contain a sink, toilet and tub or shower.
- M. **Bed and breakfast:** A building other than a hotel, used for overnight accommodation for compensation, provided that:
1. Guests normally stay no longer than seven (7) days;
  2. Breakfast is the only meal served, if any, on the premises;
  3. The building is not to be used for residential occupancy any length of time, other than by the owner of the bed and breakfast and his family.
- N. **Berm:** A man-made earth mound of definite height and width maintained for landscaping and obscuring purposes. Berms are stabilized with grass or other approved groundcovers.
- O. **Block:** A piece or parcel of land entirely surrounded by public highways or streets, other than alleys.
- P. **Board of commissioners:** The Board of Commissioners of Pike County.
- Q. **Boarding or rooming house:** A building designed for residential occupancy which has a common feeding area and which is used as a place to lodge three (3) or more persons for compensation.
- R. **Buffer:** That portion of a lot established for open space purposes and intended to separate properties with different and possibly incompatible types of use. A buffer shall not be occupied with structures and facilities except for septic tank drain fields and as permitted by this ordinance. Where encroachment of the buffer is allowed, vegetation disturbance shall be kept to the minimum required for the installation and vegetation that is removed during the process shall be replaced with suitable landscape material that provides the same quality of screening.
- S. **Buffer, Conservation:** Any land in permanent vegetation, designed to intercept pollutants, stabilize stream banks and other riparian areas and manage other environmental concerns. Conservation buffers include:
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riparian buffers, filter strips, grassed waterways, shelter belts, windbreaks, living snow fences, contour grass strips, cross-wind trap strips, shallow water areas for wildlife, field borders, herbaceous wind barriers, and vegetative barriers. Conservation buffers may be either undisturbed or artificially enhanced, depending on the situation.

- T. **Buffer, Landscaping:** Any trees, shrubs, groundcovers, walls, fences, berms, space, or related landscaping features required by Ordinance on private lots, and privately maintained, for buffering lots from adjacent properties or public rights-of-way for the purpose of increasing visual or other aspects of privacy and aesthetics. The term 'landscaping buffer' shall be synonymous with the terms 'vegetative buffer', 'vegetated buffer', 'landscape buffer', and 'planted buffer' found throughout the Pike County Unified Development Code
- U. **Buffer, Undisturbed:** Any existing vegetation, trees, shrubs, and/or groundcovers, on private lots, and privately maintained, for buffering lots from adjacent properties or public rights-of-way for the purpose of maintaining visual or other aspects of privacy and aesthetics.
- V. **Building:** Any structure having a roof and intended for shelter, housing, or enclosure of persons, animals, or property of any kind.
- W. **Building, accessory:** A structure used for a purpose that is customarily incidental and subordinate to the principal use or structure, and located on the same lot as such a principal use or structure.
- X. **Building, principal:** The building on a lot in which the principal use of the lot is conducted.
- Y. **Building height:** The vertical distance of a building, measured from the average elevation of the finished grade at the front of the building to the highest point of the building.
- Z. **Building setback line:** The line that represents the distance a building must be set back from the boundary line of a lot, measured at the foundation of the building.
- AA. **Building official:** One of the persons, officers or officials or his authorized representative, whom the Board of Commissioners has appointed to administer and enforce the building code. Unless otherwise specifically designated by the Board of Commissioners, the Planning and Development Director shall be the Building Official.
- BB. **Campground, religious:** A retreat or meeting place used for the conduct of religious worship, discussion and consultation, which may include recreational activities of an outdoor nature and overnight accommodations. A church as defined in section 202 may be included within the use, incidental to the primary function of said property as a campground. Any congregation, congregation being defined as two or more persons meeting together for religious purposes, meeting for regularly scheduled services, may meet no more than twelve (12) consecutive months from the date of the first meeting.
- CC. **Cemetery:** Land either already reserved for burial plots for the deceased, or which may, in the future, be so reserved; it may be maintained either by a family, a church or other place of worship, or a private corporation.
- DD. **Center line, street:** That line surveyed and monumented by the governing authority as the center line of a street, or if such a center line has not been surveyed, it is the line running midway between the outside curbs or ditches of the street.
- EE. **Church:** A building in which persons regularly assemble for religious worship, which is used only for such purpose, along with any accessory activities as are customarily associated therewith.

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- FF. **Clinic:** An establishment where medical or dental patients are admitted for examination and treatment, but where there is no overnight lodging.
- GG. **Club or lodge:** An incorporated or unincorporated association for civic, social, cultural, religious, fraternal, literary, political, recreation, or like activities, operated for the benefit of its members and not open to the general public.
- HH. **Conservation subdivision:** Any division of real property designed to preserve greenspace and undeveloped land which meets the development and design requirements of Article 21 of the Pike County Unified Development Code (UDC), and which is approved by Pike County pursuant to the procedures as set forth therein.
- II. **Curb cut:** The point at which vehicular access is provided to an adjoining street from a lot.
- II-1. **Data Center:** A facility, or campus of facilities, engaged in the storage, management, processing, hosting or transmission of data and related services, which house computer systems, network equipment, servers, appliances and other associated components and structures customarily incidental or related to such operations.
- JJ. **Density:** The number of dwelling units per acre of land used for residential purposes. Unless otherwise stated, density figures are to be in terms of net acres, or the land devoted to residential use exclusive of streets, rights-of-way, public lands, wetlands, or other exclusions listed in specific zoning districts. See below for breakdown of different density designations:
1. **Low density residential** – A potential development that has individual lot areas of 5 acres and above or a maximum density of one unit per 5 acres.
  2. **Low to Medium density residential** – A potential development that has individual lot areas of 3 acres and above or a maximum density of one unit per 3 acres.
  3. **Medium density residential** - A potential development that has individual lot areas of 2 acres and above or a maximum density of one unit per 2 acres.
  4. **High density residential** – A potential development that has individual lot areas of 1 acre and above or a maximum density of one unit per acre.
- KK. **Domestic animal:** An animal that is accustomed to living in or about the habitation of humans, such as dogs, cats, birds, rabbits, hamster, turtles and the like. This definition does not include livestock.
- LL. **Drug abuse treatment and education program:** "Drug abuse treatment and education program" or "program" means any system of treatment or therapeutic advice or counsel provided for the rehabilitation of drug dependent persons and shall include programs offered in residential and/or non-residential settings. It otherwise complies with Chapter 290-4-2: Drug Treatment Program (Rules of the Department of Human Resources).
- MM. **Easement:** The right or privilege of using another's property, for purposes such as constructing and maintaining sanitary sewers, water mains, electric lines, telephone lines, storm sewers, gas lines, bicycle paths, pedestrian ways.
- NN. **Elevation, front:** The view of a building or group of buildings as seen from directly in front of the structure.
- OO. **Employee, full-time:** A person who works or is scheduled to work forty (40) hours per week for one (1) employer.
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PP. **Equipment, heavy:** See Georgia State Code §10-1-731

QQ. **Event center, rural:** A venue typically located in a rural setting, with or without permanent structures, at which private social events not open to the general public are conducted, including but not limited to, dances, meetings, parties, picnics, receptions, retreats, reunions, weddings, wedding rehearsals, wedding parties, or similar events, with or without live entertainment, where food and drink may be consumed on premises.

RR. **Family:** One (1) or more persons related by blood, marriage, or adoption, living together as a single housekeeping unit. A family may also consist of no more than 4 unrelated people living together as a single housekeeping unit.

SS. **Farm:** Any tract or parcel of land containing five (5) or more acres that is devoted to the raising of agricultural products, including, but not limited to, soil crops, livestock, fish, fowl, and commercial timber regardless of the quantity or value of production.

TT. **Farm, Working:** A farm that is actively cultivating, operating or managing land for a profit and/or any place from which \$1,000 or more of agricultural products were produced and sold, or normally would have been sold, during the year.

UU. **Fence:** A barrier erected upon, or immediately adjacent to, a property line for the purpose of separating properties, or for screening, enclosing, and/or protecting the property within its perimeter.

VV. **Fence, Farm:** A fence, usually wood or wire, associated with active agricultural practices occurring on parcels not less than 5 acres in size.

WW. **Fence, Living:** A continuous hedgerow of living, quality plant material planted and maintained for the purpose of enclosing or screening an area.

XX. **Fence, Municipal:** A fence occurring on property owned by or under the jurisdiction of Pike County, Georgia government and/or its Boards and Authorities.

YY. **Fence, Privacy:** An opaque fence constructed of wood, vinyl or other similar materials that blocks vision for the purpose of obscuring or screening an area from public view.

ZZ. **Fence, Security:** A fence consisting of wood, vinyl, chain-link, or other similar materials that blocks access to potentially valuable or dangerous areas within a private or public property parcel.

AAA. **Fence, Silt:** A temporary fence for erosion and sediment control purposes on a property undergoing land disturbance. Silt fence materials, construction, and installation must be in accordance with standards set in the latest edition of the "Manual for Erosion and Sediment Control in Georgia" provided by the Georgia Soil and Water Conservation Commission.

BBB. **Fence, Temporary:** A fence briefly used for protection and stability of existing trees, structures, etc. during activity on a property parcel. The fence, usually composed of silt fence material or orange mesh, is removed upon full site stabilization.

CCC. **Flea market:** A retail market located in commercial districts is usually held outdoors where antiques, used household goods, and curios are sold.

DDD. **Flood boundary:** That area threatened by possible flood under normal to severe circumstance; determined as shown on the Flood Insurance Rate Map, published by the Federal Emergency Management Agency (FEMA), September 11, 2009.

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EEE. **Floor area:** The area of a dwelling exclusive of attic, basement, garage, carport, patios, and open porches measured from the exterior face of the exterior walls of a dwelling. Also, the gross leasable floor area for any business or industry is based on interior dimensions.

FFF. **Foster care child facilities:** A building or group of buildings, a facility or place in which is provided one (1) or more beds and other facilities and services - including rooms, meals and personal care for minors under the age of nineteen (19) years which complies with the rules and regulations contained in Chapter 290-2-5 (Rules and Regulations for Child Caring Institutions, Georgia Department of Human Resources). For the purposes of this ordinance, foster care child facilities are classified as follows:

1. *Foster home:* A private home where the foster parent(s) live which has been approved by the Georgia Department of Human Resources to provide twenty-four-hour care, lodging, supervision and maintenance for no more than six (6) children under the age of nineteen (19).
2. *Child caring institution:* A child-welfare agency that is any institution, society, agency or facility (whether incorporated or not) which either primarily or incidentally provides full-time care for children through eighteen (18) years of age outside of their own homes which has been approved by the Georgia Department of Human Resources to provide room, board, lodging, supervision and maintenance for six (6) or more children.

GGG. **Garage, public:** Any garage, other than a private garage, which is used for storage, minor repair, rental, servicing, washing, adjusting, or equipping of automobiles or other motor vehicles, but not including the storage of wrecked or junked vehicles.

HHH. **Garage, repair:** A public garage intended to be used to make major commercial automobile, motorcycle, lawn mower, or other motor vehicle repairs; such a use should meet the following development standards as well as all other applicable regulations:

1. All bodywork and painting must be conducted within a fully enclosed building.
2. No open storage of junk, wrecked vehicles, dismantled parts, or supplies visible beyond the premises is permitted.

III. **Garage or carport, private:** A covered space for the storage of one (1) or more motor vehicles belonging to the occupants of the lot and ancillary to the principal residential use on the lot. No business occupation or service may be conducted for profit within the private garage except a home occupation under conditions specified in section 202.

JJJ. **Garage or carport, private, double:** A garage or carport, private as defined in section 202 for the storage of at least, but no more than, two (2) motor vehicles and having a minimum width of nineteen (19) feet.

KKK. **Group development:** A group of buildings constructed on a plot of land not subdivided into customary streets and lots and which will not be so subdivided, intended to be operated under one (1) management or under a condominium type ownership arrangement, known herein as a group development project.

LLL. **Group home, transitional:** A residence where two (2) or more unrelated persons live that is under the supervision of a resident manager. Homes providing extended shelter and supportive services for individuals and/or families with the goal of helping them live independently and transition into permanent housing. Group homes shall not provide treatment of drug or alcohol dependency, or provide an alternative to incarceration.

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MMM. **Home occupation, minor:** An occupation for gain or support conducted by resident(s) on the premises meeting the following criteria:

1. The home is being used solely for the purpose of maintaining a business address, with no work being performed on the premises, or the home is being used solely for the purpose of office administration, record keeping and other clerical work. The sale of agricultural products grown on site at a private residence shall be considered a minor home occupation;
2. No employees or customers may come to the home as a business site, except for the sale of agricultural products grown on site; and
3. Use of the principal and/or accessory building(s) for the home occupation shall not exceed twenty-five (25) percent of the combined gross floor area of the principal and accessory buildings.
4. Only vehicles designed and used primarily as passenger vehicles (including pickup trucks) shall be used

NNN. **Home occupation, general:** An occupation for gain or support conducted by residents on the premises, ancillary and accessory to the main agricultural or residential use on the property, meeting the following criteria:

1. No home occupation shall employ more than two (2) persons who work on the premises but who do not reside in the dwelling located on the premises.
2. The home occupation must be incidental and subordinate to the residential use of the dwelling and must not change the residential character of the property.
3. No display of products shall be visible from the street.
4. Use of the principal and/or accessory building(s) for the home occupation shall not exceed twenty-five (25) percent of the combined gross floor area of the principal and accessory buildings.
5. No internal or external alterations shall be permitted which would change the fire rating for the structure.
6. No continuous unenclosed outside storage of materials or supplies used in connection with the home occupation shall be permitted, provided that this restriction shall not preclude the conduct of minor outside home gardening activities in conjunction with a home occupation.
7. All parking for the home occupation shall be located on the property and only in the side or rear yards.
8. Only vehicles designed and used primarily as passenger vehicles (including pickup trucks) shall be used

OOO. **Hospice facility:** A facility providing care to patients diagnosed with a terminal illness operated by a person or organization licensed as a hospice by the Georgia Department of Human Resources an which complies with Georgia Rules and Regulations 290-9-43.24 governing hospice care facilities.

PPP. **Hotel:** A building in which overnight accommodations, without separate cooking facilities, are provided to the public. The term "hotel" includes the terms "motel" and "tourist court."

QQQ. **Industrialized building:** Any structure or component thereof, which is, wholly or in substantial part, made, fabricated, formed, or assembled in manufacturing facilities for installation or assembly and installation on a building site and has been manufactured in such a manner that all parts or processes cannot be inspected at the installation site without disassembly, damage to, or destruction thereof; and which bears the insignia of approval issued by the Commissioner of the Georgia Department of Community Affairs.

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- RRR. **Institution:** A non-profit corporation, establishment, or entity; for public or semi-public use.
- SSS. **Intermediate care home:** A facility that admits residents on medical referral. It maintains the services and facilities for institutional care and has a satisfactory agreement with a physician and dentist who will provide continuing supervision including emergencies. It otherwise complies with the rules and regulations contained in Chapter 290-5-9: Intermediate Care Homes (Rules of the Georgia Department of Human Resources).
- TTT. **Junkyard:** Any use involving the parking, storage or disassembly of three (3) or more junked vehicles, or wrecked or non-operable automobiles, trucks, or other vehicles; storage, bailing, or otherwise dealing in scrap iron and other metals, used plumbing fixtures, old stoves, old refrigerators, and other old household appliances, and used brick, wood, or other building materials. These uses are considered junkyards whether or not all or part of these operations are conducted inside a building or in connection with, in addition to, or accessory to other uses of the premises.
- UUU. **Junked or abandoned motor vehicle:** Any wrecked or non-operable automobile, truck, or other vehicle that does not bear a current license plate. Any junked motor vehicle or parts thereof shall be stored in such a manner as to fully and completely enclose the junked motor vehicle or parts thereof to prevent it from being seen from any public street or from any other private property owned by anyone other than the owner of the junked motor vehicle or parts thereof. The shell of a vehicle used as yard art or a display shall not be considered a junk vehicle so long as all mechanical and environmental components have been removed.
- VVV.  **kennel:** The housing for four (4) or more dogs, cats or other domesticated animals for the purpose of providing an income or revenue. For purposes of this definition, any domesticated animal over the age of six (6) months shall be included.
- WWW. **Limited Lodging:** An owner-occupied accessory use of all or part of a residential dwelling unit by rental for temporary occupancy of no more than fourteen (14) consecutive days, and no longer than a total of forty-five (45) days per calendar year. The arrangement of such rental by the owner may be conducted through a booking agent.
- XXX. **Livestock:** Domesticated cattle, horses, sheep, goats, pigs, cervidae animals, capradae animals, animal of the genus llama, flightless birds (ratites), fowl, and any other animal specifically raised for food or fiber.
- YYY. **Loading space:** Space logically and conveniently located for pickup and delivery service, scaled to the vehicles expected to be used, and accessible to such vehicles at all time.
- ZZZ. **Local Street.** A street used primarily to serve the abutting property and not part of the Pike County Thoroughfare Plan.
- AAAA. **Legal Lot of Record.** A nonconforming lot or parcel that was legally permitted or created under prior ordinances. Any lot legally created under the ordinances in effect prior to the adoption of this Ordinance.
- BBBB. **Lot:** A parcel of land under single ownership occupied or capable of being occupied by one or more buildings and customarily incidental accessory buildings or uses, including such open spaces as are required by this ordinance.
- CCCC. **Lot, corner:** A lot located at the intersection of two (2) or more streets.
- DDDD. **Lot, double frontage:** A lot, other than a corner lot, which has frontage on more than one (1) street.
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EEEE. **Lot, frontage width:** The distance between side lot lines measured at the common boundary of the lot and a public road.

FFFF. **Lot, flag or panhandle:** Any lot for which the frontage width is less than the minimum required in the applicable zoning district.

GGGG. **Lot width:** The distance between side lot lines measured at the front building line. If a corner lot, the distance between lot lines measured along the front building line that parallels or more nearly parallels the rear lot line.

HHHH. **Master development plan:** A written and graphic submission for a planned development which represents a tract of land, proposed subdivision, the location and bulk of buildings and other structures, density of development, public and private streets, parking facilities, common open space, public facilities and all covenants relating to use thereof. The master development plan is submitted in conjunction with a rezoning application for the planned development district.

IIII. **Major Thoroughfare.** A street designed and built to move traffic at high speeds over long distances; such streets are designated as Major Thoroughfare in the Thoroughfare Plan. All U.S. highways are Major Thoroughfare.

JJJJ. **Marginal Access Street.** A local street parallel and adjacent to a major or minor thoroughfare which provides access to abutting properties with protection from through traffic.

KKKK. **Minor Thoroughfare.** A street designed and built to take traffic to and from major thoroughfares and to move traffic from one part of the county to another and designated as a Minor Thoroughfare in the Thoroughfare Plan. All state highways that are not also U.S. highways are Minor Thoroughfare unless shown on the Thoroughfare Plan as major thoroughfares.

LLLL. **Mini-warehouse/self-storage facility:** A structure or group of structures containing separate spaces or stalls which are leased for the storage of goods and personal property. An area for common storage of boats, travel trailers or other vehicles may be included.

MMMM. **Net buildable area:** The net buildable area is calculated by subtracting the floodplain and wetland acreage from the total project tract acreage. The resulting acreage is the net buildable area.

NNNN. **Mobile food service unit, Temporary:** A mobile food service unit is a motorized, wheeled vehicle designed and utilized for the preparation and sale of food and non-alcoholic beverage items to the general public, and whose operations are self-contained within the confines of the vehicle. Such vehicles shall operate in accordance with the laws of the State of Georgia, the rules, regulations and policies of the Georgia Department of Public Health for Mobile Food Services/Food Trucks, and the rules and regulations for food service of Pike County and the Pike County Health Department. Temporary mobile food service units cannot be located on the same lot for more than three (3) consecutive days.

OOOO. **Nursing home:** A facility that admits patients on medical referral only and for whom arrangements have been made for continuous medical supervision. It maintains the services and facilities for skilled nursing care, rehabilitative nursing care, and has a satisfactory agreement with a physician and dentist who will be available for any medical and/or dental emergency and who will be responsible for the general medical and dental supervision of the home. It otherwise complies with the rules and regulations contained in Chapter 290-5-8: Nursing Homes (Rules of the Georgia Department of Human Resources).

PPPP. **Official map:** The map entitled "The Official Zoning Map of Pike County, Georgia," indicating the locations of zoning district boundaries in Pike County.

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- QQQQ. **Open space:** Undeveloped land set aside permanently for common use. Conventional swimming pools, tennis courts, and associated parking areas are not considered open space for the purposes of this ordinance. Open space may include trails, picnic areas, park, gazebos, etc.
- RRRR. **Overall development density:** Overall development density is calculated by dividing the net buildable area by the total number of proposed building lots.
- SSSS. **Parking space:** The storage space for one (1) motor vehicle. (See Standard Building Code of SBCCI for dimension standards required of standard parking spaces and those accessible to handicapped persons.)
- TTTT. **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 services (including, but not limited to, 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) for two (2) or more adults who are not related to the owner or administrator by blood or marriage and permitted by the Department of Community Health pursuant to Georgia Rules and Regulations Chapter 111-8-62.
- UUUU. **Pet:** See domestic animal definition.
- VVVV. **Planned industrial development:** An area within a planned development project designed for industrial uses with streets, utilities and common architectural controls regulated by a master development plan and restrictive covenants.
- WWWW. **Planned shopping center:** An area within a planned development which contains a group of commercial establishments having a building composition that is an architectural unit and is not a miscellaneous assemblage of stores; and is planned, developed, analyzed as a unit, related in location, size and type of shops to the trade area that the unit serves, and provides on-site parking in relation to the types and size of stores.
- XXXX. **Planning and Zoning Board:** The Pike County Planning and Zoning Board.
- YYYY. **Plat:** A map, plan, or layout of a county, city, town, section, or subdivision indicating the location and boundaries of properties.
- ZZZZ. **Public water:** Water service provided by Pike County Water and Sewerage Authority.
- AAAAA. **Public sewer:** Sanitary sewer service provided or approved by Pike County and which does not constitute an "on-site sewage management system" as defined in O.C.G.A. § 31-2-7 and the Rules and Regulations of the Georgia Department of Human Resources, Public Health Division Section 290-5-26.02(gg).
- BBBBB. **Recycling center:** A facility which may be held in public and/or private ownership and which is designated to sort and process materials (aluminum cans, glass, newspaper, tin, HPDE and PET plastics), which have been separated from waste normally discharged into sanitary landfills and sold for re-use in other markets.
- CCCCC. **Right-of-way:** A strip of land designed, reserved, dedicated, or purchased for the purpose of pedestrian or vehicular access or utility line installation and owned by a county or municipality.
- DDDDD. **Senior independent living facility:** A multiple family residential facility for persons over the age of fifty-five (55) that can live without daily assistance, but for which services and amenities may be provided within the building at the option of the resident, such as meals, socialization and recreation.
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EEEE. **Shipping container:** A single rigid, reusable, metal (generally, corrugated) box (regardless of size or dimensions) the original purpose of which is to ship, transport, or store goods, regardless of whether it (1) is used on a temporary or permanent basis; (2) is used for its original or another purpose; (3) is or is not a building or structure; and (4) is referred to as a freight, cargo, International Standards Organization ("ISO"), intermodal, shipping, sea, ocean, storage, or Conex container, box or can or other name.

FFFF. **Shipping container, temporary:** A shipping container (including, PODS® or other similar containers) temporarily located on a parcel for the purpose of moving, (re)construction, remodeling, temporary storage, or the like, meeting the following criteria:

1. Be located on the parcel for no more than ninety (90) days. The above temporary requirement may be varied by the Pike County Planning and Zoning Board for good cause shown; provided however, that such a variance shall be explicitly limited to the time required for effectuation of the limited purpose for which the shipping container was or is sought to be placed on the parcel.
2. Have signage posted thereon providing (a) the name, address and telephone number of the company or person who owns (or otherwise has a property interest in) the same; (b) the name, address and telephone number of the person who caused the same to be placed upon the parcel; (c) the date the same was placed on the parcel; and (d) the date it is scheduled to be removed.
3. No more than one (1) temporary storage container or pod may be located on any one (1) parcel without the written authorization of the administrative officer.

GGGGG. **Shooting range, indoor:** An indoor facility for the safe shooting of firearms that complies with the technical and operation standards of The 2012 National Rifle Association ("NRA") Range Source Book, regardless of whether the facility is open to the general public or open only to private membership.

HHHHH. **Storage, continuous unenclosed outside:** Any on-premises storage of either raw materials or finished product located outside of a building and which is present or required by the ordinary use to which the parcel or tract is placed.

IIIII. **Story:** That portion of a building, not including a basement, between the surface of any floor and the surface of the floor next above it, or if there is no floor above, then the space between the floor and the ceiling next above it.

JJJJJ. **Story, first:** The lowest story of any dwelling that is not a basement or half story.

KKKKK. **Story, half:** Any portion of a story of a dwelling with a heated floor area less than two-thirds of the square footage of the entire footprint of the dwelling.

LLLLL. **Street or road, arterial:** A road that is on the Georgia State Highway System and is designated by a State Route number. Such a street primarily serves the purpose of moving traffic through the county. Connecting roads and access to adjacent property should be kept to a minimum on an arterial road, as these interfere with traffic flow, adversely affecting the capacity and safety of the road. (See Functional Classification of Thoroughfares in the Pike County Comprehensive Plan.)

MMMMM. **Street or road, collector:** A road that is not on the Georgia State Highway System. Such a road would usually serve to distribute traffic from individual lots to arterial streets or roads. They may also connect neighborhoods with one another. (See Functional Classification of Thoroughfares in the Pike County Comprehensive Plan.)

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NNNNN. **Street or road, local:** A road that serves adjacent property by providing access to the road network. A local street or road is characterized by short trips, low speeds, and small traffic volumes. The design of this type of road should be toward eliminating through traffic. (See Functional Classification of Thoroughfares in the Pike County Comprehensive Plan.)

OOOOO. **Street, Private.** A road or street that has not been accepted for maintenance by Pike County, and that is not owned and maintained by a state, county, city, or another public entity.

PPPPP. **Street vendor:** Retail businesses licensed to operate without permanent facilities which include roadside stands, tents, carts and tables, or vehicle used for the purpose of retail sales of goods.

QQQQQ. **Structure:** Anything constructed or erected that requires a fixed location on the ground or which is attached to something having a fixed location on the ground.

RRRRR. **Subdivision, minor:** A division of land into five (5) or fewer parcels which does not include the development of a new street or road.

SSSSS. **Subdivision, Major:** The division of a tract or parcel of land into six (6) or more lots which may or may not involve the construction of a new public or private street. A major subdivision shall also include any minor subdivision that includes interior improvements such as interior streets or interior utility system(s) and related infrastructure or requires the alteration of existing public streets.

1. This definition does not include the following:
  - a. The combination or recombination of portions of previously platted lots where the total number of lots is not increased and the resulting lots are at least equal to standards set forth in this ordinance.
  - b. The division of land among heirs by judicial decree.

TTTTT. **Tower:** Any structure that is designed and constructed primarily for the purpose of supporting one (1) or more antennas, including but not limited to, self-supporting lattice towers, guy towers, or monopole towers. The term includes radio and television transmission towers, microwave towers, common-carrier towers, cellular telephone towers and the like. This definition does not include a tower, domestic, as defined in section 202.

UUUUU. **Tower, domestic:** Any tower, as defined in section 202 used primarily for the purpose of supporting an antenna, domestic, and which does not exceed ten (10) feet in height. In addition thereto, the definition of tower, domestic, includes any amateur radio tower owned or operated by a federally licensed amateur radio station operator which is not greater than one hundred (100) feet in height.

VVVVV. **Use:** Any purpose for which a building or 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 structure or a tract of land.

WWWWW. **Use, accessory:** A use or structure customarily incidental and subordinate to the principal use or structure, and located on the same lot as the principal use or structure.

XXXXX. **Use, non-conforming:** Use of land and/or buildings that does not conform to the regulations and standards of the district in which it is located, which lawfully existed at the time of adoption of this ordinance and is allowed to continue under the provisions for non-conforming uses.

YYYYY. **Use, principal:** The main purpose for which a lot is intended or for which it is used.

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**ZZZZZ. Utility substation:** Any public or private utility facility which is designed for the purposes of switching, storage, transfer, rebroadcast or other transmission or re-transmission purposes, exclusive of individual transmission line, which provides services including (but not limited to) cable television, telephone, gas and electricity

**AAAAAA. Vacation Rental, Short-term:** The use of all or part of an accessory dwelling unit/Guest quarters for the purposes of temporary occupancy, sleeping or lodging of no more than fourteen (14) consecutive days. Vacation rentals include the arrangement of such rental by the owner through a booking agent. Short-term vacation rentals require an approved special use permit and are subject to all regulations related to hotel and motel taxes. This is not to be considered limited lodging or a vacation home as defined herein.

**BBBBBB. Variance:** A permit issued by the Planning and Zoning Board that allows use of a parcel of land in a way that varies from the requirements for the district in which the property is located. See Article 4 for further details.

**CCCCC. Wall:** A solid, usually opaque, barrier erected upon a property for the purpose of separating properties, screening, enclosure, protection, and reconciling significant elevation differences. For the purpose of this Ordinance, 'wall' shall not refer to any load-bearing walls that are part of a building. For the purposes of this Ordinance, there are six general types of walls:

**DDDDDD. Wall, Decorative.** A low, freestanding wall consisting of brick, stone, block, timbers, or similar materials and constructed with a design that includes specific pattern elements or ornamentation. Decorative walls are usually not security or privacy walls and are often located well within the interior of a property parcel, such as a low, garden wall.

**EEEEEE. Wall, Municipal.** A wall occurring on property owned by or under the jurisdiction of Pike County, Georgia government and/or its Boards and Authorities.

**FFFFFF. Wall, Privacy.** A freestanding wall constructed of brick, stone, block, timbers, or other similar materials that blocks vision for the purpose of obscuring or screening an area from public view.

**GGGGGG. Wall, Retaining.** A wall constructed of brick, stone, block, timbers, or other similar materials that quickly allows for necessary grade changes where horizontal space on a property may be limited. Also a wall constructed to hold back soil or rock from a building, structure, or a wall constructed to prevent the erosion of soil on steep slopes.

**HHHHHH. Wall, Security:** A freestanding wall constructed of brick, stone, block, timbers, or other similar materials that blocks access to potentially valuable or dangerous areas within a private or public property parcel.

**IIIIII. Wall, Unsafe:** A wall deemed unsafe by the Director of Planning and Development.

**JJJJJJ. Wireless facility, small:** Radio transceivers; surface wave couplers; antennas; coaxial, fiber optic or other cabling; power supply; backup batteries; and comparable and associated equipment, regardless of technological configuration, at a fixed location or fixed locations that enable communication or surface wave communication between user equipment and a communications network and the meet both of that following qualifications:

1. Each wireless provider's antenna will fit within an enclosure of no more than six (6) cubic feet in volume; and

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2. All other wireless equipment associated with the facility is cumulatively no more than twenty-eight (28) cubic feet in volume, measured based upon the exterior dimensions of height by width by depth of any enclosure that may be used. The following types of associated ancillary equipment are not included in the calculation of the volume of all other wireless equipment associated with any such facility:
    - a. Electric meters;
    - b. Concealment elements;
    - c. Telecommunications demarcation boxes;
    - d. Grounding equipment;
    - e. Power transfer switches;
    - f. Cut-off switches; and
    - g. Vertical cable runs for connection of power and other services.
  3. This term does not include a pole, decorative pole, or support structure on, under or within which the equipment is located or collocated or to which the equipment is attached and shall not include any wireline backhaul facilities or coaxial, fiber optic or other cabling that is between small wireless facilities, poles, decorative poles, or support structures or that is not otherwise immediately adjacent to or directly associated with a particular antenna.

KKKKKK. **Yard:** The open space on a lot that is left unoccupied with structures and facilities, except as permitted by this ordinance. A yard includes the area required by this ordinance for a setback.

LLLLLL. **Yard, front:** The open space on a lot located between the right-of-way boundary of the abutting street and the front most line or portion of an existing structure as extended to the lot lines to either side. Any yard lying between an abutting street and the building lines is considered a front yard. For example, in the case of a corner lot which is abutted on two (2) sides by streets, both yards abutting the streets would be front yards; setbacks and other development standards for front yards would apply to both of these yards.

MMMMMM. **Yard, rear:** The open space located between the rear property line and the rear most line or portion of an existing structure as extended to the side lot lines.

NNNNNN. **Yard, side:** The open space located between the side property line and the side most line or portion of an existing structure as extended to the front and rear lot lines.

OOOOOO. **Zoning Administrator:** The person, officer or official or his/her authorized representative, whom the Board of Commissioners of Pike County has designated as its agent for the administration of these regulations. Unless otherwise specifically designated by the Board of Commissioners, the Planning and Development Director shall be the zoning administrator.

PPPPPP. **Zoning district:** One (1) or more sections of Pike County, Georgia as delineated and designated on the official map, within which the zoning regulations are uniform.

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## Sec. 203. Housing definitions.

- A. **Conventional construction:** A dwelling unit constructed on the building site from basic materials delivered to the site; and which is constructed in accordance with the Standard Building Code of the International Residential Code (IRC), and meeting the following development standards:
1. The home has a minimum width in excess of sixteen (16) feet.
  2. The pitch of the dwelling unit's roof has a minimum vertical rise of four (4) feet for each twelve (12) feet of horizontal run, except that any such dwelling unit for which a building permit was applied prior to the adoption of this ordinance may be extended, enlarged or repaired as otherwise provided by this ordinance with the same roof pitch as that allowed by the aforesaid building permit.
  3. For purposes of this definition, a unit of conventional construction constructed outside the boundaries of Pike County may not be brought into Pike County and used as a dwelling if such home was constructed more than five (5) years from date application is requested.
  4. For purposes of this definition, no manufactured home (as defined in section 203(S—U)) may be attached to any conventionally constructed dwelling unit by means of breezeway, corridor or hallway.
- B. **DCA:** Georgia Department of Community Affairs of the State of Georgia.
- C. **Doublewide:** An obsolete term used to describe a mobile home or manufactured home having a width of generally between twenty (20) and twenty-eight (28) feet.
- D. **Dwelling:** A building or portion thereof designed, arranged, or used principally for residential occupancy, not including motels, hotels, boarding houses, or rooming houses.
- E. **Dwelling, barndominium or barn house:** A non-traditional single structure constructed with a common roof which includes:
1. A dwelling, single-family detached, with heated floor area, minimum which must separately meet the requirement for the zoning district in which it is located; and
  2. A barn, garage, or carport, private, workshop or storage space the square footage of which is not included in the calculation of the heated floor area.
- A barn (or other structure) detached from the dwelling is not included within this definition.
- F. **Dwelling, single-family detached:** A single residential detached building designed for or containing one (1) dwelling unit.
- G. **Factory-built housing:** An obsolete term used to describe an industrialized home. See definition of industrialized home.
- H. **Heated floor area, minimum:** The finished portion of a dwelling that is primarily intended and ready for human habitation and everyday use. A portion of a dwelling shall be deemed "finished" when:
1. It is heated;
  2. Its walls and floors are covered with a finished covering; and
  3. It is served by electricity with fixtures operated by functional outlets and switches which have been installed in compliance with any and all applicable building codes for occupancy.
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For purposes of this definition, the following portions of a dwelling shall not be considered "finished" even if served by utilities: crawlspace, attic, garage, carport, unfinished basement.

- I. **HUD:** U.S. Department of Housing and Urban Development.
- J. **Industrialized home:** A residential structure which is (either wholly or in substantial part) made, fabricated, formed or assembled in one (1) or more factory built sections or panels in manufacturing facilities for assembly and installation on a building site. An industrialized home is manufactured in such a manner that all parts or processes cannot be inspected at the installation site without disassembly, damage to or destruction thereof and which, when completed, meets or exceeds the requirements of any and all development standards for conventionally constructed site built housing. Any industrialized home must be designed to be permanently connected to a site-built foundation. No industrialized home shall be constructed with a chassis, as defined in 24 C.F.R. § 3280.902(a). It is the intent of this definition to include structures or components which are included within O.C.G.A. § 8-2-111(3) and 7 C.F.R. § 3550.10 or which are approved pursuant to the Rules and Regulations of the Department of Community Affairs of the State of Georgia and which bear an insignia of approval issued by the commissioner thereof.

In addition, any industrialized home shall meet the following standards:

- 1. The home has a minimum width in excess of twenty (20) feet.
  - 2. The pitch of the home's roof has a minimum vertical rise of four (4) feet for each twelve (12) feet of horizontal run, and the roof is finished with a type of material that is commonly used in conventional residential construction, except that any such home for which a building permit was applied prior to the adoption of this ordinance may be extended, enlarged or repaired as otherwise provided by this ordinance with the same roof pitch as that allowed by the issued building permit.
  - 3. The exterior siding consists of wood, hardboard, vinyl, brick, masonry, or aluminum (vinyl-covered or painted, but in no case exceeding the reflectivity of gloss white paint) comparable in composition, appearance and durability to the exterior siding commonly used in conventional residential construction.
  - 4. The home, if constructed outside of the boundaries of Pike County, may not be brought into Pike County and used as a dwelling if such home was constructed more than five (5) years from the date on which the application is requested.
  - 5. Any person desiring to locate or place an industrialized home within Pike County shall comply with the requirements of section 408 and section 419 of this ordinance.
  - 6. For purposes of this definition, no manufactured home as defined in section 203 may be attached to any industrialized home by means of breezeway, corridor or hallway.
- K. **Manufactured home, Class A:**
- 1. A dwelling unit fabricated in an off-site facility for installation or assembly at the building site, bearing a label certifying it is constructed in compliance with the Federal Manufactured Home and Standards Act 42 U.S.C. 5401-5445 (the HUD Code, which became effective on June 15, 1976), and meeting the following development standards:
    - a. Minimum width in excess of sixteen (16) feet.
    - b. The pitch of the home's roof has a minimum vertical rise of four (4) feet for each twelve (12) feet of horizontal run, and the roof is finished with a type of shingle that is commonly used in conventional residential construction, except that any such home for which a building permit was applied prior to

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- the adoption of this ordinance may be extended, enlarged or repaired as otherwise provided by this ordinance with the same roof pitch as that allowed by the aforesaid building permit.
- c. The exterior siding consists of wood, hardboard, vinyl, brick, masonry, or aluminum (vinyl covered or painted, but in no case exceeding the reflectivity of gloss white paint) comparable in composition, appearance, and durability to the exterior siding commonly used in conventional residential construction.
  - d. Piers/footings must be a minimum of twenty-four (24) inches by twenty-four (24) inches and six (6) inches deep.
  - e. A curtain wall, un-pierced except for required ventilation and access and constructed of masonry, is installed so that it encloses the area located under the home to the ground level. Such a wall shall have a minimum thickness of four (4) inches.
  - f. The tongue, axles, transporting lights, and towing apparatus are removed after placement on the lot and before occupancy.
  - g. A minimum three (3) foot by three (3) foot attached porch on front and back of home.
  - h. For purposes of this definition, no manufactured home as defined in Section 203 may be attached to any other Manufactured Home, Class A by means of breezeway, corridor or hallway.
2. All manufactured homes must be installed in accordance with O.C.G.A. § 8-2-160 et seq.
  3. Landings of the requisite composition and size as per Section 1113 of the Standard Building Code of the Southern Building Code Congress International, with said provisions being expressly incorporated by reference herein as part of this requirement.
  4. Manufactured homes are not permitted to be used as storage buildings.
- L. **Manufactured home, Class B.** A dwelling unit fabricated in an off-site facility for installation or assembly at the building site, bearing a label certifying it is constructed in compliance with Federal Manufactured Home Construction and Safety Standards Act 42 U.S.C. 5401-5445 (the HUD Code, which became effective on June 15, 1976), but does not satisfy the criteria necessary to qualify the unit as a Class A manufactured home. All manufactured homes must be installed in accordance with 8-2-160, et seq. of the Official Code of Georgia Annotated. Manufactured homes are not permitted to be used as storage buildings.
- M. **Manufactured home, Class C.** Any manufactured home that does not meet the definitional criteria of a Class A or Class B manufactured home (not constructed to the HUD Code). All manufactured homes must be installed in accordance with 8-2-160, et seq. of the Official Code of Georgia Annotated. Class C manufactured homes must meet the construction standards specified in ANSI A119.1. Compliance with ANSI A119.1 may be determined by any of the following procedures:
1. For Class C manufactured homes, which are proposed to be located within Pike County for the first time or which are proposed to be relocated within Pike County, the Pike County administrative officer must inspect the unit and determine what (if anything) is needed to bring the unit up to the standards of ANSI 119.1. Upon determining that the unit meets ANSI 119.1 standards and that the provisions of all other applicable Pike County ordinances are met by the proposed placement of the manufactured home, the administrative officer will issue the permit for placement of the manufactured home.
- N. **Manufactured home space:** An area of land within a planned manufactured home community designed to accommodate one (1) manufactured home.
- O. **Manufactured housing:** A general term used to describe a type of housing that is produced, either completely or partially in a factory, including manufactured homes, modular homes, and industrialized homes.
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- P. **Mobile home:** An obsolete term used to describe a manufactured home.
- Q. **Mobile home park:** An obsolete term used to describe a planned manufactured home park. See definition of planned manufactured home community.
- R. **Modular home:** A factory-fabricated single-family dwelling that is constructed in one (1) or more sections and complies with the definition of industrialized home.
- S. **Mother-in-law suite/Guest Quarters:** An accessory structure to a dwelling, single-family detached that meets the following development standards:
1. Shall be located in the rear yard only, unless on a parcel larger than 10 acres.
  2. Shall be a maximum of 1500 square feet or 50% of the primary resident, whichever is less.
    - a. Square footage is measured using heated floor area.
  3. Only one mother-in-law suite/guest quarters is allowed per parcel.
  4. Shall not be rented.
  5. Garage/Carport are not allowed in the following zoning districts R-1, and R-2.
  6. Shall be ancillary to an existing principal dwelling and built after or during construction of the principal dwelling.
- T. **National Manufactured Home Construction and Safety Standards:** The national building code for all manufactured homes built since June 15, 1976, written and administered by the U.S. Department of Housing and Urban Development; also known as the "HUD Code."
- U. **Pre-fabricated home:** A general term used to describe any home constructed in a factory setting including manufactured homes, modular homes, and industrialized homes.
- V. **Recreational vehicle:** A vehicle designed as a temporary dwelling for travel or recreational uses. Also referred to as, camping trailers, travel trailers, camper pick-up coaches, and motorized homes.
- W. **Residential occupancy:** Stay at a dwelling, for any length of time, when such dwelling is the occupant's primary address of domicile.
- X. **Sectional home:** A general term used to describe any home constructed in a factory setting, especially manufactured homes.
- Y. **Single-wide:** An obsolete term used to describe a mobile home or manufactured home having a width of between eight (8) and sixteen (16) feet.
- Z. **Site-built home:** See definition of conventional construction.
- AA. **Stick-built home:** See definition of conventional construction.
- BB. **Trailer:** An obsolete term used to describe a manufactured home.
- CC. **Trailer court:** An obsolete term used to describe a planned manufactured home community. See definition of planned manufactured home community.
- DD. **Trailer park:** An obsolete term used to describe a planned manufactured home community. See definition of planned manufactured home community.
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- EE. **Travel trailer:** A vehicle designed as a temporary dwelling for travel or recreational uses, not more than eight (8) feet in width and not more than thirty (30) feet in length.
- FF. **Travel trailer park:** A lot on which are parked two (2) or more travel trailers for a period of less than thirty (30) days.
- GG. **Wall, curtain:** A nonbearing wall between columns or piers and which is not supported by girders or beams, but is supported on the ground.

## **Sec. 204. Sign definitions.**

- A. **Abandoned Sign:** Any sign that contains or exhibits broken panels, visible rust, visible rot, damaged support structures, or missing letters or which is otherwise dilapidated, unsightly, or unkempt, and for which no person accepts maintenance responsibility.
- B. **Audible Sign:** Any sign which emits a sound which is audible or emits a signal which can be converted into audible sounds, whether by radio or other means.
- C. **Awning/Canopy Sign:** Any sign that is a part of, or attached to, an awning, canopy or other fabric, plastic or structural protective cover over a door, entrance, window, or outdoor service area. A marquee is not a canopy.
- D. **Banner:** A sign other than a flag with or without characters, letters, illustrations or ornamentation applied to cloth, paper, or fabric that is intended to be hung either with a frame or without a frame. Neither flags nor canopy signs are considered banners.
- E. **Beacon:** Any light with one or more beams directed into the atmosphere or directed at one or more points not on the same lot as the light source; also, any light with one or more beams that rotate or move. A Beacon is considered a prohibited sign unless otherwise required by Federal and/or State law, rule or regulation.
- F. **Changeable Copy Sign:** Any sign that incorporates changing lights, lettering, or images to form a sign message or messages, whether such changes are accomplished electronically or manually.
- G. **Electronic Sign:** Any sign that, through computer programming, may exhibit illuminated changeable copy, flashing and /or scrolling elements, and /or illuminated, changeable graphics on a fixed display surface.
- H. **Flag:** Any fabric or bunting containing colors, patterns, or symbol used as a symbol of a government or other entity or organization.
- I. **Flashing Sign:** A sign, the illumination of which is not kept constant in intensity at all times when in use and which exhibits marked changes in lighting effects.
- J. **Marquee Sign:** Any permanent roof-like structure projecting beyond a building or extending along and projecting beyond the wall of the building, generally designed and constructed to provide protection from the weather. A marquee sign is prohibited. See Section 158.10
- K. **Obscene:** Material is obscene if to the average person, applying contemporary community standards, taken as a whole, it predominantly appeals to the prurient interest, that is, a shameful or morbid interest in nudity, sex or excretion; the material taken as a whole lacks serious literary, artistic, political or scientific

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value; and the material depicts or describes, in a patently offensive way, sexual conduct specifically defined as:

- a. acts of sexual intercourse, heterosexual or homosexual, normal or perverted, actual or simulated;
- b. acts of masturbation;
- c. acts involving excretory functions or lewd exhibition of the genitals;
- d. acts of bestiality or the fondling of sex organs of animals; or (e) sexual acts of flagellation, torture, or other violence indicating a sadomasochistic sexual relationship.

- L. **Out-of-Store Marketing Device:** Any facility or equipment which is located outside of a primary building on a site zoned for non-residential uses, which is used for the primary purpose of providing a product or service without the owner's or agent's immediate presence, and which is manufactured to include a color, form, graphic, illumination, symbol, and/or writing thereon to communicate information regarding the product or service provided thereby to the public. Examples of out-of-store marketing devices include: fuel pumps, bank ATM units, vending machines, newspaper racks, drink machines, ice boxes, and phone booths. Where such out-of-store marketing devices are too small to be legible to the traveling public on neighboring rights-of-way and are otherwise non-removable without damage to the equipment's surface, they do not require a permit and are not subject to overall sign limitations for the lot on which they appear.
  - M. **Pennant; Streamer:** Any lightweight plastic, fabric, or other material, whether or not containing a message of any kind, suspended from a rope, wire, or string, usually in a series, designed to move in the wind.
  - N. **Portable Sign:** A sign which is not permanently affixed to the ground or to a structure, including but not limited to signs on trailers or signs mounted or painted on vehicles which are parked in such a manner as to serve the purpose of a sign.
  - O. **Public Sign:** Any sign erected by a governmental entity.
  - P. **Roof Sign:** Any sign erected and constructed wholly on and over the roof of a building or supported by the roof structure.
  - Q. **Sign:** A sign is an object, device, display, or structure thereof, displayed outdoors or visible from a public way, which is used to advertise, identify, display, direct or attract attention to an object, person, institution, organization, business, product, service, event or location; or to express a point of view, by any means including words, letters, figures, designs, symbols, advertising flags, fixtures, colors, illuminations or projected images. Each substantially different face of a sign shall constitute a separate sign.
  - R. **Sign Area:**
    - 1. The area of the smallest rectangle within which all elements of a flat sign are contained (a flat sign being one with two display surfaces facing exactly opposite directions, or one display surface if against the wall of a building); or the maximum projected surface area (projected in one direction) of any other sign.
    - 2. Supporting structures for signs shall not be counted in the sign area, provided such supporting structures consist of posts, hangers, or brackets of the minimum number and size necessary to support the sign. A wall or fence on which a sign is mounted shall not be counted in the sign area, provided it serves primarily to enclose, divide, or protect an area.
  - S. **Sign, Free Standing:** A sign that is not mounted on a principal building.
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- T. **Sign, Monument:** A freestanding sign having the appearance of a solid base of landscape construction materials such as brick, stucco, stonework, textured wood, tile or textured concrete materials compatible with the materials of the primary structure on the subject property.
  - U. **Sign, Non-Conforming:** Any sign that does not conform to the provisions of this Chapter at the effective date of this Chapter, or any amendment thereto.
  - V. **Sign, Traffic Control:** A sign to regulate the safe and ordered flow of vehicular and pedestrian traffic.
  - W. **Sign, Wall:** A sign which is mounted parallel on the exterior surface of a building in which the activity advertised by the sign is located.
  - X. **Window Sign:** Any sign that is placed inside a window or upon the window panes or glass, either inside or outside the building, and is visible from the exterior of the structure.