

## Chapter 3—Definitions

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The following definitions are to clarify terms found in this Ordinance. Terms in this Ordinance that are not defined herewith shall be defined by the definition provided by the *American Heritage Dictionary, Second College Edition* or comparable dictionary. If the term cannot be found or if there is no logical nexus between the term in this Ordinance and a dictionary, the Zoning Administrator shall seek to provide a suitable definition.

The following symbols have been utilized to make it easier for users of this Ordinance to locate definitions applicable to their area of concern. Such definitions are not necessarily appropriate only to the symbol subject area but contain some language specific to the area.

τ	Landscaping, Environmental, and Enforcement Definitions
<	Parking and Loading Definitions
λ	Subdivision Definitions
ω	Historic Preservation Definitions

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### §3.010 "A" Definitions

1. **ABANDONED STRUCTURE:** means and includes: residential structures; commercial structures; and industrial structures. Abandoned residential structures mean any building which has been used or was intended for use as a residential dwelling, in whole or in part, including an accessory building, which has become vacant or abandoned for a period of at least thirty (30) consecutive days. Abandoned commercial and industrial structures mean any building which has become abandoned or vacant, in for a period of sixty (60) consecutive days. Abandoned multi-tenant structures, residential, commercial or industrial shall mean any building which is more than fifty percent (50%) unoccupied for a period of sixty (60) consecutive days. In addition, abandoned structures must also meet at least one of the following conditions:

- a. Is open to casual entry or trespass;
  - b. Is damaged by fire, flood, weather or vandalism to an extent which prohibits safe human occupancy;
  - c. Is the site of loitering and vagrancy;
  - d. Demonstrates a lack of property maintenance and upkeep as evidenced by one or more violations of the City's property maintenance ordinances or construction codes;
  - e. Is under notice for being in violation of City ordinances;
  - f. Has been secured or boarded up for at least thirty (30) days;
  - g. Has taxes in arrears to the City or a period of time exceeding three hundred sixty-five (365) days;
  - h. Has utilities disconnected or not in use;
  - i. Is under a condemnation notice or legal order to vacate;
  - j. Is structurally unsound; or
  - k. Is a potential hazard or danger to persons.
2. ABANDONMENT - To cease or discontinue a use or activity without intent to resume, but excluding temporary or short term interruptions to a use or activity during periods of remodeling, maintaining, or otherwise improving or rearranging a facility, or during normal periods of vacation or seasonal closure.
  3. ABATEMENT – To abate or diminish. The method of eliminating or reducing the degree and intensity of pollution or other hazard, nuisance, or violation of this Ordinance.τ
  4. ABUTTING - Having a common border with, or being separated from such a common border by a right-of-way, alley, or easement.
  5. ACCESS – A way or means of approach to provide vehicular or pedestrian physical entrance to a property.
  6. ACCESSORY APARTMENT - A second dwelling unit either in or added to an existing single-family detached dwelling, or in a separate accessory structure on the same lot as the main dwelling, for use as a complete, independent living facility with provision within the accessory apartment for cooking, eating, sanitation, and sleeping. Such a dwelling is an accessory use to the main dwelling. This includes, but is not limited to, mother-in-law suites and residences for domestic help.
  7. ACCESSORY BUILDING OR STRUCTURE - A subordinate building or structure detached from but located on the same lot as the principal structure, the use of which is incidental and accessory or subordinate to that of the principal structure.
  8. ACCESSORY USE - A use incidental to, and on the same lot as, a principal use.
  9. ADDITION – Any walled and roofed expansion to the perimeter of a building to which the addition is connected by a common load bearing wall other than a firewall. Any walled and roofed addition that is connected to a firewall or is separated by independent perimeter load-bearing walls shall be considered new construction.
  10. ADJACENT LAND, LOT, OR PARCEL – To be adjacent and joined to.
  11. ADJOINING LAND, LOT, OR PARCEL – A lot or parcel of land that shares all or part of a common lot line with another lot or parcel of land.
  12. ADULT ENTERTAINMENT USE -- Shall be defined for the purpose of this ordinance as defined in Article II of Chapter 6 of the Code of Ordinances of the City of Newnan, Georgia.

13. ADVERSE INFLUENCE OR IMPACT – A condition that creates, imposes, aggravates, or leads to inadequate, impractical, unsafe, or unhealthy conditions on a site proposed for development or on off-site property or facilities.
14. AESTHETIC – The perception of artistic elements or elements in the natural or created environment that are pleasing to the eye.
15. AGRIBUSINESS, NEIGHBORHOOD – The business collectively associated with the production, processing and distribution of agricultural products grown or produced on site and related tourism and educational activities as allowed.
16. AGRICULTURE – The production, keeping, or maintenance for sale, lease, or personal use of plants and animals useful to society, including but not limited to: forages and sod crops, grains and seed crops, dairy animals and dairy products, poultry and poultry products; livestock, including beef cattle, sheep, swine, horses, ponies, mules, or goats or any mutations or hybrids thereof, including the breeding and grazing of any or all such animals; bees and apiary products; fur animals; trees and forest products; fruits of all kinds; including grapes, nuts, and berries; vegetables; nursery, floral ornamental, and greenhouse products; or lands devoted to a soil conservation or forestry management program.
17. AIRPORT – A place, on land or in water, where aircraft can land and take off, usually equipped with hangars, facilities for refueling and repair, and various accommodations for passengers. The U.S. Department of Transportation in its National Plan of Integrated Airport Systems (PL 97-248), defines five (5) basic airport categories that reflect the type of public service provided. They are:
  - a. Primary Commercial Service
  - b. Other Commercial Service
  - c. Reliever Airport With Commercial Service
  - d. Reliever Airport
  - e. General Aviation Airport

The five (5) basic categories are further defined by role, which in turn affects the aircraft that can be accommodated, and the roles and markets to be served. These are:

- a. BU – Basic Utility
- b. GU – General Utility
- c. BT – Basic Transport
- d. GT – General Transport
- e. TR – Transport Type
- f. L – Long Haul (Greater than 1500 Miles)
- g. M – Medium Haul (500 to 1500 Miles)
- h. S – Short Haul (Less than 500 Miles)
- i. HE – Heliport
- j. ST – STOLport (Short Takeoff and Landing)

BU airports accommodate most single-engine aircraft and many of the smaller twin-engine aircraft. GU airports accommodate virtually all general aviation aircraft, with maximum gross takeoff weights of 12,500 pounds or less. BT, GT, and TR airports are designed for business jets and transport-type aircraft.

18. AIR RIGHTS - The ownership or control of all land, property, and that area of space at and above a horizontal plane over the ground surface of land used for railroad, expressway, or other public or quasi-public purpose or purposes. The horizontal plane

shall be at a height that is reasonably necessary or legally required for the full and free use of the ground surface.

19. ALLEY - A public or private way permanently reserved as a secondary means of access to abutting property and not intended for general traffic circulation.λ
20. ALTERATION - Any change, addition, or modification in construction or occupancy of an existing structure.
21. ALTERATION, STRUCTURAL - Any change in the supporting members of a building or structure, such as bearing walls, columns, beams, or girders.
22. AMENITIES – A natural or created feature that enhances the aesthetic quality, visual appeal, or makes more attractive or satisfying a particular property, place, or area.
23. AMERICANS WITH DISABILITIES ACT (ADA)—Signed into law on July 26, 1990, ADA prohibits discrimination on the basis of disability in employment, programs and services provided by state and local governments, goods and services provided by private companies, and in commercial facilities. It contains requirements for new construction, for alterations or renovations to buildings and facilities, and for improving access to existing facilities of private companies providing goods or services to the public. It also requires that State and local governments provide access to programs offered to the public. The ADA also covers effective communication with people with disabilities; an eligibility criterion that may restrict or prevent access, and requires reasonable modifications of policies and practices that may be discriminatory.
24. AMUSEMENT ARCADE OR CENTER - A building or part of a building in which five or more pinball machines, video games, or other similar player-operated amusement devices are maintained.
25. AMUSEMENT PARK – Facilities including water parks and other privately owned outdoor amusement facilities.
26. ANCILLIARY RETAIL SALES – Retail sales of goods and services which are secondary in nature to the primary industrial use of the property in so much that the goods for sale have been produced on-site or are in storage at the site for planned distribution to other areas. The ancillary retail sale of goods shall only be conducted as part of a permitted industrial use and shall not be a free standing business. Also **Accessory Retail Sales.**
27. ANIMAL BOARDING OR BREEDING KENNEL – A commercial establishment, in which dogs or other domesticated animals are housed, groomed, bred, boarded, trained, or sold, all for a fee or compensation.
28. ANIMAL CONFINEMENT FACILITY – Any term used to refer to the enclosure or confinement of animals including barns, corrals, pens, fences, coops, cages, hutch, aviaries, walls, etc. for the purpose of keeping animals on the property and allowing the animal enough space to roam relatively freely on the owner’s property.
29. ANIMAL HOSPITAL (Clinic) - Establishments of licensed practitioners primarily engaged in the practice of veterinary medicine, dentistry, or surgery, for animal specialties. Animal specialties include horses, fur-bearing animals, rabbits, dogs, cats, and other pets and birds except poultry.
30. ANNEXATION – The incorporation of land area into an existing community with a resulting change in the boundaries of that community.

31. ANTENNA -- Any system of wires, poles, rods, reflecting discs, or similar devices used for the transmission or reception of electromagnetic waves external to or attached to the exterior of any building.
32. APARTMENT – See **Dwelling, Multi-Family.**
33. APICULTRE – See Beekeeping.
34. APPEAL – A petition by any person or persons aggrieved to revisit any decision made by a governing or deciding body.
35. APPLICANT – Any person making a request to the City for any approval, permit, or authorization under the procedures contained in this Ordinance.
36. APPLICATION – The application form and all accompanying documents and exhibits required of an applicant by an approving authority for development review purposes.
37. APPLICATION, ACTIVE – Any rezoning application, plan amendment application, Special Exception application, temporary land use permit application, preliminary or final plat application, preliminary or final site plan application, or other application governed by this Ordinance which has been officially accepted by the City and which is not an inactive application, or has not been withdrawn or has not received a final decision.
38. APPLICATION, INACTIVE – Any rezoning application, plan amendment application, Special Exception application, temporary land use permit application, preliminary or final plat application, preliminary or final site plan application, or other application governed by this Ordinance but which has had processing suspended either by request of the applicant or by having no contact or activity occur in regard to the applicant for a period of twelve (12) months.
39. APPROVAL, TO APPROVE – An act by an authorized City executive or staff member whereby such official finds that an application, plan, or other official submittal has been found acceptable in accordance with applicable standards, specifications, and requirements as stated in this Ordinance, or that the criteria has been accepted by such official.
40. APPROVE WITH CONDITIONS – To approve an application, site plan, subdivision plat, or other development project submittal or request with specific lawful conditions attached to such approval.
41. APPURTANENCES – The visible, functional, or ornamental objects accessory to and part of buildings.
42. AQUACULTURE - Land devoted to the hatching, raising and breeding of fish or other aquatic plants or animals for sale or personal use. A controlled discharge of pollutants to enhance growth of harvestable freshwater or marine life plants or animal species.
43. AQUIFER - A geological unit in which porous and permeable conditions exist and thus are capable of yielding usable amounts of water.
44. AQUIFER RECHARGE AREA - An area that has soils and geological features that are conducive to allowing significant amounts of surface water to percolate into groundwater. Significant recharge areas are mapped by the Department of Natural Resources in Hydrologic Atlas 18 (1998) edition. Mapping of recharge areas is based on outcrop area, lithology, soil type, thickness, slope, density, of lithologic contacts,

geologic structure, presence of karst, and potentiometric surfaces. Significant recharge areas are as follows in the various geologic provinces of Georgia:

In the Piedmont and in the Blue Ridge, rocks have little primary porosity, with most groundwater being stored in the overlying soils. The significant recharges are those with thicker soils. Field mapping indicates thick soils in the Piedmont and Blue Ridge are characterized by a density of two or more geologic contacts per four square miles (source: 1976 1:500,000 Geologic Map of Georgia) and slopes lower than 8%.

45. ARCADE – A continuous passageway parallel to and open to a street, open space, or building, usually covered by a canopy or permanent roofing, and accessible and open to the public.
46. ARCHITECTURAL FEATURES, EXTERIOR – Means the architectural style, general design and general arrangement of the exterior of a building, structure or object, including but not limited to the kind or texture of the building material and the type and style of all windows, doors, signs and other appurtenant architectural fixtures, features, details or elements relative to the foregoing.
47. AREA OR SPECIFIC PLAN – Either an individual component of a master plan relating to a specific geographic sub-area of the City, or an independently developed plan relating to a geographic sub-area of the City.
48. AS-OF-RIGHT – The ability to build a building, establish a use, or perform some other activity as provided by this ordinance without additional legislative or Planning Commission approval.
49. ASSISTED LIVING FACILITY – A residential facility for three or more persons, primarily over the age of sixty (60) who require oversight or assistance. Such residents are no longer able to live independently, but do not need 24 hour medical care offered by a Nursing Home.
50. ASSISTED LIVING FACILITY FOR THE DEVELOPMENTALLY DISABLED –A residential facility providing for 24-hour non-medical care for adults primarily aged eighteen (18) to fifty-nine (59) who are unable to independently provide for their own daily needs. For the purpose of this facility, residents may include the physically disabled or handicapped, the mentally handicapped and the developmentally disabled.
51. ATRIUM – A hall or entrance court, usually with substantial wall or ceiling area of glass.
52. ATTIC – That part of a building that is immediately below and wholly or partly within the roof framing.
53. AUTOMOBILE SERVICE STATION – Any building, land area, or other premises, or any portion thereof, used for the retail dispensing or sales of vehicular fuels; servicing or repair of vehicles; and including as an accessory use, the sale and installation of lubricants, tires, batteries, and similar vehicle accessories for cars, vans, and light trucks only.
54. AUTOMOBILE WRECKING YARD - The dismantling or wrecking of used motor vehicles or trailers, or the storage, sale, or dumping of dismantled or wrecked vehicles or their parts. The presence on any lot or parcel of land of two or more motor vehicles, which, for a period exceeding 30 days, have not been capable of operating under their own power and from which parts have been or are to be removed for reuse or sale, shall constitute prima-facie evidence of an automobile wrecking yard.

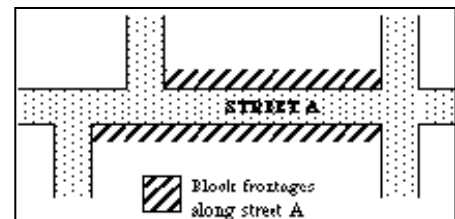
55. **AWNING** – A roof-like cover that is temporary, portable, or easily moveable in nature and that projects from the wall of a building for the purpose of shielding a doorway or window from the elements including those which are stationary or can be periodically retracted into the face of the building.

**§3.020**

**“B” Definitions**

1. **BAR AND/OR COCKTAIL LOUNGE** - Any premises wherein alcoholic beverages are sold at retail for consumption on the premises and minors are excluded therefrom by law. It shall not mean premises wherein such beverages are sold in conjunction with the sale of food for consumption on the premises and the sale of said beverages comprises less than 25 percent of the gross receipts. Also **Tavern, Pub or Public House, and Saloon.**
2. **BASEMENT** – See Story. Also **Cellar.**
3. **BEACON** - Any light with one or more beams directed into the atmosphere or directed at one or more points not on the same zone lot as the light source; also, any light with one or more beams that rotate or move.<
4. **BED AND BREAKFAST INN** - See Chapter 33, §33.080.
5. **BEDROOM** - A room in a dwelling unit planned and intended for sleeping, separable from other rooms by a door.
6. **BEEHIVE** - a habitation or dwelling-place constructed for bees, usually either dome-shaped or box-shaped
7. **BEEKEEPING** - the rearing and breeding of honeybees. Also Apiculture.
8. **BERM** – A mound of earth or the act of pushing earth into a mound, usually landscaped and used for screening purposes.
9. **BLOCK** – A piece, parcel, or tract of land entirely surrounded by public streets, other than alleys, and other major physical barriers such as public parks, cemeteries, railroad rights-of-way, shorelines of waterways, or corporate boundaries.λ

Figure B.1  
Block Frontage



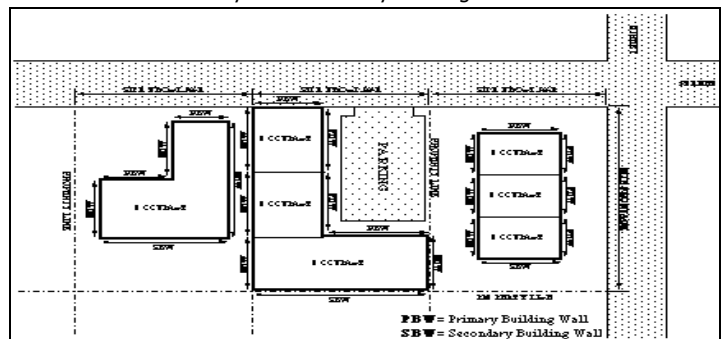
10. **BOARDING HOUSE** – A building, or portion thereof, where meals and lodging are provided for compensation for at least three persons and not more than eight persons exclusive of the proprietor, members of the proprietor’s family and servants or employees of the establishment.
11. **BOND** – A bond shall be legal tender of the United States of America, a cashier’s check, bank official check, bank or postal money order, escrow account, or bond instrument issued by a surety company in the State of Georgia and acceptable to the City and generally required to assure the completion or reconstruction of the improvements covered by such instrument. Said financial security shall be in the amount of at least 120% of the estimated cost of completing or reconstructing those improvements (as determined by the City Engineer).λ
12. **BORROW PIT** - Any place or premises where dirt, soil, sand, gravel, or other material is removed below the grade of surrounding land for any purpose other than that

necessary and incidental to site grading or building construction.

13. BOUNDARY – A line or other thing marking a limit; bound; border.
14. BREWPUB – A restaurant in which beer or malt beverages are manufactured or brewed, subject to the barrel production limitation and regulations prescribed in Chapter 3- Alcoholic Beverages of the Code of Ordinances of the City of Newnan.
15. BUFFER – (a) Open spaces, landscaped areas, fences, walls, berms, or any combination thereof used to physically separate or screen one use or property from another so as to visually shield or block noise, light, or other environmental nuisance; (b) An area along some natural feature designated to protect and/or preserve the essential character of such feature and allow it to be maintained in an undisturbed and natural condition (c) A natural undisturbed portion of a lot, except for approved access and utility crossings, which is set aside to achieve a hundred (100) percent visual barrier between the use on the lot and adjacent lots and/or uses. A buffer is achieved with natural vegetation, and must be replanted subject to approval of the City Landscape Architect when sparsely vegetated. Clearing of undergrowth from a buffer is prohibited excepted when accomplished under the supervision of the City Landscape Architect. Land area used to visibly separate one use from another through screening and distance, to shield or block noise, light, glare, visual, or other conditions, to block physical passage to non-similar areas, or to reduce air pollution, dust, dirt, and litter. Also **Buffer Area** or **Buffer Strip**.<sup>τ</sup>
- 16.. BUILDABLE AREA – The area of a lot or parcel remaining after the dimensional, open space, and buffer requirements of this Ordinance have been met less any land unsuitable for development such as steep slopes, wetlands, flood plains, groundwater recharge areas, and the like.
17. BUILDING – Any structure having a roof supported by columns or by walls and intended for shelter, housing, or enclosure of persons, animals, or chattel including a structure which has no enclosing walls. The term "building" shall be interpreted as if followed by the words "or part thereof." (For the purposes of these regulations, each portion of a building separated from other portions by a firewall shall be considered as a separate building). Building may also refer to a historically related complex such as a courthouse and jail or a house and barn.<sup>ω</sup> See Figure B.2 for illustration of **primary and secondary building walls**.

Figure B.2  
Primary and Secondary Building Walls

18. BUILDING CODE – The currently adopted Building Code, with Georgia amendments.
19. BUILDING, COMMERCIAL – Any type of building other than residential.



20. BUILDING COVERAGE - Determined by dividing that area of a lot which is occupied or covered by the total horizontal projected surface of all buildings, including covered porches, slabs and foundations, and accessory buildings, by the gross area of that lot.
21. BUILDING LINE – A line established at the minimum allowable distance between the nearest portion of any building (excluding the outermost three (3) feet of any



uncovered porches, steps, gutters, and similar fixtures) and the centerline of the street or the right-of-way line, as required by this Ordinance.λ See **Figure B.3 for illustration.**

22. **BUILDING OFFICIAL** - The Building and Zoning Official of the city or his or her designee.<

23. **BUILDING, PRINCIPAL** – A building in which the primary use of the lot on which the building is located is conducted.

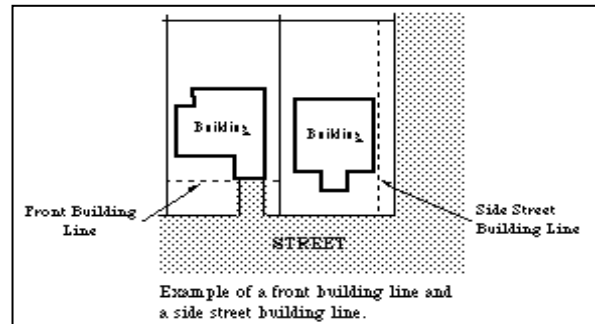
24. **BUILDING, RESIDENTIAL** – Any building or unit of a building intended for occupancy as a dwelling but shall not include a hotel, motel, or similar short-term occupancy use.

25. **BULK REQUIREMENTS** – Refers to standards that control the floor area, lot coverage, height, density, intensity, and location of structures.

26. **BULK STORAGE FACILITY** – The storage of chemicals, petroleum products, grains, or other materials in structures for subsequent resale to distributors, retail dealers, or other outlets.

27. **BUSINESS** – A corporation, partnership, sole proprietor, or any other person or organization carrying on an enterprise for profit or gain.

Figure B.3  
Building Lines



**§3.030**

**“C” Definitions**

1. CALIPER – A method of measuring the diameter of a tree trunk for the purpose of size grading or classification. The caliper of the trunk is measured six (6) inches above the ground, up to and including four (4) inch caliper size, and twelve (12) inches above the ground for larger sizes.τ
2. CAMPGROUND - An area or tract of land on which accommodations for temporary occupancy are located or may be placed, including cabins, tents, and major recreational equipment, and which is primarily used for recreational purposes and retains an open air or natural character.
3. CAPACITY, IN PERSONS – The maximum number of persons that can avail themselves of the services or goods of an establishment, at any one time, with reasonable comfort and safety.
4. CAPACITY, ROADWAY – The maximum hourly rate at which vehicles can reasonably be expected to traverse a point or uniform section of a lane or roadway during a given time period under the prevailing roadway, traffic, and control conditions.
5. CARPORT – A roofed structure providing space for the parking of motor vehicles and enclosed on not more than three (3) sides.
6. CAR WASH - An area of land and/or a structure with machine or hand-operated facilities used principally for cleaning, washing, polishing, or waxing of motor vehicles.
7. CARRY-OUT RESTAURANT - An establishment that offers quick food service, which is accomplished through a limited menu of items already prepared and held for service, or prepared, fried, or grilled quickly, or heated in a device such as a microwave oven. Orders are not generally taken at the customer's table, and food is generally served in disposable wrapping or containers.
8. CELLAR – A space with less than one-half of its floor-to-ceiling height above the average finished grade of the adjoining ground or with a floor-to-ceiling height of less than six and one-half (6½) feet. Also **Basement**. A basement of a building shall not count as a story when determining allowable building height, if the upper surface of the first floor above such basement complies with the following conditions:
  - a) It is less than seven (7) feet above grade;
  - b) It is less than seven (7) feet above finished ground level for more than fifty percent (50%) of the perimeter of the building; and
  - c) It is less than twelve (12) feet above finished ground level around the entire building perimeter, provided however, that basements such as classrooms or assembly rooms shall be counted as a story.
9. CEMETERY - Land used or intended to be used for the burial of the dead and dedicated for cemetery purposes, including columbariums, crematories, mausoleums, and mortuaries when operated in conjunction with and within the boundaries of such cemetery.
10. CENTERLINE OF STREET OR ROAD – The line surveyed and monumented by the governing body as such or, if a centerline has not been surveyed and monumented, it shall be than line running midway between the outside curbs or ditches of the street.

11. CENTRAL BUSINESS DISTRICT (CBD) – Means either: (1) the area where economic activity in the form of business services and retail functions as well as government functions, civic events, and other compatible uses and activities are located or held; or (2) City of Newnan commercial zoning district.
12. CERTIFICATE OF APPROPRIATENESS – Means a document evidencing approval by the Historic Resource Commission of an application to make a material change in the appearance of a designated historic property or of a property located within a designated historic district.ω
13. CERTIFICATE OF OCCUPANCY – A Certificate of Occupancy or CO is a permit establishing the right to safe occupancy in compliance with all of the requirements for such occupancy of a building, structure, or site within the City of Newnan.
14. CHURCH OR PLACE OF RELIGIOUS WORSHIP - An institution that people regularly attend to participate in or hold religious services, meetings, and other activities. The term "church" shall not carry a secular connotation and shall include buildings in which the religious services of any denomination including but not limited to, church, synagogue, temple, chapel, or mosque, are held.
15. CIRCULATION – The movement of vehicles, pedestrians, etc. to go from place to place along a street, alley, parking lot, sidewalk, or other facility dedicated for such purpose.
16. CITY – Means either: (1) provided as follows "City" rather than "city" refers to the municipal government of the City of Newnan, Georgia including representatives of the appropriate department for the aspect of development being discussed or considered; or (2) provided as follows "city" rather than "City" refers to all land lying within the corporate limits of the City of Newnan, Georgia as now or hereafter situated.τ
17. CITY LANDSCAPE ARCHITECT – The agent of the City of Newnan having the primary responsibilities of administration and enforcement of the Tree Protection and Landscape Ordinance.τ
18. CLEARING – The selective removal of vegetation from a property, whether by cutting or other means.τ
19. CLEAR-CUTTING - The indiscriminate and broad removal of trees, shrubs, or undergrowth with the intention of preparing real property for non-agricultural development purposes. This definition shall not include the selective removal of non-native tree and shrub species when the soil is left relatively undisturbed; removal of dead trees; or normal mowing operations (See also **Clearing**).τ
20. CLINIC - A building designed and used for the diagnosis and treatment of human patients that does not include overnight care facilities.
21. CLUB - An organization of persons for special purposes or for the promulgation of sports, arts, literature, politics, or the like, but not operated for profit, excluding churches, synagogues, or other houses of worship.
22. CLUSTER DEVELOPMENT - A development design technique that concentrates buildings in specific areas on a site to allow the remaining land to be used for recreation, common open space, and preservation of environmentally sensitive areas. Also **Open Space Chapter 26 of this ordinance.**

23. COACHHOUSE /CARRIAGE HOUSE – A freestanding accessory building historically built to house horse-drawn carriages but often converted into garages, sometimes with accessory housing units for domestic help, relatives, or other persons.
24. COLDFRAME – An unheated outdoor structure consisting of a wooden or concrete frame and a top of glass or clear plastic, used for protecting seedlings and plants from the cold.
25. COMMERCIAL MESSAGE - Any sign wording, logo, or other representation that, directly or indirectly, names, advertises, or calls attention to a business, product, service, or other commercial activity.<
26. COMMERCIAL USE, GENERAL – Those commercial retail or service uses which benefit from close proximity to other such uses including retailing, finance, professional and general offices, and the like. Its primary purpose is to group together in a compact area to complement each other and to facilitate pedestrian and vehicular access.
27. COMMERCIAL VEHICLE – Any self-propelled or towed vehicle used on public roads in interstate or local commerce to transport passengers or goods, provide services, or serve any other commercial or non-residential purpose when:
  - a. The vehicle has a gross weight rating or gross combination weight of 10,000 or more pounds;
  - b. It is used or designed to be used principally for the purpose of conducting business or non-profit organizational use or for carrying passengers for hire;
  - c. Has a platform, cabinet, box, rack, compartment, or other facility for the transportation of materials, equipment, or items other than the personal effects of private passengers;
  - d. The vehicle is designed to transport more than fifteen (15) passengers, including the driver; or
  - e. The vehicle is used in the transportation of hazardous or toxic materials in a quantity requiring placarding under regulations issued by the U.S.D.O.T. under the Hazardous Materials Transportation Act (49 U.S.C. App. 1801-1813) as amended.

Exceptions to this definition includes dually designed for pulling camping trailers or other recreational equipment and outfitted with a fifth-wheel type hitch; certified for multi-passengers less than fifteen (15); or temporary on-site loading or unloading purposes (i.e. moving a truck).

28. COMMERCIAL, RECREATION OR ENTERTAINMENT – Uses established to promote and protect a suitable amusement environment for the public.
29. COMMON AREA – Land amenities; certain areas of buildings such as lobbies, corridors, and hallways; central services and utilities; open space; landscaped areas; detention ponds; and any other elements or facilities owned and used by all members of a development such as a condominium or subdivision and designated in the master deed as common area.

30. COMMON WALL – A wall, usually load bearing, that serves in-common two or more separate units of a single building such as a townhouse, shopping center, apartment building, industrial building or other building where separate tenants are housed under one roof.
31. COMMUNITY CENTER - A place, structure, area, or other facility used for and providing religious, fraternal, social, and/or recreational programs generally open to the public and designed to accommodate and serve significant segments of the community.
32. COMMUNITY DEVELOPMENT DIRECTOR – The Community Development Director of the City or his or her designee.
32. COMMUNITY GARDEN – An area of land managed and maintained by a group of individuals to grow and harvest crops and/or non-food, ornamental crops, such as flowers, for personal or group use, consumption or donation. Community gardens may be divided into separate plots for cultivation by one or more individuals or may be farmed collectively by members of the group and may include common areas maintained and used by group members.
33. COMMUNITY GREEN – A green area, usually centrally located, can consist of recreation areas that are primarily active in nature and designed for intensive uses, while still containing a significant amount of open space not designed for specific activities. Community greens may also be designed for more passive activities and contain significant natural area. Community greens serve as the primary park within a neighborhood or town area.
34. COMMUNITY RETAIL USES – Commercial retail and service uses designed to serve several neighborhoods making up a community but not of a scale to serve regional needs. Such uses include neighborhood retail uses larger than 6000 square feet, department stores, discount stores, mini-malls, strip shopping centers, home improvement stores, wholesale outlets, clothing and apparel marts, indoor flea markets, antique malls, sporting goods stores, furniture stores, and the like.
35. CONCENTRATED FEED LOT – A relatively small, confined land area for fattening cattle or holding cattle temporarily for shipment.
36. CONDOMINIUM – A type of ownership for attached or detached dwelling units, offices, or other space within a structure, as defined by the provision of Title 44, Chapter 3, Article III, of the Official Code of Georgia Annotated (O.C.G.A. §§ 44-3-70 et. Seq.) in which the air space of each unit is independently owned and financed by the occupant, but in which all lands and buildings are owned in common on a proportional, undivided basis.
37. CONGREGATE ELDERLY LIVING FACILITY - A residential facility for four or more elderly persons (age 60 or older) within which are provided living and sleeping facilities, meal preparation, laundry services, and room cleaning. Such facilities may also provide other services, such as transportation for routine social and medical appointments, and counseling.
38. CONSERVATION AREAS - Environmentally sensitive lands protected from any activity that would significantly alter their ecological integrity, balance, or character, except in cases of overriding public interest. Conservation areas include freshwater marshes, shallow grassy ponds, hardwood swamps, cypress swamps, natural shorelines, sand pine scrub communities, and other areas of significant biological productivity.
39. CONSERVATION EASEMENT - An easement granting a right or interest in real property

that is appropriate to retaining land or water areas predominately in their natural, scenic, open, or wooded condition; retaining such areas as suitable habitat for fish, plants, or wildlife; or maintaining existing land uses.

40. CONTIGUOUS – Abutting directly on the boundary of, separated by a street other than a controlled access highway from, or separated by a street, railroad, or public utility right-of-way.
41. CONTINUING CARE RETIREMENT COMMUNITY – See Retirement Community – Dependent.
42. CONTOUR INTERVAL – The difference in value between adjacent contour lines on a map, plan or chart.
43. CONTOUR LINE – A line on a map, plan, or chart joining points that have the same elevation above or below the reference plane.
44. CONTINUANCE – The postponement or adjournment of proceedings to a later date.
45. CONTRACTOR – The firm or company charged with the task of overseeing the construction of the project or development; often the General Contractor.τ
46. CONVENIENCE FOOD STORE - Any retail establishment offering for sale prepackaged food products, household items, and other goods commonly associated with the same and having a gross floor area of less than 5,000 square feet.
47. CONVENIENCE GOODS – Those items which are purchased frequently and generally in small amounts. Grocery stores handle a large percentage of this type of sales; also included are drugstore sales, restaurant sales, discount or variety store sales, newsstands, candy store sales, and sales from similar establishments.
48. CORPORATION – A group of people organized, under a charter granting them as a body some of the legal rights, etc., of an individual.
49. COVERED PORCH, MAJOR – An integrated part of a principal or accessory structure that includes a roof and is completely attached to the roof or wall of the principal structure with structural supports from the ground. Such a structure shall be considered in calculations of setbacks or square footage.
50. COVERED PORCH, MINOR – An accessory structure attached [primarily] to a residence which is less than six (6) square feet in size and has a roof which is completely attached to the roof or wall of the principal structure without supports from the ground. Such a structure shall not be considered in calculations of setbacks or square footage.
51. COVENANT – Private deed restrictions or covenants are imposed on land by private landowners. Covenants bind and restrict the land in the hands of present owners and subsequent purchasers. Covenants are enforced only by the landowners involved and not by any public agency.
52. COW AND GOAT DAIRIES – Any premises where milk is produced for wholesale distribution and where ten (10) or more cows or goats are in lactation.
53. CREEK – A continuous flowing body of water that is part of a greater system or watershed. Also **Stream** or **River**.

54. CREMATORIUM – A licensed facility in which animal or human remains are reduced to ash through thermal processes.
55. CRITICAL ROOT ZONE – The minimum area beneath a tree that must be left undisturbed in order to preserve a sufficient root mass to give a tree a reasonable chance of survival. The critical root zone is approximately one foot (1') of radial distance for every inch of tree's DBH, with a minimum of eight feet (8').
56. CROP PRODUCTION – A primary use of the land which includes cultivation of open field or greenhouse crops, fruits, vegetables, grain, fibers, flowers, ornamental and nursery plants for wholesale or retail sale and ultimate consumption by others.
57. CROSS-SECTION – Either: (1) A cutting through something at right angles to its axis; or (2) A vertical section of the ground surface taken at right angles to a survey line.
58. CULVERT – A drain or conduit under a road or embankment.
59. CUT – (a) A portion of land surface or area from which soil, earth, rock or other materials have been removed or will be removed by excavation; (b) the height below original ground surface after the material has been or will be removed.τ
60. CUL-DE-SAC, PERMANENT - A local street with only one outlet and having an appropriate terminal, usually circular, for the safe and convenient reversal of traffic movement.λ
61. CUL-DE-SAC, TEMPORARY – A temporary dead end street terminating at the boundary of a subdivision or of a phase of a subdivision, subject to approval by the Planning Commission. A temporary cul-de-sac not complete at the time of final plat approval must be completed within 2 years after the approval of the final plat, pursuant to the terms and requirements of a performance bond.

### §3.040

#### "D" Definitions

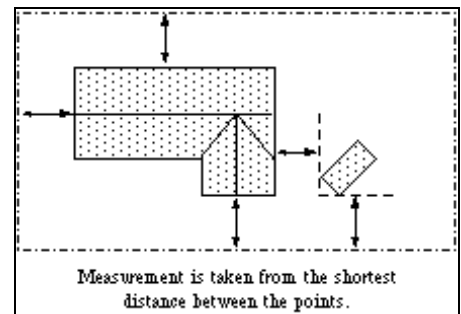
1. DAY CARE FACILITY, ADULT – A licensed establishment providing for the paid care, supervision, and protection of three (3) or more of the elderly or adults who cannot perform these functions for themselves. Such a facility may be operated by a person or persons, society, agency, corporation, institution, or group for a period fewer than 24 consecutive hours without the transfer of legal custody.
2. DAY CARE CENTER, CHILD – A licensed establishment providing for the paid care, supervision, and protection of three (3) or more children under the age of 18 who cannot perform these functions for themselves. Such a facility may be operated by a person or persons, society, agency, corporation, institution, or group for a period fewer than 24 consecutive hours without the transfer of legal custody.
3. DAY CARE GROUP HOME, ADULT – A licensed facility for three (3) or more aged, infirm, or disabled adults which is operated for a period fewer than 24 consecutive hours, and which provides supplementary care and protection of individuals who reside elsewhere, except a facility or portion of a facility licensed by the State Board of Health or the Department of Mental Health, Mental Retardation, and Substance Abuse, and the home or residence of an individual who cares for only persons related to him/her by blood or marriage.

4. DAY CARE HOME, CHILD – Class I: A family-based home that receives not less than three (3) and not more than six (6) children ages nine (9) years or younger for care during any part of the day not to exceed twelve (12) consecutive hours during any twenty-four (24) hour day; Class II: A family-based home that receives not less than seven (7) and not more than eighteen (18) children ages nine (9) years or younger for care during any part of the day not to exceed twelve (12) consecutive hours during any twenty-four (24) hour day.
5. DBH – Diameter-at-Breast-Height, which is the tree trunk diameter (in inches) at a height of four and one-half feet (4½') above the ground. If a tree splits into multiple trunks below four and one-half feet (4½'), then the trunk is measured at its most narrow point beneath the split.τ
6. DEAD END STREET – A street having only a single common ingress and egress.
7. DECIBEL, A-WEIGHTED (dBA) – A measure of a unit of sound pressure. Since sound waves having the same decibel level “sound” louder or softer to the human ear depending upon the frequency of the sound wave in cycles per second (i.e. whether the pitch of the sound is high or low), an A-weighted filter constructed in accordance with the specifications of the American National Standards Institute (A.N.S.I.), which automatically takes account of the varying affect on the human ear of different pitches, shall be used on any sound level meter taking measurements required by this ordinance. And, accordingly, all measurements are expressed in dBA to reflect the use of this A-weighted filter.
8. DECIDUOUS – Plants that annually lose their leaves.τ
9. DECK – A roofless accessory attached or detached platform without exterior walls except that of a house it may be attached to, generally constructed of wood, which adjoins or is adjacent to a residence within a side or rear yard. Rails or safety features shall not be deemed to be exterior walls. Decks shall not be counted toward building coverage or impervious surface if uncovered or not built on slab foundation or other impervious material.
10. DEDICATION – The transfer of property by the owner to another party.
11. DEED – A legal document conveying ownership of real property.
12. DEFERRAL – To postpone an application or hearing to a later date.
13. DENIAL, TO DENY – An act by an authorized City executive, appointee, or administrator which shall have the effect of rejecting a request by an applicant or other petitioning party.
14. DENSITY, GROSS – The overall density of a site including roads and other infrastructure, dedicated open space, drives, and other common area. Gross density shall be expressed either in residential units per acre or by Floor Area Ratio. See Chapter 21, §21.060 for an explanation of how to calculate gross density.
15. DENSITY, NET – The density remaining after the deduction of roads and other infrastructure, dedicated open space, drives, and other common area. Net density shall be expressed either in residential units per acre or by Floor Area Ratio.
16. DESIGN REVIEW – The submittal to and subsequent review of a site or building design by the City of Newnan.



17. DESIGN SPEED – Planning a street, road or other transportation facility for an automobile or other transportation device to operate at an assured safe speed.
18. DETENTION FACILITY – A permanent structure for the temporary storage of stormwater runoff and its subsequent gradual discharge.
19. DEVELOPER – Any person or persons, corporation, or other legal entity proposing to develop or build on a piece of land. The developer of a real estate development is the entity whose name shall be on the permit issued by the City of Newnan for that development. In the event that no name is on the permit, then the owner, by default, becomes the developer for the purpose of this ordinance.
20. DEVELOPMENT - All structures and other modifications of the natural landscape above and below ground or water, on a particular site, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavating or drilling operations.τ
21. DEVELOPMENT REVIEW COMMITTEE (DRC) – An administrative body composed of representatives from each of the departments involved in plan review including but not limited to Planning and Zoning, Building Inspection, Newnan Utilities, Fire, Police, Engineering, Landscaping, Public Works, and Streets.
22. DIMENSION – Any measurable extent as in length, depth, width, etc.
23. DISMISSAL WITH PREJUDICE – The City Council shall have the authority to dismiss an application with prejudice if the conditions for a valid application have not been fully met.
24. DISTANCE – The measurement in lineal feet from the closest point of one reference such as a lot or building to the closest point of a second or subsequent reference point. See **figure D.1 for illustration of closest lines.**

Figure D.1  
Closest Distances



25. DISTRICT, OVERLAY – A zoning district that encompasses one or more underlying conventional zoning districts and which imposes additional requirements or restrictions above that required by the conventional district.
26. DISTRICT PERIMETER – The boundary of a specific development project or zoning district.
27. DISTRICT, ZONING – A part, zone, or geographic area within the City in which certain common zoning or development regulations apply.
28. DISTURBANCE – Means either: (1) Any activity or action which modifies the physical layout or state of a piece of land; or (2) Anything that disturbs or creates a nuisance by sound, vibration, smoke, dust, light, appearance or other factor which can be classified as a nuisance; a departure from normal.
29. DOMESTIC ANIMAL – Any normal household pet, such as, but not limited to, dogs, cats, non-native birds, ferrets, hamsters, guinea pigs, gerbils, rabbits, fish, or small, non-venomous reptiles or non-venomous snakes.

30. DORMITORY - A building used as group living quarters for a student body, religious order, or other group as an associated use to a college, university, boarding school, orphanage, convent, monastery, farm labor camp, or other similar use. dormitories do not include kitchen facilities, except a group kitchen facility to serve all residents.
31. DRASTIC – The standardized system for evaluating groundwater pollution potential using the hydrogeologic settings described in U.S. Environmental Protection Agency document EPA-600/2-87-035. The DRASTIC methodology is the most widely used technique for evaluating pollution susceptibility.
32. DRIP LINE – A vertical line extending from the outer surface of a tree’s branch tips to the ground.τ
33. DRIVE-IN FACILITY - An establishment that, by design of physical facilities or by service or packing procedures, encourages or permits customers to receive a service or obtain a product that may be used or consumed in a motor vehicle on the premises or to be entertained while remaining in an automobile.
34. DRIVE-IN RESTAURANT - An establishment that delivers prepared food and/or beverages to customers in motor vehicles, regardless of whether or not it also serves prepared food and/or beverages to customers whom are not in motor vehicles, for consumption either on or off the premises.
35. DRIVEWAY - A private drive providing access for vehicles to a parking space, garage, dwelling or other structure, or for general access to a piece of land from a public street.
  - a. JOINT DRIVEWAY - Straddles a property line and is used in common by both lots
36. DWELLING - A building or portion thereof that provides long-term living facilities for one or more families. Long-term, for the purpose of this definition, shall be interpreted to mean the establishment of a domicile that may include, but not necessarily be limited to, receiving mail addressed to the dwelling, establishing utility service to the dwelling, sleeping at the dwelling, storing personal belongings at the dwelling, cooking and eating at the dwelling, and paying rent or otherwise having a financial responsibility for the dwelling and related space or lands.
37. DWELLING, APARTMENT ABOVE COMMERCIAL STOREFRONT – A studio or efficiency, one-bedroom, two-bedroom, or three or more bedroom unit located on any floor other than the basement or ground or street level.
38. DWELLING, DUPLEX – A building on a single lot containing two (2) dwelling units totally separated from each other by a common vertical or party firewall separating dwelling units.
39. DWELLING, IN-LAW – An accessory residence clearly subordinate to the primary unit and limited in occupancy to a family member only. The purpose and intent is that the unit will be utilized to create an extended family residence with the primary residence interconnected with a suite or secondary residence allowing an additional generation to occupy the premises.
40. DWELLING, MULTI-FAMILY -- A building or portion thereof used for occupancy by two (2) or more families living independently of each other and containing two (2) or more dwelling units per platted lot. Multi-family dwellings may be as follows:
  - a. Loft—A loft apartment is a unit located above commercial or industrial space and generally undivided except for a mezzanine area.

- b. Studio—A unit with no separate bedroom area, generally for one (1) individual.
  - c. Apartment—in addition to a studio, apartments may also contain one (1), two (2), three (3), or more separate bedrooms on one (1) floor.
  - d. Townhouse—Multi-family dwellings may also be in a townhouse configuration with two (2) stacked floors.
  - e. Efficiency - A small apartment consisting of a single room used both as a living room and as a bedroom, together with a kitchen alcove and a bathroom
  - f. Garden Style Apartments - A ground-floor apartment unit with access to a garden or other adjacent outdoor space or two- or three-story apartment buildings with communal gardens.
41. DWELLING, SEASONAL - A dwelling not used for permanent residence and not occupied for more than six months in each year.
  42. DWELLING, SINGLE-FAMILY, ATTACHED – A dwelling unit attached to other dwelling units in a series of two or more units, separated by a four hour firewall as per the International Building Code. In the alternative, a two hour fire wall may be utilized if the entire structure is protected by a sprinkler system. The attached dwelling shall be so arranged on lots that ownership of each, with the associated lot, may be independently conveyed.
  43. DWELLING, SINGLE-FAMILY, DETACHED - A residential building containing not more than one dwelling unit entirely surrounded by open space on the same lot.
  44. DWELLING, TWO-FAMILY – A building on a single lot containing two (2) dwelling units, each located on a separate floor but accessible via a common outer entrance.
  45. DWELLING, LOW-RISE – A residence or apartment building containing no more than two (2) stories.
  46. DWELLING, MID-RISE – A residence or apartment building containing from three (3) to seven (7) stories.
  47. DWELLING, HIGH-RISE – A residence or apartment building containing eight (8) or more stories.
  48. DWELLING UNIT - One or more rooms physically arranged so as to create an independent housekeeping establishment for occupancy by one family with separate toilets and facilities for cooking and sleeping.

**§3.050**

**“E” Definitions**

1. EASEMENT – A grant or reservation by the owner of a piece of land for the use of such land by others for a specific purpose or purposes by the public, the City, a corporation, or other persons, and which must be included in the conveyance of such land affected by the easement.λτ
2. EGRESS – The area used, primarily by vehicular traffic, to exit or leave a site. Means of egress shall include any continuous and unobstructed way of exit travel from any point in a building or structure to a public way, consisting of three separate and distinct parts:

- a) The way of exit access;
- b) The exit; and
- c) The way of exit discharge.

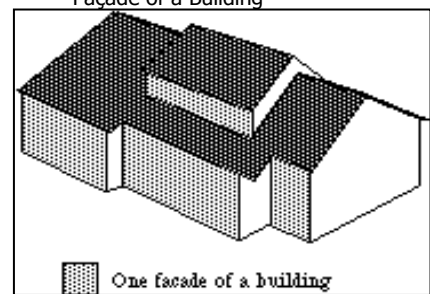
A means of egress comprises the vertical and horizontal ways of travel and shall involve the intervening room space, doors, corridors, passageways, balconies, stairs, ramps, enclosures, lobbies, horizontal exits, courts, and yards.

- 3. ELEVATION – Means either: (1) A vertical distance above or below a fixed reference level; or (2) A fully dimensioned drawing of the front, rear, and side of a building showing features such as windows, doors, finish materials, and a relationship of grade to floor level.
- 4. ELEVATION, FINISHED FLOOR – The proposed elevation of the finished floor of a structure.
- 5. ELEVATION, GROUND – The original elevation of the ground surface prior to cutting, filling, or grading.
- 6. EMERGENCY SHELTER - A facility providing temporary housing for one or more individuals who are otherwise homeless (also MISSION).
- 7. EROSION – The process by which land surface is worn away by the action of wind, water, ice, or gravity.τ
- 8. EVERGREEN – Plants that retain foliage throughout the year.τ
- 9. EXCAVATION – Any man made cavity or depression in the earth’s surface, including sides, walls, or faces, formed by earth removal and producing unsupported earth conditions by reason of the excavation. If installed forms or similar structures reduce the depth-to-width ratio, an excavation may become a trench.
- 10. EXEMPTION – Those activities that are not subject to a specific regulation or provision of this ordinance.
- 11. EXISTING DENSITY FACTOR (EDF) – The Tree Density Units awarded for the preservation of existing trees that will remain on site to be protected during construction. See the **"Tree Preservation and Landscaping" Ordinance contained in the City of Newnan Code of Ordinances.**τ
- 12. EXISTING GRADE – The slope or elevation of existing ground surface prior to cutting or filling.τ

**§3.060 "F" Definitions**

- 1. FAÇADE - The exterior wall of a building exposed to public view or that wall viewed by persons not within the building. See **Figure F.1 for illustration.**
- 2. FAMILY – A single family may consist of not more than one of the following:

Figure F.1  
Façade of a Building



- a) One or more persons related by blood or marriage occupying a single dwelling unit, provided no such family shall contain more than two (2) non-related persons. For the purpose of this ordinance, related persons shall include a spouse, parents, grandparents, grandchildren, stepchildren, sons, daughters, brothers, or sisters; State of Georgia authorized foster children of a family member shall also be deemed a related person for this purpose or
- b) A group of not more than four (4) non-related persons occupying a single dwelling unit.

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

- 3. FAMILY ENTERTAINMENT – Entertainment suitable for family viewing or participation and not of an exclusive adult entertainment nature.
- 4. FAMILY, IMMEDIATE – A husband, wife, father, mother, brother, sister, son, daughter, and any in-law or step relationship.
- 5. FARM OR FARMLAND - A farm is a parcel of land of not less than twenty (20) acres, in one ownership, that is used primarily for the cultivation of agricultural crop production and/or for the raising of livestock. The term "one ownership" shall include an individual, corporation, business trust, estate, trust, partnership, association, or two or more persons having a joint or common interest in the land.
- 6. FARM STAND – A structure located on a farm for the display and sale of farm products grown on the premises to the general public.
- 7. FARMER’S MARKET – Are an outdoor market open to the public, operated by a governmental agency, a non-profit corporation or one or more producers, that is a periodic market where agricultural products and food items are sold by vendors in an open-air or semi-enclosed temporary structure. Individual vendors may sell food and/or agricultural products, provided the product is produced, processed, or manufactured in an establishment licensed by the appropriate authority.
- 8. FARROWING HOUSE – A structure used for the breeding and delivery of animals, in particular swine or pigs.
- 9. FEE – A set amount of money to be paid to the City, pre-set by Council, in return for a service or product to be provided or a permit or other document to be issued by the City.
- 10. FEE SIMPLE – The largest quantum of ownership recognized by law; also referred to as fee simple absolute or fee. The owner of the fee simple has unlimited power to dispose of the interests during his or her lifetime and upon death the property is automatically passed on to the owner's heirs and devisees either by will or by descent. Property ownership in this country is ordinarily in the fee simple form. The only restrictions on use are those restrictions defined by the law of nuisance or those necessarily imposed by law in order to protect the interests of society. A fee simple owner may convey lesser estates, sell easements, mortgage the property or do whatever else he or she wishes with the property so long as others are not harmed by the improper use of the property. The fee simple absolute is created by using the words 'to (name) and his heirs and assigns forever.
- 11. FENCE OR WALL – An artificially constructed barrier of any durable material or

combination of materials erected to enclose, screen, separate, or protect areas

12. FENCE, CHAIN LINK – A fence consisting of a series of jointed metal links secured to steel pipe.
13. FENCE, BOARD ON BOARD – A fence consisting of a series of posts and horizontal beams and covered by alternating vertical pickets resulting in partial or complete opacity.
14. FILL – A portion of land surface to which soil or other solid material has been added; the depth above the original ground; the height above original ground surface after the material has been or will be added.
15. FILLING – The placement of any soil or other solid material, either organic or inorganic, on a natural ground surface or excavation.
16. FINISHED FLOOR LEVEL -- Shall be three (3) feet minimum above the elevation of the 100 year flood plain on lots that contain flood plain area.
17. FLAG - Any fabric, banner, or bunting containing distinctive colors, patterns, or symbols, used as a symbol of a government, political subdivision, or other entity.
18. FLAMMABLE – Easily set on fire; that which will burn quickly or readily.
19. FLEA MARKET - An occasional or periodic sales activity held within a building, structure, or open area where groups of individual sellers offer goods, new and used, for sale to the public, not to include private garage sales.
20. FLOODPLAIN - Floodplain or flood-prone area means any land area susceptible to being inundated by water from any source.
21. FLOODWAY - The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the 100-year flood without cumulatively increasing the water surface elevation more than one foot at any point.
22. FLOODWAY FRINGE - All that land in a floodplain not lying within a delineated floodway. Land within a floodway fringe is subject to inundation by relatively low velocity flows and shallow water depths.
23. FLOOR AREA, GROSS - The sum of the areas of the several floors of a building, including areas used for human occupancy in basements, attics, and penthouses, as measured from the exterior faces of the walls. It does not include cellars, unenclosed porches, or attics not used for human occupancy, or any floor space in accessory buildings or in the main building intended and designed for the parking of motor vehicles in order to meet the parking requirements of this bylaw, or any such floor space intended and designed for accessory heating and ventilating equipment. It shall include the horizontal area at each floor level devoted to stairwells and elevator shaft.
24. FLOOR AREA, NET – The total of all floor areas of a building, excluding stairwells, elevator shafts, equipment rooms, interior vehicular parking and loading, and all floors below the first or ground floor, except when used or intended to be used for human habitation or service to the public.
25. FLOOR AREA RATIO (FAR) - Determined by dividing the gross floor area of all buildings on a lot by the area of that lot. See Chapter 21, §21.060 of this Ordinance for an explanation of how to calculate floor area ratio.

26. FLORA – The plants of a specified region.
27. FORESTRY – Establishments engaged in the operations of timber tracts, tree farms or the gathering of forest products.
28. FOSTER HOME – A single-family dwelling offering care in a family setting necessary to meet physical, emotional, and social needs of children in accordance with regulations of the Georgia Department of Human Resources.
29. FREE-FLOWING – A river, stream, or creek, or other such body of water that flows freely and uninterrupted, except for periods of drought, for a minimum of nine (9) months of the year and is not dry for more than three (3) months of the year. Free flowing shall also apply to such bodies of water that originate from a spring or other groundwater point of origin.
30. FREESTANDING – Resting on its own support, without attachment or added support.
31. FRONTAGE - The length of any one property line of a lot or parcel, which property line abuts a legally accessible street right-of-way. For the purposes of determining yard requirements on corner lots, all sides of a lot adjacent to streets shall be considered frontage, and yards shall be provided as indicated under yards in this Ordinance.λ
32. FUNERAL HOME - A building or part thereof used for human funeral services. Such building may contain space and facilities for: a) embalming and the performance of other services used in preparation of the dead for burial; b) the performance of autopsies and other surgical procedures; c) the storage of caskets, funeral urns, and other related funeral supplies; and d) the storage of funeral vehicles, but shall not include facilities for cremation. Where a funeral home is permitted, a funeral chapel shall also be permitted.

**§3.070 "G" Definitions**

1. GARAGE, PRIVATE - A building for the private use of the owner or occupant of a principal building situated on the same lot of the principal building for the storage of motor vehicles with no facilities for mechanical service or repair of a commercial or public nature.
2. GARAGE, PUBLIC - A building designed and used for the storage of automotive vehicles operated as a business enterprise with a service charge or fee being paid to the owner or operator for the parking or storage of privately owned vehicles.
3. GARAGE, REPAIR - A building designed and used for the storage, care, repair, or refinishing of motor vehicles including both minor and major mechanical overhauling, paint, and body work.
4. GLARE - A sensation of brightness within the visual field that causes annoyance, discomfort, or loss in visual performance and visibility.
5. GRADE – The pitch of a slope and it is used to express the steepness of slope on where zero indicates level (with respect to gravity) and increasing numbers correlate to more vertical inclinations. It is usually presented as: (1) The datum or reference elevation of the land around a building; or (2) the percent of rise or descent per 100 feet of a sloping surface pertaining to a street or other public way.λ
6. GRADE, EXISTING – The vertical location of the existing ground surface prior to cutting or filling.

7. GRADE, FINISHED – The final grade or elevation of the ground surface after cutting or filling and conforming to a proposed and approved design.τ
8. GRADING – Altering the shape of ground surfaces to specified elevations, dimensions, and/or slopes; this shall include stripping, cutting, filling, stockpiling and shaping or a combination thereof, and shall include the land in its cut or filled condition. τ
9. GREENHOUSE – A building made of glass, plastic, or fiberglass in which plants are cultivated and is incidental to that of the main building or to land used for the cultivation, protection, culture or storage of trees, seedlings, shrubs and tender or tropical plants.
10. GREENWAY – A linear open space, either privately or publicly owned, which contains a trail for walking, bicycling, horseback riding, or other active or passive recreation activities consistent and complementary to a path system, but not used for motor vehicles for any purpose other than maintenance of the greenway facility.
11. GROCERY STORE – A retail establishment primarily selling fresh or pre-packaged foods including meat, produce, and dairy products as well as other convenience and household goods. Note that grocery stores vary from small neighborhood markets of 8000 square feet or less to large superstores in excess of 100,000 square feet.
12. GROSS LAND AREA – A term referring to the gross size of a parcel or tract of land prior to subtracting land area for infrastructure, wetlands, steep slopes, and other environmental or codified constraints on the development of such land.
13. GROSS LEASABLE AREA (GLA) - The total floor area designed for tenant occupancy and exclusive use, including basements, mezzanines, and upper floors, if any, expressed in square feet and measured from the center line of joint partitions and from outside wall faces.
14. GROUP HOME FOR THE DEVELOPMENTALLY DISABLED - A residential dwelling shared by not more than eighteen (18) developmentally disabled, mentally disabled, and physically handicapped persons, including resident staff, who live together as a single housekeeping unit and in a long-term, family-like environment in which staff persons provide care, education, and participation in community activities for the residents with the primary goal of enabling the resident to live as independently as possible in order to reach their maximum potential.
15. GROWLER – A bottle, container or vessel, designed for and especially intended to be filled with beer from a keg as prescribed in Chapter 3-Alcoholic Beverages of the Code of Ordinances of the City of Newnan.
16. GRUBBING – The removal of stumps or roots from a site.τ
17. GUEST – Any paying customer of a hotel, motel, restaurant, club or other hospitality establishment.

**§3.080 “H” Definitions**

1. HALFWAY HOUSE - A licensed home for two (2) or more inmates on release from more restrictive custodial confinement or initially placed in lieu of such more restrictive custodial confinement, wherein supervision, rehabilitation, and counseling are provided to mainstream residents back into society, enabling them to live independently. Such placement is pursuant to the authority of the Georgia State Department of Corrections.



2. HANDICAPPED – shall mean as such term is defined in the Fair Housing Act, 42 V.S.C. §3602 (h), and shall mean:
  - (a) A physical or mental impairment which substantially limits one or more of such person’s major life activities; or
  - (b) A record of having such impairment; or
  - (c) Being regarded as having such an impairment, but such term does not include the current, illegal use or addiction to a controlled substance or the current addiction to alcohol.
3. HAZARDOUS SUBSTANCES OR MATERIALS - Any substances or materials that, by reason of their toxic, caustic, corrosive, abrasive, or otherwise injurious properties, may be detrimental or deleterious to the health of any person handling or otherwise coming into contact with such material or substance.
4. HAZARDOUS WASTE – Solid, liquid, or gaseous material resulting from the manufacture or use of hazardous or potentially hazardous materials such as pesticides or drugs, pathological wastes, highly flammable or explosive wastes, toxic wastes, sewage sludge, and other waste material that may pose a hazard to the public health, safety, or environment.
5. HEALTH/RECREATION FACILITY - An indoor facility including uses such as game courts, exercise equipment, locker rooms, Jacuzzi, and/or sauna and pro shop.
6. HEALTH CLUB - Health club means, but is not limited to, gymnasiums (except public), private clubs (athletic, health, or recreational), reducing salons, and weight control establishments.
7. HEIGHT – Means either: (1) When referring to telecommunications towers or antennae, the distance measured from the ground level to the highest point on the tower or telecommunications structure, even if said highest point is an antenna; or (2) when referring to the height of a building, the vertical distance to the highest point of the roof for flat roofs; to the deck line of the mansard roofs; and to the average height between eaves and the ridge for gable, hip, and gambrel roofs, measured from the curb level if the building is not more than 10 feet from the front lot line or from the grade in all other cases.
8. HEIRARCHY – A group of persons or things arranged in order of rank, grade, or class.
9. HELIPORT (Unlimited use) - Any landing area used by helicopters which, in addition, includes all necessary passenger and cargo facilities, maintenance and overhaul, fueling, service, storage, tie-down areas, hangars, and other necessary buildings and open spaces.
10. HELIPORT (Limited use) - Any landing area used for the landing and taking off of helicopters, including all necessary passenger and cargo facilities, fueling, and emergency service facilities.
11. HELISTOP (Unlimited use) - Any landing area used for the landing and taking off of helicopters for the purpose of picking up or discharging of passengers or cargo. No fueling, refueling, or service facilities.
12. HELISTOP (Limited use) - Any landing area used for the taking off or landing of private helicopters for the purpose of picking up and discharging of passengers or cargo. This

facility is not open to use by any helicopter without prior permission having been obtained.

13. HISTORIC DISTRICT – Means either: (1) a geographically defined area possessing a significant concentration, linkage, or continuity of sites, buildings, landmarks, improvements, or landscape features united by historic events or by plan or physical development, and which area has been designated as an historic landmark district; said district may have within its boundaries noncontributing buildings or other structures that, while not of such historic and/or architectural significance to be designated as landmarks, nevertheless contribute to the overall visual character of the district. A Historic District shall further mean an area designated by the City Council as a Historic District pursuant to the criteria established in subsection 4 b of §28.050; or (2) an area containing buildings or places in which historic events occurred or having special public value because of notable architectural or other features relating to the cultural or artistic heritage of the community, of such significance as to warrant conservation and preservation.ω
14. HISTORIC PROPERTY – Means an individual building, structure, site, or object including the adjacent area necessary for the proper appreciation thereof designated by the Newnan City Council as an historic property pursuant to the criteria established in subsection 4 c. of §28.050 of this Ordinance. ω
15. HOME OCCUPATION – Means either: (1) an occupation, profession, activity, or use carried on by a member or members of a family residing in a residence that is clearly a customary, incidental, and secondary use of the residential dwelling unit and which does not alter the exterior of the property or affect the resident character of the neighborhood; or (2) an accessory use of a dwelling unit for gainful employment which: a) is clearly incidental and subordinate to the use of the dwelling unit as a residence; b) is carried on solely within the main dwelling and does not alter or change the exterior character or appearances of the dwelling; c) is located in a residential district; and d) is created and operated as a sole proprietorship.
16. HOMES FOR VICTIMS OF DOMESTIC VIOLENCE – SEE PERSONAL CARE GROUP HOME
17. HOMEOWNERS ASSOCIATION – Means either: (1) a formally constituted non-profit community association or corporation made up of the property owners of a fixed area; it may take permanent responsibility for costs and upkeep of common area or facilities; or (2) a private, nonprofit corporation of homeowners for the purpose of owning, operating, and maintaining various common properties.
18. HOOPHOUSE – A structure of PVC piping or other material covered with translucent plastic, constructed in a “half-round” or “hoop” shape.
19. HORTICULTURE – The cultivation of a garden, orchard, or nursery and/or the cultivation of flowers, fruits, vegetables, or ornamental plants.
20. HOSPICE CARE FACILITY – A facility dedicated to providing hospice care on an outpatient basis.
21. HOSPITAL - An institution specializing in giving clinical, temporary, and emergency services of a medical or surgical nature to human patients and injured persons, and licensed by state law to provide facilities and services in surgery, obstetrics, and general medical practice. This may include, as an integral part of the institution, related facilities such as laboratories, outpatient facilities, training facilities, medical offices, accessory retail uses, and staff residences.
22. HOTEL/MOTEL - A facility offering transient lodging accommodations on a daily rate to

the general public and providing additional services, such as restaurants, meeting rooms, and recreational facilities.

23. HYDROPONICS – The cultivation of plants in water containing dissolved inorganic nutrients, rather than soil.

### **§3.090**

#### **“I” Definitions**

1. IMPACT STUDY OR ASSESSMENT – A study to determine the potential direct or indirect effects of a proposed development, rezoning, or change in the future land use map on activities, utilities, circulation, surrounding land uses, community facilities, the environment, and other factors.
2. IMPERVIOUS SURFACE - Any material that substantially reduces or prevents the infiltration of stormwater into previously undeveloped land. Impervious surface shall include graveled driveways and parking areas, impacted soil, buildings, paved area, and any other feature that prevents such infiltration. See Chapter 21, §21.060 for an explanation of how to calculate impervious surface.
3. IMPROVEMENT – Anything built, installed, or established by a developer, owner, or designated contractor, whether upon, above, or beneath the ground, which may facilitate the sale of lots and serves those uses proposed for such lots.
4. IMPROVEMENT, PUBLIC -- Any street, sidewalk, pedestrian way, drainage structure, or other facility for which the City may ultimately assume the responsibility for maintenance and operation, or which may affect an improvement for which City responsibility is established.<sup>λ</sup>
5. INCIDENTAL – Subordinate and minor in significance and bearing a reasonable relationship with the primary use.
6. INDEPENDENT LIVING FACILITY – A facility containing units which is part of a life care community and includes complete facilities for independent living, including cooking and sanitary facilities. The occupants are presumed to be able to function independently of the support facilities of the life care community.
7. INDUSTRIAL PARK - A planned, coordinated development of a tract of land with two or more separate industrial buildings. Such development is planned, designed, constructed, and managed on an integrated and coordinated basis with special attention given to on-site vehicular circulation, parking, utility needs, building design and orientation, and open space.
8. INDUSTRIAL, HEAVY - Industrial establishments including manufacturing facilities, other than those classified as light or medium industrial establishments, including also those involved in the conversion of raw materials into useable finished products, provided that such establishments that generate hazardous wastes shall comply with local, state, and federal regulations for the safe use and disposal of such materials.
9. INDUSTRIAL, LIGHT - A use engaged in the manufacture, predominantly from previously prepared materials, of finished products or parts, including processing, fabrication, assembly, treatment, packing, storage, sales, and distribution of such products, but excluding basic industrial processing. Light industrial uses may include such manufacture or may include warehousing, bulk storage, truck repair or parking, truck terminals, or other similar uses.
10. INDUSTRIAL, MEDIUM – Those uses which do not involve primary processing of raw materials and do not produce significant amounts of waste materials but provides a

product or service that engages in a process that is more intensive and potentially nuisance creating than light industrial uses.

11. INFRASTRUCTURE – Facilities needed to sustain residential, commercial, industrial and other land uses and activities and shall include water, sewer, natural gas, electric power, streets and roads, communications, and other public facilities.
12. INGRESS – Access or entry to a site or structure.
13. INSTALLATION – The assembly of an industrialized or manufactured building on site and the process of affixing said building to the land, a foundation, footings, or an existing building.
14. INSTITUTIONAL USES – A non-profit, religious, or public use, such as a church, library, school, hospital, or government operated facility.
15. INTERNAL – Pertaining exclusively to a specific parcel, lot, or tract of land either developed or suitable for development and not to any area outside such parcel, lot, or tract.

### **§3.100 “J” Definitions**

1. JUNK - Old, dilapidated, scrap or abandoned metal, paper, building material and equipment, bottles, glass, appliances, furniture, beds and bedding, rags, rubber, motor vehicles, and parts thereof.
2. JUNK VEHICLE – Any vehicle, as defined in this Chapter, which does not have a current license and registration or that is inoperable on its own capacity. The term “junk vehicle” shall not be deemed to include vehicles having a genuine historic or antique value when such vehicles are stored in an enclosed structure.
3. JUNKYARD - A parcel of land on which waste material or inoperative vehicles and other machinery are collected, stored, salvaged, or sold.
4. JURISDICTION – A territorial range of authority, the geographic and legal area where authority of the incorporated municipality of the City of Newnan applies.
5. JUVENILE DETENTION HOME - three (3) to six (6) children who live under the care of child care workers and human service professionals on a 24 hour basis for the purpose of confinement for a criminal sentence. Such establishment shall be licensed to operate by the State of Georgia.

### **§3.110 “K” Definitions**

1. KENNEL - An establishment licensed to operate a facility housing dogs, cats, or other household pets and where grooming, breeding, boarding, training, or selling of animals is conducted as a business.
2. KENNEL (Private) - Any building or buildings or land designed or arranged for the care of dogs and cats belonging to the owner of the principal use, kept for purposes of show, hunting, or as pets.
3. KIOSK – A freestanding structure owned and sponsored by or approved by the City upon which temporary information and/or posters, notices, and announcements are posted.

### §3.120

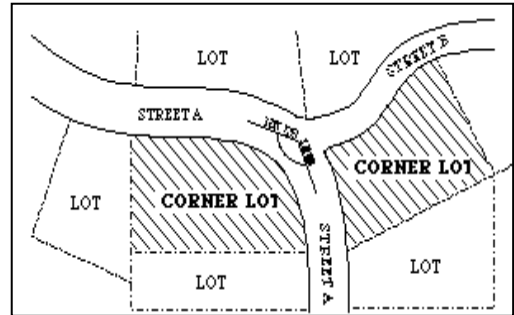
### "L" Definitions

1. LAND CLEARANCE – Removal of all trees and/or vegetation from the land surface.
2. LAND DISTURBANCE ACTIVITY – Any activity which may result in soil erosion from water or wind and the movement of sediments into State and local waters or onto lands within the State, including but not limited to clearing, dredging, grading, excavating, transporting, or filling of land but not including agricultural practices such as a family vegetable plot.
3. LAND DISTURBANCE PERMIT – Any permit other than a building permit issued by the City that authorizes clearing, grubbing, excavating, filling, or grading activities on a site or portion of a site. Said permit may be Clearing, Clearing and Grubbing, or Development permit as defined and authorized under the Development Regulations of the City of Newnan.τ
4. LANDFILL - A disposal site employing an engineering method of disposing of solid wastes in a manner that minimizes environmental hazards by spreading, compacting to the smallest volume, and applying cover material over all exposed waste at the end of each operating day.
5. LAND LOT, DISTRICT, SECTION, MAP, BLOCK, PARCEL – A description of the property using tax map designations. More applicable to the city would be MAP NUMBER, BLOCK, and PARCEL (e.g. N-21, 0002, 006).
6. LAND PREPARATION – The selective and careful removal of trees, shrubs, and other natural site elements and subsequent tree protection, grubbing, and grading of a development site.
7. LANDSCAPE ORDINANCE – The Landscape Ordinance of The City of Newnan, Georgia adopted by the City Council on January 11, 2000 and as amended from time to time.τ
8. LANDSCAPE PLAN – A component of a development, site, or other plan required by this Ordinance and the Landscape Ordinance on which is shown those details required by the City of Newnan Landscape Ordinance.τ
9. LANDSCAPE STRIP – Land area located within the boundary of a lot and required to be set aside and used for landscaping upon which only limited encroachments are allowed.τ
10. LANDSCAPING – Means either: (a) An expanse of natural scenery; or (b) any combination of natural and man-planted and maintained features including lawns, trees, shrubs, other plants, decorative or natural ground cover, exposed rock, mulch, wood chips, water features, sculpture, paths, etc.τ
11. LAND USE – A description of how land is occupied, utilized, exploited, or otherwise is being employed by humans.
12. LAND USE MAP, FUTURE – A map, part of an adopted Comprehensive Plan, showing land use recommendations for the City projected over a twenty-year horizon.
13. LAUNDRY (Self-service) - A business that provides home-type washing, drying, and/or ironing machines for hire to be used by customers on the premises.
14. LENGTH/WIDTH RATIO – The mathematical ratio between the length of a parcel of land and its width, expressed as: length:width. See Chapter 21, §21.060 for an explanation of how to calculate a length: width ratio.

15. LIFE CARE FACILITY -- A condominium/cooperative that has nursing home services as a part of the facility or has nursing home services at a separate location that is a part of an independent retirement community. See **Retirement Community - Independent**
16. LINKAGE – A relationship between two or more issues or elements whereby such issues or elements share one or more characteristics or result in a cause and effect correlation.
17. LITTER – Includes, but is not limited to all sand, gravel, slag, brickbats, rubbish, waste materials, including but not limited to tin or aluminum cans, refuse, garbage, trash, debris, dead animals, weeds, yard or vegetative waste or debris, bottles, scrap glass, scrap metal, junk vehicles, junk vehicle parts, scrap paper, disposable packages, or containers, and all other similar materials and any substance of any kind or nature whatsoever and discarded materials of every kind and description that creates a public health, safety, or fire hazard or a public nuisance as defined in this Chapter.τ
18. LITTER RECEPTACLE – A container used to hold litter, garbage, trash, and similar items.
19. LIVE ENTERTAINMENT – Music, comedy, readings, dancing, or acting or other entertainment, excluding adult entertainment as defined in this Chapter, performed on the site. This classification shall not include dancing by patrons or recorded music.
20. LIVING SPACE, PRINCIPAL – That space in a residential structure used as the primary residence on the lot. Living space shall not include garages or other space that is not heated.
21. LIVESTOCK – Any animal that has hooves.
22. LOAD – The amount of material that can be or usually is carried; a measurement, weight, or quantity varying with the type of conveyance, often used in combination.
23. LOT – A platted portion of a subdivision or any other parcel of land, intended as a unit for transfer of ownership or for development or both. In determining the area and dimensions of a lot, no part of the public right-of-way of a road or walkway may be included. An easement may be counted when determining the area and dimensions of a lot if the nature of the easement will not eliminate an adequate building site; also, a portion of land devoted to a common use or occupied by a building or group of buildings devoted to a common use together with the customary accessories and open spaces belonging to the same.λ
24. LOT AREA – The total area within the defining and bounding lines of the lot, excluding street right-of-way.

Figure L.1  
Corner Lots

25. LOT, CORNER - A lot abutting on and at the intersection of two (2) or more streets, the interior angle of such intersection not exceeding 135 degrees. See **Figure L.1 for illustration.**



26. LOT COVERAGE – The percentage of a lot which may be covered with permitted primary or accessory buildings or structures, excluding walks, drives, or other similar uses, and recreational facilities which are accessory to a permitted use.

27. LOT, CUL-DE-SAC – A lot or parcel of land fronting on the “bulb” or turn-around of a cul-de-sac street.

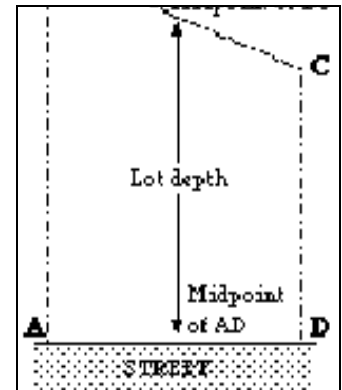
28. LOT, DEPTH OF - The horizontal distance from the midpoint of the front lot line to the midpoint of the rear lot line, or to the most distant point on any other lot line where there is no rear lot line See **Figure L.2 for illustration.**

Figure L.2  
Dept of Lot

29. LOT, DOUBLE FRONT – A lot, other than a corner lot, abutting on two (2) or more streets.

30. LOT, FLAG - A lot with access provided to the bulk of the lot by means of a narrow corridor. Also referred to as pipestem or pork chop lot.

31. LOT FRONTAGE – The length of the front lot line measured at the street right-of-way line.



32. LOT, INDIVIDUAL – A legal lot used or intended to be used as the site for one (1) institution or one (1) office or residential building and not used or intended to be used as the site for an apartment complex, other residential complex, shopping center, office complex, or other multi-use or multi-owner development.

33. LOT, INFILL – An undeveloped or vacant lot or parcel situated adjacent to two (2) or more developed lots or parcels where the developed parcels adjacent and nearby are not part of a currently developing project or subdivision but that have been completed for at least five (5) years.

34. LOT, INTERIOR - An interior lot is a lot other than a corner lot.

35. LOT LINE - A line dividing one lot from another lot or from a street or alley. See **Figure L.3 and L.4 for illustration of irregular lot lines.**

Figure L.3

Lot lines on Irregular Lots

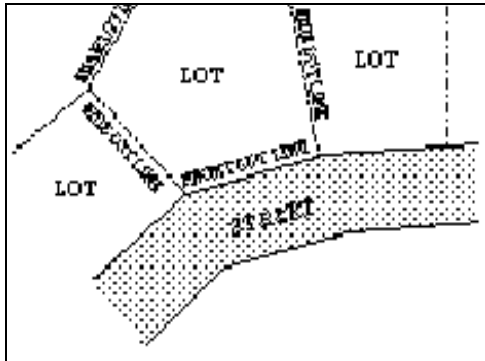
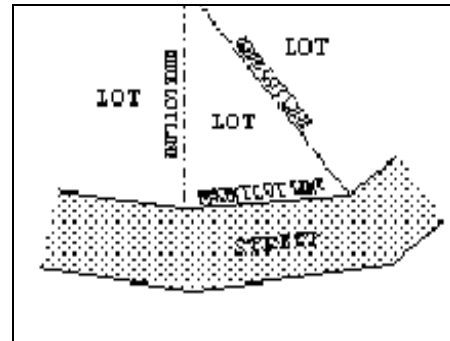


Figure L.4

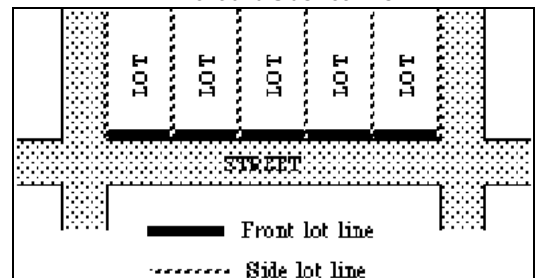
Lot lines on Irregular Lots



36. LOT LINE, (Front) - On an interior lot, the lot line abutting a street; or, on a corner lot, the shorter lot line abutting a street; or, on a through lot, the lot line abutting the street providing the primary access to the lot; or, on a flag lot, the interior lot line most parallel to and nearest the street from which access is obtained. See **Figure L.5 for Illustration.**

Figure L.5  
Front and Side Lot Line

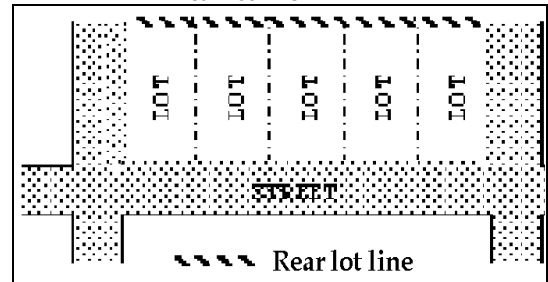
37. LOT LINE, (Rear) - The lot line not intersecting a front lot line that is most distant from and most closely parallel to the front lot line. A lot bounded by only three lot lines will not have a rear lot line. See **Figure L.6 for illustration.**



38. LOT LINE, (Side) - Any lot line not a front or rear line. See **Figure L.5 for illustration.**

Figure L.6  
Rear Lot Line

39. LOT OF RECORD - A lot whose existence, location, and dimensions have been legally recorded or registered in a deed or on a plat.

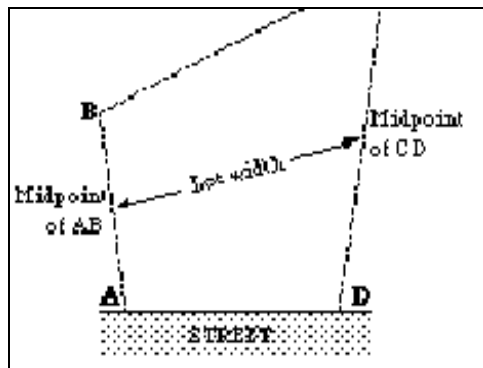


40. LOT, NON-CONFORMING - A lot or parcel of land that has less than the required minimum area or width as established by the zone in which it is located and provided that such lot or parcel was of record as legally created lot on the effective date of the ordinance codified in this title. Also referred to as a substandard lot.



Figure L.7  
Width of Lot

- 41. LOT, THROUGH - A lot having its front and rear yards each abutting on a street.
- 42. LOT, WIDTH OF - The horizontal distance between side lot lines, measured at the required front setback line. See **Figure L.7 for illustration.**



**§3.130 "M" Definitions**

- 1. MAINTENANCE GUARANTEE - Any security, other than cash, that may be accepted by a municipality for the maintenance or any improvements required by this act.
- 2. MANUFACTURED BUILDING – A non-residential building, wholly constructed off-site, and transported to the site in sections or whole.
- 3. MANUFACTURED HOME –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 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) A curtain wall, not 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.
  - (e) The tongue, axles, transporting lights and towing apparatus are removed after placement on the lot and before occupancy.
  - (f) The home may not be brought into the city and used as a dwelling if such home was constructed more than five (5) years from date application is requested.

- (g) All manufactured homes must be installed in accordance with 8-2-160, et. seq. of the Official Code of Georgia Annotated.
  - (h) Landings of the requisite composition and sizes as per section 1013 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.
  - (i) Manufactured homes are not permitted to be used as storage buildings.
4. MANUFACTURED HOUSING PARK – A parcel of land under single ownership that has been planned and improved for the placement of manufactured housing for dwelling purposes.
  5. MANUFACTURING – The process of making, fabricating, constructing, forming, or assembling a product from raw, unfinished, or semi-finished materials.
  6. MAP, FUTURE LAND USE – A component of the Comprehensive Plan, the future land use map indicates the preferred land use, categories of which are set by the State, for all lands within the City of Newnan, for a planning horizon of twenty (20) years. The future land use map, adopted by the City Council, shall show, in addition to preferred land uses, the locations of streets, street rights-of-way, and drainage facilities to be improved, reconstructed, realigned, widened, or acquired; and parks and other public lands and facilities to be acquired.λ
  7. MAP, ZONING – The official map or maps that are a part of the Zoning Ordinance of the City of Newnan, Georgia and which delineates the boundaries of zoning districts and is known as “The Official Zoning Map of the City of Newnan, Georgia”.
  8. MARINA – A facility for storing, servicing, fueling, berthing, and securing and launching of private pleasure craft that may include the sale of fuel and incidental supplies for the boat owners, crews, and guests.
  9. MARKET GARDENS – An area of land managed by an individual or group of individuals to grow and harvest food crops and/or non-food ornamental crops, such as flowers, to be sold for profit.
  10. MARQUEE – A permanent roofed structure attached to and supported by a building and projecting over public or private sidewalks or rights-of-way, generally designed and constructed to provide protection from the weather.<
  11. MARSH – A tract or area of low, wet land often treeless and often inundated with water.
  12. MASONRY – Brickwork, stonework, stucco on block or lathe, or any combination of these materials. This definition shall not include brickface or artificial stucco except as trim elements.
  13. MASSAGE PARLOR – An establishment where, for any form of consideration, massage, alcohol rub, fomentation, electric or magnetic treatment, or similar treatment or manipulation of the human body is administered, unless such treatment or manipulation is administered by a medical practitioner, chiropractor, acupuncturist, physical therapist, or similar professional person licensed by the state. This definition does not include an athletic club, health club, school, gymnasium, reducing salon, spa, or similar establishment where massage or similar manipulation of the human body is offered as an incidental or accessory service.

14. MASTER PLAN – A comprehensive, long-range development plan for a parcel or group of parcels of singularly controlled land. Master plan may also be considered a synonym for Comprehensive Plan.λ
15. MATERIAL CHANGE IN APPEARANCE – Means a change that will affect either the exterior architectural or environmental features of a historic property or any building, structure, site, object, or landscape feature within a historic district, such as:
  - a. A reconstruction or alteration of the size, shape or façade of an historic property, including relocation of any doors or windows or removal or alteration of any architectural features, details or elements;
  - b. Demolition or relocation of a historic structure;
  - c. Commencement of excavation for construction purposes;
  - d. A change in the location of advertising visible from the public right-of-way; or
  - e. The erection, alteration, restoration or removal of any buildings or other structure within an historic property or district, including walls, fences, steps and pavements, or other appurtenant features.ω
16. MERCHANDISE / PRODUCT – Things bought and sold; commodities, wares.
17. MEZZANINE – A low story or floor between two (2) main stories in a building.
18. MINI-WAREHOUSES - A building consisting of individual, small, self-contained units that are leased or owned for the storage of business and household goods or contractors supplies. Also referred to as a self-service storage facility.
19. MINOR – For purposes of this Ordinance, either (a) any person who has not attained the age of 21; or (b) of lessor or secondary importance.
20. MISSION - A facility providing temporary housing for one or more individuals who are otherwise homeless. Also **Shelter, Transitional**
21. MIXED USE DEVELOPMENT – The development of a tract of land, building, or structure with more than one (1) primary use where such uses are functionally complementary and integrated. Mixed-use developments often contain a mix of residential, commercial, office, institutional, and/or industrial uses.
22. MOTOR FREIGHT FACILITY – Truck terminals with the capacity of handling a large variety of goods potentially involving various forms of transportation including multi-modal shipping capabilities, such as rail to truck or air to truck. Goods may be received, dispatched, transferred, stored, loaded, unloaded, or delivered. Facility shall include any parking space, petroleum pumps and tanks, a service or repair shop, or other accessory service operated in conjunction therewith.
23. MOTOR VEHICLE – Means any motorized form of machinery that traverses the land, sea, or air, including but not limited to airplanes, automobiles, vans, buses, trucks, tractors, construction and earth moving equipment, and motorcycles.
24. MULTI-FAMILY – A residential development consisting of more than one (1) family per platted lot. This shall include apartments, condominiums, duplexes, and the like. See **Dwelling, Multi-Family**.

25. MULTIPLIER – The number by which another number is to be multiplied.

**§3.140 "N" Definitions**

1. NAICS – The North American Industry Classification System (NAICS), developed by the U.S. Department of Commerce, and designed to replace the Standard Industrial Classification (SIC) code in June of 1998.
2. NATURAL FEATURES - Trees or other living vegetation, and rocks.τ
3. NATURAL STATE - Those areas of a parcel that are left in their natural pre-development or site preparation state including prior to timbering, clearing, grubbing, and grading. Such areas shall be maintained in forested or wooded area, field, or mature thicket. Natural area shall not include bare soil, abandoned or overgrown lawn, scrubland or urban fields, recently timbered tracts, or other areas that, in the opinion of the Zoning Administrator and Landscape Architect, are not natural area as a result of the development or site preparation process.τ
4. NEIGHBORHOOD – A distinct area of a community with characteristics that distinguish it from other areas and that may include demographic characteristics, housing types, school districts or zones, boundaries defined by physical barriers such as rivers, highways, railroads, etc., or other defining attributes.
5. NEIGHBORHOOD COMMERCIAL USES – Commonly found low scale and low intensity retail and service uses meeting the needs of immediately surrounding or adjacent neighborhoods.
6. NIGHTCLUB - A commercial establishment dispensing alcoholic beverages for consumption on the premises and in which dancing is permitted and includes the term "cabaret."
7. NON-CONFORMING BUILDING OR STRUCTURE – Any building or structure that does not meet the requirements for building size, location on a lot, or other requirements, for the district in which such building is located.
8. NON-CONFORMING LOT – A lot existing at the time of enactment of these regulations, and which does not conform dimensionally to the regulations of the district in which it is located.
9. NON-CONFORMING USE – A lawful use of land that does not comply with the use regulations for its zoning district but which complied with applicable regulations at the time the use was established.
10. NON-PROFIT ORGANIZATION – An incorporated organization or group whose charter prohibits profit-making endeavors and which enjoys tax exemption privileges.
11. NUISANCE – Means either: (a) any interference with the use and enjoyment of private property; or (b) an animal shall be considered a nuisance if it damages, soils, defiles, or defecates on private property other than the property of the owner of the animal without permission; causes unsanitary, dangerous, or offensive conditions; causes a disturbance by excessive barking or other noise-making; molests, attacks, or interferes with persons on public or private property, unless the animal is a guard dog performing its duties while confined to the property of the owner or other responsible person; or chases vehicles or attacks other animals.
12. NURSERY – An area or establishment devoted to the raising and care of trees,

shrubs or similar plant materials.

13. NURSERY SCHOOL OR PRE-KINDERGARTEN – A place or institution where one (1) or more children are received and cared for during some portion of the day for compensation and where such children do not have their home and are not related to the owner or operator by blood, marriage, or adoption.
14. NURSING HOME – A facility for aged or ill persons in which persons not of the immediate family of the operator are provided with food, shelter, and care for compensation; but not including hospitals, clinics, or similar institutions devoted primarily to diagnosis and treatment.

### **§3.150 “O” Definitions**

1. OBJECT – An object is a material thing of functional, aesthetic, cultural, historical or scientific value that may be, by nature or design, movable yet related to a specific setting or environment.Ⓞ
2. OBNOXIOUS / OFFENSIVE – Exposed or liable to injury, evil, or harm; very unpleasant, objectionable.
3. O.C.G.A. – The Official Code of Georgia.
4. OCCUPANT – The individual, individuals, or entity in actual possession of a premises.
5. OCCUPY – The residing of an individual or individuals overnight in a dwelling unit or the storage and use of equipment, merchandise, or machinery in any public, commercial, or industrial building.
6. OFFICE - A building or portion of a building wherein services are performed involving predominantly administrative, professional, or clerical operations.
7. OFFICE, BUSINESS & PROFESSIONAL– Structure or space wherein business services are performed involving predominantly managerial, administrative, or clerical operations such as accounting, tax preparation, real estate, stock brokerage, financial consulting, manufacturers representatives, insurance, employment services, advertising and public relations, polling and public opinion services, business and other research firms, and national, regional, state and local office headquarters for commercial, manufacturing, charitable or other corporations or organizations, or other business functions included under NAICS major categories 51 through 56 and categories 7113, 7114, 8132, 8134, 8139 and others as may be determined by the Zoning Administrator.
8. OFFICE DISTRICT – Zoning districts authorized by this Ordinance that contains office development with compatible accessory and other uses and classified using the acronym OI.
9. OFFICE, GENERAL – Structure or space wherein services are performed involving predominantly managerial, administrative, and clerical operations.
10. OFFICE, PROFESSIONAL – Structure or space wherein professional services are performed involving operations such as law, medicine, optician (including the sale of glasses and contact lenses as accessory to professional eye examinations and the prescription of lenses), audiologist, architect or landscape architect, professional consultant, engineer, professional counselor, dentist, investigative services, photographer, contractor, land surveyor, and other comparable professional services.

11. OFFICE PARK – A large tract of land that has been planned, developed, and operated as an integrated facility for a number of separated office buildings and supporting ancillary uses with special attention given to circulation, parking, utility needs, aesthetics, and compatibility.
12. OFFICE SERVICE AND SUPPLY ESTABLISHMENT – Retail commercial establishments that sell, service, and supply small office equipment and supplies. This shall include stores that sell copiers, facsimile machines, typewriters, printer and copier consumables, transcribers and dictation equipment, paper, tape staplers, computer supplies, office furniture, and other general office equipment and supplies.
13. OFFICIAL – Any member of the City Council of the City of Newnan, Georgia.
14. OFFICIAL ACT OR ACTION – Any executive, legislative, administrative, appointive, or discretionary act of the City Council or appointed or designated official taken pursuant to the regular discharge of such individual's or entity's official duties.
15. OIL AND GAS TREATMENT AND PROCESSING PLANT - A facility designed to separate and recover hydrocarbons (e.g., butane, ethane, propane) and/or to remove impurities (e.g., hydrogen sulfide) from oil and gas.
16. ON-PREMISES – All enclosed space within the proprietors building and any other areas outside the proprietor's building that are under the direct control of the proprietor.
17. OPAQUE – Not letting light pass through, not transparent or translucent.
18. OPEN SPACE – Any parcel or area of land or water essentially unimproved and set aside, dedicated, designated, or reserved for public or private use, enjoyment as well as the use and enjoyment of owners, occupants, and their guests, of land adjoining or neighboring such open space. See Chapter 22, §22.040 for a more detailed description of open space requirements and Chapter 21, §21.060 for an explanation of how to calculate open space.
19. OPEN SPACE, COMMON - Open space which may or may not be related to a development, which is dedicated or available for public use on a limited or unlimited basis.
20. ORIENTATION – Means either: (a) familiarization with and adaptation to a situation or environment, awareness of one's environment as to time, space, objects, and persons; or (b) the placement or direction of a face of an object toward some other entity such as the orientation of a building toward the sun.
21. OUTBUILDING – A separate accessory building or structure not physically connected to the principal building.
22. OUTDOOR STORAGE – The keeping, in an unroofed area, of any goods, junk, material, merchandise, or vehicles in the same place for more than twenty-four (24) hours.

### **§3.160 "P" Definitions**

1. PAID – The receipt of, or right to receive, a salary or commission, percentage, brokerage, or contingency fee.
2. PARCEL – A continuous lot or tract of land in the possession of or owned by, or recorded as the property of, the same person or persons.

3. PARK – Any public or private land available for recreational, educational, cultural, or aesthetic use.
4. PARK, PUBLIC – A tract of land, designated and used by the public for active and/or passive recreation. A public park may include, but not necessarily be limited to, playgrounds, tennis courts, swimming pools, public gardens, nature center, ball fields, public greenways, trails, fountains, lawns, forests, farms, historic buildings or sites, and administrative or maintenance facilities.
5. PARKING LOT – An area not within a building where motor vehicles may be stored for the purposes of temporary, daily, or overnight off-street parking.
6. PARKING, OFF STREET – A parking space which is designed for the parking or temporary storage of automobiles and related motor vehicles and is located outside of a dedicated street right-of-way.
7. PARKING, ON STREET: – A parking space designated or available on or along a street right-of-way. Such parking may be parallel or angled at 90°, 75°, 60°, or 50° in relation to the curb.
8. PARKING, SHARED – The development and use of parking areas on two or more separate properties for joint use by the business on those properties.
9. PARKING STRUCTURE OR DECK – A building or structure consisting of more than one (1) level and used to park or store motor vehicles.
10. PARKING SPACE – An unobstructed space or area other than a street or alley that is permanently reserved and maintained for the parking of one motor vehicle.
11. PARTIAL DESTRUCTION – A building or structure that because of fire, flood, explosion, or other catastrophe, requires the rebuilding of less than one-half (0.5) of the gross floor area.
12. PARTICIPATE – To take part, often in official acts, actions, or proceedings personally as an official or appointed official through approval, disapproval, decision, or the failure to act or perform a duty.
13. PATIENTS FAMILY HOME – A residential facility designed to serve as a temporary residence to relatives and family of critically or terminally ill patients residing in a nearby hospital or other medical care facility.
14. PASSIVE – Taking no active part, inactive.
15. PATH, MULTI-PURPOSE – A multi-purpose path shall be a facility for bicycles, pedestrians, rollerbladers, and other non-motorized recreational transport which shall primarily be of bituminous asphalt and from six (6) to twelve (12) feet in width but may also be constructed of Portland cement or similar or of an other surface acceptable to the Planning Commission.
16. PAVED AREA, NON-APPLICABLE – For the purpose of open space calculations, non-applicable paved area refers to that paved area of a lot including parking lots, required sidewalks, curbing, gutters, concrete retention facilities, walkways, and other impervious paved area not eligible as open space under the open space definition.

17. PATIENTS FAMILY HOME – A facility intended to serve as a temporary residence to relatives and family of critically or terminally ill patients residing in a nearby hospital or other medical care facility. Such a home shall be designed and occupied so as to fit in with the existing character of the neighborhood in which it is located.
18. PEDESTRIAN – Means either (a) traveling on foot; or (b) a person traveling on foot.
19. PENNANT – Any lightweight plastic, fabric, or material, whether or not containing a message of any kind, suspended from a rope, wire, or string, usually in series, designed to move in the wind.<
20. PERFORMANCE GUARANTEE – A financial guarantee to ensure that all improvements, facilities, or work required by this ordinance will be completed in compliance with the ordinance, regulations, and the approved plans and specifications of a development.
21. PERFORMANCE STANDARDS – A set of criteria or limits relating to certain characteristics (such as smoke, glare, noise and similar) that a particular use, activity, or process may not exceed.
22. PERISHABLE – Something, especially food, liable to spoil or deteriorate.
23. PERSON – Any association, company, corporation, firm, organization, or partnership, singular or plural, of any kind.<
24. PERSONAL CARE GROUP HOME – A profit or non-profit facility, home or structure providing the protective care of residents who do not require chronic or convalescent medical or nursing care. Personal care involves responsibility for the safety of the resident while inside the building and may include daily awareness by the management of the resident’s functioning and whereabouts, making and reminding a resident of appointments or other obligations, the ability and readiness for intervention in the event of a resident experiencing a crisis, supervision in the areas of nutrition and medication, and the actual provision of transient medical care.
25. PERVIOUS PAVEMENT - is paving material that allows water to penetrate to the ground below
26. PET – Any animal owned or kept for pleasure rather than sale, which is an animal of a species customarily bred and raised to live in the company of humans and dependant on humans for food and shelter. Livestock and wild animals shall not be deemed pets.
27. PHASE OR PHASING – Development undertaken in a logical time and geographical sequence. Phasing is the breaking up of a large development into several manageable parts for marketing, financing, labor, supply, and equipment facility.
28. PHOTOCOPY SERVICE - A business that reproduces drawings, plan, maps, or other copy by means of blueprinting or photocopying.
29. PLAN, COMPREHENSIVE – A plan, which may consist of several maps, data, and other descriptive materials, for the physical development of the City or any portion thereof, including any amendments, extensions, or additions thereto recommended by the Planning Commission and adopted by the City Council, indicating the general location for major streets, parks, or other public facilities, zoning districts, or other similar information. The Comprehensive Plan, of which the transportation plan is a part, shall be based on and include appropriate studies of the location and extent of present and anticipated population, social and economic resources and problems, and other pertinent data.



30. PLAN, CONCEPT – A generalized map or site plan presenting an image of proposed development which does not include construction or engineering detail, and showing those plan elements as further required by this Ordinance.
31. PLAN, PHASE – A plan, similar to a preliminary plat, which provides specific detail regarding a portion or phase of a development, and showing those plan elements as further required by this Ordinance.
32. PLAN, PROJECT – A plan, more specific than a concept plan, which shows the full concept of development for a project and showing those plan elements as further required by this Ordinance.
33. PLAN, SITE – A plan or plat showing specific development detail regarding the improvement of an individual legal lot or parcel.
34. PLAN, SKETCH – Similar to a concept plan, a sketch plan is a general rendering of a development plan for a project which does not include construction or engineering detail, and showing those plan elements as further required by this Ordinance.
35. PLAN, SPECIFIC – A plan that provides specific planning and design proposals for a defined geographic sub-area of the City. Also **Area Plan**.
36. PLANNED DEVELOPMENT/PLANNED UNIT DEVELOPMENT (PUD) – A development of land that is under unified control and is planned and developed as a whole in a single development operation or programmed series of development stages. The development may include streets, circulation ways, utilities, buildings, open spaces, and other site features and improvements.
37. PLANNING COMMISSION – A body appointed by the City Council whose duty is to hear and make recommendations on rezoning applications, changes to the Zoning Ordinance text, approve subdivision plats, and other duties as specified by this Ordinance.
38. PLANNING AND ZONING DEPARTMENT – Also referred to as the Planning Department, this is the administrative department of the City of Newnan that serves as staff to the Planning Commission and other duties as specified by this Ordinance.
39. PLANNING DIRECTOR – The Planning Director of the City or his or her designee.
40. PLANT NURSERY – Any land used to raise trees, shrubs, flowers, and other plants for sale or for transplanting.
41. PLAT, FINAL – A finished drawing of a subdivision showing completely and accurately all legal and engineering information as required by this Ordinance and showing all certification required for recording.
42. PLAT, PRELIMINARY – A drawing which shows the proposed layout of a subdivision of land in sufficient detail to indicate unquestionably its workability and functionality, but is not in final form for recording and the details are not completely computed.
43. PLAZA – An open space that may be improved and landscaped; usually surrounded by streets and/or buildings.
44. POLLUTION SUSCEPTIBILITY – The relative vulnerability of an aquifer to being polluted from spills, discharges, leaks, impoundments, applications of chemicals, injections and other human activities in the recharge area.

45. POLLUTION SUSCEPTIBILITY MAPS – Maps of relative vulnerability to pollution prepared by the Department of Natural Resources, using the DRASTIC methodology. Pollution susceptibility maps categorize the land areas of the State into areas having high, medium, and low ground water pollution potential.
46. PORCH – A covered entrance to a building, usually projecting across the front wall and having a separate roof which is supported by columns.
47. PRE-APPLICATION MEETING – Any pre-development, pre-submittal meeting between the owner/developer of a property and City of Newnan personnel to discuss the issues and requirements for development and to further the owner/developers understanding of the process whereby such owner/developer may make a better application that may require fewer changes or modifications during the review process. Such a meeting may save the owner/developer significant time and expense. Such a meeting is mandatory in some circumstances as provided by this Ordinance and in all other circumstances it is an option.
48. PRINCIPAL BUILDING – The primary or predominant structure or building occupying a lot or parcel and often containing the principal use of the property.
49. PRINCIPAL USE – The main or primary use of land, building, or structures on a specific lot or parcel, as distinguished from a secondary or accessory use.
50. PRINT SHOP – A retail establishment that provides duplicating services using photocopy, blueprint, and offset printing equipment, including collating of booklets and reports.
51. PRIVATE CLUB – An organization of persons for special purposes or for the promulgation of sports, arts, literature, politics, or the like, but not operated for profit, excluding churches, synagogues, or other houses of worship.
39. PROFFER – To offer or tender, such as the stating of a condition and offer of the same as a requirement for development to occur or variance to be granted.
40. PROFFERED CONDITIONS – To offer incentives in order to support an application made for a rezoning.
47. PROFIT – Financial or monetary gain obtained from the use of capital in a transaction or series of transactions; proceeds from property or investments.
48. PROJECT – A development with the necessary site improvements, on a particular parcel of land.
49. PROPERTY – Means either (a) any piece of land which is legally described using lengths and bearings and also identified on the tax maps of the Coweta County Assessors office; or (b) any property, either real or personal, tangible or intangible, and including currency and commercial paper.
50. PROPERTY LINE – A line or recording bounding a lot which divides one lot from another lot, from a public or private street, or any other public space. Also **Lot Line**.
  - a. EXTENDED PROPERTY LINE- A line extending from the front property corner of a lot to the curb line of the street, perpendicular to said curb line.

51. PROPRIETOR – Any person who, as the owner or lessee, has under such person’s control any establishment, place or premises in or at which such machine is provided for use of play.
52. PUBLIC SEWER SYSTEM – Any system, other than an individual septic tank or tile field that is operated by a local government or authority for the collection, treatment, and disposal of wastewater.
53. PUBLIC WATER SYSTEM – A system other than an individual well, of treated and piped water for public consumption and other use, if such a system has a minimum of fifteen (15) connections, or regularly serves an average of at least twenty-five (25) individuals or businesses daily, at least sixty (60) days out of the year.
54. PULL OFF PARKING - The arrangement of off-street parking spaces in such a manner that automobiles must back onto the public street in order to exit from the parking spaces.●

**§3.170 “Q” Definitions**

1. QUORUM – A majority of the full, authorized membership of a board or agency, such as the Planning Commission or Board of Zoning Appeals, unless otherwise specified.

**§3.180 “R” Definitions**

1. RECOMMENDATION – Advice, council; the act of recommending or calling attention to a circumstance as suited to some purpose or decision.
2. RECREATIONAL VEHICLE (RV) PARK – Any lot of land upon which two or more recreational vehicle sites are located, established, or maintained for occupancy by recreational vehicles of the general public as temporary living quarters for recreation or vacation purposes.
3. RECTILINEAR – A pattern of streets that is characterized by right-angle roadways, grid pattern blocks, and four way intersections.
4. RECYCLING CENTER – A building in which used material is separated and processed prior to shipment to others who will use those materials to manufacture new products.
5. RECYCLING COLLECTION POINT - An incidental use that serves as a neighborhood drop-off point for temporary storage of recoverable resources. No processing of such items would be allowed. This facility would generally be located in a shopping center parking lot or in other public/quasi-public areas, such as in churches and schools.
6. RECYCLING PLANT – A facility that is not a junkyard and in which recoverable resources, such as newspapers, magazines, books, and other paper products; glass; metal cans; and other products, are recycled, reprocessed, and treated to return such products to a condition in which they can again be used for production.
7. REGIONAL IMPACT DECISIONS – Final approval or denial of "special exception" requests that would impact areas outside of the corporate limits of the authorizing jurisdiction.

8. REGIONAL SHOPPING CENTER – A group of commercial establishments or a development planned, constructed, and managed as a total integrated entity, with customer and employee parking provided on-site, provision for goods delivery separated from customer access, aesthetic considerations and protection from the elements, and landscaping and signage in accordance with an approved plan.
9. RELIGIOUS INSTITUTION – See **Church Or Place of Religious Worship**.
10. REMODELING – To construct an addition or alter the design or layout of a building or make substantial repairs or alterations so that a change or modification of the entrance facilities, toilet facilities, or vertical access facilities is achieved.
11. REPAIR SHOP, NON-AUTOMOTIVE – Commonly found low intensity repair shops that repair items such as jewelry, camera, home appliance, televisions, and videocassette recorders.
12. REPLACEMENT DENSITY FACTOR (RDF) – The minimum number of Tree Density Units which must be achieved on a property after calculating Tree Density Units for existing trees (EDF) which will remain on site to be protected during construction. τ
13. RESEARCH AND DEVELOPMENT LABORATORY – A building or group of buildings in which are located facilities for scientific research, investigation, testing, or experimentation, but not facilities for the manufacture or sale of products, except as incidental to the main purpose of the laboratory.
14. RESIDE – The act of living in a dwelling unit at a specific point in time.
15. RESIDENTIAL MENTAL HEALTH AND SUBSTANCE ABUSE FACILITIES – A facilities primarily engaged in providing residential care and treatment for patients with mental health and substance abuse illnesses. These establishments provide room, board, supervision, counseling services, and a range of social services.
16. RESIDENTS ASSOCIATION – See **Homeowners Association**.
17. RESORT – A hotel or motel that serves as a destination point for visitors. A resort generally provides recreational facilities for persons on vacation. A resort shall be self-contained and provide personal services customarily furnished at hotels, including the serving of meals. Buildings and structures in a resort should complement the scenic qualities of the location in which the resort is situated.
18. RESPONSIBLE PERSON – Any legally accountable human being.
19. RESTAURANT – A business establishment whose principal business is the selling of unpackaged food to the customer in a ready-to-consume state, in individual servings, or in non-disposable containers, and where the customer consumes these foods while seated at tables or counters located within the building.
20. RESTAURANT, DRIVE-IN – An establishment that delivers prepared food and/or beverages to customers in motor vehicles, regardless of whether or not it also serves prepared food and/or beverages to customers who are not in motor vehicles, for consumption either on or off the premises.

21. RESTAURANT, FAST-FOOD – An establishment that offers quick food service, which is accomplished through a limited menu of items already prepared and held for service, or prepared, fried, or grilled quickly, or heated in a device such as a microwave oven. Orders are not generally taken at the customer's table, and food is generally served in disposable wrapping or containers.
22. RESUBDIVISION – A change in a map of an approved or recorded subdivision plat if such change affects any street layout on such map or area reserved thereon for public use, or any lot line; or if it affects any map or plan legally recorded prior to the adoption of any regulations controlling subdivisions.<sup>λ</sup>
23. RETAIL SALES, OUTDOOR – The display and sale of products and services primarily outside of a building or structure, including vehicles, garden supplies, gas, tires and motor oil, food and beverages, boats and aircraft, farm equipment, motor homes, burial monuments, building and landscape materials, and lumber yards.
24. RETAIL SALES, SEASONAL – The temporary establishment of a retail use during a period for which the commodity sold is only available or appropriate to a specific season or period.
25. RETENTION STRUCTURE – A permanent structure that provides for the storage of runoff by means of a pool of water.
26. RETIREMENT COMMUNITY - INDEPENDENT- A building or group of buildings containing dwellings where the occupancy of dwellings is restricted to persons 60 years of age or older or couples where either the husband or wife is 60 years of age or older.
27. RETIREMENT COMMUNITY – DEPENDENT - Housing options for elderly residents in a variety of living environments and arrangements. Continuing care retirement communities shall consist of a minimum of two of the following three living arrangements: congregate elderly housing, adult assisted living facility, and nursing home
28. REVERSIONARY CLAUSE – The return of a piece of property to its immediate past zoning designation after a period of time has elapsed, whereby no action has been taken to utilize the approved zoning as per the requirements of approval.
29. RIGHT-OF-WAY (ROW) – A strip of land acquired by reservation, dedication, forced dedication, prescription, condemnation, or purchase and occupied or intended to be occupied by a street, crosswalk, railroad, electric transmission line, oil or gas pipeline, water main, sanitary or storm sewer main, shade trees, or other special use.
30. RINGLEMANN CHART – The Ringlemann Chart, as published and used by the U.S. Bureau of Mines, is used for the purpose of grading the density of smoke or other airborne particulate matter.
31. RIVER – A Continuous flowing body of water that is part of a greater system or watershed. See **Stream or Creek**.
32. RIVER/STREAM BANK – The rising ground, bordering a river or a stream, which serves to confine the water to the natural channel during the normal course of flow.
33. ROAD, PUBLIC – All public property reserved or dedicated for street traffic.

34. ROAD, PRIVATE – A way open to vehicle ingress and egress established as a separate tract for the benefit of certain, adjacent properties. This definition shall not apply to driveways.
35. ROADWAY DRAINAGE STRUCTURE – A device such as a bridge, culvert, or ditch, composed of a virtually non-erodible material such as concrete, steel, plastic, or other such material such that conveys water under a roadway by intercepting the flow on one side of a traveled way consisting of one or more defined lanes, with or without shoulder areas. and carrying water to a release point on the other side.
36. ROOMING HOUSE – A building that is the primary residence of the owner and in which rooms are provided by the owner, for compensation, to three or more adult persons not related by blood, marriage, or adoption to the owner. Also **Boarding House**.

### §3.190

#### “S” Definitions

1. SATELLITE DISH ANTENNA – A round, parabolic antenna intended to receive signals from orbiting satellites and other sources. Noncommercial dish antennas are defined as being less than four (4) meters in diameter, while commercial dish antennas are usually those larger than four (4) meters and typically used by broadcasting stations.
2. SCALE – Means either: (a) the relationship between distances on a map and actual ground distances; or (b) the proportional relationship of the size of individual parts to one another.
3. SCENIC CORRIDOR – A strip of land on each side of a stream or roadway that is generally visible to the public traveling on such route.
4. SCENIC EASEMENT – An easement, the purpose of which is to limit development in order to preserve a view or scenic area.
5. SCHOOL – A public or private facility that provides a curriculum of elementary and secondary academic instruction, including but not necessary limited to kindergartens, elementary schools, junior high schools, and high schools.
6. SCREENING – The method of visually shielding or obscuring one abutting or nearby structure from another by landscape architectural elements such as fencing, walls, berms, or densely planted vegetation. Screening is designed to reduce the effects of objectionable or potentially objectionable uses and activities between incompatible uses. Breaks in screens shall be permitted to provide adequate ingress and egress as needed.λτ
7. SEATING CAPACITY – The actual seating capacity of an area based upon the number of seats or one seat per eighteen (18) inches of bench or pew length. For other areas where seats are not fixed, the seating capacity shall be determined as indicated by the International Building Code.
8. SECONDARY – Any building, structure or use that is not the primary building, structure, or use. Also **Subordinate**.
9. SEDIMENT – Solid material, both mineral and organic, that is in suspension, is being transported or has been moved from its site of origin by air, water, ice, or gravity; the product of erosion.
10. SEDIMENTATION – The process by which eroded material is transported and deposited by the action of wind, water, ice, or gravity.

11. SERVICE ESTABLISHMENT – Businesses primarily engaged in providing assistance, as opposed to products, to individuals, businesses, industry, government, and other enterprises, including personal, business, and repair services including shoe repair, leather goods repair, and small machinery, watch, and instrument repair; health and beauty including nail salon; key duplicating and locksmith; re-upholstery and furniture repair; interior decorators, travel agents, technical and other professional services; educational and tutoring services; membership organizations; and other miscellaneous services including those listed under NAICS Major Group 8121, 8123, and 8129.
12. SERVICE STATION – Any premises where gasoline and other petroleum products are sold and/or light maintenance activities such as engine tune-ups, lubrication, minor repairs, and carburetor cleaning are conducted. Service stations shall not include premises where heavy automobile maintenance activities such as engine overhauls, automobile painting, and body fender work are conducted.
13. SELF-SERVICE STATION – An establishment where liquids used as motor fuels are stored and dispersed into the fuel tanks of motor vehicles by persons other than the service station attendant and may include facilities available for the sale of other retail products.
14. SETBACK – The minimum horizontal distance between a street right-of-way or a lot or property line and the nearest front, side, or rear line of the building, or any projection therefrom (excluding steps, roof overhang, and minor covered porches).
15. SHELTER, TRANSITIONAL – A charitable, nonprofit, short term housing and/or room and board accommodations for poor, transient, or needy individuals or families which must meet the minimum criteria for such a facility as specified in Chapter 35 of this Ordinance.
16. SHOPPING CENTER – A group of commercial establishments that are planned, constructed, and managed as a single entity, with customer and employee parking provided on site or nearby, provision for goods delivery separated from primary customer access, aesthetic considerations and protection from the elements, and landscaping and signage in accordance with an approved plan. Types of shopping centers shall include:
  - a. Neighborhood Shopping Center—10,000 to 49,999 square feet
  - b. Community Shopping Center—50,000 to 249,999 square feet
  - c. Regional or Super-Regional Shopping Center—250,000 square feet or more
  - d. Specialty Shopping Center—Varies
  - e. Storefront Shopping Center—Varies
17. SHRUB – Prostrate or upright woody plants, either evergreen or deciduous, with a mature height usually less than ten feet (10').
18. SIDEWALK - A paved, surfaced, or leveled area, paralleling and usually separated from the street, used as a pedestrian walkway. ●
19. SIDEWALK CAFE – An area adjacent to and directly in front of a street-level eating or drinking establishment located within the sidewalk area of the public right-of-way exclusively for dining, drinking, and pedestrian circulation. The encroachment area of a sidewalk cafe may be separated from the remainder of the sidewalk by railings, fencing, or landscaping planter boxes or a combination thereof.

20. SIGHT DISTANCE, ADEQUATE – An unobstructed view of the entire intersection and sufficient lengths of the intersecting highway to permit control of the vehicle to avoid collisions.
21. SIGN – Any name, identification, description, display, fixture, illumination, or device; affixed to or represented directly or indirectly upon the exterior of a building, structure, or land in view of the general public; that uses any color, form, graphic, illumination, symbol, or writing; and directs attention to or communicates a product, place, activity, person, business, institution, or idea. See **Chapter 31 for specific sign definitions.**
22. SITE – Means either: (a) any tract, lot, or parcel or land in combination of tracts, lots, or parcels of land which are in one (1) ownership or are contiguous and in diverse ownership where development is to be performed as part of a unit, subdivision, or project; (b) all contiguous land and bodies of water in one (1) ownership, graded or proposed for grading or development as a unit, although not necessarily at one time; or, (c) regarding historic properties, a site is the location of a significant event, a prehistoric or historical occupation or activity, or a building or structure, whether standing, ruined, or vanished, where the location itself maintains historical or archaeological value regardless of the value of any existing structure.ω
23. SITE DENSITY FACTOR (SDF) – The minimum number of Tree Density Units per acre which must be achieved on a property after development [fifteen (15) units per acre, exclusive of any acreage within a zoning buffer and any trees required to be preserved or planted in a zoning buffer].τ
24. SITE PLAN – A document or group of documents containing sketches, text, drawings, maps, photographs, and other material intended to present and explain certain elements of a proposed development, including physical design, siting of buildings and structures, interior vehicular and pedestrian access, the provision of improvements, and the interrelationship of these elements.
25. SKETCH PLAN – See **Plan, Sketch.**
26. SLAUGHTERHOUSE – A building or place where animals are butchered for food for wholesale or retail sale and ultimate consumption by others.
27. SLOPE – The degree of deviation of a surface from the horizontal, usually expressed in percent or degrees. See Chapter 21, §21.060 subsection 5 of this Ordinance for an explanation of how to calculate slope.
28. SOLID WASTE – Unwanted or discarded material, including waste material with insufficient liquid content to be free flowing.
29. SPECIAL ACTIVITY CENTER – Centers of high intensity either multi-use or mixed-use areas with office, commercial, institutional and residential uses. Such centers shall be timed and staged with the provision of supporting community facilities and infrastructure, including roadway and public transportation facilities, utilities and police and fire protection.
30. SPECIAL DISTRICTS – Refers to overlay districts located within certain areas of the City of Newnan. See Chapter 28 of the Zoning Ordinance for more detailed information on the special districts.
31. SPECIAL EXCEPTION – A use permitted in a particular zoning district upon showing that such use in a specified location will comply with all of the conditions and standards for the location and operation of the use as specified in this Ordinance and authorized by



the City Council for regional impact decisions and the Board of Zoning Appeals for all other special exception requests.

32. SPECIFIC USE/SPECIAL USE – A use that would not be appropriate generally or without restriction throughout the zoning district but which, if controlled as to number, area, location, or relation to the neighborhood, would not be detrimental to public health, safety, or general welfare.
33. SPECIMEN TREE – Any tree that qualifies for special consideration for preservation due to its size, species or historic relevance.τ
34. SPRAWL – Uncontrolled growth, usually of a low-density nature, in previously rural areas and some distance from existing development and infrastructure.
35. STABILIZATION – To secure something, usually soil or a building, from movement, disintegration, or erosion.
36. STABLE, COMMERCIAL – Any place established for gain or profit at which horses are kept for the purpose of training, boarding, riding, sale or breeding or where instruction pertaining to same is given for a fee.
37. STABLE, PRIVATE – An accessory building in which horses are kept for private use and not for remuneration, hire, or sale.
38. STABLE, PUBLIC – An accessory building in which horses are kept for commercial use including boarding, hire, and sale.
39. STEEPLE – A tower rising above the main structure of a building, especially a church or other house of worship, usually capped with a spire.
40. STOOP – A covered entrance to a residence with stairs leading to the front doorway of the building.
41. STOREFRONT – A type of building that is located on the property without a front yard setback and is usually located directly adjacent to the right-of-way or a sidewalk to attract pedestrian business.
42. STORMWATER MANAGEMENT – Means: (1) for quantitative control, a system of vegetative and structural measures that control the increase in volume and rate of surface runoff caused by manmade changes to the land; and (2) for qualitative control, a system of vegetative, structural, and other measures that reduce or eliminate pollutants that might otherwise be carried by surface runoff.
43. STORY – That portion of a building included between the surface of any floor and the surface of the floor next above it, or if there is no floor above it, then the space between the floor and the ceiling next above it and including those basements used for the principal use. See **Basement**.
44. STREAM – General term applied to all bodies of water flowing in channels regardless of their size:

Any stream beginning at:

1. The location of a spring, seep, or groundwater outflow that sustains stream flow; or
2. A point in the stream channel with a drainage area of 25 acres or more; or
3. Where evidence indicated the presence of a stream in a drainage area of other than 25 acres, the City of Newnan may require field studies to verify the

existence of a stream.●

45. STREAM BANK – The point where the upward slope of the land from the water surface, or the bottom of a dry excavation intersects with the existing ground elevation or crest of berm, whichever is of higher elevation.
46. STREET – A public or private thoroughfare used, or intended to be used, for passage or travel by motor vehicles. Streets are further classified by the functions they perform.

### 1. ARTERIALS

a) Urban principal arterial system-- serve the major centers of activity of a metropolitan area, the highest traffic volume corridors, and the longest trip desires; and should carry a high proportion of the total urban area travel on a minimum of mileage. The system should be integrated, both internally and between major rural connections.

Because of the nature of the travel served by the principal arterial system, almost all fully and partially controlled access facilities will be part of this functional system. In order to preserve the identification of controlled access facilities, the principal arterial system is stratified as follows:

1. Interstate Principal Arterial- those routes presently designated by the USDOT as part of the Interstate System.

2. Urban Freeway and Expressway – limited-access urban arterials not on the Interstate System

3. Urban Principal Arterial- uncontrolled or partial controlled access

b) Urban minor arterial street system-- The minor arterial street system should interconnect with and augment the urban principal arterial system but provide service at a lower level of mobility than urban principal arterials.

Urban Minor Arterial Street- provide service to trips of moderate length within an urban area, and this system should distribute travel to geographic areas smaller than those identified with the higher system. Such facilities may carry local bus routes and provide intra-community continuity but ideally should not penetrate identifiable neighborhoods. This system should include urban connections to rural collector roads where such connections have not been classified as urban principal arterials.

The spacing of minor arterial streets may vary from 1/8 - 1/2 mile in the central business district to 2 - 3 miles in the suburban fringes, but should normally be not more than 1 mile in fully developed areas.

### 2. COLLECTORS

Urban collector street system- The collector street system provides land access service and traffic circulation within residential neighborhoods, commercial and industrial areas.

Urban Collector Street- collects traffic from local streets in residential neighborhoods and channels it into the arterial system. In the central business district, and in other areas of like development and traffic density, the collector system may include the street grid which forms a logical entity for traffic circulation.

### 3. LOCAL ROADS

Urban local street system- The local street system comprises all facilities not on one of the higher systems.

Urban Local Road-- serves primarily to provide direct access to abutting property and access to the higher order systems. It offers the lowest level of mobility and usually contains no bus routes. Service to through-traffic movement usually is deliberately discouraged. Urban local roads constitute the urban public road mileage not classified as part of the principal arterial, minor arterial, or collector systems inside of urban areas.●

47. STREET AREA – The area of land within a development used by streets
48. STREET CLASSIFICATION – A functional system for the classification of public roads and rights-of-way as identified and described within this Ordinance.
49. STREET FRONTAGE – The length of any one property line of a premises, which property line abuts a legally accessible street right-of-way. For the purposes of determining yard requirements on corner lots, all sides of a lot adjacent to streets shall be considered frontage, and yards shall be provided as indicated under the zoning definition for yards.
50. STREET, HALF – A right-of-way dedicated by a developer along such developer's perimeter property line which, together with a corresponding amount of right-of-way to be added at a subsequent date from adjoining land, comprises the total right-of-way required for a proposed street.
51. STREET JOG – A discontinuity in the street center line by an offset of the dedicated street right-of-way.●
52. STREET, PRIVATE – A street that has not been accepted by the City.
53. STREET, PUBLIC – A street that has been accepted by the City.
54. STRIPPING – Any activity which removes the vegetative surface cover including tree removal clearing, grubbing, and storage or removal of topsoil.
55. STRUCTURAL ALTERATION – Any change in either the supporting members of a building, such as bearing walls, columns, beams, and girders, or in the dimensions or configurations of the roof or exterior walls.
56. STRUCTURE – Means either: (a) anything constructed or erected, the use of which requires location on the ground, or attachment to something having location on the ground, including but not limited to buildings, towers, smokestacks and overhead transmission lines; or (b) any structure constructed and used for residence, business, industry, or other public or private purposes or accessory thereto and including tents, lunch wagons, dining cars, trailers, mobile homes, sheds, garages, carports, animal kennels, or structures, storerooms, billboards, signs, gasoline pumps and similar structures, whether stationary or movable.ω
57. STUCCO – Plaster or cement, either fine or coarse, used for surfacing inside or outside walls or for molding relief ornaments, cornices, etc.
58. SUBDIVIDER – Any person, individual, firm, partnership, association, corporation, estate, or trust, or any group of trusts, or any group or combination of groups acting as a unit, dividing, or proposing to divide land so as to constitute a subdivision as herein defined, including any agent of the subdivider.λ
59. SUBDIVISION – All divisions 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, lease, legacy, or building development, and includes all divisions of land involving a new street or a change in existing streets, and includes re-subdivision, and where appropriate to the context, relates to the land or area subdivided●

60. SUBDIVISION, MAJOR – Any subdivision not classified as a minor subdivision.λ
61. SUBDIVISION, MINOR – Any subdivision containing not more than four (4) lots fronting on an existing public street, not involving any new street or the extension of municipal facilities or the creation of any public improvements, not adversely affecting future subdivision of the remainder of the parcel or adjoining property, and not in conflict with any provision or portion of the master plan, official map, zoning ordinance, or these regulations; except that a phase of a larger subdivision under development may not be treated as a minor subdivision.λ
62. SUBDIVISION, NONRESIDENTIAL – A subdivision whose intended use is other than residential, such as commercial or industrial.λ
63. SUBORDINATE – See **Secondary**.
64. SUBSTANCE ABUSE TRANSITIONAL TREATMENT FACILITY: – A type of transitional treatment facility established for individuals recovering from addiction to alcohol or narcotic drugs in order to facilitate their transition to independent living. Proper licensing from the Georgia Department of Human Resources is required.
65. SUBSTANTIAL COMPLETION – When a project or building is almost finished and activity to complete the project or building is no longer continuing.
66. SUBSTANTIAL DESTRUCTION – Any demolition, destruction, or deterioration, the cost of which equals or exceeds fifty (50%) percent of the fair market value of a structure or building.
67. SUBSTATION, ELECTRICAL – A utility building installed by the authorized power company which serves as a branch location for electrical lines.
68. SUBSURFACE DEVELOPMENT – That development which occurs below the earth's surface, including such activities as mining.
69. SURETY – Something that makes sure or gives assurance, as against loss, damage, or default; security, guarantee. For the purpose of this Ordinance, surety shall include a performance bond or certified letter of credit.
70. SURVEY – The process of precisely ascertaining the area, dimensions, and location of a piece of land, especially for the purpose of accompanying the legal description of a property.
71. SURVEYOR, REGISTERED LAND – A land surveyor properly licensed and registered in the State of Georgia.λ

### **§3.200**

#### **"T" Definitions**

1. TABLING, TO TABLE – To postpone indefinitely the discussion or consideration of an application.
2. TAVERN – An establishment serving alcoholic beverages in which the principal business is the sale of such beverages at retail for consumption on the premises and where sandwiches and snacks are available for consumption on the premises.
3. TEMPORARY SALE – An occasional or periodic sales activity held within a building, structure, or open area where groups of individual sellers offer goods, new and used, for sale to the public, not to include private garage sales.

4. TEMPORARY USE – a use to be established for a limited duration with the intent to discontinue upon the expiration of a specific time period.
5. TENT – A temporary or permanent structure having a roof and/or walls of fabric.
6. TERRAIN – Ground or a tract of earth, with regard to its natural or topographical features.
7. TIMBER – Harvestable trees; wooded areas.
8. TIMBERING – The act of removing harvestable trees and wooded areas for profit.
9. TOPOGRAPHY – The configuration of surface features of a region, including its relief and rivers, lakes, and showing relative elevations.
10. TOWER, TELECOMMUNICATIONS – A structure situated on a nonresidential site that is intended for transmitting or receiving television, radio, or telephone communications, excluding those used exclusively for dispatch communications.
11. TOWNHOUSE: – A dwelling unit attached to other dwelling units in rows or clusters of four or more units, separated by a four hour rated firewall as per the International Building Code. In the alternative, a two hour fire wall may be utilized if the entire structure is protected by a sprinkler system. The attached dwelling shall so be arranged on lots that ownership of each, with the associated lot, may be independently conveyed. The dwelling units must be attached along the common firewall for a distance greater than or equal to 80% of the overall unit depth.
12. TOXIC WASTE – Any combination of pollutants, including disease-carrying agents, that, after discharge and upon exposure, ingestion, inhalation, or assimilation into any organism, can cause death or disease, mutations, deformities, or malfunctions in such organisms or their offspring and that adversely affect the environment. Also **Hazardous Waste**.
13. TRACT – An area, parcel, site, piece of land, or property that is subject of a development application.
14. TRAILER, CAMPING – Shall mean any portable structure or vehicle designed for highway travel which is used or intended to be used for either living, sleeping, cooking or eating purposes and which does not include all of the following facilities: A flush water closet, a lavatory, a bath or shower, and kitchen sink.
15. TRANSACTION – The conduct of any activity that results in or may result in an official act or action of the City.
16. TRANSFER OF DEVELOPMENT RIGHTS – Transfer of Development Rights (TDR) is the removal of the right to develop or build, expressed in dwelling units per acre or floor area, from land in one zoning district to land in another district where such transfer is permitted, usually involving a fee or price.
17. TRANSITIONAL USE – A permitted use or structure that by nature or level and scale of activity acts as a transition or buffer between two or more incompatible uses.
18. TREE – Any living, self-supporting woody perennial plant which normally obtains a trunk diameter of at least two inches (2”) and a height of at least ten feet (10’), and typically has a main stem or trunk and many branches.τ

19. TREE, CANOPY /OVERSTORY TREE, SHADE TREE – These trees that compose the top layer or canopy of vegetation and will generally reach a mature height of greater than forty (40) feet. τ
20. TREE, UNDERSTORY /ORNAMENTAL TREE – Those trees that grow beneath the overstory, and will generally reach a mature height of under forty (40) feet. τ
21. TREE DENSITY STANDARD – The minimum number of tree density units per acre which must be achieved on a property after development.τ
22. TREE DENSITY UNIT – A credit assigned to a tree, based on the diameter of the tree, in accordance with tables contained in the Tree Preservation and Landscaping Ordinance.τ
23. TREE DIAMETER – The cross-sectional dimension of a tree trunk measured at four and one-half (4.5) feet above the ground. If a tree has more than one trunk, only the largest trunk shall be used to establish the tree diameter for the tree.τ
24. TREE PROTECTION AREA – Any portion of a site wherein are located existing trees which are proposed to be retained in order to comply with the requirements of the Tree Preservation and Landscaping Ordinance. The tree protection area shall include no less than the total area beneath the tree canopy as defined by the dripline of the tree plus any additional area encompassing the critical root zone of a tree or group of trees collectively.τ
25. TREE PROTECTION PLAN – A plan that identifies tree protection areas, existing trees to be retained and proposed trees to be planted on a property to meet minimum requirements, as well as methods of tree preservation to be undertaken on the site and other pertinent information.
26. TREE REMOVAL – Any act which causes a tree to die within two (2) years after commission of the act, including but not limited to damage inflicted upon the root system or trunk as a result of:
  - a. The improper use of machinery on the trees;
  - b. The storage of materials in or around the trees;
  - c. Soil compaction;
  - d. Altering the natural grade to expose the roots or to cover the tree’s root system with more than four inches (4”) of soil;
  - e. Pruning judged to be excessive by City Landscape Architect or not in accordance with the standards set forth by the International Society of Arboriculture (ISA);
  - f. Paving with concrete, asphalt, or other impervious surface within such proximity as to be harmful to the tree or its root system; and
  - g. Application of herbicides or defoliates to any trees without first obtaining a permit.τ
27. TREE SAVE AREA – An area designated for the purpose of meeting tree density requirements, saving natural trees, and/or preserving natural buffers.τ

28. TREE THINNING – Selective cutting or thinning of trees for the clear purpose of good forestry management in order to protect said forest from disease or infestation and in no way shall be construed as clear cutting.τ
29. TRENCH – A narrow excavation made below the surface of the ground. In general, the depth is greater than the width, but the width of a trench is not greater than fifteen ( 15) feet.
30. TRIBUTARY – Of a small creek, river, or stream flowing into a larger one, the smaller stream is considered a tributary.
31. TRUCK, HEAVY – Any vehicle equal to or over 10,000 pounds GVW and/or 24 feet in length or longer including tractor-trailers and tractor-trailer cabs.
32. TRUCK, LIGHT - Any vehicle less than 10,000 pounds GVW and/or shorter than 24 feet in length.
33. TRUCK TERMINAL – Land and buildings used as a relay station for the transfer of a load from one vehicle to another or one party to another. The terminal cannot be used for permanent or long-term accessory storage for principal land uses at other locations. The terminal facility may include storage areas for trucks and buildings or areas for the repair of trucks associated with the terminal.

### **§3.210“U” Definitions**

1. UNDEVELOPABLE /UNBUILDABLE AREA – That area of a site that due to physical or legal constraints, such as floodplains, wetlands, steep slopes, etc., cannot be developed.
2. UNDISTURBED – Shall mean no site disturbance except that listed in Chapter 19, Watershed Overlay Districts" of this Ordinance.
3. USE – The specific purpose for which land or a building is intended, arranged, designed or for which it may be occupied or maintained. The term “permitted use” or its equivalent shall not be deemed to include any nonconforming use.
4. USE, ACCESSORY – A use customarily incidental and subordinate to the principal use and located on the same lot with such principal use. Also **Accessory Use, Secondary Use.**
5. USE, CONDITIONAL – A use allowed in a particular zoning district where the use is not otherwise permitted upon showing that the use will comply with all the conditions and standards of the use as specified in the zoning ordinance and authorized by the approving agency.
6. USE, PERMITTED – Any use allowed in a zoning district and subject to the restrictions applicable to that zoning district.
7. USE, PRINCIPAL – The primary or predominant use of any lot or parcel.
8. USE, PROHIBITED – Any use which is not listed in this Ordinance within a specific zoning district as a permitted, conditional, or Special Exception use or which does not qualify as an accessory use or home occupation.
9. USE, TEMPORARY OR SEASONAL – See **Temporary Use.**

10. USE, UNIQUE – A use that is unusual or one-of-a-kind that is not listed as a permitted use in the category of uses as set forth in this Ordinance and that due to its unusual nature should be evaluated on its own special merits rather than to attempt to classify such use as a part of any existing use category.
11. USE, UNSPECIFIED – A use that is not listed either independently or as a part of any existing category of uses as set forth in this Ordinance. Unspecified uses are not necessarily unique or one-of-a-kind but may have developed as a result of technological innovation, changing values or standards, or some other change or shift in the economy or society.
12. UTILITY – Public, private water or sewer piping systems, water or sewer pumping stations, electric power lines, fuel pipelines, telephone lines, roads, driveways, bridges, river/lake access facilities, stormwater systems and railroads or other utilities identified by a local government.

**§3.220 “V” Definitions**

1. VARIANCE – Means either: (a) a variance granted for bulk relief that would result in an opportunity for improved zoning and planning that would benefit the community; (b) the modification of any requirement of this Ordinance such that strict adherence of the requirements would result in unnecessary hardship and not fulfill the intent of this Ordinance. A variance shall be granted in a manner that would be no greater than a reasonable deviation from the requirements of this Ordinance needed to relieve the identified hardship.
2. VETERINARY CLINIC OR HOSPITAL – A clinic or hospital operated by a licensed veterinarian.

**§3.230 “W” Definitions**

1. WALL - A solid structure that defines and sometimes protects an area. Most commonly, a wall delineates a building and supports its superstructure, separates space in buildings into rooms, or protects or delineates a space in the open air. There are three principal types of structural walls: building walls, exterior boundary walls, and retaining walls. Building walls have two main purposes: to support roofs and ceilings, and to divide space, providing security against intrusion and weather. Boundary walls include privacy walls, boundary-marking walls, and city walls. The conventional differentiation between a boundary wall and a fence is that a fence is of minimal thickness and often is open in nature, while a wall is usually more than a nominal thickness and is completely closed, or opaque. More to the point, if an exterior structure is made of wood or wire, it is generally referred to as a fence, while if it is made of masonry, it is considered a wall. Retaining walls are a special type of wall that may be either external to a building or part of a building that serves to provide a barrier to the movement of earth, stone or water. The ground surface or water on one side of a retaining wall will be noticeably higher than on the other side.
2. WATER RESOURCE DISTRICTS – A Water Resource District is a map overlay which imposes a set of requirements in addition to those of the underlying zoning district.
3. WAIVER – The relinquishment, delay, or other lessening of modifications, either temporary or permanent, from requirements of this Ordinance granted administratively or by the Board of Zoning Appeals.
4. WAREHOUSE – A building used primarily for the storage of goods and materials.



5. WAREHOUSING AND DISTRIBUTION – A use engaged in storage, wholesale, and distribution of manufactured products, supplies, and equipment, but excluding bulk storage of materials that are inflammable or explosive or that create hazardous or commonly recognized offensive conditions.
6. WASTE TRANSFER STATION – A facility used to transfer certain types of solid waste from one transportation vehicle to another for transportation to a solid waste disposal facility or processing operation. A Waste Transfer Station includes the enclosed waste management structure (tipping floors and loading bays) and ancillary buildings and equipment, including but not limited to, scale house, scales, truck/equipment maintenance/fueling areas, and transport truck staging areas.
7. WATER AND LIGHT, NEWNAN – The utility authority in the City of Newnan responsible for the distribution of electricity and potable water, the collection and treatment of wastewater, and the marketing of cable television and Internet services. Also **Newnan Utilities**.
8. WATERCOURSE – Any material or artificial watercourse, stream, river, creek, channel, ditch, canal, conduit, culvert, drain, waterway, gully, ravine or wash in which water flows either continuously or intermittently and which has a definite channel, bed and banks, and including any area adjacent thereto subject to inundation by reason of overflow or floodwater.
9. WATERSHED – The entire land area contributing surface drainage to a specific point (e.g. a water supply intake)
10. WATER SUPPLY LINE – Any closed conduit, which conducts the flow of potable water, intended for human consumption.
11. WEEDS – Any undesired, uncultivated plant, especially one growing in profusion to crowd out a desired crop, disfigure a lawn, etc. For the purposes of this Ordinance, weeds shall also include grass and /or underbrush in non-agriculturally used property, which is at least twelve (12) inches tall.
12. WEEDS, UNTENDED – Those plants, shrubs, underbrush, grass and other uncultivated plants, which grow sporadically without care or attention.
13. WETLANDS – Those areas inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and under normal circumstances do support a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs and similar areas. The ecological parameters for designating wetlands include hydro soils, hydrological vegetation and hydrological conditions involving a temporary or permanent source of water to cause soil saturation.
14. WITHDRAWAL WITH PREJUDICE – To withdraw an application after the deadline for withdrawal without prejudice constitutes withdrawal with prejudice and is subject to the conditions imposed by Article III, "Administration", of this Ordinance.
15. WITHDRAWAL WITHOUT PREJUDICE – To withdraw an application prior to the set deadline and have no judgement passed on the merits of the application. Such a withdrawal entitles the applicant to re-apply at any time as per Article III, "Administration" of this Ordinance.

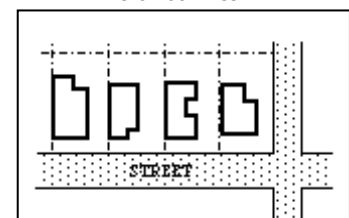
### **§3.240 "Y" Definitions**

1. YARD – A required unoccupied open space on a lot with a building or structure, adjoining a lot line, containing only landscaping or other uses as provided by this Ordinance. Specific yards include the following:
  - a. Front—A yard extending the full width of the lot, located between the street line and the front line of the building, projected to the side lines of the lot.
  - b. Rear—A yard extending the full width of the lot and situated between the rear lot line of the lot and the rear of the building projected to the sidelines of the lot.
  - c. Side—A yard located between the side of the building and the side line of the lot and extending from the rear line of the front yard to the front line of the rear yard.
  - d. Court—A yard, which is bounded on two (2) or more sides by the walls of a building or structures or the extension of such walls.
  - e. Street Side—A yard or yards, other than a front yard, which has/have frontage on a public street or road. Such yards shall maintain setbacks equal to that of a front yard in the district in which it is located unless otherwise provided for in this Ordinance.
2. YARD, REQUIRED – The open space between a lot line and the yard line within which no structure shall be located except as provided in this Ordinance.
3. YARD SALE /GARAGE SALE/CARPORT SALE/ RUMMAGE SALE - A one- or two-day sale of common household items from a residential lot or lots.
4. YIELD – The density or number of lots can be legally developed according to the base regulations of the zoning district in which the parcel or tract of land is located.
5. YIELD, FINAL PERMITTED – Final Permitted Yield (FPY) is specifically related to determination of minimum residential lot size in Open Space Development calculations.
6. YIELD PLAN – A conceptual plan or sketch of conventional layouts drawn realistically so that every lot shown meets the standard criteria for frontage, lot area, and other dimensional requirements of the base zoning district. In unsewered subdivisions, applicants are required to submit evidence that at least ten (10) percent of the lots could support septic systems with lots selected by the Environmental Health Department.

**§3.250 “Z” Definitions**

1. ZERO LOT LINE – The location of a building on a lot in such a manner that one (1) or more of the building's sides rests directly on a lot line and that all buildings utilize the same side of the lot. See **Figure Z.1 for illustration.**
2. ZONE, OVERLAY – A zoning district that encompasses one or more underlying zones and that imposes additional requirements beyond that required by the underlying zone(s).
3. ZONING – The delineation of districts and the establishment of regulations governing the use,

Figure Z.1  
Zero Lot Lines



placement, spacing, and size of land, buildings, and other physical site improvements.

4. ZONING ADMINISTRATOR – The Zoning Administrator shall be the Planning Director, unless otherwise appointed by the City Manager and shall have the responsibility to carry out those duties as prescribed by this Ordinance.
5. ZONING APPEALS, BOARD OF – The appointed Board of Zoning Appeals of the City of Newnan, Georgia authorized to hear and decide on variance applications, administrative appeals, and other duties as determined by this Ordinance.
6. ZONING BUFFER – A buffer, as defined in and required by the zoning ordinance or as a condition of zoning, Special Exception, or variance approval for a specific property. Also **Buffer**.
7. ZONING DISTRICT – A portion of the territory of the city, exclusive of streets, alleys, and other public ways, within which certain uses of land, premises, and buildings are not permitted and within which certain yards and open spaces are required and certain height limits are established for buildings.
8. ZONING MAP – See **Map, Zoning**.
9. ZONING ORDINANCE – The Zoning Ordinance of the City of Newnan, Georgia, as amended from time to time by the City Council, which regulates the location, size, use, and other elements deemed important by the governing body, of the land within the City of Newnan