### ARTICLE V. GENERAL PROVISIONS

Section 501. Use, occupancy and erection.

No building, structure, land, open space or water shall hereafter be used or occupied and no building or part thereof shall hereafter be erected, constructed, reconstructed, moved, structurally altered or maintained, and no new use or change shall be made or maintained of any building, structure, land, open space or water, unless in conformity with all the regulations herein specified for the district in which it is located.

(Res. No. 2019-09, 6-4-19)

Section 502. Minimum requirements.

Within each district, the regulations set forth shall be minimum requirements and shall apply uniformly to each class or kind of building, structure or land.

(Res. No. 2019-09, 6-4-19)

Section 503. Height limitations.

No building or structure shall hereafter be erected, constructed, reconstructed or altered, except as otherwise specifically exempted in this resolution, to exceed the height of 50 feet; provided, however, that the governing body may permit buildings and structures to exceed these height limitations upon approval of a conditional use as specified in the procedures of this resolution.

Those areas in White County that are identified on the White County Hillside and Mountain Protection Map shall follow the height limitation requirements for buildings and structures in that article of the White County Code.

(Res. No. 2019-09, 6-4-19)

Section 504. Every use must be upon a lot.

No building or structure shall be erected or use established unless upon a lot of record as defined by this resolution as otherwise provided herein. Every lot shall comply with the subdivision regulations in the White County Code.

(Res. No. 2019-09, 6-4-19)

Section 505. One principal building on a lot.

Principal buildings and its accessory buildings are allowed within the provisions of this appendix so as they are constructed in accordance with all codes of White County.

(Res. No. 2019-09, 6-4-19)

Section 506. Separation between principal buildings.

No principal building shall be located closer than 20 feet to another principal building unless approved by the White County Board of Commissioners with justification provided by property owner.

(Res. No. 2019-09, 6-4-19)

Section 507. Reduction in lot size prohibited.

No lot shall be reduced, divided, or changed in size so that lot width, size of yards, lot area per dwelling unit or any other requirement of this resolution is not maintained, unless said reduction or division is necessary to provide land which is acquired for a public purpose.

(Res. No. 2019-09, 6-4-19)

Section 508. Street frontage requirement.

A building may be erected upon a lot that has a minimum frontage of 60 feet. In the case of a lot fronting on and accessed by a cul-de-sac, the minimum lot frontage shall be 35 feet. Double or reverse frontage lots are required to have proper frontage on all sides that could be used as access.

(Res. No. 2019-09, 6-4-19)

Section 509. Use prohibited when not specified.

Unless otherwise stated, any use not specifically permitted in a use district as provided in this resolution shall be prohibited in that district.

(Res. No. 2019-09, 6-4-19)

Section 510. Determination of unclassified uses.

In the event an applicant wishes to use property for a use which is not specifically identified under inherent uses, conditional uses, or uses permitted subject to a special use permit and the approval subject to the approval of the county commission, and where such use is not specifically prohibited from the district, the following provisions shall apply:

510.1 The planning director shall submit to the planning commission a written request for a determination of the unclassified use.

510.2 The planning commission shall review the request as submitted and determine if the proposed use is of a similar character to the district in which it is proposed.

510.3 If the planning commission determines that the use is of a similar character and meets the intent of the uses permitted inherently within the district, then they shall instruct the planning director to proceed through the review and permitting process.

510.4 In the event that the planning commission determines that the proposed use in the district is consistent with the character and intent of the conditional uses, or uses subject to the approval of the planning commission, or uses subject to the approval of the county commission, within the district, then the applicant shall apply for a conditional use or use subject to approval in the normal manner.

510.5 In no event shall the provisions of this resolution be used to allow an incompatible use or a use specifically prohibited by this resolution within a certain district.

510.6 Once a use has been allowed or disallowed by the planning commission, it shall then be considered classified under the appropriate category in the district.

(Res. No. 2019-09, 6-4-19)

Section 511. Accessory buildings and uses.

Accessory buildings and uses shall be permitted by this appendix.

511.1 No more than three accessory buildings per acre.

511.2 Accessory buildings and uses shall be setback a minimum setback of 15 [feet] from any property line and meet all stream buffer setbacks as required in the White County Code.

511.3 Where an accessory building is structurally attached to the principal building, it shall be subject to and must conform to all regulations applicable to the principal building.

511.4 In the case of double frontage lots, accessory building shall observe front yard requirements on both streets.

511.5 No accessory building on a residential lot shall exceed the height of 50 feet.

511.6 Detached accessory buildings shall be located a minimum of ten feet from a principal building on a lot.

(Res. No. 2019-09, 6-4-19)

Section 512. Regulations for specific accessory structures.

The following specified structures shall conform to the following regulations:

512.1 Gasoline pumps and pump islands shall be setback a minimum of 30 feet from any right-of-way or property line.

512.2 Canopies and other attached or detached structures intended for cover shall be setback a minimum of 20 feet from any right-of-way or property line.

512.3 Swimming pools accessory to residences shall be setback a minimum of 30 feet from any property line and meet all requirements in the White County Building Code.

512.4 Outdoor play structures or play set in commercial districts, commonly, but not necessarily, associated with restaurants, shall be located in a side or rear yard and shall be setback a minimum of 35 feet of any property line or the required setbacks for certain uses of the district, whichever is greater.

512.5 All site plans for multi-family, seasonal residential developments, commercial and industrial building shall include a solid waste container pad that has easy access and safe access for a front end loader. Such pad shall include surrounding stormwater improvements to catch debris and remove pollutants that may flow into the storm water or stream system of White County. Solid waste containers shall be screened from all streets adjoining properties with a solid, opaque fence or wall which shall be a minimum of one foot taller than the container.

512.6 Emergency shelters for the purpose of protecting individuals from life-threatening weather storms or other emergencies shall be permitted as an accessory structure in all land use districts and shall meet the setback requirements of such structures in the district.

512.7 An amenity, as defined by this chapter, shall not be considered an accessory structure.

(Res. No. 2019-09, 6-4-19)

Section 513. Visibility at intersections.

On corner lots within all land use districts, no fence, shrubbery, or other obstruction to the traffic sight vision shall exceed a height of three feet within a triangular area formed by the intersection of the right-of-way lines of two streets or a street intersection with a railroad right-of-way line, and a diagonal line which intersects the right-of-way lines at two points, each 20 feet distance from the intersection of the right-of-way lines or in the case of a rounded corner, from the point of intersection of their tangents; provided however, signs, lights, or similar objects which are totally located at least ten feet above the finished grade shall be permitted.

(Res. No. 2019-09, 6-4-19)

Section 514. Encroachment on public right-of-way.

No privately owned structures other than driveways, access walkways, and individual mailboxes shall be permitted within a public right-of-way. Signs and other structures belonging to the State of Georgia or White County or for the purposes of railroad or private utility use are exempt from this provision.

(Res. No. 2019-09, 6-4-19)

Section 515. Open space not to be encroached upon.

No established open space(s) shall be encroached upon or reduced in any manner except in conformity to the yard, setback, off-street parking spaces, and such regulations or requirements by this chapter for the district in which such building or use is located. Shrubbery, driveways, walkways, retaining walls, fences, curbs, and planted buffer strips shall be construed not to be encroachments of yards.

(Res. No. 2019-09, 6-4-19)

Section 516. Required open space may not be used by another building.

No part of any yard, other open space, or off-street parking or loading space required or in connection with any building, structure or use by this chapter shall be considered to be part of a required yard, or other open space, or off-street parking or loading space for any other building, structure or use unless otherwise noted.

(Res. No. 2019-09, 6-4-19)

Section 517. Emergency shelters.

Emergency shelters for the purpose of protecting individuals from life-threatening weather storms or other emergencies shall be permitted as an accessory structure in all land use districts and shall meet the setback requirements of such structures in the district.

(Res. No. 2019-09, 6-4-19)

Section 518. Outdoor lighting.

Parking lot outdoor lighting shall be directed away and shielded from abutting residential districts. All freestanding outdoor lighting fixtures erected on private nonresidential properties shall have a maximum height of 45 feet. Freestanding outdoor lighting fixtures erected on private residential properties and freestanding public street lighting fixtures in residential subdivisions and neighborhoods shall have a maximum height of 35 feet.

(Res. No. 2019-09, 6-4-19)

Section 519. Movable modular storage units.

Movable modular storage units, also known as storage pods, are permissible temporary structures, provided that such structures are located in compliance with the following standards:

1. The duration shall be limited to 180 days per calendar year.

2. The storage pod may be placed in a front, side, or rear yard.

3. The storage pod shall be placed at least 15 feet from any property line.

4. The storage pod shall not be placed within an easement, stormwater drainage area, or required buffer.

5. The storage pod shall not obstruct pedestrian access.

6. The storage pod shall not be used for any other purpose than for temporary storage.

(Res. No. 2019-09, 6-4-19)

Section 520. Land use of non-subdivided property.

A non-subdivided lot under single ownership may have more than one land use district applicable to said lot, provided that the following conditions are met:

1. No land use districts can overlap.

2. In addition to required buffers and setbacks from the property lines, additional buffer and setbacks and other development standards shall be required from the land use district line pursuant to the development standards for all adjacent land use districts, as if said land use district line is a property line, and said lot be in compliance with said development standards.

3. Prior to any building permits being issued the lot must be subdivided in accordance to the county subdivision regulations.

4. All property regardless of land use must have the required minimum frontage pursuant to the requirements of each land use district which affects any lot.

**Section 521. Cemeteries:**

Cemeteries, as defined in this appendix, shall be protected by a 25-foot buffer from all construction, buildings, structures or land disturbing activities. Fences or natural vegetation can be placed in the buffer for the purposes of protecting the cemetery.

(Res. No. 2019-09, 6-4-19)