

Chapter 22

ZONING*

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***Cross references**--Administration, Ch. 2; buildings, construction and related activities, Ch. 5; floodplain regulations, Ch. 8; historic preservation, Ch. 9; streets and sidewalks, Ch. 16; subdivisions, Ch. 17; taxation, revenue and miscellaneous business regulations, Ch. 18; trees and landscaping, Ch. 20.

State law references--City's authority to adopt plans and exercise the power of zoning, Ga. Const., art. 9, sec. 2, par. 4; The Zoning Procedures Law, O.C.G.A. § 36-66-1 et seq.; local government zoning powers, O.C.G.A. § 36-66-2; conflicts of interest in zoning actions, O.C.G.A. § 36-67A-1 et seq.; effect of zoning laws on covenants running with the land, O.C.G.A. § 44-5-60.

Section 22-80A ARTICLE III. DISTRICTS

Section 22-81 Establishment of districts.

In order that the purposes of this chapter as defined in section 22-4 may be accomplished, there are hereby established within the City the zoning districts identified as follows:

(1) *A Agricultural.* The purpose of this district is to provide single-family residential areas with minimum lot sizes of fifteen thousand (15,000) square feet, such areas being protected from the depreciating effect of small lot development and also permitting rural agricultural uses.

(2) *R-1A Single-family residential.* The purpose of this district is to provide single-family residential areas with minimum lot sizes of fifteen thousand (15,000) square feet, such areas being protected from the depreciating effects of small lot development and excessive density and from the encroachment of those uses which are incompatible to a desirable residential environment.

(3) *R-1B Single-family residential.* The purpose of this district is to provide single-family residential areas with minimum lot sizes of ten thousand (10,000) square feet, such areas being protected from the depreciating effects of small lot development and excessive density and from the encroachment of those uses which are incompatible with a desirable residential environment.

(4) *R-1 Single-family residential.* The purpose of this district is to provide single-family residential areas with minimum lot sizes of seven thousand five hundred (7,500) square feet, such areas being protected from the depreciating effects of small lot development and excessive density and from the encroachment of those uses which are incompatible to a desirable residential environment.

(5) *R-2A Multifamily residential.* The purpose of this district is to provide orderly

development of high density residential areas for one (1), two (2), and multifamily dwellings, such areas being protected from the encroachment of those uses which are incompatible to a desirable residential environment.

(6) *R-2 Multifamily residential.* The purpose of this district is to provide orderly development of high density residential areas for one (1), two (2), and multifamily dwellings as well as professional offices, such areas being protected from the encroachment of those uses which are incompatible to a desirable residential-professional environment.

(7) *C-1A Limited business districts.* The purpose of this district shall be to create an area in which residential, business, professional, educational, and institutional uses can be compatibly mixed while maintaining a healthful living environment for the residents of the district and at the same time preventing the development of blight and slum conditions.

(8) *C-1 Commercial.* The purpose of this district shall be to provide and protect convenient areas for community shopping facilities consisting of a wide variety of sales and services.

(9) *C-2 Commercial.* The purpose of this district shall be to enhance and protect shopping facilities in the central business district of the City.

(10) *M Manufacturing.* The purpose of this district shall be to provide and protect areas for those industrial or other uses which do not create excessive noise, odor, smoke, dust, and which do not possess other objectionable characteristics which might be detrimental to surrounding neighborhoods, or to the other uses permitted in the district.

(11) *M-1 Manufacturing.* The purpose of this district shall be to provide and protect areas for those industrial uses which cannot comply with the regulations of the M district.

(12) *MH Zone (One-family manufactured housing residential district).* The purpose of this zone is to provide a zone where lots may be purchased by individuals for the purpose of permanently locating a manufactured home or constructing a single-family residence with minimum lot sizes of seven thousand five hundred (7,500) square feet.

(13) *L.U. Zone.* The purpose of this zone is to allow the applicant to request that a certain area be designated as "Limited Use" (L.U.), which area, after having been recommended by the planning and zoning commission and approved by the City Council, must be used for only those conditions prescribed by the City Council, which uses must be among those uses permitted in the zone from which the limited use zone is taken. Provided, further, however, that should any area designated as "limited use" fail to be used continuously for the limited use or uses approved by the City Council pursuant to this subsection, the subject area shall automatically revert to the zoning district from which the subject area was taken and designated "limited use." Any applicant for a limited use may ask for and receive consideration by the planning and zoning commission under the same terms and conditions prescribed for any rezoning request. The applicant may in all eventualities attach to his application a site plan, architectural renderings or such other material as might be of assistance to both the planning commission and the City Council in their considerations.

(14) *R-TH Townhouse district.* The purpose of this district shall be to:

- a. Encourage home ownership in the City through innovative housing arrangements which utilize design and building concepts which may be different from the standard single-family residence concept;
- b. Provide a wider variety of types of dwelling units than are available at the time of the enactment of the ordinance establishing this district; and
- c. Allow for innovative uses of real property which may not be suitable for development for other kinds of residential use. See section 22-206 et seq. for development standards.

(15) *R-CD Cluster housing.* The purpose of this district shall be to provide savings in infrastructure installation, land resources and energy use through the allocation of dwellings, construction and physical impact to a given tract of real property to permit variation in lot size, shape, width, depth, and building setbacks without an increase in overall density of population or

development while ensuring to the greatest extent possible compatibility with adjacent developments and existing neighborhoods. See section 22-231 et seq. for development standards.

(16) *R-TND Traditional Neighborhood Development*. The purpose of the TND District is to create an innovative residential zoning classification that will:

- a. Encourage a pattern of neighborhood development that will be consistent with the traditional qualities of the City of Thomasville Historic Districts and that will be compatible with surrounding residential areas of the City.
- b. Be distinguished from other residential zoning districts through a unified plan for a neighborhood that includes a diversity of land uses and lot sizes, housing types and sizes to accommodate persons of a variety of stages of life in a pedestrian-oriented setting that is well integrated with the City's neighborhoods, parks, civic spaces, and commercial uses.
- c. Result in fewer burdens on present and projected public services and utilities than would result from conventional subdivision development. See section 22-235 et seq. for development standards.

(Code 1958, § 24-7; Ord. of 4-9-79; Ord. of 9-22-86(1), §§ I, II; Ord. of 8-28-95, § IV)
(2005 (22-81), Amended, 05/23/2005, added TND; 2003 (22-81), Amended, 12/22/2003, Limited Use addition)

Section 22-82 Zoning map.

(a) The boundaries of each district are shown on a map entitled "Comprehensive Zoning Map Thomasville, Georgia" dated July 26, 1971 and certified by the mayor. The map and all explanatory matter thereon is hereby made a part of this chapter.

(b) An accurate copy of the Comprehensive Zoning Map Thomasville, Georgia, shall be on file in the office of the zoning administrator at all times. Such map shall accurately show all map amendments made in accordance with the provisions of this chapter, and the date when the amendments became effective. It shall be the duty of the zoning administrator to see to it that the Comprehensive Zoning Map Thomasville, Georgia, is displayed in his office and is kept up to date and accurately shows all amendments.

(c) A description of the legal boundaries of the various zone districts has been omitted. Copies are available in the office of the chief building official in the city hall.

(Code 1958, § 24-7.01)

Section 22-83 Interpretation of district boundaries, zoning map and references.

(a) All recording references to deeds, maps, plats or other such data in this chapter unless otherwise indicated may be found in the office of the Clerk of the Superior Court of Thomas County.

(b) Reference once made to a plat of a subdivision shall extend to any other reference to the subdivision by name without the place of record of the plat again being made.

(c) Where the boundary of a railroad right-of-way is the boundary of a district or zone or districts or zones and the total width of the right-of-way is not included by the word description in any district or zone, the total width of the right-of-way is included in the lower classification district or zone.

(d) Where a conflict exists between the map description and the word description of a zone or district, the word description shall control.

(e) The word description of zones or districts shall be used in interpreting the map descriptions.

(f) If any land area lying within the limits of the city (exclusive of railroad right-of-way) has been omitted from zoning classification in this chapter, the omission is unintentional. If by

reference to the word descriptions and the map descriptions it cannot be determined whether any particular land area within the limits of the city has been zoned or classified such particular land area shall be construed to be included and zoned as a separate parcel or parcels in the A zone.

(g) If a district boundary line on the zoning map divides a lot of record held in one (1) ownership on the date of passage of the ordinance from which this section derives, each part of the lot so divided shall be used in conformity with the regulations established by this chapter for the district in which each such parcel is located; except, however, that if the property owner of such a lot, other than a through lot, so desires, he may extend a use allowed on the greater portion of such lot fifty (50) feet beyond the district into which he is encroaching.

(h) Where any public street or alley is vacated officially hereafter or abandoned, the zone classification and regulations of the larger portion shall apply to the remaining smaller portion of the lot.

(i) Where a street is in existence at the time of the effective date of the ordinance from which this section derives, and such existing street has less width than sixty (60) feet, it shall nevertheless be defined as a street.

(Code 1958, § 24-7.15)

Section 22-84 Historic district; conditional uses.

Structures located within the historic district of the city and which appear on the Thomasville Historic Building and Site Survey in section 22-86 may be appropriated to conditional uses which are restricted to cultural facilities, restaurant, tearoom, antique shop, art studio and outlet, craft shop and outlet, boutique, photographic studio, flower shop (retail), gift shop, professional offices, drugstore, bookstore, music school or studio, dance school or studio, ice cream parlor, multifamily dwellings (provided that the number of dwelling units be specified in the request for such conditional use). Such approval is to be granted according to the terms and conditions of section 22-382.

(Code 1958, § 24-8.03.1)

State law reference--Facade and Conservation Easements Act of 1976, O.C.G.A. § 44-10-1 et seq.

Section 22-85 Historic district boundaries.

The boundaries of the Thomasville Historic District are determined to be as follows: To find a point of beginning begin at the intersection of the center line of North Madison Street with the center line of West Walcott Street and from this point of beginning run thence south along the center line of North Madison Street to a point where that center line intersects the center line of West Washington Street; run thence in a westerly direction along the center line of West Washington Street to a point where that center line intersects the center line of North Oak Street; run thence in a southerly direction along the center line of North Oak Street to a point where that center line intersects the center line of West Jackson Street; run thence in a westerly direction along the center line of West Jackson Street to a point where that center line intersects the center line of Lee Street; run thence in an easterly direction along the center line of Lee Street to a point where that center line intersects the center line of Fletcher Street; and thence continuing along the center line of Fletcher Street to a point where that center line intersects the center line of South Madison Street; run thence in a southerly direction along the center line of South Madison Street to the point where that center line intersects the center line of Little Street; run thence in an easterly direction along the center line of Little Street to a point where that center line intersects the center line of Gordon Avenue; run thence in a southerly direction along the center line of Gordon Avenue to a point where that center line intersects the center line of West Loomis Street;

run thence in an easterly direction along the center line of West Loomis Street to a point where that center line intersects the center line of Metcalf Avenue (unopened); run thence in a westerly direction along the center line of Metcalf Avenue (unopened) to a point where that center line intersects the center line of East Hansell Street; run thence in a northerly direction along the center line of East Hansell Street to a point where that center line intersects the center line of Smith Avenue; run thence in an easterly direction along the center line of Smith Avenue to a point where that center line intersects the center line of Bennett Street; run thence in a northerly direction along the center line of Bennett Street to a point where that center line intersects the center line of Remington Avenue; run thence in an easterly direction along the center line of Remington Avenue to a point where that center line intersects the center line of South Hansell Street; run thence in a northerly direction along the center line of South Hansell Street to a point where that center line intersects the center line of East Jackson Street; run thence in a westerly direction along the center line of East Jackson Street to a point where that center line intersects the center line of South Love Street; run thence in a northerly direction along the center line of South Love Street to a point where that center line intersects the center line of East Washington Street; run thence in a westerly direction along the center line of East Washington Street to a point where that center line intersects the center line of Young Street; run thence in a northerly direction along the center line of Young Street to a point where that center line intersects the center line of Walnut Street; run thence in a westerly direction along the center line of Walnut Street to a point where that center line intersects the center line of Chestnut Street; run thence in a southerly direction along the center line of Chestnut Street to a point where that center line intersects the center line of North Boulevard; run thence in westerly direction along the center line of North Boulevard to a point where that center line intersects the center line of North Crawford Street; run thence in a southerly direction along the center line of North Crawford to a point where that center line intersects the center line of East Walcott Street; run thence in a westerly direction along the center line of East Walcott Street to the point of beginning.

(Code 1958, § 24-8.03.1;

Section 22-86 Thomasville Historic Building and Site Survey.

The following table identifies structures by street address within the historic district which may be appropriated to conditional uses, which are restricted as provided in section 22-84. Such structures are rated according to the following numerical designations:

Thomasville Historic Building and Site Survey

Legend:

- 1-- Outstanding
- 2--Excellent
- 3--Notable

<i>Street No.</i>	<i>Rating</i>	<i>Street No.</i>	<i>Rating</i>
<i>North Broad:</i>		312	1
108	3	320	2
122	3	329	1
135	1	418	3
210	3	425	1
215	1	503	3
		509	3

516	2	<i>Colton Avenue:</i>	
520	3	116	2
609	3		
610	3	<i>North Crawford:</i>	
615	3	312	3
621	3	316	3
700	3	320	1
Old Cemeteries	1	321	3
		Big Oak Park	1
<i>South Broad:</i>		407	3
101	2	411	3
103	2	415	3
105	2	419	3
107	2	422	3
108	3	429	3
109	1	432--34	3
116	1	502	3
124	3	513	3
126	2	518	3
128	2	City Park	3
130	1	817	3
132	3		
200	1	<i>South Crawford:</i>	
206	2	210	3
216	3	<i>North Dawson:</i>	
401	3	108	2
502	2	115	2
508	3	116	2
704	2	130	3
		216	1
<i>East Calhoun:</i>		303	3
131	3	310	2
		316	3
<i>West Calhoun:</i>		319	3
104	3	324	1
110	3	329	3
		402	3
<i>East Clay:</i>		412	1
119	3	413	2
125	3	419	3
212	3	420	2
215	3	429	1
317	3	430	3
426	3	435	1
429	2	436	3
503	3	439	3
511	2	442	2
519	2	446	2
522	1	701	2

529	3	711	1
602	2	717	2
602 1/2	3	725	3
603	2	801	3
618	2	805	3
626	1	817	1
627	2	Paradise Park	1
704	1	110 West Hansell	3
709	2		
710	2	<i>East Jackson:</i>	
714	1	144	2
725	3	200	3
Log Cabin	1	218	2
Bowling Alley	1	221	3
732	3	225	1
803	1	226	3
806	3	330	3
817	2	331	3
820	2	340	2
830	1		
903	2	<i>West Jackson:</i>	
920	3	208	3
		210	3
<i>South Dawson:</i>		212	3
119	2	214	3
123	2	301	2
		303	2
<i>South Hansell:</i>		309	3
120	3	311	3
206	3	312	2
403	1	313	3
404	2	315	3
411	2	316	3
420	1	319	3
421	2		
426	2	<i>North Madison:</i>	
		107	3
<i>East Jefferson:</i>		207	2
123	2		
134	2	<i>East Monroe:</i>	
210	3	125	3
219	3	207	3
312	1	214	2
326	3	218	3
327	3	222	3
330	3		
		<i>Park Avenue:</i>	
<i>West Jefferson:</i>		113	3

115	3		
117	3	<i>Remington Avenue:</i>	
203	2	117	3
300	3	128	3
		216	3
<i>East Jerger:</i>		229	3
204	3	330	2
319	3	331	1
323	3	406	1
327	3	432	3
328	3	437	2
331	3	445	1
		518	3
<i>East Loomis:</i>		520	3
213	3	524	3
<i>North Love:</i>		<i>Seward Street:</i>	
115	3	128	3
121	3	129	3
<i>South Love:</i>		<i>East Walcott:</i>	
107	2	303	1
113	3	315	3
117	3	316	2
118	3		
121	2	<i>Warren Aveneue:</i>	
122	3	207	3
141	2	209--11	3
201	3	221	2
205	3	229	3
207	3	230	3
215	3	219	2
233	3	315	2
234	2	322	2
315	3		
327	2	<i>Webster Street:</i>	
333	3	111	3
<i>East Washington:</i>		<i>Young Street:</i>	
111	3	207	3
119	3	211	3
211	3	215	3
217	3		

(Code 1958, § 24-8.03.1)

Section 22-87 22-87--22-105. Reserved.