

**LAMAR COUNTY BOARD OF COMMISSIONERS  
ORDINANCE NO. 2026-03**

**AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF LAMAR COUNTY, GEORGIA; TO DELETE AND REPLACE MULTIPLE SECTIONS OF THE ZONING ORDINANCE; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.**

**WHEREAS**, the Board of Commissioners (“Board”) of Lamar County, Georgia (“County”) has adopted the Lamar County Zoning Ordinance (“Zoning Ordinance”) and multiple amendments thereto; and

**WHEREAS**, the Board now desires to amend multiple sections of the Zoning Ordinance while leaving other sections unchanged; and

**WHEREAS**, the Lamar County Joint Planning Commission will hold a public hearing on March 5, 2026, to discuss the proposed changes; and

**WHEREAS**, the Board will hold a properly advertised and noticed public hearing on the proposed changes to the zoning ordinance welcoming public input and comment on March 17, 2026; and

**WHEREAS**, a notice of the hearing to discuss the proposed changes to the zoning ordinance was published in the February 17, 2026, edition of The Herald-Gazette; and

**WHEREAS**, the Board, in the exercise of its sound judgment and discretion, after giving thorough thought to all the implications involved, and having determined it to be in the public interest and welfare of the citizens of Lamar County that the attached changes to the zoning ordinance be adopted.

**BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF  
LAMAR COUNTY, GEORGIA;**

**SECTION 1.** That the proposed changes to the commercial sections of the zoning ordinance attached to this ordinance as Exhibit “A” and the proposed changes to the manufacturing sections of the zoning ordinance attached to this ordinance as Exhibit “B” both as presented to the Board be and are hereby adopted as new sections of the Zoning Ordinances of Lamar County, Georgia, replacing the existing sections in accordance with all applicable laws.

**SECTION 2.** This ordinance shall be codified in a manner consistent with the laws of the State of Georgia.

**SECTION 3.**

A. It is hereby declared to be the intention of the Board of Commissioners that all sections, paragraphs, sentences, clauses and phrases of this Ordinance are and were, upon their enactment, believed by the Board of Commissioners to be fully valid, enforceable and constitutional.

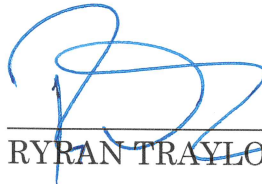
B. It is hereby declared to be the intention of the Board of Commissioners that, to the greatest extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this Ordinance is severable from every other Section, paragraph, sentence, clause or phrase of this Ordinance. It is hereby further declared to be the intention of the Board of Commissioners that, to the greatest extent allowed by law, no section, paragraph, sentence, clause or phrase of this Ordinance is mutually dependent upon any other Section, paragraph, sentence, clause or phrase of this Ordinance.

C. In the event that any section, paragraph, sentence, clause or phrase of this Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the Board of Commissioners that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining sections, paragraphs, sentences, clauses, or phrases of the Ordinance and that, to the greatest extent allowed by law, all remaining Sections, paragraphs, sentences, clauses, or phrases of the Ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

**SECTION 4.** Repeal of Conflicting Provisions. Except as otherwise provided herein, all ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

**SECTION 5.** Effective Date. This ordinance shall become effective immediately upon its adoption by the Board of Commissioners of Lamar County, Georgia.

SO ORDAINED, this 17<sup>th</sup> day of March, 2026.



RYRAN TRAYLOR, CHAIRMAN

Attest: Anita Buice  
Anita Buice, County Clerk

(SEAL)

First Reading: Feb 17, 2026

Second Reading/  
Adoption: March 17, 2026

**EXHIBIT "A"**  
**(LIGHT COMMERCIAL AND GENERAL/HIGHWAY COMMERCIAL)**

**EXHIBIT "B"**  
**(M-1 MANUFACTURING – LIGHT) AND M-2 MANUFACTURING)**

## **ARTICLE 15. C-1 LIGHT COMMERCIAL**

### **Sec. 1501. Purpose.**

C-1 (light-commercial) districts are intended to establish and preserve businesses of a limited nature in areas that are not conducive to larger establishments due to location, environmental impacts, traffic flow, and other factors. The descriptions of the permitted uses listed below are categorized using the North American Industry Classification System (NAICS).

### **Sec. 1502. Determining if an area is suitable for inclusion within a C-1 district.**

The factors contained in Section 410 of these regulations must be thoroughly considered by the Joint Planning Commission, as well as the Lamar County Board of Commissioners, when determining in which zoning district an area of land is to be placed. This will ensure that rational, comprehensive planning principles are the basis upon which the decision is made. Land use decisions, which are based on sound planning principles, encourage the development and preservation of land use patterns that provide healthy and safe living conditions for the residents of Lamar County.

### **Sec. 1503. Boundaries of C-1 districts.**

The official zoning map (section 2301 of these regulations) shows the boundaries of all C-1 districts within Lamar County. Article 23 also contains additional information concerning the interpretation of district boundaries, amending boundaries, etc.

### **Sec. 1504. Permitted uses.**

- (a) The following principal uses are permitted in C-1 districts:
- (1) Retail Trade
  - (2) Professional/Scientific/Information/Finance/Insurance/Technical Services
  - (3) Retail Food Services
  - (4) Indoor Arts/Entertainment/Recreational Facilities
  - (5) Non-Automotive Repair Services
  - (6) Gas Stations with no more than six (6) fueling pumps
  - (7) Health Care and Social Assistance
  - (8) Educational Services
  - (9) Accommodations
  - (10) Religious Assemblies
  - (11) Off Street parking or parking garages for passenger vehicles only
  - (12) Utility substations meeting the following development standards:
    - a. Structures must be enclosed by a chain link fence at least eight (8) feet high, with bottom of fence either flush with the ground or with a masonry footing.
  - (13) Local, State, and Federal Buildings

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- (b) The following principal uses may be permitted as special exceptions in C-1 districts:
- (1) Any use not listed above that is similar to the permitted uses or any use listed above that would exceed the maximum building size.
- (c) The following accessory uses are permitted in C-1 districts:
- (1) Those determined by the administrative officer to be customarily appurtenant to those uses permitted in this district.
  - (2) Manufacturing in connection with the principal retail business or service on the lot meeting the following standards:
    - a. Occupies less than forty (40) percent of the floor area;
    - b. Employs no more than five (5) persons. (The intent here is to assure that activities which are primarily manufacturing in nature are directed away from commercial areas and into manufacturing areas. Establishments with five (5) or fewer manufacturing employees in connection with a commercial activity are considered to be primarily commercial and compatible with a commercial district. Manufacturing activities with more than five (5) employees would be considered large enough to belong in a manufacturing district with other such uses rather than in a commercial district.)
    - c. Does not create any outside noise, dust, or fumes.
- (d) The following accessory uses are permitted as special exceptions in C-1 districts:
- (1) Any use not listed above that is similar to the permitted uses.
- (e) Accessory uses and structures can not be placed in the vegetative buffer.
- (f) All uses not permitted within C-1 districts by this section are specifically prohibited.

### **Sec. 1505. Development standards for C-1 districts.**

In addition to the development standards contained in Article 4 of these regulations, the following standards are required within C-1 districts:

- (a) *Maximum total floor area for all buildings on the lot:* five thousand (5,000) square feet
- (b) *Minimum lot area:*
  - (1) *Unsewered areas without public water:* As specified by the Lamar County Health Department, but in no case less than eighty-seven thousand, one hundred twenty (87,120) square feet (two (2) acres); however, a lot of record lawfully existing at the time of passage of these regulations, and having an area of less than two (2) acres (nonconforming) may nevertheless be developed with a use which is permitted within a C-1 district if approved by the Lamar County Health Department.
  - (2) *Unsewered areas with public water:* Forty-three thousand, five hundred sixty (43,560) square feet (one (1) acre); however, a lot of record lawfully existing at the time of passage of these regulations, and having an area of less than one (1) acre (nonconforming) may nevertheless be developed with a use which is permitted within a C-1 district.
  - (3) *Sewered areas with public water:* Forty-three thousand, five hundred sixty (43,560) square feet (one (1) acre) a lot of record lawfully existing at the time of passage of these regulations (nonconforming) may be developed with a use which is permitted within a C-1 district.
- (c) *Minimum lot width and building site:*
  - (1) For lots two (2) acres and less: 200 square feet minimum lot width and building site
  - (2) For lots two (2) acres to five (5) acres: 250 square feet minimum lot width and building site

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- (3) For lots over five (5) acres: 300 square feet minimum lot width and building site
- (d) *Minimum front setback:*
- (1) *Arterial streets/roads:* One hundred (100) feet from the front property line.
- (2) *Collector streets and other streets/roads:* Seventy-five (75) feet from the front property line.
- (e) *Minimum side setback:* Fifty (50) feet.
- (f) *Minimum rear setback:* Fifty (50) feet.
- (g) *Fire apparatus access:* Building and property must be designed to allow fire apparatus full access to all sides of the building
- (h) *Minimum vegetative buffer:* Twenty-five (25) feet for property lines adjacent to commercial and industrial uses; fifty (50) feet for property lines adjacent to agricultural and residential uses. The upper story buffer must have a minimum height of 6' and 7 gallon minimum container at planting, understory plants must be 4' and 5 gallon minimum container at planting, shrubs must be a minimum of 2' and minimum of 3 gallon container at planting before a building permit or business license is issued. Buffer plan must be approved by the Zoning Administrator.
- (i) *Maximum lot coverage by building, pavement, packed earth, and/or anything that prevents rainwater from making direct contact with trees or grass:* Fifty (50%) percent.
- (j) *Outside storage of materials:*
1. *Wares for sale must be kept orderly and maintained*
2. *construction materials must be screened so as not to be seen from the road*
- (k) *Parking lots and other outside areas must be maintained and kept free of debris*
- (l) *All exterior lighting must be shielded so as to minimize light trespass*
- (k) Development standards common to most districts are listed under subsections 505(h)-(x).

## **ARTICLE 16. C-2 COMMERCIAL—GENERAL/HIGHWAY**

### **Sec. 1601. Purpose.**

C-2 (commercial—general/highway) districts are intended to establish and preserve business areas that are motor vehicle oriented, rather than pedestrian oriented. C-2 districts provide areas that are convenient and attractive for retail activities, business transactions, and services to the public designed primarily to meet the day-to-day shopping and service needs not only of residents of Lamar County, but of surrounding communities as well. The descriptions of the permitted uses listed below are categorized using the North American Industry Classification System (NAICS).

### **Sec. 1602. Determining if an area is suitable for inclusion within a C-2 district.**

The factors contained in Section 410 of these regulations must be thoroughly considered by the Joint Planning Commission, as well as the Lamar County Board of Commissioners, when determining in which zoning district an area of land is to be placed. This will ensure that rational, comprehensive planning principles are the basis upon which the decision is made. Land use decisions, which are based on sound planning principles, encourage the development and preservation of land use patterns that provide healthy and safe living conditions for the residents of Lamar County.

### **Sec. 1603. Boundaries of C-2 districts.**

The official zoning map (Section 2301 of these regulations) shows the boundaries of all C-2 districts within Lamar County. Article 23 also contains additional information concerning the interpretation of district boundaries, amending boundaries, etc.

### **Sec. 1604. Permitted uses.**

- (a) The following principal uses are permitted in C-2 districts:
- (1) Retail Trade
  - (2) Professional/Scientific/Information/Finance/Insurance/Technical Services
  - (3) Retail Food Services
  - (4) Indoor Arts/Entertainment/Fraternal Organizations/Restaurants/Recreational Facilities
  - (5) Repair Services
  - (6) Gas Stations
  - (7) Health Care and Social Assistance
  - (8) Educational Services
  - (9) Accommodations
  - (10) Religious Assemblies
  - (11) Off Street parking or parking garage for passenger vehicles only
  - (12) Utility substation meeting the following development standards:

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- (3) *Sewered areas with public water:* Forty-three thousand, five hundred sixty (43,560) square feet (one (1) acre) a lot of record lawfully existing at the time of passage of these regulations (nonconforming) may be developed with a use which is permitted within a C-2 district.
- (c) *Minimum lot width and building site:*
- (1) For lots two (2) acres and less: 150 feet minimum lot width and building site
  - (2) For lots two (2) acres to five (5) acres: 200 square feet minimum lot width and building site
  - (3) For lots over five (5) acres: 300 feet minimum lot width and building site
- (d) *Minimum front setback:*
- (1) *Arterial streets/roads:* One hundred fifty (150) feet from the front property line.
  - (2) *Collector streets and other streets/roads:* One hundred twenty-five (125) feet from the front property line.
- (e) *Minimum side setback:* Fifty (50) feet.
- (f) *Minimum rear setback:* Fifty (50) feet.
- (g) *Fire apparatus access:* Building and property must be designed to allow fire apparatus full access to all sides of the building
- (h) *Minimum vegetative buffer:* Twenty-five (25) feet for property lines adjacent to commercial and industrial uses; fifty (50) feet for property lines adjacent to agricultural and residential uses. The upper story buffer must have a minimum height of 6' and 7 gallon minimum container at planting, understory plants must be 4' and 5 gallon minimum container at planting, shrubs must be a minimum of 2' and minimum of 3 gallon container at planting before a building permit or business license is issued. Buffer plan must be approved by the Zoning Administrator.
- (i) *Maximum lot coverage by building, pavement, packed earth, and/or anything that prevents rainwater from making direct contact with trees or grass:* Fifty (50%) percent.
- (j) *Outside storage of materials:*
1. *Wares for sale must be kept orderly and maintained*
  2. *construction materials must be screened so as not to be seen from the road*
- (K) *Parking lots and other outside areas:* must be maintained and kept free of debris
- (l) *All exterior lighting must be shielded so as to minimize light trespass*
- (m) Development standards common to most districts are listed under subsections 505(h)-(x).

## **ARTICLE 16. C-2 COMMERCIAL—GENERAL/HIGHWAY**

### **Sec. 1601. Purpose.**

C-2 (commercial—general/highway) districts are intended to establish and preserve business areas that are motor vehicle oriented, rather than pedestrian oriented. C-2 districts provide areas that are convenient and attractive for retail activities, business transactions, and services to the public designed primarily to meet the day-to-day shopping and service needs not only of residents of Lamar County, but of surrounding communities as well. The descriptions of the permitted uses listed below are categorized using the North American Industry Classification System (NAICS).

### **Sec. 1602. Determining if an area is suitable for inclusion within a C-2 district.**

The factors contained in Section 410 of these regulations must be thoroughly considered by the Joint Planning Commission, as well as the Lamar County Board of Commissioners, when determining in which zoning district an area of land is to be placed. This will ensure that rational, comprehensive planning principles are the basis upon which the decision is made. Land use decisions, which are based on sound planning principles, encourage the development and preservation of land use patterns that provide healthy and safe living conditions for the residents of Lamar County.

### **Sec. 1603. Boundaries of C-2 districts.**

The official zoning map (Section 2301 of these regulations) shows the boundaries of all C-2 districts within Lamar County. Article 23 also contains additional information concerning the interpretation of district boundaries, amending boundaries, etc.

### **Sec. 1604. Permitted uses.**

- (a) The following principal uses are permitted in C-2 districts:
- (1) Retail Trade
  - (2) Professional/Scientific/Information/Finance/Insurance/Technical Services
  - (3) Retail Food Services
  - (4) Indoor Arts/Entertainment/Fraternal Organizations/Restaurants/Recreational Facilities
  - (5) Repair Services
  - (6) Gas Stations
  - (7) Health Care and Social Assistance
  - (8) Educational Services
  - (9) Accommodations
  - (10) Religious Assemblies
  - (11) Off Street parking or parking garage for passenger vehicles only
  - (12) Utility substation meeting the following development standards:

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- a. Structures must be enclosed by a chain link fence at least eight (8) feet high, with the bottom of the fence either flush with the ground or with a masonry footing.
- (13) Local, State, and Federal Buildings
- (b) The following principal uses may be permitted as special exceptions in C-2 districts:
    - (1) Any use not listed above that is similar to the permitted uses or any use listed above that would exceed the maximum building size.
    - (2) Any adult business as defined in section 2-3.5.
  - (c) The following accessory uses may be permitted in C-2 districts:
    - (1) Those determined by the administrative officer to be customarily appurtenant to those uses permitted in this district.
    - (2) Manufacturing in connection with the principal retail business or service on the lot meeting the following standards:
      - a. Occupies less than forty (40) percent of the floor area;
      - b. Employs no more than ten (10) persons. (The intent here is to assure that activities which are primarily manufacturing in nature are directed away from commercial areas and into manufacturing areas. Establishments with ten (10) or fewer manufacturing employees in connection with a commercial activity are considered to be primarily commercial and compatible with a commercial district. Manufacturing activities with more than ten (10) employees would be considered large enough to belong in a manufacturing district with other such uses rather than in a commercial district.)
      - c. Does not create any outside noise, dust, or fumes.
  - (d) The following accessory uses may be permitted as special exceptions in C-2 districts:
    - (1) Any use not listed above that is similar to the permitted uses as determined by the administrative officer.
  - (e) Accessory uses and structures cannot be placed within the vegetative buffer.
  - (f) All uses not permitted within C-2 districts by this section are specifically prohibited.

### **Sec. 1605. Development standards for C-2 districts.**

In addition to the development standards contained in Article 4 of these regulations, the following standards are required within C-2 districts:

- (a) *Maximum floor area for all buildings on the lot:* 25,000 square feet.
- (b) *Minimum lot area:*
  - (1) *Unsewered areas without public water:* As specified by the Lamar County Health Department, but in no case less than eighty-seven thousand, one hundred twenty (87,120) square feet (two (2) acres); however, a lot of record lawfully existing at the time of passage of these regulations, and having an area of less than two (2) acres (nonconforming) may nevertheless be developed with a use which is permitted within a C-2 district if approved by the Lamar County Health Department.
  - (2) *Unsewered areas with public water:* Forty-three thousand, five hundred sixty (43,560) square feet (one (1) acre); however, a lot of record lawfully existing at the time of passage of these regulations, and having an area of less than one (1) acre (nonconforming) may nevertheless be developed with a use which is permitted within a C-2 district.

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- (3) *Sewered areas with public water:* Forty-three thousand, five hundred sixty (43,560) square feet (one (1) acre) a lot of record lawfully existing at the time of passage of these regulations (nonconforming) may be developed with a use which is permitted within a C-2 district.
- (c) *Minimum lot width and building site:*
- (1) For lots two (2) acres and less: 150 feet minimum lot width and building site
  - (2) For lots two (2) acres to five (5) acres: 200 square feet minimum lot width and building site
  - (3) For lots over five (5) acres: 300 feet minimum lot width and building site
- (d) *Minimum front setback:*
- (1) *Arterial streets/roads:* One hundred fifty (150) feet from the front property line.
  - (2) *Collector streets and other streets/roads:* One hundred twenty-five (125) feet from the front property line.
- (e) *Minimum side setback:* Fifty (50) feet.
- (f) *Minimum rear setback:* Fifty (50) feet.
- (g) *Fire apparatus access:* Building and property must be designed to allow fire apparatus full access to all sides of the building
- (h) *Minimum vegetative buffer:* Twenty-five (25) feet for property lines adjacent to commercial and industrial uses; fifty (50) feet for property lines adjacent to agricultural and residential uses. The upper story buffer must have a minimum height of 6' and 7 gallon minimum container at planting, understory plants must be 4' and 5 gallon minimum container at planting, shrubs must be a minimum of 2' and minimum of 3 gallon container at planting before a building permit or business license is issued. Buffer plan must be approved by the Zoning Administrator.
- (i) *Maximum lot coverage by building, pavement, packed earth, and/or anything that prevents rainwater from making direct contact with trees or grass:* Fifty (50%) percent.
- (j) *Outside storage of materials:*
1. *Wares for sale must be kept orderly and maintained*
  2. *construction materials must be screened so as not to be seen from the road*
- (K) *Parking lots and other outside areas:* must be maintained and kept free of debris
- (l) *All exterior lighting must be shielded so as to minimize light trespass*
- (m) Development standards common to most districts are listed under subsections 505(h)-(x).

## **ARTICLE 18. M-1 MANUFACTURING—LIGHT**

### **Sec. 1801. Purpose.**

M-1 (manufacturing—light) zoning districts are intended to establish and preserve physically and aesthetically desirable areas in which clean, low-intensity manufacturing activities may locate and be protected from the intrusion of incompatible land uses. By having such areas available, both new and existing industries may operate and undertake expansion of facilities with the least possible adverse effect on other types of activities which might be incompatible with manufacturing. The elimination of non-manufacturing activities from M-1 districts benefits manufacturing activities by removing some possible obstacles to their smooth operation and expansion. The description of the permitted uses listed below are categorized using the North American Industry Classification System (NAICS).

### **Sec. 1802. Determining if an area is suitable for inclusion within a M-1 district.**

The factors contained in section 410 of these regulations must be thoroughly considered by the planning commission as well as the Lamar County Board of Commissioners when determining in which zoning district an area of land is to be placed. This will assure that rational comprehensive planning principles are the basis upon which the decision is made. Land use decisions which are based on sound planning principles encourage the development and preservation of land use patterns that provide healthful and safe living conditions for the residents of Lamar County.

(Ord. No. 2010-16, 11-16-10)

### **Sec. 1803. Boundaries of M-1 districts.**

The official zoning map (section 2301 of these regulations) shows the boundaries of all M-1 districts within Lamar County. Article 23 also contains additional information concerning interpreting district boundaries, amending boundaries, etc.

(Ord. No. 2010-16, 11-16-10)

### **Sec. 1804. Permitted uses.**

- (a) The following principal uses are permitted in M-1 districts:
- (1) Transportation and Warehouses
  - (2) Wholesale trade
  - (3) Manufacturing
  - (4) Construction
  - (5) Repair
  - (6) Retail trade in conjunction with manufacturing and/or construction activities
  - (7) Education or training facility directly tied to manufacturing activities
  - (8) Off street parking and storage of commercial vehicles or equipment

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- (9) Local, state, or federal government building.
  - (10) Utility substation meeting the following development standards:
    - a. Structures must be placed at least thirty (30) feet from all property lines.
    - b. Structures must be enclosed by a chain link fence at least eight (8) feet high with bottom of fence either flush with the ground or with a masonry footing.
  - (b) The following principal uses may be permitted as special exceptions in M-1 districts:
    - (1) Airport, heliport.
    - (2) Communication transmission tower over thirty-five (35) feet high.
    - (3) Buildings with a total of over 25,000 square feet.
    - (3) New technology industries that don't readily fit under any of the above permitted uses.
  - (c) The following accessory uses are permitted in M-1 districts:
    - (1) Those determined by the administrative officer to be customarily appurtenant to those uses permitted in this district.
  - (d) The following accessory uses may be permitted as special exceptions in M-1 districts:
    - (1) Those determined by the administrative officer not appurtenant to those uses permitted in this district.
  - (e) All accessory uses must meet the following standards:
    - (1) Accessory uses and structure cannot be placed within the vegetative buffer. Property line fences must be set back only a sufficient amount to allow access for required maintenance on both sides of the fence.
    - (2) Accessory buildings and structures not attached to the principal building must be located at least twelve (12) feet from the principal building on the lot.
  - (f) All uses not permitted within M-1 districts by this section are specifically prohibited.

### **Sec. 1805. Development standards for M-1 districts.**

In addition to the development standards contained in article 4 of these regulations, the following standards are required within M-1 districts:

- (a) *Maximum floor area for buildings:* 25,000 square feet
- (b) *Minimum lot area:*
  - (1) *Unsewered areas without public water:* As specified by the Lamar County Health Department, but in no case less than eighty-seven thousand, one hundred twenty (87,120) square feet (two (2) acres); however, a lot of record lawfully existing at the time of passage of these regulations and having an area of less than two (2) acres (nonconforming) may nevertheless be developed with a use which is permitted within a M-1 district if approved by the Lamar County Health Department.
  - (2) *Unsewered areas with public water:* As specified by the Lamar County Health Department, but in no case less than eighty-seven thousand, one hundred twenty (87,120) square feet (two (2) acres); however, a lot of record lawfully existing at the time of passage of these regulations and having an area of less than two (2) acres (nonconforming) may nevertheless be developed with a use which is permitted within a M-1 district if approved by the Lamar County Health Department..:

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- (3) *Sewered areas with public water:* eighty-seven thousand, one hundred twenty (87,120) square feet (two (2) acres); however, a lot of record lawfully existing at the time of passage of these regulations and having an area of less than two (2) acres (nonconforming) may nevertheless be developed with a use which is permitted within a M-1 district if approved by the Lamar County Health Department and can meet all setback requirements.
- (c) *Minimum lot width and building site:*
- (1) For lots 2 acres and less: not allowed
  - (2) For lots 2 acres to 5 acres: 200' minimum lot width and building site
  - (3) For lots over 5 acres: 300' minimum lot width and building site
- (d) *Minimum front setback:*
- (1) *Arterial streets/roads:* One hundred fifty (150) feet from the front property line.
  - (2) *Collector streets and other streets/roads:* one hundred (100) feet from the front property line.
- (e) *Minimum side setback:* Fifty (50) feet
- (f) *Minimum rear setback:* Fifty (50) feet
- (g) *Fire apparatus access:* Building and property must be designed to allow fire apparatus full access to all sides of the building
- (h) *Minimum vegetative buffer:* twenty-five (25) feet for property lines adjacent to commercial and industrial uses; Fifty (50) feet for property lines adjacent to agricultural and residential uses. The upper story buffer must have a minimum height of 6' and 7 gallon minimum container at planting, understory plants must be 4' and 5 gallon minimum container at planting, shrubs must be a minimum of 2' and minimum of 3 gallon container at planting before a building permit or business license is issued. Buffer plan must be approved by the Zoning Administrator.
- (i) *Maximum lot coverage by building, pavement, packed earth, and/or anything that prevents rain water from making direct contact with trees or grass:* Fifty (50%) percent.
- (j) *Outside storage of materials:*
1. *Wares for sale must be kept orderly and maintained*
  2. *construction materials must be screened so as not to be seen from the road*
- (k) *Parking lots and other outside areas:* must be maintained and kept free of debris
- (l) *All exterior lighting must be shielded so as to minimize light trespass*
- (m) Development standards common to most districts are listed under subsections 505(h)—(x).

## **ARTICLE 19. M-2 MANUFACTURING—GENERAL**

### **Sec. 1901. Purpose.**

M-2 (manufacturing—general) zoning districts are intended to establish and preserve physically and aesthetically desirable areas in which clean, higher intensity manufacturing activities may locate and be protected from the intrusion of incompatible land uses. By having such areas available, both new and existing industries may operate and undertake expansion of facilities with the least possible adverse effect on other types of activities which might be incompatible with manufacturing. The elimination of non-manufacturing activities from an M-2 district benefits manufacturing activities by removing some possible obstacles to their smooth operation and expansion. The description of the permitted uses listed below are categorized using the North American Industry Classification System (NAICS).

### **Sec. 1902. Determining if an area is suitable for inclusion within a M-2 district.**

The factors contained in section 410 of these regulations must be thoroughly considered by the planning commission as well as the Lamar County Board of Commissioners when determining in which zoning district an area of land is to be placed. This will assure that rational comprehensive planning principles are the basis upon which the decision is made. Land use decisions which are based on sound planning principles encourage the development and preservation of land use patterns that provide healthful and safe living conditions for the residents of Lamar County.

### **Sec. 1903. Boundaries of M-2 districts.**

The official zoning map (section 2301 of these regulations) shows the boundaries of all M-2 districts within Lamar County. Article 23 also contains additional information concerning interpreting district boundaries, amending boundaries, etc.

### **Sec. 1904. Permitted uses.**

- (a) The following principal uses are permitted in M-2 districts:
- (1) Transportation and Warehouses
  - (2) Wholesale trade
  - (3) Manufacturing and Assembly
  - (4) Construction
  - (5) Repair
  - (6) Retail trade in conjunction with manufacturing and/or construction activities
  - (7) Off street parking and storage of commercial vehicles or equipment
  - (8) Education or training facility directly tied to manufacturing activities
  - (9) Local, state, or federal government building.
  - (10) Utility substation meeting the following development standards:

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- a. Structures must be placed at least thirty (30) feet from all property lines.
  - b. Structures must be enclosed by a chain link fence at least eight (8) feet high with bottom of fence either flush with the ground or with a masonry footing.
- (b) The following principal uses may be permitted as special exceptions in M-2 districts:
- (1) Airport, heliport.
  - (2) Communication tower over thirty-five (35) feet high.
  - (3) Central mixing plant for cement, asphalt, mortar, plaster, or housing materials.
  - (4) Development of natural resources, including the removal of minerals and natural materials. This includes appurtenant buildings and machinery. Such activity must meet the following development standards:
    - a. Any extension of quarrying operations beyond the property lines actually being quarried at the effective date of these regulations is considered to be a new operation and is subject to requirements of these regulations.
    - b. Quarry areas being excavated must be entirely enclosed by a fence located at least ten (10) feet back from the edge of any excavation. Such a fence must be of such construction and height as to be demonstrably able to exclude children and livestock.
    - c. At the time of application for the building permit, the owners or operators of the quarry must present to the administrative officer comprehensive plans for the future rehabilitation and re-use of the property when the quarrying operation is ended.
  - (5) Junkyard (salvage yard), meeting the following development standards:
    - a. It must be surrounded on all property lines by vegetative buffer at least fifty (50) feet in width; and
    - b. It is entirely enclosed by a fence that is at least six (6) feet high and screens the yard from view from the adjacent roadways and adjoining property.
  - (6) Sanitary landfills, Incinerators, Transfer Stations, Materials recovery facilities, Recovered Materials facilities, and Recovered materials processing facilities, consistent with the joint solid waste management plan for Lamar County and the City of Milner, as amended. A decision to approve the special exception under this subparagraph shall be contingent upon said use meeting the requirements of the Lamar County Zoning Ordinance and the Lamar County Solid Waste and Recovered Materials Ordinance, chapter 2-17 et seq., as amended as well as the applicable statutes, rules, and regulations of the state and the United States of America. In addition to the development standards contained in the zoning ordinance for uses in an M-2 district, the operator of any sanitary landfill, incinerator, transfer station, material recovery facility and recovered materials processing facility within an M-2 district shall apply for a permit as provided for in the Lamar County Solid Waste and Recovered Materials Ordinance, chapter 2-17 et seq., as amended, and shall meet the following standards:
    - (a) No such facility shall operate within one hundred fifty (150) feet of adjoining property boundaries and public highways, except for maintenance of said one hundred fifty (150) foot setback area including the required berm, security fence, sight barrier, and animal control.
    - (b) A sight barrier shall be provided along all property lines of the site. Sight barrier shall consist of a one hundred (100) foot wide vegetated buffer. Where natural screening conditions of at least three hundred (300) living trees per acre do not exist, the following shall be planted; evergreen trees, not more than ten (10) feet apart in staggered rows. Trees shall be at least two (2) inches in caliper, as measured at breast height, and shall be sufficiently spaced to provide an effective sight barrier when ten (10) feet in height. Trees that die shall be promptly replaced.

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- (c) The facility is to be enclosed by an eight (8) foot high, chain-link security fence with three (3) strands of barbed wire, angled forty-five (45) degrees toward the outside of the premises at the top. The security fence shall be located no less than one hundred (100) feet from the property line, along the inside edge of the sight barrier.
  - (d) A planted berm shall be located between the security fence and the facility operations to visually screen the facility operations, but no closer than twenty (20) feet and no farther than fifty (50) feet from the security fence, as measured from the base of the berm. The berm shall consist of the following: a grassed berm six (6) feet in height and planted with evergreen trees not more than ten (10) feet apart, in staggered rows on the berm. Trees shall be at least two (2) inches in caliper, as measured at breast height, and shall be sufficiently spaced to provide effective sight barriers when ten (10) feet in height. Trees that die shall be promptly replaced.
  - (e) All entrances shall have an eight-foot high gate, which shall be closed and locked at all times that the facility is not open.
  - (f) No portion of a facility shall be located within one thousand (1,000) feet of any of the following preexisting uses: schools, day care centers, churches, hospitals, retirement homes, personal care homes, or subdivisions of record consisting of residential dwellings for which a final plat has been approved and filed with the office of the Lamar County Superior Court Clerk. The distance shall be measured by a straight line from the property boundary of the facility to the property boundary of the aforementioned use.
  - (g) Any new facility or expansion of an existing facility shall be located either contiguous to an existing facility, or entirely outside of a ten-mile radius of any existing facility, as measured in a straight line from the property boundaries of the existing facility.
  - (h) No portion of a new facility or expansion of an existing facility shall be located within a one-mile radius, which contains fifty (50) or more residential dwellings. The one-mile radius shall be measured in a straight line from the boundary of the property to be used for a facility. For purposes of this paragraph, a residential dwelling shall include double-wide dwelling, cluster dwelling, condominium, garden apartment, multiple-family dwelling, patio dwelling, single-family attached, single-family detached, townhouse, two-family dwelling, factory built housing, industrialized home, manufactured home (including classes A, B and C), modular home, multi-section home, prefabricated home, sectional home, and single-wide; all as defined in section 203 of the Lamar County Zoning Ordinance. This paragraph does not apply, however, to a facility to be located contiguous to an existing facility as provided under subparagraph (7) above.
  - (i) The main entrance of the facility shall be located on a paved road with a classification of collector or arterial as shown in the street classification system map of the Lamar County Land Use Plan.
- (7) Incinerators consistent with the joint solid waste management plan for Lamar County and the City of Milner, as amended. A decision to approve the special exception under this subparagraph shall be contingent upon said use meeting the requirements of the Lamar County Zoning Ordinance and the Lamar County Solid Waste and Recovered Materials Ordinance, chapter 2-17 et seq., as amended as well as the applicable statutes, rules and regulations of the state and the United States of America.
  - (8) Transfer stations consistent with the joint solid waste management plan for Lamar County and the City of Milner, as amended. A decision to approve the special exception under this subparagraph shall be contingent upon said use meeting the requirements of the Lamar County Zoning Ordinance and the Lamar County Solid Waste and Recovered Materials Ordinance, chapter 2-17 et seq., as amended, as well as the applicable statutes, rules and regulations of the state and the United States of America.
  - (9) Materials recovery facilities consistent with the joint solid waste management plan for Lamar County and the City of Milner, as amended. A decision to approve the special exception under this subparagraph shall be contingent upon said use meeting the requirements of the Lamar County Zoning

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Ordinance and the Lamar County Solid Waste and Recovered Materials Ordinance, chapter 2-17 et seq., as amended as well as the applicable statutes, rules and regulations of the state and the United States of America.

- (10) Recovered materials processing facilities consistent with the joint solid waste management plan for Lamar County and the City of Milner, as amended. A decision to approve the special exception under this subparagraph shall be contingent upon said use meeting the requirements of the Lamar County Zoning Ordinance and the Lamar County Solid Waste and Recovered Materials Ordinance, chapter 2-17 et seq., as amended as well as the applicable statutes, rules and regulations of the state and the United States of America.
  - (7) Acid manufacture and storage.
  - (8) Gasoline storage terminal.
  - (9) Bulk petroleum plant.
  - (10) Commercial livestock processing.
  - (11) Poultry processing plant.
  - (12) Crematory
  - (13) Data Centers; refer to Appendix D
  - (14) Railroad yards
  - (15) New technology industries that don't readily fit under any of the above permitted or special exception uses.
- (c) The following accessory uses may be permitted in M-2 districts:
- (1) Those determined by the administrative officer to be customarily appurtenant to those uses permitted in this district.
- (d) The following accessory uses may be permitted as special exceptions in M-2 districts:
- (1) Those determined by the administrative officer to not be customarily appurtenant to those uses permitted in this district.
- (e) All accessory uses must meet the following standards:
- (1) Accessory uses and structures cannot be placed within the vegetative buffer. Property line fences must be set back only a sufficient amount to allow access for required maintenance on both sides of the fence.
  - (2) Accessory buildings not attached to the principal building must be located at least twelve (12) feet from the principal building on the lot.
- (f) All uses not permitted within M-2 districts by this section are specifically prohibited.

### **Sec. 1905. Development standards for M-2 districts.**

In addition to the development standards contained in article 4 of these regulations, the following standards are required within M-1 districts:

- (a) *Maximum floor area for buildings:* None.
- (b) *Minimum lot area:*
  - (1) *Unsewered areas without public water:* As specified by the Lamar County Health Department, but in no case less than eighty-seven thousand, one hundred twenty (87,120) square feet (two (2)

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- acres); however, a lot of record lawfully existing at the time of passage of these regulations and having an area of less than two (2) acres (nonconforming) may nevertheless be developed with a use which is permitted within a M-2 district if approved by the Lamar County Health Department.
- (2) *Unsewered areas with public water:* As specified by the Lamar County Health Department, but in no case less than eighty-seven thousand, one hundred twenty (87,120) square feet (two (2) acres); however, a lot of record lawfully existing at the time of passage of these regulations and having an area of less than two (2) acres (nonconforming) may nevertheless be developed with a use which is permitted within a M-2 district if approved by the Lamar County Health Department.
- (3) *Sewered areas with public water:* eighty-seven thousand, one hundred twenty (87,120) square feet (two (2) acres); however, a lot of record lawfully existing at the time of passage of these regulations and having an area of less than two (2) acres (nonconforming) may nevertheless be developed with a use which is permitted within a M-2 district if approved by the Lamar County Health Department.
- (c) *Minimum lot width and width at building site:*
- (1) For lots 2 acres and less: not allowed
- (2) For lots 2 acres to 5 acres: 200' minimum lot width and width at building site
- (3) For lots over 5 acres: 300' minimum lot width and width at building site
- (d) *Minimum front setback:*
- (1) *Arterial streets/roads:* One hundred fifty (150) feet from the front property line.
- (2) *Collector streets and other streets/roads:* one hundred fifty (150) feet from the front property line.
- (e) *Minimum side setback:* fifty feet for property lines adjacent to commercial and industrial uses; five hundred (500) feet for property adjacent to residential and agricultural uses.
- (f) *Minimum rear setback:* fifty feet for property lines adjacent to commercial and industrial uses; five hundred (500) feet for property adjacent to residential and agricultural uses.
- (g) *Fire apparatus access:* Building and property must be designed to allow fire apparatus full access to all sides of the building
- (h) *Minimum vegetative buffer:* twenty-five (25) feet for property lines adjacent to commercial and industrial uses; 100 hundred (100) feet for property lines adjacent to agricultural and residential uses. The upper story buffer must have a minimum height of 6' and 7 gallon minimum container at planting, understory plants must be 4' and 5 gallon minimum container at planting, shrubs must be a minimum of 2' and minimum of 3 gallon container at planting before a building permit or business license is issued. Buffer plan must be approved by the Zoning Administrator.
- (i) *Maximum lot coverage by building, pavement, packed earth, and/or anything that prevents rain water from making direct contact with trees or grass:* Fifty (50%) percent.
- (j) *Outside storage of materials:*
1. *Wares for sale must be kept orderly and maintained*
2. *construction materials must be screened so as not to be seen from the road*
- (K) *Parking lots and other outside areas:* must be maintained and kept free of debris
- (l) *All exterior lighting must be shielded so as to minimize light trespass*

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(m) Development standards common to most districts are listed under subsections 505(h)–(x).