

**Existing construction.** Means for the purposes of determining rates, structures for which the 'start of construction' commenced before the effective date of the FIRM (May 7, 2001) or before January 1, 1975, for FIRMs effective before that date. "Existing construction" may also be referred to as "existing structures."

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**Fill.** A portion of land surface to which soil or other solid material has been added; the depth above the original ground surface or an excavation.

**Finished grade.** The final elevation and contour of the ground after cutting or filling and conforming to the proposed design.

**Flood or flooding.**

- (a) A general and temporary condition of partial or complete inundation of normally dry land areas from:
- (1) The overflow of inland or tidal waters. ~~surface water volumes too great to be confined within the banks or walls of a conveyance or stream~~
  - (2) The unusual and rapid accumulation or runoff of surface waters from any source.
  - (3) Mudslides (i.e., mudflows) which are proximately caused by flooding as defined in paragraph (a)(2) of this definition and are akin to a river of liquid and flowing mud on the surfaces of normally dry land areas, as when earth is carried by a current of water and deposited along the path of the current.
- (b) The collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding as defined in paragraph (a)(1) of this definition.

**Flood elevation, future-conditions.** The highest water surface elevation anticipated at any given location during the future-conditions flood.

**Flood, future-conditions.** The flood having a one percent chance of being equaled or exceeded in any given year based on future-conditions hydrology. Also known as the 100-year future-conditions flood.

**Flood insurance rate map or FIRM.** An official map of a community, issued by FEMA, delineating the areas of special flood hazard and/or risk premium zones applicable to the community.

**Flood insurance study or FIS.** The official report by FEMA providing an examination, evaluation and determination of flood hazards and corresponding flood profiles and water surface elevations of the base flood.

**Flood protection, extreme.** Measures taken to prevent adverse impacts from large low-frequency storm events with a return frequency of 100 years or more.

**Floodplain or floodprone area.** Any land area susceptible to being inundated by water from any source (see definition of 'flooding') ~~flooding, which would have at least a one percent probability of flooding~~

~~occurrence in any calendar year based on the basin being fully developed as shown on the current land use plan, i.e., the regulatory flood.~~

**Floodplain, Future-conditions.** Any land area susceptible to flooding by the future-conditions flood.

**Floodproofing.** Any combination of structural and nonstructural additions, changes, or adjustments to structures which reduces or eliminates flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

**Floodway or regulatory floodway.** The channel of a stream, river, or other watercourse and the adjacent areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

**Floodway boundaries.** The width of a floodway is determined from the FIS or FEMA-approved flood study. For all streams with a drainage area of 100 acres or greater, the regulatory floodway is provided by the City. If floodway data is not available from the City, then it is determined by a licensed professional engineer using a method approved by FEMA and the City.

**Floor Area or Gross Floor Area.** The sum of all floors of a structure as measured to the outside surfaces of exterior walls. Gross floor area is used to determine required parking when floor area is the designated measure for a use.

**Floor Area, Heated.** The sum of all heated areas of a dwelling or dwelling unit, as appropriate, measured to the inside surfaces of exterior walls, excluding porches, balconies, attics, basements (finished or unfinished), garages, patios and decks.

**Freeboard.** The distance between the 100-year base flood elevation and the top of a stormwater detention structure.

**Front wall plane.** The building facade facing the primary street right-of-way. If the facade is articulated, the front wall plane is the wall of a conditioned space closest to the right-of-way.

**Frontage.** Additional standards that apply to a zoning district, as illustrated on the Official Zoning Map.

**Fully enclosed.** Located within an enclosed structure. May or may not included conditioned space.

**Functionally dependent use.** A use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, but does not include long-term storage or related manufacturing facilities.



**Gazebo.** A roofed structure open on all sides (may include screening or lattice-work). Often includes seating.

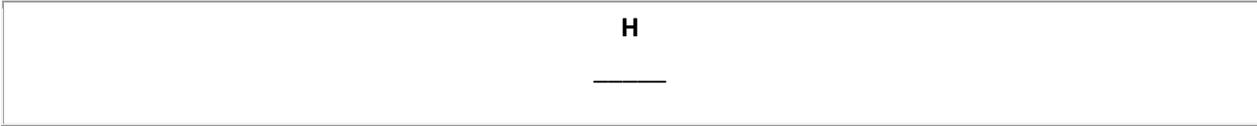
**Grading.** Altering the shape of ground surfaces to a predetermined condition; this includes stripping, cutting, filling, stockpiling and shaping or any combination of the above, and including land in its cut or filled condition.

**Ground elevation.** The original elevation of the ground surface prior to cutting or filling.

**Ground floor elevation.** See 6.1.3.D.

**Groundcover.** Any of a series of dense, low-growing, spreading, herbaceous plants that form a layer and provide protection for topsoil from erosion and drought. Sod, mulch, pine straw and stone do not count as groundcover.

**Grubbing.** The removal of stumps or roots from a property.



**Habitable space.** An area within a building, typically a residential occupancy, used for living, sleeping, eating or cooking purposes. Those areas not considered to meet this definition include bathrooms, closets, hallways, laundry rooms, storage rooms and utility spaces. It is not necessary that a room or area be finished in order to be considered habitable space, such as an unfinished basement.

**Height, bonus.** See Div. 6.7.

**Height, building.** See Sec. 6.1.3.A.

**Height, story.** See Sec. 6.1.3.E.

**Highest adjacent grade.** The highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

**Historic structure.** Any structure that is:

- (a) Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- (b) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- (c) Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or
- (d), ~~or~~ Individually listed on a local inventory of historic places by communities with ~~an official~~ historic preservation programs that have been certified either:
  - (1) By an approved state program as determined by the Secretary of the Interior or
  - (2) Directly by the Secretary of the Interior in states without the approved programs.

**Hotspot.** An area where the use of the land has the potential to generate highly contaminated runoff, with concentrations of pollutants in excess of those typically found in stormwater.

**Hydrologic soil group (HSG).** A natural resource conservation service classification system in which soils are categorized into four runoff potential groups. The groups range from group A soils, with high permeability and little runoff produced, to group D soils, which have low permeability rates and produce much more runoff.

**Manufactured home.** A structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use ~~to be used~~ with or without a permanent foundation when attached to the required utilities. The term includes any structure commonly referred to as a "mobile home" regardless of the date of manufacture. ~~The term also includes parked trailers, travel trailers and similar transportable structures placed on a site for 180 consecutive days or longer and intended to be improved property.~~ The term 'manufactured home' does not include a 'recreational vehicle'.

**Manufactured home park or subdivision.** A parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

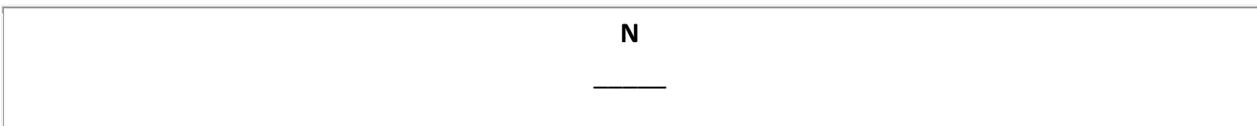
**Manufactured home park or subdivision, existing.** A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before July 5, 2006.

**Manufactured home park or subdivision, expansion to existing.** The preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

**Mean sea level.** The datum to which base flood elevations shown on a community's flood insurance rate map (FIRM) are referenced. For purposes of this Division, the term is synonymous with National Geodetic Vertical Datum (NGVD) of 1929 or the North American Vertical Datum (NAVD) of 1988.

**Metropolitan River Protection Act (MRPA) Chattahoochee Corridor Plan.** State law referenced as O.C.G.A. § 12-5-440 et seq. that addresses development impacts within 2,000 feet of the Chattahoochee River and its impoundments.

**Minor land disturbance activity - exempt.** For the purposes of Article 9, activities such as home gardens and individual home landscaping, minor repairs, maintenance work, fences, and other related activities, which do not require permits for soil and erosion control purposes.



**National Pollutant Discharge Elimination System (NPDES).** Stormwater discharge permit means a permit issued by the state EPD under authority delegated pursuant to 33 USC 1342(b) that authorizes the discharge of pollutants to waters of the United States, whether the permit is applicable on an individual, group, or general area-wide basis.

**Natural ground surface.** The ground surface in its original state before any grading, excavation or filling.

**Neighborhood transition.** See Div. 6.4.

**Nephelometric turbidity units (NTU).** Numerical units of measure based upon photometric analytical techniques for measuring the light scattered by finely divided parts of a substance in suspension. This technique is used to estimate the extent of turbidity in water in which colloiddally dispersed or suspended parts are present.

**New construction.** For the purposes of determining insurance rates, ~~Article 9, any~~ structures for which the 'start of construction' commenced on or after the effective date of an initial FIRM (May 7, 2001) or after December 31, 1974 ~~July 5, 2006~~, whichever is later, and includes any subsequent improvements to

such ~~the~~ structures. For floodplain management purposes, new construction means structures for which the start of construction commenced on or after the effective date of a floodplain management regulation adopted by the Mayor and City Council and includes any subsequent improvements to such structures.

**New development.** A land development activity on a previously undeveloped site.

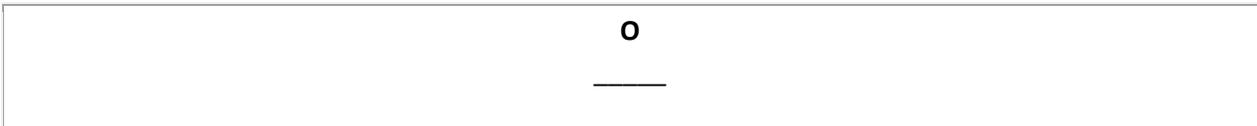
**New manufactured home park or subdivision.** For the purposes of Article 9, a manufactured home park completed on or after July 5, 2006.

**Nonpoint source pollution.** A form of water pollution that does not originate from a discrete point such as a sewage treatment plant or industrial discharge, but involves the transport of pollutants such as sediment, fertilizers, pesticides, heavy metals, oil, grease, bacteria, organic materials and other contaminants from land to surface water and groundwater via mechanisms such as precipitation, stormwater runoff, and leaching. Nonpoint source pollution is a byproduct of land use practices such as agricultural, silvicultural, mining, construction, subsurface disposal and urban runoff sources.

**Nonstormwater discharge.** Any discharge to the storm drain system that is not composed entirely of stormwater.

**Nonstructural stormwater management practice or nonstructural practice.** Any natural or planted vegetation or other nonstructural component of the stormwater management plan that provides for or enhances stormwater quantity and/or quality control or other stormwater management benefits, and includes, but is not limited to, riparian buffers, open and greenspace areas, overland flow filtration areas, natural depressions, and vegetated channels.

**Notice or official notice.** For the purposes of Div. 9.7, a written communication by the City to the owner, operator, or person conducting land-disturbing activity, including a notice to comply, a stop work order and/or a fine, as authorized by this Development Code in Div. 9.7. Notice shall be deemed official when it meets one of the following requirements: (1) Communicated in writing to the owner or operator via U.S. mail; (2) Hand-delivered to the owner, operator, or person conducting land-disturbing activity; (3) Posted in a conspicuous location on the site; or (4) Electronic communications such as email or phone text messages. NOI means a notice of intent form provided by EPD for coverage under the state general permit. NOT means a notice of termination form provided by EPD to terminate coverage under the state general permit.



**Off-site facility.** A stormwater management facility located outside the boundaries of the site.

**On-site facility.** A stormwater management facility located within the boundaries of the site.

**Operator.** The party or parties that have (A) operational control of construction project plans and specifications, including the ability to make modifications to those plans and specifications; or (B) day-to-day operational control of those activities that are necessary to ensure compliance with an erosion, sedimentation and pollution control plan for the site or other permit conditions, such as a person authorized to direct workers at a site to carry out activities required by the erosion, sedimentation and pollution control plan or to comply with other permit conditions.

**Outdoor amenity space.** See Sec. 6.1.1.I.

**Sketch plan.** See Concept plan.

**Soil and Water Conservation District approved plan.** An erosion, sedimentation and pollution control plan approved in writing by the Region 3 Soil and Water Conservation District.

**Stabilization.** The process of establishing an enduring soil cover of vegetation by the installation of temporary or permanent structures for the purpose of reducing to a minimum the erosion process and the resultant transport of sediment by wind, water, ice or gravity.

**Stabilization, final.** All soil disturbing activities at the site have been completed, and that for unpaved areas and areas not covered by permanent structures and areas located outside the waste disposal limits of a landfill cell that has been certified by EPD for waste disposal, 100 percent of the soil surface is uniformly covered in permanent vegetation with a density of 70 percent or greater, or landscaped according to the Plan (uniformly covered with landscaping materials in planned landscape areas) or equivalent permanent stabilization measures as defined in the Manual (excluding a crop of annual vegetation and seeding of target crop perennials appropriate for the region). Final stabilization applies to each phase of construction.

**Standard details.** Illustrative minimum standards for land development activities authorized under this Development Code or other codes of the City. These standards do not supersede more restrictive or prudent design requirements or good engineering practices as applied to specific situations on a case-by-case basis. All construction must meet or exceed the standards established in this Development Code or those adopted by the State Department of Transportation.

**Start of construction (includes substantial improvement).** ~~As related to floodplain management~~ Means the date the permit was issued, provided the actual start of **construction, repair, reconstruction, rehabilitation, addition placement, or other improvement activity** was within 180 days of the permit date. The actual start means either the first placement of permanent construction of the structure **on a site, such as the pouring of slabs or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation.** Permanent construction does not include initial land preparation, **such as clearing, grading and filling; nor does it include installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or part of the main structure. excavation or the erection of temporary forms; nor does it include the installation on the property of accessory buildings.** For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building ~~interior-only improvements applies to first alteration of any structural part of a building~~, whether or not that alteration affects the external dimensions of the ~~it expands~~ building footprint.

**State General Permit.** The National Pollution Discharge Elimination System (NPDES) general permit or permits for stormwater runoff from construction activities as is now in effect or as may be amended or reissued in the future pursuant to the state's authority to implement the same through federal delegation under the Federal Water Pollution Control Act, as amended, 33 U.S.C. Section 1251 et seq., and O.C.G.A. § 12-5-30(f).

**State waters.** State waters include any and all rivers, streams, creeks, branches, lakes, reservoirs, ponds, drainage systems, springs, wells, and other bodies of surface or subsurface water, natural and artificial, lying within or forming a part of the boundaries of the State which are not entirely confined and retained completely upon the property of a single individual, partnership, or corporation, except as may be defined in O.C.G.A. § 12-7-17(8) (O.C.G.A. § 12-7-3(16)).

**State waters buffer.** Buffer means the area of land immediately adjacent to the banks/points of wretched vegetation of state waters in its natural state of vegetation, which facilitates, when properly vegetated, the protection of water quality and aquatic habitat (O.C.G.A. § 12-7-3(2)). Also includes stream buffer(s).

**Stormwater better site design.** Nonstructural site design approaches and techniques that can reduce a site's impact on the watershed and can provide for nonstructural stormwater management. The term

**Structural stormwater control.** A structural stormwater management facility or device that controls stormwater runoff and changes the characteristics of that runoff including, but not limited to, the quantity and quality, the period of release or the velocity of flow.

**Structure.** Any construction attached to the ground or a building, whether permanently or temporarily. Structures include, as examples, fences, kiosks, mechanical equipment, pergolas, gazebos, monument signs, [gas or liquid storage tanks](#), and swimming pools.

**Subdivision.** Any division or re-division of a lot, tract or parcel, regardless of its existing or future use, into two or more lots, tracts or parcel.

1. The term subdivision means the act or process of dividing property. Lots that do not abut or are not directly across a public street from other subdivided lots shall be considered a separate distinct subdivision with a separate name.
2. Where appropriate to the context, the term subdivision also may be used in reference to the aggregate of all lots held in common ownership at the time of division.

**Subdivision entrance.** A public street, or publicly approved private street, that provides access to subdivided lots.

**Substantial Improvement.** Means any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the 'start of construction' of the improvement. This term includes structures which have incurred 'substantial damage', regardless of the actual repair work performed. The term does not, however, include either:

- (1) Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions or
- (2) Any alteration of a 'historic structure', provided that the alteration will not preclude the structure's continued designation as a 'historic structure'.

**Substantially Improved Manufactured Home Park or Subdivision.** Means when the repair, reconstruction, rehabilitation or improvement of streets, utilities, and pads equals or exceeds 50 percent of the value of the streets, utilities, or pads.

**System improvement.** Any improvement or facility such as streets, bridges, or rights-of-way identified on the long range road classification map (i.e. "the System"), and any traffic control measures, landscaping or other related features, that is included in the Comprehensive Plan and which is further designed to provide service to the community at large.



**Thoroughfare, major.** Any public street, existing or proposed, that carries the functional classification of arterial or collector.

**Trail.** An extended and usually continuous strip of land established independently of other routes of travel and dedicated, through ownership or easement, to recreational travel including hiking, horseback riding, and similar activities.

**Transparency.** See Sec. 6.1.4.A.