

IN RE:

Text Amendment #A-19-05

AMENDMENT TO THE ZONING ORDINANCE OF SPALDING COUNTY

**RESOLUTION AMENDING
THE ZONING ORDINANCE OF SPALDING COUNTY, GEORGIA**

WHEREAS, the Board of Commissioners of Spalding County, Georgia under the Constitution and Laws of the State of Georgia is empowered by virtue of its police power to regulate the health, safety and welfare of the citizens of Spalding County to provide for and enact zoning and developmental regulations; and

WHEREAS, the Board of Commissioners of Spalding County, Georgia enacted the current Zoning Ordinance of Spalding County, Georgia on January 4, 1994 and therein adopted the Official Zoning Map of Spalding County, Georgia, in Article 23 Section 2301, et. seq.;

WHEREAS, the Board of Commissioners of Spalding County has determined that it is in the best interest of the citizens of Spalding County for certain text revisions and amendment to be made to the Zoning Ordinance of Spalding County;

WHEREAS, such proposed text amendment to the Zoning Ordinance of Spalding County was reviewed by the Spalding County Planning Commission, and a hearing on the text amendment was conducted by the Board of Commissioners of Spalding County, Georgia on 27th day of June, 2019, pursuant to O.C.G.A. § 33-66-1, et. seq. in the Spalding County Hearing, Room 108, Spalding County Courthouse Annex, 119 East Solomon Street, Griffin, Spalding County, Georgia; and

WHEREAS, the Board of Commissioners of Spalding County, Georgia considered the proposed amendment, any and all alternate proposals or amendments, the report of the Spalding County Planning Commission and all data and evidence taken at the public hearing; and

WHEREAS, it is deemed by the Board of Commissioners of Spalding County, Georgia that an amendment to the Zoning Ordinance of Spalding County, Georgia and an amendment to the Official Zoning Map of Spalding County, Georgia, is in conformance with the Spalding County Comprehensive Plan and sound comprehensive planning principles and of substantial benefit to the public and in the promotion of the best interests and general welfare of the people;

NOW THEREFORE, IT SHALL BE AND IS HEREBY RESOLVED by the Board of Commissioners of Spalding County, Georgia, that the Zoning Ordinance of Spalding County, Georgia shall be and is hereby amended as follows:

Section 1: The following provision shall be added to the Zoning Ordinance of Spalding County, Georgia, Article 2. Definitions of Terms Used: to appear as Section 202:MMM;

Section 202. General Definitions.

MMM³. *Subdivision, minor:* A division of land into parcels of three (3) or more acres which does not include the development of a new street or road.

Section 2: The following provision shall be deleted from the Zoning Ordinance of Spalding County, Georgia, Article 2. Definitions of Terms Used: Section 202:NNN.

Section 3: The following provision shall be added to the Zoning Ordinance of Spalding County, Georgia, Article 2. Definitions of Terms Used: to appear as Section 202:NNN:

Section 202. General Definitions.

NNN. *Subdivision:*

1. The division of a lot of record at the time of enactment of this ordinance into five (5) or more lots building sites, or other division for the purpose – whether immediate or future – of sale, legacy or building development.
2. This definition does not include the following:
 - a. The combination or recombination of portions of previously platted lots where the total number of lots is not increased and the resulting lots are at least equal to standards set forth in this ordinance.
 - b. The division of land among heirs by judicial decree.

Section 4: The foregoing amendment of the Zoning Ordinance of Spalding County shall become effective immediately upon adoption of this resolution.

Section 5: All Ordinances or resolutions in conflict herewith shall be and are hereby repealed.

Approved on first reading the 27th day of June, 2019.

Approved on second reading the 15th of July, 2019