

**STATE OF GEORGIA
COUNTY OF CHEROKEE**

ORDINANCE NO. 2019-O-007

AN ORDINANCE OF THE CHEROKEE COUNTY BOARD OF COMMISSIONERS TO ADOPT THE OFFICIAL ZONING MAP FOR CHEROKEE COUNTY PURSUANT TO THE PROVISIONS OF THE CHEROKEE COUNTY ZONING ORDINANCE; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the Constitution of the State of Georgia, approved by the voters of the State in November of 1982, and effective as of July 1, 1983, provides in Article IX, Section II, Paragraph I thereof, that the governing authority of a county may adopt clearly reasonable ordinances, resolutions, and regulations; and

WHEREAS, O.C.G.A. § 36-1-20 authorizes counties to enact ordinances for protecting and preserving the public health, safety, and welfare of the population of the unincorporated areas of the County; and

WHEREAS, the governing authority of Cherokee County, to wit, the Board of Commissioners, desires to exercise its authority in adopting this Ordinance; and

WHEREAS, the Cherokee County Board of Commissioners (hereinafter "Board") finds that it is in the public interest to adopt the Official Zoning Map of the Cherokee County Zoning Ordinance to enhance land use standards; and

WHEREAS, a notice of public hearing was duly published as required by O.C.G.A. § 36-66-4; and

WHEREAS, pursuant to O.C.G.A. § 36-66-4, a public hearing by the Board of Commissioners was held on April 2, 2019, after public notice was provided as required by law, at which time owners of property affected and other citizens of the County were given the opportunity to attend and comment; and

NOW, THEREFORE, BE IT ORDAINED by the Cherokee County Board of Commissioners, and it is hereby so ordained by authority of the same that:

Section 1.

The Official Zoning Map of Cherokee County attached hereto as Exhibit "A" shall be adopted as the current map of Zoning Districts referenced in Article 6, Section 6.2 Zoning District Map.

Section 2.

It is hereby ordained that the provisions of this Ordinance shall become a part of the Code of Ordinances of Cherokee County, Georgia, and the sections of this Ordinance may be renumbered to accomplish such intention.

Section 3.

- (a) It is hereby declared to be the intention of the Cherokee County Board of Commissioners that all sections, paragraphs, sentences, clauses, and phrases of this Ordinance are and were, upon their enactment, believed by the Cherokee County Board of Commissioners to be fully valid, enforceable, and constitutional.
- (b) It is hereby declared to be the intention of the Cherokee County 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 Cherokee County Board of Commissioners that, to the greatest extent allowed by law, no section, paragraph, sentence, clause, or phrase of this Ordinance are mutually dependent upon any other section, paragraph, sentence, clause or phrase of this Ordinance.
- (c) In the event that any phrase, clause, sentence, paragraph or section 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 Cherokee County 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 phrases, clauses, sentences, paragraphs or sections of this Ordinance and that, to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs, and sections of this Ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

Section 4.

All Ordinances or parts of Ordinances in conflict with this Ordinance are, to the extent of such conflict, hereby repealed or set aside.

Section 5.

This Ordinance shall become effective immediately upon its adoption.

SO ORDAINED, APPROVED, AND ADOPTED this 2nd day of April, 2019.

By:


HARRY B. JOHNSTON, Chairman

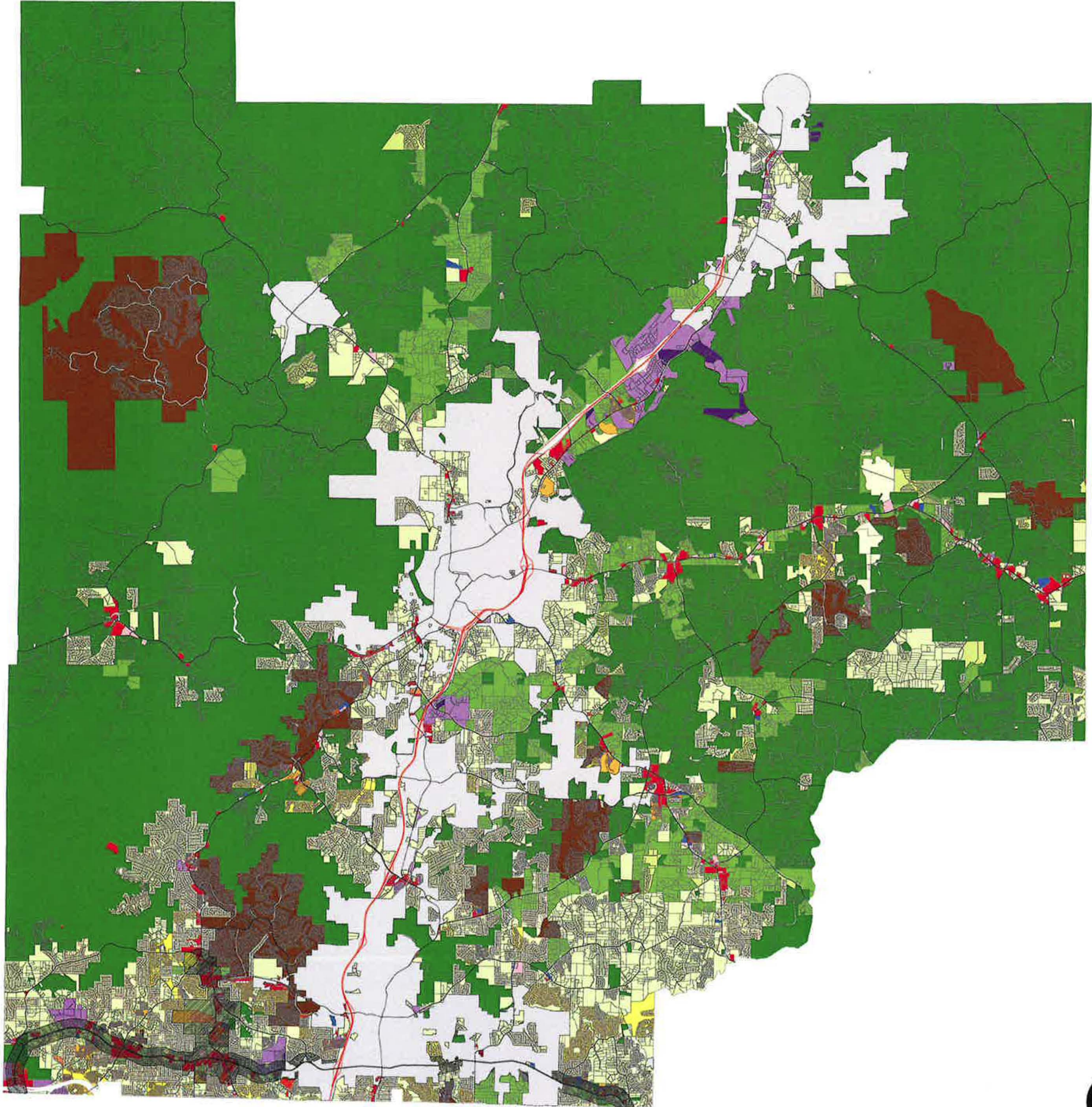
Attest:


CHRISTY BLACK, County Clerk

(SEAL)



Cherokee County Zoning Map



Legend

- Zoning**

 - AG
 - R-80
 - R-60
 - R-40
 - R-30
 - R-20
 - R-15
 - RD-3
 - R-10
 - RZL
 - RA
 - RTH
 - RM10
 - RM16
 - TND
 - PUD
 - OI
 - NC
 - GC
 - LI
 - HI
 - Belis Ferry Overlay
 - Hwy 92 Overlay
- City Boundaries**

Street Classification

 - Highway
 - Highway Ramp
 - Principal Arterial
 - Minor Arterial
 - Major Collector
 - Minor collector

ADOPTED
Official Zoning Map
April 2, 2019

[Signature]
Harry Johnston
Chairman, Cherokee County Board of Commissioners

Attested By: *[Signature]*
Christy Black
County Clerk, Cherokee County Board of Commissioners



Prepared by:
Cherokee County Planning & Zoning, GIS

This map has been compiled from the most reliable sources available. All map amendments approved by the Cherokee County Board of Commissioners through January 31, 2019 are reflected in this map. Cherokee County is not responsible for errors and omissions contained in this map. No warranties or representations are expressed or implied in fact or in law.

