



WHITE COUNTY BOARD OF COMMISSIONERS
COMBINED WORK SESSION & REGULAR MEETING
MONDAY, JANUARY 8, 2024 AT 4:30 P.M.

AGENDA

1. Call to Order.
2. Pledge of Allegiance.
3. Invocation –
4. Consider adoption of the following meeting minutes:
December 4, 2023 – Public Hearing & Regular Meeting,
December 11, 2023 – Called Meeting, and
December 14, 2023 Called Meeting including Executive Session.
5. Introduction of the new White County Family Connection Director, Ms. Nanette Baughman.

LAND USE ITEMS

NOTE: In reference to land use agenda item #6 – Georgia Zoning Procedures Law (O.C.G.A. 36-66-1, et seq.) requires a public hearing be advertised and held prior to any proposed zoning decision with a minimum of 10 minutes (per side) for both proponents and opponents to present data, evidence, and opinion. This requirement was met for the following item at the public hearing held at the Planning Commission Meeting on November 28, 2023. All information presented was then forwarded to the Board of Commissioners.

6. Consider the land use application filed by Colin Morris to request a conditional use permit at 538 Highway 356 Helen, Georgia 30545. Tax map and parcel 042B-045. Total acreage is 10.523. The proposed use is to place in a short-term rental program. Present zoning is R-1 Residential Single-Family.

NEW BUSINESS

7. Consider approval of the Inmate Housing Agreements with the City of Cleveland and City of Helen.
8. Consider adoption of Resolution No. 2024-01 amending Chapter 16, Short-Term Rental Host License, of the County Code
9. Consider adoption of Resolution No. 2024-02 amending Appendix C, Land Use Regulations, of the County Code – as relates to short-term rentals.
10. Consider adoption of Resolution No. 2024-03 amending Appendix C, Land Use Regulations Article XVIII, Amendment, Application and Procedural Requirements – with the addition of Section 1820, Judicial Review Procedures – as required by O.C.G.A 36-66-1.

11. Consider adoption of Resolution No. 2024-04 approving the 2024 SPLOST (Special Purpose Local Option Sales Tax) Intergovernmental Agreement (IGA) and authorizing the Chairman to execute the IGA on behalf of the County.
12. Consider adoption of Resolution No. 2024-05, setting the 2024 qualifying fee for each county office to be filled in the upcoming primary or election.
13. Consider approval to purchase a replacement lowboy tractor for Public Works through the Sourcewell cooperative purchasing program.
14. Consider acceptance of the 2024 Edward Byrne Memorial Justice Assistance Grant for the Appalachian Regional Drug Enforcement Office (ARDEO) for which White County serves as the fiscal agent.
15. Ms. Jodi Ligon, Finance Director, to present the monthly Financial Status Report.
16. County Manager Comments.
17. Public Comment.
18. Announcements:
 - Monday, January 15, 2024: County Office Closed in Observed of MLK Jr. Day
 - Monday, January 29, 2024 @ 4:30 p.m.: Board of Commissioners Work Session & Called Meeting
 - Monday, February 5, 2024 @ 4:30 p.m.: Board of Commissioners Regular Meeting
19. Adjourn.

WHITE COUNTY BOARD OF COMMISSIONERS
MINUTES OF THE PUBLIC HEARING & REGULAR MEETING HELD
MONDAY, DECEMBER 4, 2023 AT 4:00 P.M.

The White County Board of Commissioners held a Public Hearing and Regular Meeting on Monday, December 4, 2023 at 4:00 p.m. in the Board Room at the Administration Building. Present for the meeting were: Chairman Travis Turner, Commissioner Terry Goodger, Commissioner Lyn Holcomb, Commissioner Craig Bryant, County Manager Billy Pittard, Finance Director Jodi Ligon, and County Clerk Shanda Murphy. Commissioner Edwin Nix was not in attendance.

Chairman Turner called the meeting to order.

Following the Pledge of Allegiance, Student Ministries Pastor Garrett Kersey, representing The Bridge Church and The White County Ministerial Alliance, provided the invocation.

Upon a motion made by Commissioner Bryant, seconded by Commissioner Holcomb there was a unanimous vote to approve the minutes of the November 6, 2023 Regular Meeting, the November 16, 2023 Called Meeting, and the November 27, 2023 Work Session & Called Meeting (with Chairman Turner's requested revision regarding him discussing a condition related to the number of rooms allowed with April James rezoning).

Chairman Turner stated that a public hearing would be conducted in order to receive comments on the proposed revisions to short-term rental regulations (County Code Chapter 16, Short-Term Rental Host License) for the unincorporated area of White County. He reminded everyone of proper decorum for the public hearing and that each speaker would have three (3) minutes to speak.

Ms. Shanda Murphy, County Clerk presented facts concerning the proposed ordinance and short-term rentals in general. Mr. Billy Pittard, County Manager, presented information regarding the issues which the revisions were developed to address. Mr. John Sell, Director of Community & Economic Development, presented the amendments being proposed.

Chairman Turner opened the floor for public comment.

Ms. Lillian Hall, 543 Leigh's Crossing Cleveland, Ga – spoke against the proposed amendments, stating many have said there are already too many short-term rentals, the proposal would put short-term rentals on steroids, a fast track and the public will no longer have a say. She advised that the problem is that applicants should have the burden of proof that their short-term rental benefits the safety, health, morals, and general welfare of the county – which has never been done. She stated that the county does not know how many short-term rentals there are because a study has not been done and there needs to be a study to determine the number of units, negative effects, etc. She said there needed to be more public input on the issue and the county should not just be worried about the short-term rental owners suing, but those negatively affected would sue as well.

Ms. Karen Thomas, 23 Autumn Lane Cleveland, Ga – she disclosed that she is a local realtor and supported the revisions that will allow realtors to know if a property is eligible to be a short-term rental without going through the lengthy land use process – instead setting criteria and making this an administrative process. She expressed concerns and several questions regarding how the proposed limit of short-term rentals would be administered, with her concern being ultimately if the limit was not administered in a thoughtful manner the properties with host licenses would be sold at a premium which would skew the market.

Ms. Mitchell Johnston, 331 Gold Flume Way Cleveland, Ga – stated she was speaking on behalf of 64 property owners in Adair Mill Subdivision and spoke against removing the requirement for public hearings on short-term rentals. She said her community had been able to defeat two (2) short-term rentals through the public hearing process and the thought of neighbors having to sue other neighbors to stop illegal activity (short-term rentals) was repulsive because stopping illegal activity is the Board's job.

Ms. Eleanor Trinowski, 542 Luther Palmer Road Cleveland, Ga- thanked the Board for their service but stated it is a problem that no one ever runs against the five (5) commissioners in office and the Board is expecting people to go along with the proposal. She stated that the proposal would limit short-term rentals in her area, however it is not okay to ask people to give up their say on whether short-term rentals are allowed in other areas.

Mr. Chris Dorsey, 164 Mill Lane Cleveland, Ga – stated citizens had requested a moratorium in March and for there to be public involvement in coming up with a solution – but this was ignored. While he is not against short-term rentals, he does believe public hearings should continue and citizens' rights should not be violated. He said the county manager had been presented with means to pay for the needed study. He claimed he had emails documenting “back-room” deals, had contacted Barrow County, and had sent the Board an email regarding the Assistant Tax Commissioner in Barrow County being arrested for stealing funds. He stated that he had contacted the GBI earlier in the day and the Board should welcome an investigation if everything is on the up and up.

Mr. Shane Betterton, 347 Antioch Church Road Cleveland, Ga – submitted a letter, cartoon, etc. into the meeting record and spoke against Cleveland being dynamically altered. He questioned if the actions of the Board are part of a bigger plan (Agenda 21, World Economic Forum, 2030 Sustainable Development Goal, Rural Development, Programable Money New World Order, Police State, etc.) and recommended two (2) books people should read.

Ms. Teresa Stansel, 2521 Stansel Road Cleveland, Ga – spoke against the proposed revisions stating that the previous petition for moratorium was ignored and now the proposal would remove the public's ability to have input while transferring power to bureaucrats who take no oath of office. She stated that proposed amendments do not address the adverse secondary effects of short-term rentals on neighbors. (written statement submitted with studies on adverse effects of short-term rentals)

Ms. Debora Palmer, 310 Bonnie Pearl Lane Cleveland, Ga - stated there are already too many short-term rentals in White County, spoke against the grandfathering of properties, encouraged subdivisions to develop covenants that disallow short-term rentals if that is what the property owners want, and encouraged more public participation be allowed on the issue.

Mr. John Mitchell, 762 Yonah Mountain Road Cleveland, Ga – stated that when he and his wife moved onto Yonah in 1998 there were no short-term rentals, however today 15 out of 46 properties in their neighborhood are short-term rentals. He noted that their community was never platted as a subdivision, so it is not denoted as such on the draft map, however a few properties had been platted as subdivisions within their community in the past few years – with one of those utilizing their private road for access. He said that his community does have an active homeowner's association and they do pay dues – however are not recognized as a subdivision on the draft map due to not being platted as a subdivision. He stated there is no way to now get 100% of the property owners to agree to have the properties platted as a subdivision, since several rentals already exist.

Mr. Mal McEwen, 140 Roach Drive Cleveland, Ga – stated he manages long-term rentals and explained what the IRS defines as an “investment property” noting that real estate (other than primary residence) is an investment property and owners should be able to obtain the highest and best use of their property. Spoke in favor of the proposal, although he did see some tweaks needed. He stated that long-term rentals can cause problems as well (i.e., being very junky). He advised that if folks did not like what the Board was doing, they should run against them and give another option.

Mr. Brady Betterton, 1116 Kellum Valley Road Cleveland, Ga – thanked the Board for revisiting the issue of short-term rentals and spoke in support of adoption of the proposed ordinance. He asked that the Board reconsider setting a limit on the number of short-term rentals – which would only serve to limit competition in this area, which is not the job of government since capitalism regulates itself through supply and demand. He asked that constitutional property rights of land owners be considered in this decision.

Mr. Don Cooper, 797 South Fern Cove Road Sautee Nacoochee, Ga – wanted to address the Board developing a remedy to hold those who own short-term rentals and do not pay road maintenance fees accountable.

Mr. Tony Ratchford, 199 Portwood Road Cleveland, Ga – submitted articles regarding the negative effects of short-term rentals which he has seen in other cities. He said the county does not know how many short-term rentals there are and not only those favoring short-term rentals are interested in legal battles – those opposed are as well. He stated there needs to be regulations and restrictions – this cannot be an administrative process. Stated his property taxes had increased from \$1,200.00 to nearly \$4,000.00 in just a few years due to the cabins located one road over and he has to share a green space with all the renters staying at properties with deeded access to the green space and they have to maintain the road.

Mr. Jeff McGrew, 225 Richardson Road Sautee Nacoochee, Ga – stated he and his wife took everything they had to move to White County and invest in a home & property and if he had known the situation with short-term rentals he would not have moved here. He was happy to see so many people show up to speak about the issue.

Mr. Sid King, 1199 Gene Nix Road Cleveland, Ga – reminded the Board of their fiduciary responsibility to do what is best for the community.

Mr. Scott Malinconico, 2870 Panorama Drive Sautee Nacoochee, Ga – spoke about the need to get rid of the grandfather clause and does not have a problem with the proposed cap. He asked for clarification on the process for reporting violations.

Ms. Nita Decker, 464 CH Drive Sautee Nacoochee, Ga – stated she does operate a property management company and suggested the Board review Union County’s ordinance. She said things had really changed since COVID, with more investors now being involved with short-term rentals.

Ms. Trish Betterton, 1810 Kellum Valley Road Cleveland, Ga – she said it is hard for her to believe the proposed changes are being considered and is disappointed that owner rights are being taken away. She said her community (Kellum Valley) is not a subdivision but is a tight knit community, short-term rentals do have negative effects, and she does not want to see her community disrupted.

Mr. Roy Abernathy, 322 Caffus Abernathy Road Cleveland, Ga – advised there are two (2) non-licensed short-term rentals operating on his road.

Mr. Pete Wilson, 137 Waterwood Drive Cleveland, Ga – stated he lives in Chattahoochee Acres where there are three (3) short-term rentals, and the neighborhood was never intended for that purpose. He spoke about the issues they had experienced with short-term rentals. He read language from his deed that indicated he was in a subdivision, although the draft map did not denote that. He said there is not a fire station or fire hydrant nearby and if one of the short-term rentals causes a fire it will be very bad for him and others.

Chairman Turner closed the floor.

Mr. David Murphy, Director of Public Safety, presented bids received for the renovation of Fire Stations 6 (Hwy 129 N) and 4 (Westmoreland Road) to accommodate 24-hour personnel and use. He advised that this was the second time this project had been bid out due to the disparity in the bids. He said this time the lowest bid was \$81,216.74 and the highest was \$182,176.10 – with a total of three (3) bids received. He stated that the lowest two (2) bids did not have worker’s comp insurance coverage as specified in the bid, due to the size of their company and the lowest bidder did not attend the mandatory pre-bid meeting, although he felt he had all the information needed in order to provide the bid. Mr. Murphy stated that he was seeking guidance from the Board of Commissioners on how they wanted to move forward with the bids received under the circumstances. There was discussion regarding the county’s options regarding the worker’s compensation coverage.

Upon a motion made by Commissioner Bryant, seconded by Commissioner Goodger there was a unanimous vote to table the consideration of the proposals received for renovations to Fire Stations 6 (Hwy 129 N) and 4 (Westmoreland Road) to accommodate 24-hour personnel and use – in order to give staff additional time to research the issues at hand.

Ms. Jodi Ligon, Finance Director, presented the monthly Financial Status Report (see attached).

During County Manager Comments, Mr. Pittard advised that he is waiting for an estimate being prepared by Charles Black Construction for the fill-in of the pool area. He also stated that upon review of the proposals submitted, the Board will have some favorable options to consider for the county’s solid waste operations. Chairman Turner directed staff to post Asbestos Road with “no thru for large trucks” signs due to the high volume of large trucks utilizing Asbestos Road based on Google directions, with the county having attempted to correct with Google.

Chairman Turner opened the floor for public comment.

Ms. Claudia Head Bray – stated pros and cons for short-term / long-term rentals, with long-term renters providing more benefits to the community.

Ms. Debora Palmer, 310 Bonnie Pearl Lane Cleveland, Ga – expressed appreciation to the Board and staff for the work they are doing.

Ms. Marla McSwiney – 762 Virgil Hunt Road Cleveland, Ga – expressed her concern on the variance of the bids received for the fire station renovations – cautioning that the low bidder may not be able to complete the job for the amount stated.

Ms. Teresa Stansel, 252 Adair Mill Road Cleveland, Ga – read a prepared statement (submitted to the record) against the proposed short-term rental ordinance revision as well as stated issues with a previous short-term rental / resort project – that she claimed was handled in a negligent way by county staff.

December 4, 2023 – Public Hearing & Regular Meeting Minutes (continued)

Mr. Chris Dorsey, 164 Mill Lane Cleveland, Ga – stated he has been coming before the Commission for about two (2) years and he can see that the Board gets all of their information on county codes from John Sell, and he does not know the codes. He asked why the code had not been rewritten to allow the Code Enforcement Officer to do his job – and to not require an official complaint be filed for the officer to investigate matters. He also stated that he had asked for an audit.

Ms. Jean Davis, 562 Starlight Drive Sautee Nacoochee, Ga – expressed her appreciation to the Board for their support of public safety and praised White County Public Safety for their work.

Mr. Bryan Cohen, owns property off of Hwy 129 in Commissioner Nix’s District – applauded the Board for providing supplemental insurance for firefighters who are out of work due to injury on the job. He said he was one of the bidders who had bid the fire station renovation project, now two (2) times and he advised the Board to look at the bids very closely because the scope of the job changed along the way and if a bidder did not attend those meetings, they would not be able to accurately bid the job. He stated that he is not required to have worker’s compensation insurance, however he does make sure all subcontractors are insured.

Ms. Beth Truelove, spoke on behalf of the Chamber of Commerce and thanked everyone for their support for the Christmas in the Mountains event. She expressed praise for all the different agencies that worked together to make the event successful.

Following announcements and upon a motion made by Commissioner Goodger, seconded by Commissioner Holcomb, there was a unanimous vote to adjourn the meeting.

The minutes of the December 4, 2023 Public Hearing & Regular Meeting were approved as stated this 8th day of January, 2024.

WHITE COUNTY BOARD OF COMMISSIONERS

Travis C. Turner, Chairman

Terry D. Goodger, District 1

Lyn Holcomb, District 2

Edwin Nix, District 3

Craig Bryant, District 4

Shanda Murphy, County Clerk

WHITE COUNTY BOARD OF COMMISSIONERS

MINUTES OF THE CALLED MEETING HELD

MONDAY, DECEMBER 11, 2023 AT 9:00 A.M.

The White County Board of Commissioners held a Called Meeting on Monday, December 11, 2023 at 9:00 a.m. in the Board Room at the Administration Building. Present for the meeting were: Chairman Travis Turner, Commissioner Terry Goodger, Commissioner Lyn Holcomb, Commissioner Edwin Nix, Commissioner Craig Bryant, County Manager Billy Pittard, Finance Director Jodi Ligon, and County Clerk Shanda Murphy.

Chairman Turner called the meeting to order.

Mr. John Sell, Director of Community & Economic Development, presented the land use application filed by Jonathan Curelar to request a conditional use permit at 7682 Highway 75 Alternate Helen, Georgia 30545. Tax map and parcel 042B-101. Total acreage is 1.04. The proposed use was to place in a short-term rental program and the present zoning is R-1 Residential Single-Family District. He stated the Planning Commission held a public hearing on the application and recommended the application be approved. He advised that the property is not located in a subdivision and Cabin Rentals of Helen would be managing the property. Mr. Curelar stated that his family would be utilizing the property and operating as a short-term rental when they are not using the property.

Upon a motion made by Commissioner Bryant, seconded by Commissioner Goodger there was a unanimous vote to approve the land use application filed by Jonathan Curelar for a conditional use permit at 7682 Highway 75 Alternate Helen, Georgia 30545. Tax map and parcel 042B-101. Total acreage is 1.04. The approved use is to place in a short-term rental program and the present zoning is R-1 Residential Single-Family District.

Mr. Sell presented the land use application filed by Ella McCusker to request a conditional use permit at 223 The Pines Road Cleveland, Georgia 30528. Tax map and parcel 050-006. Total acreage is 4.73. The proposed use is to place in a short-term rental program and the present zoning is R-1 Residential Single-Family District. He stated the Planning Commission held a public hearing on the application and recommended the application be approved. He advised that the property is not located in a subdivision and was platted as an outparcel to The Pines subdivision. Ms. McCusker spoke about the characteristics of the subdivision and noted several undesirable properties guests will have to pass going to the short-term rental. She also assured the Board that there would be no parking on the street, as there is plenty of parking on her property.

Upon a motion made by Commissioner Holcomb, seconded by Commissioner Goodger there was a vote to approve the land use application filed by Ella McCusker for a conditional use permit at 223 The Pines Road Cleveland, Georgia 30528. Tax map and parcel 050-006. Total acreage is 4.73. The approved use is to place in a short-term rental program. The present zoning is R-1 Residential Single-Family District. Commissioner Bryant and Chairman Turner voted in favor of the motion. Commissioner Nix opposed the motion. The motion to approve passed by a 4-1 vote.

Mr. Sell presented the land use application filed by James Hatcher, on behalf of Edward Hatcher, to request a conditional use permit at 99 Windy Acres Road Cleveland, Georgia 30528. Tax map and parcel 045B-023. Total acreage is 2.34. The proposed use is to place in short-term rental program and the present zoning is R-1, Residential Single-Family District. Chairman Turner stated that he would be abstaining from voting on this item because his daughter resides near this property. Mr. Sell stated the Planning Commission held a public hearing on the application and recommended the application be approved. He advised that the property is in The View subdivision and Mr. Hatcher owns four of the five lots in that subdivision and he will be renting this as one unit.

Mr. Hatcher said this property was one of the first short-term rentals in White County years ago and that he did not plan to operate as a short-term rental right away, however wanted to preserve his right to do so in the future.

Upon a motion made by Commissioner Goodger, seconded by Commissioner Holcomb there was a vote to approve the land use application filed by James Hatcher, on behalf of Edward Hatcher, for a conditional use permit at 99 Windy Acres Road Cleveland, Georgia 30528. Tax map and parcel 045B-023. Total acreage is 2.34. The approved use is to place in a short-term rental program and the present zoning is R-1 Residential Single-Family District. Commissioner Nix and Commissioner Bryant voted in favor of the motion. Chairman Turner abstained. The motion to approve passed by a 4-0 vote.

Mr. Sell presented the land use application filed by Theresa Wilson to request a conditional use permit at 729 Monroe Ridge Road Sautee Nacoochee, Georgia 30571. Tax map and parcel 069-570. Total acreage is 1.06. The proposed use is to place in a short-term rental program and the present zoning is R-1 Residential Single-Family District. He stated the property is located in the High Crest Summitt Subdivision and the covenants do allow short-term rentals. The Planning Commission held a public hearing on the application and made a recommendation to approve the application. Ms. Sherry McCollum represented the application and said she would be managing the property. Commissioner Nix said that he wanted staff to verify that lodging taxes had been paid for the previous time rented.

Upon a motion made by Commissioner Nix, seconded by Commissioner Holcomb there was a vote to approve the land use application filed by Theresa Wilson for a conditional use permit at 729 Monroe Ridge Road Sautee Nacoochee, Georgia 30571. Tax map and parcel 069-570. Total acreage is 1.06. The approved use is to place in a short-term rental program and the present zoning is R-1 Residential Single-Family District. Commissioner Goodger and Chairman Turner voted in favor of the motion. Commissioner Bryant opposed the motion. The motion to approve passed by a 4-1 vote.

Mr. Sell presented the land use application filed by Charles Carlino and Anna Bonet-Carlino to request a conditional use permit at 235 Clarice Lane Sautee Nacoochee, Georgia 30571. Tax map and parcel 069-609. Total acreage is 1.00. The proposed use is to place in a short-term rental program and the present zoning is R-1 Residential Single-Family District. He stated the Planning Commission held a public hearing on the application and made a recommendation to approve the application. The property is located in the High Crest Summit subdivision, where covenants allow short-term rentals. Mr. Carlino said he is finishing up construction on the property and will be using a local management company.

Upon a motion made by Commissioner Bryant, seconded by Commissioner Nix there was a unanimous vote to approve the land use application filed by Charles Carlino and Anna Bonet-Carlino for a conditional use permit at 235 Clarice Lane Sautee Nacoochee, Georgia 30571. Tax map and parcel 069-609. Total acreage is 1.00. The approved use is to place in a short-term rental program and the present zoning is R-1 Residential Single-Family District.

Mr. Sell presented the land use application filed by Charles Carlino and Anna Bonet-Carlino to request a conditional use permit at 303 Clarice Lane Sautee Nacoochee, Georgia 30571. Tax map and parcel 069-611. Total acreage is 1.02. The proposed use is to place in a short-term rental program and the present zoning is R-1 Residential Single-Family District. He stated the Planning Commission held a public hearing on the application and made a recommendation to approve the application. The property is located in the High Crest Summit subdivision, where covenants allow short-term rentals. Mr. Carlino said he is finishing up construction on the property and will be using a local management company.

Upon a motion made by Commissioner Bryant seconded by Commissioner Nix there was a unanimous vote to approve the land use application filed by Charles Carlino and Anna Bonet-Carlino for a conditional use permit at 303 Clarice Lane Sautee Nacoochee, Georgia 30571. Tax map and parcel 069-611. Total acreage is 1.02. The approved use is to place in a short-term rental program and the present zoning is R-1 Residential Single-Family District.

Mr. Sell presented the land use application filed by Mary Ellen Rand to request a conditional use permit at 2400 Lynch Mountain Road Sautee Nacoochee, Georgia 30571. Tax map and parcel 083-008A. Total acreage is 24.667. The proposed use is to place in a short-term rental program and the present zoning is A-1 Agricultural Forestry District. He stated the Planning Commission held a public hearing on the application and recommended approval of the application. He said the property is not located in a subdivision and the family owns the surrounding property. Mr. Erick Seleene represented the application and stated that the property had been operated as a short-term rental for about two years with no issues at all. He said he would be managing the property and reservations would be made through VRBO.

Upon a motion made by Commissioner Goodger, seconded by Commissioner Holcomb there was a vote to approve the land use application filed by Mary Ellen Rand for a conditional use permit at 2400 Lynch Mountain Road Sautee Nacoochee, Georgia 30571. Tax map and parcel 083-008A. Total acreage is 24.667. The approved use is to place in a short-term rental program and the present zoning is A-1 Agricultural Forestry District – pending verification that past lodging taxes have been remitted. Commissioner Nix and Chairman Turner voted in favor of the motion. Commissioner Bryant opposed the motion. The motion to approve passed by a 4-1 vote.

Mr. Sell presented the land use application filed by The Rental-Mart LLC (Dana and David Mullins) to request a conditional use permit at 7680 Highway 75 Alternate Helen, Georgia, 30545. Tax map and parcel 042A-032A. Total acreage is 1.44. The proposed use is to place in short-term rental program and the present zoning is R-1, Residential Single-Family District. He stated the Planning Commission held a public hearing on the application and recommended approval of the application. He said the property is not located in a subdivision, neighboring properties are short-term rentals, and the property would be self-managed. Mr. Mullins said she had been operating the property as a short-term rental since 2020 and was not aware of the county's requirements until recently, although she said she does have high ratings online. She also advised that Adrian Locklear will be the local contact person.

Upon a motion made by Commissioner Holcomb, seconded by Commissioner Nix there was a vote to approve land use application filed by The Rental-Mart LLC (Dana and David Mullins) for a conditional use permit at 7680 Highway 75 Alternate Helen, Georgia, 30545. Tax map and parcel 042A-032A. Total acreage is 1.44. The approved use being to place in short-term rental program and present zoning is R-1 Residential Single-Family District - pending verification that past lodging taxes had been collected. Commissioner Goodger and Chairman Turner voted in favor of the motion. Commissioner Bryant opposed the motion. The motion to approve passed by a 4-1 vote.

Mr. Sell presented the land use application filed by KAI WO LLC (Xin Lin) to request a conditional use permit at 585 Caldwell Drive Cleveland, Georgia 30528. Tax map and parcel 049-093. Total acreage is 22.93. The proposed use is to place in a short-term rental program and the present zoning is A-1, Agricultural Forestry District. He advised the Planning Commission held a public hearing on the application, there was opposition to the application, and the Planning Commission recommended denial of the application. He said the property is located in the Ollie Dorsey Estate Subdivision, there are no covenants, and Ms. Lin had obtained letters of

support from over 50% of the property owners, she had been renting since 12/2022, she does have a local contact, and she was willing to contribute \$500.00 per year for road maintenance – but did not know who to pay. Mr. Sell stated that one of the property owners asked to rescind their letter at the public hearing, however the letters were required in the initial application phase and not at the time of the public hearing. Ms. Lin confirmed the information submitted.

Upon a motion made by Commissioner Holcomb, seconded by Commissioner Nix there was a unanimous vote to deny the land use application filed by KAI WO LLC (Xin Lin) to request a conditional use permit at 585 Caldwell Drive Cleveland, Georgia 30528. Tax map and parcel 049-093. Total acreage is 22.93. The proposed use was to place in a short-term rental program and the present zoning is A-1 Agricultural Forestry District. Commissioner Holcomb stated the reason for the motion to deny was the issue with the one letter being rescinded and this being on a private road.

Mr. Sell presented the land use application filed by Johnny and Charli Fain to redistrict property located at 44 Twilight Dell Road Sautee Nacoochee, Georgia 30571 from C-1 Community Commercial District to R-3 Residential Seasonal District. Tax map and parcel 055-030. Total acreage is 0.86. The proposed use is to place in short-term rental program and the present zoning is C-1 Community Commercial District. Mr. Sell stated the property is located in Tanglewood, which was developed as a rental cabin development many years ago. He said there are many other short-term rentals surrounding this property and the owners had been operating this as a short-term rental for 8 to 10 years. The Planning Commission held a public hearing on the application and recommended approval of the application. Ms. Fain confirmed the information presented and said she rents through VRBO, and self manages the property.

Upon a motion made by Commissioner Nix, seconded by Commissioner Goodger there was a unanimous vote to approve the land use application filed by Johnny and Charli Fain to redistrict property located at 44 Twilight Dell Road Sautee Nacoochee, Georgia 30571 from C-1 Community Commercial District to R-3 Residential Seasonal District. Tax map and parcel 055-030. Total acreage is 0.86. The approved use is to place in short-term rental program with rezoning to R-3, Residential Seasonal District.

Mr. Derick Canupp, Assistant County Manager & Public Works Director, presented proposals received for roll-off containers and a compactor for the Transfer Station & Convenience Center, which would be needed due to the county taking over operations of the Transfer Station from Waste Management effective January 1, 2024. He stated the low bidder was Fleet Genius and recommended the approval of a contract for the purchase of five (5) roll-off containers / compactor in the amount of \$49,391.00 to be funded through the Solid Waste Fund.

Upon a motion made by Commissioner Nix, seconded by Commissioner Goodger there was a unanimous vote to approve the purchase of five (5) roll-off containers / compactor from Fleet Genius in the amount of \$49,391.00 to be funded with Solid Waste Funds.

Mr. Canupp presented the proposals received for the contracted services related to the operation of the Transfer Station beginning January 1, 2024. The service contracts to be awarded were: (1) Pushing & Loading, (2) Tractor Trailer Hauling, (3) Roll-Off Hauling, and (4) Landfill Disposal. Mr. Canupp presented the low bid received for each contract. He stated that the county would be operating the scale house, and this set up would save the county & citizens money, as well as give the county more control over the operations, which would improve the facility and the level of service provided.

December 11, 2023 – Called Meeting Minutes (continued)

Upon a motion made by Commissioner Holcomb, seconded by Commissioner Nix there was a unanimous vote to award the following contracts for service for the Transfer Station Operations beginning January 1, 2024:

- (1) Pushing & Loading – Mark Robinson Hauling \$5,825.00 per week,
- (2) Tractor Trailer Hauling – GFL \$20.70 / ton,
- (3) Roll-Off Hauling – Green Waves \$295 Compactors, \$295 Recycle Containers, \$50 20 CY Containers and
- (4) Landfill Disposal – GFL \$21.50 / ton.

Ms. Shanda Murphy presented the 2024 Worker’s Compensation Insurance Renewal from ACCG-GSIWCF. She stated the renewal cost was \$243,019.00 – a 7.08% decrease from 2023.

Upon a motion made by Commissioner Goodger, seconded by Commissioner Bryant there was a unanimous vote to approve the 2024 Worker’s Compensation Insurance Renewal from ACCG-GSIWCF at the cost of \$243,019.00.

Upon a motion made by Commissioner Holcomb, seconded by Commissioner Goodger there was a unanimous vote to adjourn the meeting.

The minutes of the December 11, 2023 Called Meeting were approved as stated this 8th day of January, 2024.

WHITE COUNTY BOARD OF COMMISSIONERS

Travis C. Turner, Chairman

Terry D. Goodger, District 1

Lyn Holcomb, District 2

Edwin Nix, District 3

Craig Bryant, District 4

Shanda Murphy, County Clerk

WHITE COUNTY BOARD OF COMMISSIONERS

MINUTES OF THE CALLED MEETING HELD

THURSDAY, DECEMBER 14, 2023 AT 9:00 A.M.

The White County Board of Commissioners held a Called Meeting on Thursday, December 14, 2023 at 9:00 a.m. in the Board Room at the Administration Building. Present for the meeting were: Chairman Travis Turner, Commissioner Terry Goodger, Commissioner Lyn Holcomb, Commissioner Edwin Nix, Commissioner Craig Bryant, County Manager Billy Pittard, Finance Director Jodi Ligon, and County Clerk Shanda Murphy.

Chairman Turner called the meeting to order and read the following statement:

“NOTE: In reference to land use agenda items #2 - #8 – Georgia Zoning Procedures Law (O.C.G.A. 36-66-1, et seq.) requires a public hearing be advertised and held prior to any proposed zoning decision with a minimum of 10 minutes (per side) for both proponents and opponents to present data, evidence, and opinion. This requirement was met for the following items at the public hearing held at the Planning Commission Meeting on November 28, 2023. All information presented was then forwarded to the Board of Commissioners”.

Mr. John Sell, Director of Community & Economic Development, presented the land use application filed by SBC Properties LLC (Shawn Hammond) to request a conditional use permit at 83 Elrod Road Helen, Georgia. Tax map and parcel 042B-088. Total acreage is ± 1.260 . The proposed use was to place in a short-term rental program. The present zoning was R-1, Residential Single-Family District. He stated the Planning Commission held a public hearing on the application and recommended approval of the application. He advised the property is not located in a subdivision, had been operated as a short-term rental for about 10 years, and there was no opposition to the application at the public hearing. Ms. Hammond said this was her childhood home and being able to operate the short-term rental assured her that she could keep the property. She said she had security cameras and had never had any issues there. Commissioner Bryant stated that he was aware there had been issues with guests blocking the church’s driveway. Ms. Hammond stated that no one had ever mentioned that to her, but she would make sure it did not happen again.

Upon a motion made by Commissioner Bryant, seconded by Commissioner Goodger there was a unanimous vote to approve the land use application filed by SBC Properties LLC (Shawn Hammond) for a conditional use permit at 83 Elrod Road Helen, Georgia 30545. Tax map and parcel 042B-088. Total acreage is ± 1.260 . The approved use is to place in a short-term rental program. The present zoning is R-1, Residential Single-Family District.

Mr. Sell presented the land use application filed by Quentin Carr, on behalf of Neal and Sally Berry, to request a conditional use permit at 176 Laurel Ridge Road Cleveland, Georgia 30528. Tax map and parcel 073C-067C. Total acreage is 2.50. The proposed use was to place in short-term rental program. The present zoning was R-1, Residential Single-Family District. He said the Planning Commission held a public hearing on the application and recommended approval of the application. He explained this was located in an eight (8) lot subdivision and the property owner had obtained the required signatures. He had been operating the property as a short-term rental for about two (2) years and had self-managed the property. He did note that the subdivision was accessed by Laurel Ridge Road and there are several other short-term rentals in the immediate vicinity. Mr. Quentin Carr said that language in the property deed stated that one (1) rental cabin per lot was allowed. Commissioner Bryant spoke about the commercial nature of a short-term rental in the subdivision / residential area and Mr. Carr stated that if the generation of revenue was the only thing that Commissioner Bryant thought made the short-term rental a commercial endeavor – that reasoning would also apply to long-term rentals thereby making both long and short-term rentals commercial.

Upon a motion made by Commissioner Goodger, seconded by Commissioner Nix there was a vote to approve the land use application filed by Quentin Carr, on behalf of Neal and Sally Berry, for a conditional use permit at 176

Laurel Ridge Road Cleveland, Georgia 30528. Tax map and parcel 073C-067C. Total acreage is 2.50. The approved use is to place in a short-term rental program. The present zoning is R-1, Residential Single-Family District. Commissioner Holcomb and Chairman Turner voted in favor of the motion. Commissioner Bryant opposed the motion. The motion to approve passed by a 4-1 vote.

Mr. Sell presented the land use application filed Jennifer Whaley to request a conditional use permit at 233 Ralph Vandiver Road Sautee Nacoochee, Georgia 30571. Tax map and parcel 055-085. Total acreage is 8.30. The proposed use is to place in short-term rental program. The present zoning is R-1, Residential Single-Family District. He said the Planning Commission held a public hearing on the application and recommended approval of the application. He stated that the property was not located in a subdivision, the owners had been renting on a short-term basis for about one (1) year, and all the neighboring properties are also short-term rentals. Mr. Whaley said they had done extensive renovations and the property served as a second home for the family, however with the amount of money they put into the renovations they needed to operate as a short-term rental when they were not utilizing. He said they self-manage the property and utilize VRBO.

Upon a motion made by Commissioner Bryant, seconded by Commissioner Holcomb there was a unanimous vote to approve the land use application filed Jennifer Whaley for a conditional use permit at 233 Ralph Vandiver Road Sautee Nacoochee, Georgia 30571. Tax map and parcel 055-085. Total acreage is 8.30. The approved use is to place in a short-term rental program. The present zoning is R-1, Residential Single-Family District.

Mr. Sell presented the land use application filed by Steven and Kathy Schmidt, on behalf of Ukani Group Inc., to request to redistrict property located at 43 Thornblade Trail Cleveland, Georgia 30528 from C-1 Community Commercial District to R-1, Residential Single-Family District and for a conditional use permit. Tax map and parcel 017-094B. Total acreage is 1.33. The proposed use is to place in short-term rental program. The present zoning is C-1, Community Commercial District. He said the Planning Commission held a public hearing on the application and recommended approval of the application. He stated that the property was platted as an out-parcel to the Thornblade subdivision and was accessed through the Cottage Winery, which the Schmidt's also own. He noted that the Planning Commission did condition the recommendation for approval on the property being re-addressed based on the access through the winery and not by Thornblade Trail. Ms. Schmidt said she self-manages the property and interviews guests prior to confirming reservations.

Upon a motion made by Commissioner Nix, seconded by Commissioner Holcomb there was a unanimous vote to approve the land use application filed by Steven and Kathy Schmidt, on behalf of Ukani Group Inc., to redistrict property located at 43 Thornblade Trail Cleveland, Georgia 30528 from C-1 Community Commercial District to R-1, Residential Single-Family District and for a conditional use permit. Tax map and parcel 017-094B. Total acreage is 1.33. The approved use is to place in a short-term rental program - with the approval conditioned upon the readdressing of the property based on access through Cottage Winery.

Mr. Sell presented the land use application filed by Jeremy and Nora Warner to request a conditional use permit at 0 Deer Trail Cleveland, Georgia 30528. Tax map and parcel 022-024. Total acreage is 1.85. The proposed use is to place in short-term rental program. The present zoning is R-1, Residential Single-Family District. He stated the Planning Commission held a public hearing on the application and made a recommendation to deny the application based on it not conforming to the character of the neighborhood. He advised that the property is part of the William Jess subdivision and Mr. Warner had obtained signatures of support from 19 of the 35 property owners. Mr. Sell informed that the property is located next door to Mr. Warner's home and his occupancy rate was about 13%. Mr. Quentin Carr represented the application and stated that Mr. Warner owns 6.84 acres where his home and the cabin are located, he had self-managed the property as a short-term rental for about two (2) years, the subdivision was made up of large tracts of land off a county-maintained road, and the covenants were recorded in 1983. Commissioner Nix stated that he had concerns about Mr. Warner having an attorney represent his application. Mr. Carr stated that the previous public hearing with the Planning Commission had gotten very

heated with neighbors and the Warner's thought it was best to have a neutral party present the information at this point.

Upon a motion made by Commissioner Goodger, seconded by Commissioner Nix there was a vote to approve the land use application filed by Jeremy and Nora Warner for a conditional use permit at 0 Deer Trail Cleveland, Georgia 30528. Tax map and parcel 022-024. Total acreage is 1.85. The approved use is to place in a short-term rental program. The present zoning is R-1, Residential Single-Family District. Commissioner Bryant and Chairman Turner voted in favor of the motion. Commissioner Holcomb opposed the motion. The motion to approve passed by a 4-1 vote.

Mr. Sell presented the land use application filed by Mike and Heather Shramek to request a conditional use permit at 2734 Town Creek Road Cleveland, Georgia 30528. Tax map and parcel 020-095A. Total acreage is 2.70. The proposed use is to place in short-term rental program. The present zoning is R-1, Residential Single-Family District. He advised the Planning Commission held a public hearing on the application and recommended approval of the application. He stated that the property is located in a subdivision, however, is accessed directly from Town Creek Road and the property owner had obtained the required number of signatures of support. Mr. Shramek said that they currently reside at this residence, however they are looking to move and operate this property as a short-term rental for supplemental income. He said there is still a lot of work to do to get the property ready to rent, however he wanted to go ahead and secure his approval for the short-term rental.

Upon a motion made by Commissioner Nix, seconded by Commissioner Holcomb there was a unanimous vote to approve the land use application filed by Mike and Heather Shramek for a conditional use permit at 2734 Town Creek Road Cleveland, Georgia 30528. Tax map and parcel 020-095A. Total acreage is 2.70. The approved use is to place in a short-term rental program. The present zoning is R-1, Residential Single-Family District.

Upon a motion made by Commissioner Bryant, seconded by Commissioner Holcomb there was a unanimous vote to table the land use application filed by Colin Morris to request a conditional use permit at 538 Highway 356 Helen, Georgia 30545. Tax map and parcel 042B-045. Total acreage is 10.523. The proposed use is to place in short-term rental program. The present zoning is R-1, Residential Single-Family District – due to a representative for the application not being in attendance.

Upon a motion made by Commissioner Nix, seconded by Commissioner Goodger there was a unanimous vote to rebid the renovation project for Fire Stations 6 (Hwy 129 N) & 4 (Westmoreland Road) to accommodate 24-hour personnel and use.

Ms. Kimberly McEntire, Director of Parks & Recreation, presented the bids received for construction of concrete pads for batting cages at Yonah Preserve Ballfield Complex. She recommended the project be awarded to the low bidder HEC Construction in the amount of \$21,154.00.

Upon a motion made by Commissioner Holcomb, seconded by Commissioner Bryant there was a unanimous vote to award the contract for construction of concrete pads for batting cages at Yonah Preserve Ballfield Complex to HEC Construction in the amount of \$21,154.00 – to be funded through SPLOST.

Upon a motion made by Commissioner Goodger, seconded by Commissioner Nix there was a unanimous vote to appoint Kimberly Parham to the White County Department of Family & Children's Services Board in order to fulfill the remainder of a five (5) year term expiring June 30, 2028.

Upon a motion made by Commissioner Holcomb, seconded by Commissioner Nix, there was a unanimous vote to enter into Executive Session in order to discuss matters of litigation.

-See The Following Closed Meeting Affidavit-

Upon a motion made by Commissioner _____, seconded by Commissioner _____ there was a unanimous vote to exit Executive Session.

Upon a motion made by Commissioner _____, seconded by Commissioner _____ there was a unanimous vote to adjourn the meeting.

The minutes of the December 14, 2023 Called Meeting were approved as stated this 8th day of January, 2024.

WHITE COUNTY BOARD OF COMMISSIONERS

Travis C. Turner, Chairman

Terry D. Goodger, District 1

Lyn Holcomb, District 2

Edwin Nix, District 3

Craig Bryant, District 4

Shanda Murphy, County Clerk



WHITE COUNTY

Board of Commissioners

Item Title: Conditional Use Permit for Short Term Rental for Colin Morris, 538 Hwy. 356, Helen

For Meeting Date: 12/14/2023 - **01/08/2024**

Work Session **Regular Meeting** **Public Hearing**

Category (Select One): Land Use Application

Submitted By: John Sell

Attachments: Yes **If yes, please list each file name below:**

1. 20370
2. Public Hearing Minutes 11/28/2023
3. Regular Meeting Minutes 12/4/2023

Purpose:

Consider the application of Colin Morris to request a conditional use permit located at 538 Highway 356, Helen, Georgia, 30545. Tax map and parcel 042B-045. Total acreage is 10.523. Proposed use is to place in “Short Term Rental” program. Present zoning is R-1 Residential Single Family.

Background / Summary:

- Applicant is requesting a conditional use permit for short-term rental. The short-term rental is not part of a subdivision. Mr. Morris explained the STR would have a maximum occupancy of 6-8 people with plenty of parking at 10 acres. He just finished building the house in August as a retirement house but would like to rent it short-term until then. His wife will self-manage the property. The Planning Commission recommended approval and the motion passed by unanimous vote.

Department Recommendation:

Planning Commission recommended approval by unanimous vote.

Options:

- Uphold Planning Commission recommendation and approve the application
- Reverse Planning Commission recommendation and deny the application.
- Table the application for further review or to send back to Planning Commission

Budget Information: Applicable Not Applicable

Budgeted: Yes No

Finance Director's Comments (if applicable):

-

County Manager Comments:

-

WHITE COUNTY CHANGE OF LAND USE DISTRICT APPLICATION

OFFICE USE ONLY	Land Use Application #: <u>20370</u>
Public Hearing Date: <u>11/28/2023</u>	Commission District: <u>4</u>
Fees Assessed: <u>250</u>	Paid via: <input type="checkbox"/> cash <input type="checkbox"/> credit card <input checked="" type="checkbox"/> check# <u>221</u>

APPLICANT INFORMATION	
Status: <input checked="" type="checkbox"/> Owner <input type="checkbox"/> Authorized Agent <input type="checkbox"/> Lessee <input type="checkbox"/> Option to Purchase	
Printed Name(s): <u>Colin Morris</u>	<u>200 Stewart Drive - Alt. GA. 30342</u>
Address: <u>538 Hwy 356 Helen, GA 30545</u>	
Phone Number: [REDACTED]	Alternate Contact Number: [REDACTED]
Email: [REDACTED]	

Owner Information (if different from Applicant/Agent):	
Name:	Phone #:

PROPERTY INFORMATION	
Parcel ID: <u>042B-045</u>	Total acreage being changed: <u>10.52</u>
Address: <u>538 Hwy 356 Helen GA. 30545</u>	
Directions to Property: <u>Take Helen Hwy North (75) - go through Helen - take a right on Hwy 356 - go 1/4 mile and property is on Rt - gravel Drive / Creek - Blue gate</u>	

Current Use/Zoning of Property: <u>R1</u>	Type of Road Surface: <u>gravel</u>
Any prior redistricting requests for property: <input type="checkbox"/> If yes, provide redistricting application #: _____	

SURROUNDING PROPERTY LAND USE CLASSIFICATION:			
North: <u>R1-A1</u>	South: <u>R1</u>	East: <u>A1</u>	West: <u>R1-C1</u>

REQUESTED ACTION AND DETAILS OF PROPOSED USE (check all that apply)	
<input type="checkbox"/> Redistrict from district:	Redistrict to district:
<input checked="" type="checkbox"/> Conditional Use - specify: <u>Short Term Rental</u>	
<input type="checkbox"/> Special Use - specify:	
<input type="checkbox"/> Land Use Variance from Code Section:	

Proposed use if not listed above:	
Is this property part of a subdivision? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	If so, please list number of lots:
Are there covenants? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Is there an active homeowner's association? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Subdivision Name (if applicable):	

Existing Utilities (check all that apply):
 County or City Water Well Septic Gas Electric Broadband

Proposed Utilities (check all that apply):
 County or City Water Well Septic Gas Electric Broadband

COMMERCIAL AND INDUSTRIAL REDISTRICT INFORMATION

Building Area: _____ No. of Parking Spaces: _____

RESIDENTIAL REDISTRICT INFORMATION

No. of Lots: _____ Minimum Lot Size in acres: _____ No. of Units: _____

Minimum Heated Floor Area (ft²): _____ Density/Acre: _____

Is an Amenity area proposed (specify if yes)?
 Apartments Condominiums Townhomes Single Family
 Rental Cabins Recreational Vehicle Park Other- Specify: _____

LIST OF ADJACENT PROPERTY OWNERS

It is the responsibility of the Applicant to provide a list of adjacent property owners that has property bordering your property or who has property directly across the street from your property (additional sheet may be included, if necessary).

PARCEL	PROPERTY OWNER NAME	MAILING ADDRESS
¹ 042B-046	Joey Am Phillips Lewis	428 Hwy 356 - Helen 30545
² 042B-039	William P Ward SR.	457 Hwy 356 - Helen - 30545
³ 042B-040	Key GA. Properties LLC	567 Hwy 356 - Helen 30545
⁴ 042B-044	Jerry Lee Fortenberry	576 HWY 356 - Helen 30545
⁵ 042B-043	Robert Ferrill SR.	620 Hwy 356 - Helen 30545
⁶ 041-043	State of GA.	not provided
⁷ 042B-111A	North GA. MTW. Comm.	not provided

APPLICANT CERTIFICATION

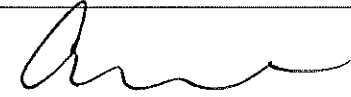
I hereby request the action contained within this application relative to the property shown on the attached plats and site plan and further request that this item be placed on both the Planning Commission and Board of Commissioners meeting agendas.

I understand that the Planning Department staff may either accept or reject my request upon review. My request will be rejected if all the necessary data is not presented.

I understand that I have the obligation to present all data necessary and required by statute to enable the Planning Commission and Board of Commissioners to make an informed determination on my request. I understand that I may seek legal advice if I am not familiar with the land use requirements and procedures.

I understand that my request will be acted upon at the Planning Commission and Board of Commissioners meetings and that I am required to be present or to be represented by someone able to present all facts and answer all questions. I understand that failure to appear at a meeting shall result in the postponement or denial of my application request. I further understand that it is my responsibility to be aware of relevant meeting dates and times regardless of notification from White County.

I hereby certify that I have read the above and that the above information, as well as the attached information, is true and correct.

Applicant Signature: 

Date: 9-28-23

2023 DEADLINES AND MEETING DATES

Submittal Date Planning Dept. Office 5:00 p.m. Deadline	Planning Commission Public Hearing 1239 Helen Hwy 6:00 p.m.	Planning Commission Regular Session 1239 Helen Hwy 6:00 p.m.	Board of Commissioners Work Session 1235 Helen Hwy 4:30 p.m.
Wednesday, January 4, 2023	Monday, January 30, 2023	Monday, February 6, 2023	Monday, February 27, 2023
Wednesday, February 1, 2023	Monday, February 27, 2023	Monday, March 6, 2023	Monday, March 27, 2023
Wednesday, March 1, 2023	Monday, March 27, 2023	Monday, April 3, 2023	Monday, April 24, 2023
Wednesday, March 29, 2023	Monday, April 24, 2023	Monday, May 1, 2023	TBA
Wednesday, May 3, 2023	TBA	Monday, June 5, 2023	Monday, June 26, 2023
Wednesday, May 31, 2023	Monday, June 26, 2023	Monday, July 3, 2023	Monday, July 31, 2023
Wednesday, June 14, 2023 *	Monday, July 31, 2023	Monday, August 7, 2023	Monday, August 28, 2023
Wednesday, July 12, 2023	Monday, August 28, 2023	TBA	Monday, September 25, 2023
Wednesday, August 9, 2023	Monday, September 25, 2023	Monday, October 2, 2023	Monday, October 30, 2023
Wednesday, September 13, 2023	Monday, October 30, 2023	Monday, November 6, 2023	Monday, November 27, 2023
Wednesday, October 11, 2023	Monday, November 27, 2023	Monday, December 4, 2023	TBA
Wednesday, November 8, 2023	TBA	TBA	Monday, January 29, 2024
Wednesday, December 13, 2023	Monday, January 29, 2024	Monday, February 5, 2024	Monday, February 26, 2024

*NEW DEADLINE DATES EFFECTIVE IN ORDER TO MEET ZPL UPDATES AS OF JULY 2023

NOTICE OF AGRICULTURAL DISTRICT ADJACENCY

Future abutting developers in non-agricultural land use districts shall be provided with this "Notice of Agricultural Adjacency" prior to administrative action on either land use district, the issuance of a building or occupancy permit or approval of a subdivision of property. Prior to administrative action, the applicant shall be required to sign this wavier which indicates that the applicant understands that a use is ongoing, adjacent to his/her use, which can produce odors, noise, dust and other effects which may not be compatible with the applicant's development. Nevertheless, understanding the effects of the adjacent Agricultural District uses, the applicant agrees by executing this form to waive any objection to those effects and understands that his/her district change and/or permits or other approvals are issued and processed in reliance on his agreement not to bring any action asserting that the adjacent uses in the Agricultural District constitute a nuisance against the local government and adjoining land owners whose property is located in an Agricultural District. This wavier shall be provided and made applicable for subsequent purchasers and owners or heirs of his/her property. This notice and acknowledgement shall be public record.

Applicant Signature: 

Date: 9-28-23

**DISCLOSURE OF CAMPAIGN CONTRIBUTIONS
(APPLICANTS AND REPRESENTATIVE(S) OF REQUESTED ACTION)**

Pursuant to O.C.G.A. Section 36-67 A-3.A, the disclosure of any campaign contributions aggregating \$250.00 or more to a local government official who will consider an application for re-classification or for a conditional use or special use permit is mandatory when an application or any representation of application for re-classification of district or for conditional use or special use permit has been made within two (2) years immediately preceding the filing of a request for reclassification or conditional use or special use permit by the same applicant and/or representative of said applicant. It shall be the duty of the applicant and/or any representatives of the applicant to file a disclosure with the governing authority of the respective local government to show the following:

Name of local official(s) to whom campaign contribution was made:

The dollar amount and description of each campaign contribution made by the applicant to the local government official during the two (2) years immediately preceding the filing of this application for action for district re-classification, conditional use or special use permit.

Amount \$:

Date:

Enumeration and description of each gift (when the total value of all gifts is \$250.00 or more) made to the local government official during the two (2) years immediately preceding the filing of this application. **Please attach additional sheets if needed.**

Check box if no contributions made

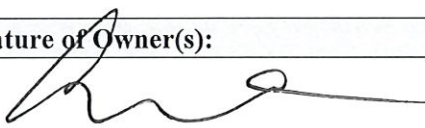
Applicant Signature: 

Date: 9-28-23

PROPERTY OWNER AUTHORIZATION

To be completed by the property owner to certify ownership of subject property and to provide authorization for other person(s) to represent the owner on their behalf.

I/WE (print), Colin Morris,
hereby swear that I/we own the property for which this land use change application is being made.

Property Address and/or Parcel ID: <u>538 Hwy 356</u> <u>30545</u>	
PROPERTY OWNER INFORMATION	
Printed Name of Owner(s): <u>Colin Morris</u> <u>Carmen</u>	
Mailing Address: <u>200 Stewart Drive</u> <u>Atlanta GA</u> <u>30342</u>	
Phone Number:	[REDACTED]
Alternate Contact Number:	[REDACTED]
Email:	[REDACTED]
I/we hereby authorize the person named below to act as the applicant or agent in the pursuit of the requested action on this property. I/we understand that any action granted and/or conditions or stipulations placed on the property will be binding upon the property regardless of ownership. The person named below is authorized to make this application. The person named below is aware that no application or re-application affecting the same land shall be acted upon within six (6) months from the date of the last action by the White County Board of Commissioners.	
Printed Name of applicant or agent(s):	<u>Colin Morris</u> <u>Carmen Morris</u>
Signature of Owner(s):	Date Signed: <u>10-2</u>
	

PROPERTY OWNER AUTHORIZATION DOCUMENT: NOTARY ACKNOWLEDGEMENT

Sworn to (or affirmed) and subscribed before me this 2 day of October, 2023 by Colin Morris (name of signer(s)). The named signer(s) is/are personally known by me or produced the identification type of DL.

{Seal}

Mercedes Dodd

(Signature of Notary)

**Mercedes Dodd
NOTARY PUBLIC**

(Name of Notary Typed, Stamped, or Printed)

**White County, GEORGIA
My Commission Expires 06/02/2026**

SHORT TERM RENTAL CERTIFICATIONS

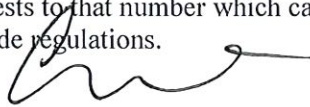
To be completed and notarized for any application where the proposed use is short term rental.

I/WE (print), Colin Morris,
hereby swear that I/we own/will own the property referenced below for which this land use change application is being made.

*Property Address and/or Parcel ID: 538 Hwy 356 30545


PROPERTY OWNER AUTHORIZATION ACKNOWLEDGEMENT OF GUESTS

I acknowledge to keep the total number of guests to that number which can safely stay in the premises and may be subject to the State of Georgia's fire safety code regulations.

Signature of Owner/Future Owner(s): 


PROPERTY OWNER AUTHORIZATION CERTIFIED BY OWNER OR THIRD PARTY INSPECTOR

I attest by owner or third party inspector that short term rentals meet applicable International Building Code, International Fire Code regulations and NFPA 101 Life Safety codes.

Signature of Owner/Future Owner(s): 


PROPERTY OWNER AUTHORIZATION CERTIFIED DEED RESTRICTION

I certify that there are no deed restriction and/or covenants on the property that prohibits the use of the property as a short-term rental.

Signature of Owner/Future Owner(s): 

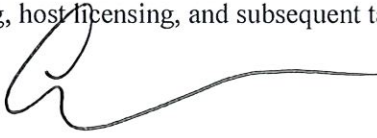
PROPERTY OWNER AUTHORIZATION CERTIFIED SHORT-TERM RENTAL INSURANCE

I certify that the owner/future owner has commercial or specific short-term rental insurance for the property. If insurance *has not been obtained* at time of application, I certify that owner/future owner will obtain prior to renting if application approval is granted.

Signature of Owner/Future Owner(s): 

OFFICIAL CODE OF WHITE COUNTY APPENDIX C/ARTICLE VII – SHORT TERM RENTALS & BUSINESS LICENSES NOTIFICATION

I certify that I have been informed of and provided a copy of Appendix C/Article VII - Short Term Rentals. I certify that I have also been informed that I will need to contact the White County Business Tax Office (706-865-2235) to obtain the proper business licensing, host licensing, and subsequent tax information prior to operation of my short-term rental.

Signature of Owner/Future Owner(s): 

SHORT TERM RENTAL CERTIFICATIONS DOCUMENT: NOTARY ACKNOWLEDGEMENT

Sworn to (or affirmed) and subscribed before me this 2 day of October, 2023 by Colin Morris (name of signer(s)). The named signer(s) is/are personally known by me or produced the identification type of DC.

Mercedes Dodd
(Signature of Notary)

{Seal}

**Mercedes Dodd
NOTARY PUBLIC
White County, GEORGIA
My Commission Expires 06/02/2026**

(Name of Notary Typed, Stamped, or Printed)

APPLICANT ACKNOWLEDGEMENT OF MEETING DATES

I, Colin Morris (print name) have been advised that I or someone to represent me must be in attendance when my application is before the White County Planning Commission and the White County Board of Commissioners or it will be tabled. I also acknowledge that I have been made aware of the below dates upon submission of my application.

Senior Center, 1239 Helen Hwy, Cleveland

6:00pm

Public Hearing Date (Planning Commission): Nov. 28, 23

Regular Meeting Date (Planning Commission): Dec. 4, 23

Administration Building, 1235 Helen Hwy, Cleveland

4:30pm

Board of Commissioners Meeting Date: TBD

**Meeting dates are subject to change*



Signature of Applicant or Authorized Agent

10-2-23

Date

<p><u>OFFICE USE ONLY</u></p> <p>Copy given to applicant: <u>10/2/23</u> (date)</p> <p>Staff Initials: <u>JAK</u></p> <p>Flag (circle): <input checked="" type="radio"/> Y <input type="radio"/> N</p>

<p>WITHDRAWAL</p> <p><i>Notice: This section only to be completed if application is being withdrawn.</i></p>
<p>PART II - OFFICIAL CODE/APPENDIX C - LAND USE REGULATIONS/ARTICLE XVIII. AMENDMENT, APPLICATION AND PROCEDURAL REQUIREMENTS</p> <p><i>Section 1803. Withdrawal of amendment application. Any petition for an amendment to these regulations, official land use district map, conditional use approval, variance or special use permit may be withdrawn, at the discretion of the person or agency initiating such request, at any time prior to final action by the board of commissioners upon written notice to the planning director. Any required fees shall be forfeited</i></p>
<p>I hereby withdraw application #:</p>
<p>Applicant Signature: _____ Date: _____</p>

Mercedes Dodd

From: Colin Morris [REDACTED]
Sent: Monday, October 2, 2023 2:25 PM
To: Mercedes Dodd
Subject: White County Zoning Letter of intent.

[EXTERNAL SENDER - PROCEED CAUTIOUSLY]

White County Zoning letter of intent

To whom it may concern,

My name Colin Morris and I am submitting my application for short term rental for a house I recently built near Unicoi State Park. I have been coming to this area my entire life camping, climbing and enjoying all the amenities of White County. I was finally able to purchase some property and we built a very nice home that we would like to short term rent.

Our objective is to offer a very nice place to stay for short term rental. It is a 3 bedroom house that is off the road a good bit and will provide an excellent place for people to experience White county and surrounding areas. We will have a max of 8 guests in the house. We plan to vet our guests to ensure we are not renting to guests that might cause any disturbances or have negative guest reviews. We plan on having a full list of do's and don's manual before we start our rentals which we have not yet decided.

We are not going to be just another rental cabin, we look forward to creating an experience that our guests will share with others and come back to rent again.

Thank you,

CM
[REDACTED]



White County Environmental Health

Zachary Taylor, M.D., M.S., Acting Health Director
1241 Helen Highway, Unit 210 • Cleveland, GA 30528
PH: 706-348-7698 • FAX: 706-348-1670 • www.phdistrict2.org

Banks, Dawson, Forsyth, Franklin, Habersham, Hall, Hart, Lumpkin, Rabun, Stephens, Towns, Union and White Counties

- | | | | |
|--------------------------|---|-------------------------------------|--|
| <input type="checkbox"/> | Evaluation Applied For | <input type="checkbox"/> | Appropriate Permit Applied For |
| <input type="checkbox"/> | Appropriate Permit Issued to Applicant | <input checked="" type="checkbox"/> | Evaluation, Permit Not Applied For At This Time |

DATE: 09/26/2023

APPLICANT NAME: COLIN MORRIS

PROPERTY ADDRESS: 538 HWY 356
HELEN, GA, 30545

White County Planning Department:

In reference to a request for a change of zoning/land use or a building permit, application may need to be made for an existing system evaluation to determine:

- that the permit on file is the correct permit for the property in question;
- that there is no evidence of system failure;
- that the septic system is appropriately sized for the current and proposed use;
- that there is adequate repair after the proposed addition;
- that there are no conditions that could adversely affect the functionality of the system.

Please note that this is NOT an all-inclusive list. Based upon the information submitted and/or the outcome of the evaluation, it may be determined that a septic system needs additional capacity or upgrade. If so, the appropriate permit will need to be obtained and the work completed before an approval can be given.

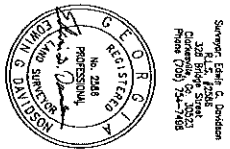
If, based upon information submitted, no septic systems exist on the property, this zoning/land use change and/or building permit request should not affect the property with respect to septic use.

White County Environmental Health
District 2 Public Health

By signing below, I certify all information submitted is accurate and true to the best of my knowledge.



Applicant Signature



NOTE: THIS PLAT IS NOT VALID FOR RECORDING PURPOSES UNLESS SURVEYOR'S SIGNATURE APPEARS IN ORIGINAL BLACK INK OVER THE STAMP.

In my opinion this plat is a correct representation of the field plotted and has been prepared in conformity with the standards and requirements of the Georgia Surveying Code.

Signed: *Edwin G. Davidson*

LINE	BEARING	DISTANCE
1	N 18°30'53" E	144.13
2	N 17°07'13" E	182.52
3	N 14°39'53" E	70.92
4	N 12°18'04" E	93.97
5	N 08°20'53" E	106.02
6	N 04°28'58" E	93.96
7	N 17°28'57" W	80.72
8	S 89°24'57" W	181.14
9	S 72°43'18" E	133.11
10	S 30°53'58" W	74.07
11	S 15°07'24" E	57.44
12	S 40°17'54" W	88.45
13	S 62°11'02" W	39.10
14	S 12°53'42" W	52.89
15	S 08°43'00" W	107.61
16	S 18°43'12" W	113.98
17	S 03°32'53" W	112.27
18	S 12°51'43" W	79.43

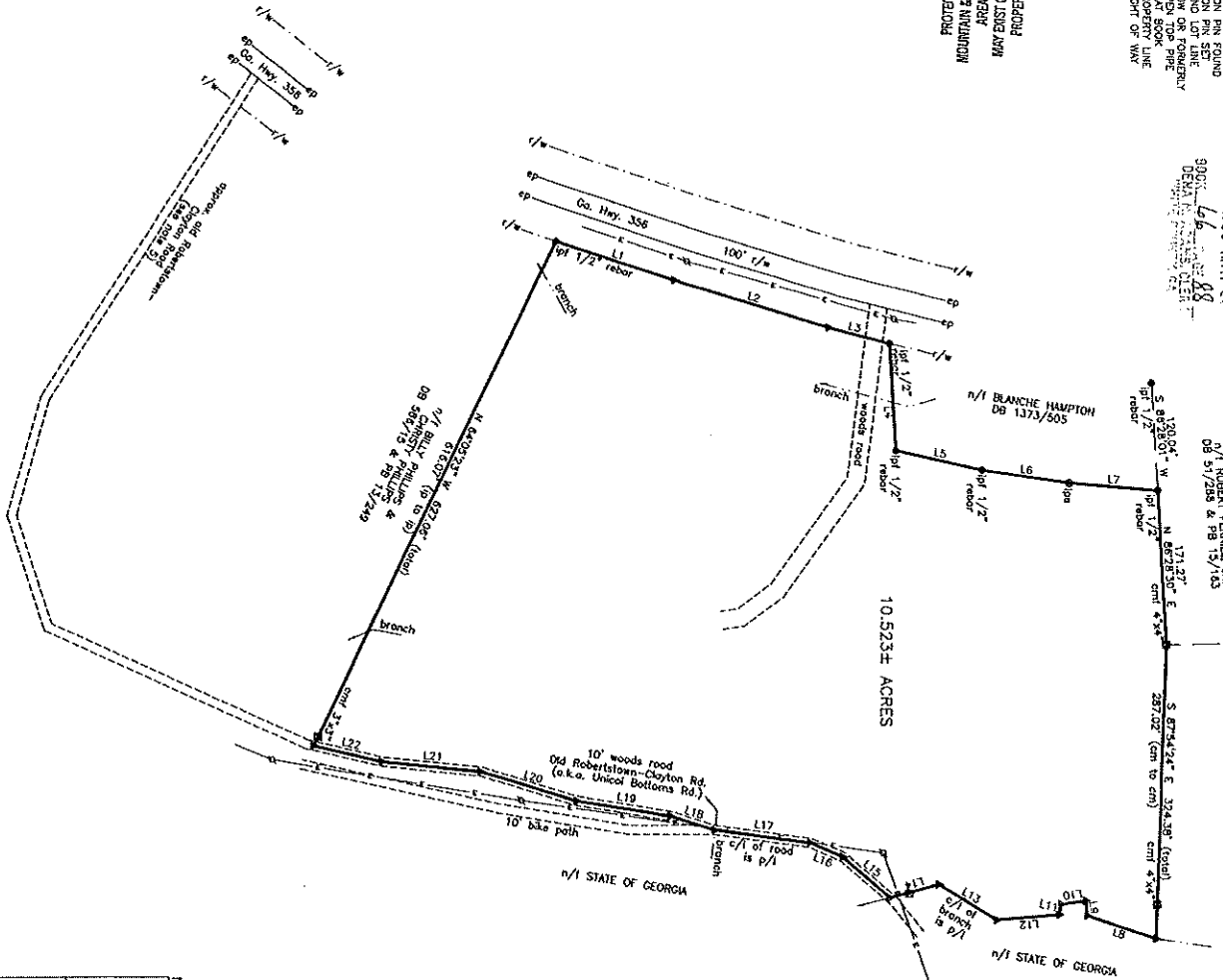
State Plane Grid North (NAD 83/94) - G. West Zone

ABBREVIATIONS

- C/L - CENTERLINE
- DB - DEED BOOK
- FOUN - FOUND
- IRON PIN FOUND
- IRON PIN SET
- NOR OR CONSERVACY
- OPEN TOP PIPE
- PLAC BOOK
- RIGHT OF WAY

PROPERTY MAY NOT BE FOUND WITHIN 3' TOLERANCE

2012 APR 30 AM 11:13
 3900' L6
 DEAN'S PROPERTY



LEGEND

- These standard symbols will be found in the drawings:
- E—E— TELEPHONE
 - X—X— ELECTRIC
 - W—W— WELL
 - T—T— TELEPHONE POLE
 - B—B— TELEPHONE BOX
 - P—P— IRON PIN SET
 - O—O— IRON PIN FOUND
 - C—C— CONCRETE MONUMENT FOUND
 - T—T— TREES
 - A—A— BRACK IN P/L

NOTES:

1. The land plotted herein is subject to any easements, reservations, or restrictions that may exist either in or on the property.
2. All lot one 1/2" rebar with plate cap. (CCA #599 hardened) for additional information refer to DB W/185, PB 28/132.
3. For additional information refer to a plat of survey by Mark Turner, R.L.S., for Blanche X Hampton dated 12/7/2005.
4. Consult a Georgia licensed attorney for ingress/egress rights.

THIS PLAT IS FOR THE SOLE AND EXCLUSIVE USE OF THE PARTY NAMED IN THE TITLE BLOCK AND OTHERS USE AT THEIR OWN RISK

LITA BARNETTE

DAVIDSON LAND SURVEYING, INC.

E.G. (EDDIE) DAVIDSON, PLS
 328 BROOK STREET
 CLARKSVILLE, GEORGIA 30025
 (706) 754-7458

CA #2986	SC #18127	N&P-3748	TN # 1877	AL #20300
Land Lot: 6	District: 3rd	County: White, Georgia	Job No.: 13-022	
Date: 3/13/2012	Scale: 1"=100'	Drawing No.: 13-022		

The field data collected is based upon RTK GPS dual receiver continuous tracking data using real time kinematic reception. The field data upon which this plat is based has a closure precision of one foot in 100,000 feet. All measurements were taken using a Leica total station and were adjusted using least squares adjustment. This plot has been calculated for closure and is found to be closed within one foot in 100,000 feet. Linear measurements obtained using a Global Surveyor 3000 were completed on 3/13/2012.

THIS PROPERTY IS NOT SHOWN TO BE LOCATED WITHIN A 100 YEAR FLOOD HAZARD AREA ACCORDING TO FIRM MAP NO. 13311C0100C DATED 10/18/2002. THIS IS BASED ON GRAPHICALLY LOCATING THIS PROPERTY ON SAID MAP. NO ADDITIONAL FIELD WORK HAS BEEN PERFORMED TO MAKE THIS DETERMINATION.



OFFICIAL TAX RECEIPT

White County Tax Commissioner

Cindy Cannon

P. O. Box 970

Cleveland GA 30528

Phone 17068652225 - Fax 17062190078

Email: wctc@whitecounty.net

OWNER

MORRIS COLIN C

200 STEWART DRIVE

ATLANTA, GA 30342

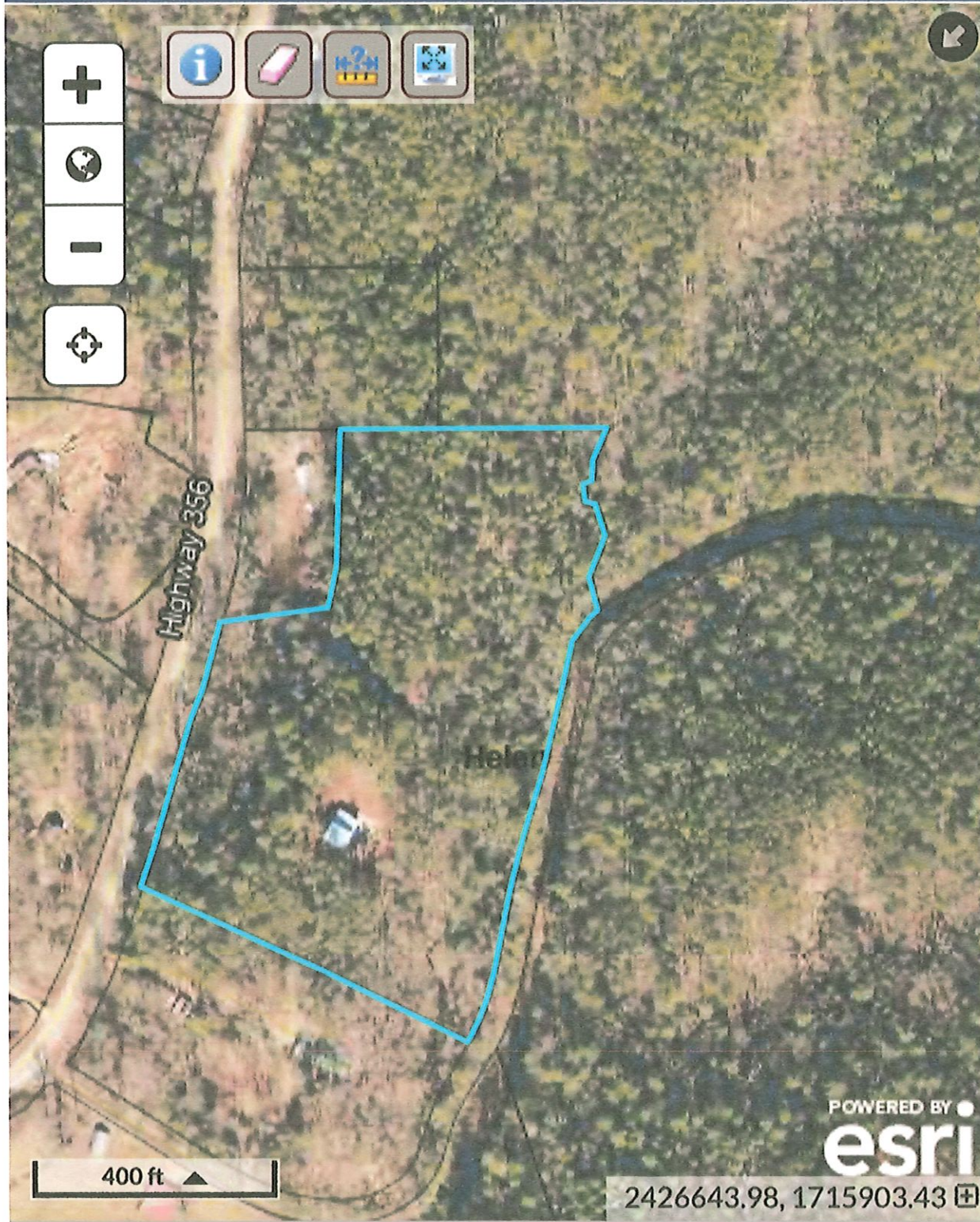
PAID DATE		9/12/2022	
RECEIPT PRINTED		10/2/2023 2:09:17 PM	
CASH AMOUNT	CHECK AMOUNT	CHARGE AMOUNT	CHECK NUMBER(S) CHARGE APPROVAL CODE
\$0.00	\$943.47	\$0.00	1142
REFUND AMOUNT		\$0.00	
OVERPAY AMOUNT		\$0.00	
CHANGE AMOUNT		\$0.00	
REGISTER		1	
CASHIER			
TOTAL PAID		\$943.47	

Tax Year- Bill Number FMV Property ID	Property Description Property Address District Serial Number Decal Number	Due Date Original Due	Interest Penalty Other Fees	Previous Paid Amount	Current Amount Due	Amount Paid	Tax Bill New Balance	
2022-1172 FMV: 99410.00 042B 045	LL6 LD3 HWY 356 DISTRICT: 001 SERIAL NUMBER: DECAL NUMBER: 0	11/15/2022 \$943.47	\$0.00 \$0.00 \$0.00	\$0.00	\$943.47	\$943.47	\$0.00	
Paid By: MORRIS COLIN C				Overpayment Amount: 0.00				
Check Number: 1142								
Transaction(s): 191190 - 191190		Total(s):	\$943.47	\$0.00	\$0.00	\$943.47	\$943.47	\$0.00



White County, GA

Map Search Comp Search More



WILDBLUME LLC
0 HWY 356
10.52 Acres Value \$126,240
View: [Report](#) | [Homestead Application](#)

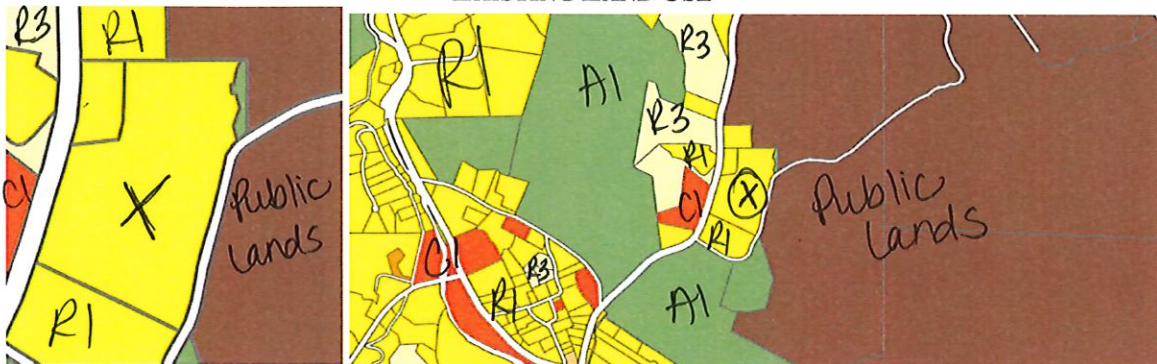


**WHITE COUNTY PLANNING DEPARTMENT
STAFF COMMENT**

COLIN MORRIS

- PROPERTY IS LOCATED AT 538 HWY 356 IN HELEN. IT IS IN THE R-1 SINGLE FAMILY RESIDENTIAL DISTRICT AND WILL REQUIRE A CONDITIONAL USE PERMIT FROM THE WHITE COUNTY BOARD OF COMMISSIONERS TO PLACE THE PROPERTY IN THE SHORT TERM RENTAL PROGRAM.
- PROPERTY ADJOINS TO THE NORTH, SOUTH, AND WEST R-1 RESIDENTIAL SINGLE-FAMILY DISTRICT; TO THE WEST R-3 RESIDENTIAL SEASON DISTRICT AND C-1 COMMUNITY COMMERCIAL DISTRICT; TO THE EAST PUBLIC LANDS.
- THE WHITE COUNTY COMPREHENSIVE PLAN FUTURE LAND USE MAP INDICATES SINGLE FAMILY RESIDENTIAL.
- TOTAL ACREAGE IS 10.523.
- PROPERTY SUPPLIED BY WELL AND SEPTIC.

EXISTING LAND USE



FUTURE LAND USE



WHITE COUNTY PLANNING COMMISSION MINUTES
PUBLIC HEARING: LAND USE REGULATION

Application of Colin Morris to request a conditional use permit located at 538 Highway 356, Helen, Georgia, 30545. Tax map and parcel 042B-045. Total acreage is 10.523. Proposed use is to place in “Short Term Rental” program. Present zoning is R-1 Residential Single Family.

The applicant, Colin Morris of 538 Highway 356, was present. Mr. Barton gave a summary of the application. Mr. Morris explained the proposed short-term rental would have a maximum occupancy of six to eight people and plenty of parking on the ten acres. He stated he just built the home, which received a Certificate of Occupancy in August, to retire to but would like to rent it out until then when they are not using it. He said his wife would manage the rental and he would be the local contact since he commutes from his other home to Lake Burton for his construction work. When asked if the home has been rented short-term, he said not yet.

Vice Chairman Yarbrough asked if anyone would like to speak for the application, there was no response. He asked if anyone would like to speak against the application, there was no response. Vice Chairman Yarbrough closed the hearing. Mr. Barton advised the applicant of the next meeting on December 4th.

A member of the audience asked what happens with the application that was not represented. Vice Chairman Yarbrough said the application defaulted and they would need to reapply to go through the application process. Mr. Sell explained they would not be able to reapply until after January 30th of 2024 when the moratorium is lifted. He said the application would be re-advertised, but if the property is rented short-term in the meantime, a complaint can be made to Code Enforcement.

Motion to adjourn made by Ms. Burke and seconded by Mr. Ackerman. Motion was unanimous.

WHITE COUNTY PLANNING COMMISSION MINUTES
REGULAR SESSION

Application of Mike and Heather Shramek to request a conditional use permit located at 2734 Town Creek Road, Cleveland, Georgia, 30528. Tax map and parcel 020-095A. Total acreage is 2.70. Proposed use is to place in “Short Term Rental” program. Present zoning is R-1 Residential Single Family. The applicant, Mike Shramek of 2734 Town Creek Road, was present. Mr. Sell gave a summary of the application. Mr. Shramek explained the proposed short-term rental would have a maximum occupancy of six people. He said they run a small HVAC business in the community and will managed the rental themselves with the help from a broker for guidance. Mr. Shramek explained he is not an investor and the home was purchased for them to live in, but would like to help supplement income so they can move to their other property within 5 miles away. He detailed the rental policies, including an age minimum for the renters and no drones or shooting. He said of the 33 properties in Tailrage Subdivision, he received 22 with 6 others that would not sign but did not care about the short-term rental.

Motion to recommend approval to the Board of Commissioners made by Ms. Dixon and seconded by Ms. Burke. Motion was unanimous. Mr. Sell advised the applicant of the next meeting on December 14th, 2023.

Application of Colin Morris to request a conditional use permit located at 538 Highway 356, Helen, Georgia, 30545. Tax map and parcel 042B-045. Total acreage is 10.523. Proposed use is to place in “Short Term Rental” program. Present zoning is R-1 Residential Single Family. The applicant, Collin Morris of 538 Highway 356, was present. Mr. Sell gave a summary of the application. Mr. Morris had nothing to add.

Motion to recommend approval to the Board of Commissioners made by Mr. Freeman and seconded by Ms. Burke. Motion was unanimous. Mr. Sell advised the applicant of the next meeting on December 14th, 2023.

Mr. Sell presented proposed amendments of the existing Official Code of White County. Work session and public hearing. He explained that estate subdivisions would have a separate definition, but does not have a provision that would exclude them from the subdivision map currently and explained the criteria for subdivisions to be placed on the map. Upon questions brought up by Chairman Thomas and Ms. Burke, discussed the appeal process for a subdivision to be removed from the map and discussed lot number requirements for a common development.

Mr. Freeman expressed concerns regarding subdivisions from the 60s and 70s that do not have covenants, to which Mr. Sell explained this board would only be making a recommendation on the land use portion of the proposed amendments, not the Chapter 16 amendments brought before the Board of Commissioners.

Mr. Ackerman said he is undecided and believes there will not be anything that is one hundred percent, but in his opinion, this streamlines the short-term rental process and takes care of the family estate issue. He stated he was concerned with not having hearings, but believed the explanation of the appeal process would provide the opportunity to appeal and speak to the Board of Commissioners.

Ms. Burke stated there is an issue with short-term rentals in the county, to which Mr. Sell stated there were 179 applications between June 2015 and July of this year, 15 of which would have been denied under current regulations and of those, 7 would be approved under the proposed regulations. He said the letters have caused a lot of confusion and some inconsistencies. Ms. Burke asked if hearings could be



WHITE COUNTY

Board of Commissioners

Item Title: 2024 Inmate Housing Agreements

For Meeting Date: 1/8/2024

Work Session **Regular Meeting** **Public Hearing**

Category (Select One): Contract / IGA

Submitted By: Sheriff Rick Kelley

Attachments: Yes **If yes, please list each file name below:**

1. City of Cleveland Agreement
2. City of Helen Agreement
- 3.

Purpose:

Consider approval of inmate housing agreements with the City of Cleveland and City of Helen.

Background / Summary:

- Cost increasing from \$35.00 per day to \$45.00 per day to cover increased expenses.

Department Recommendation:

Approve

Options:

-

Budget Information: Applicable Not Applicable

Budgeted: Yes No

Finance Director's Comments (if applicable):

-

County Manager Comments:

-

AGREEMENT

STATE OF GEORGIA
COUNTY OF WHITE

THIS AGREEMENT, made and entered into this the **1st**, day of **JANUARY 2024**, by and between the **CITY OF CLEVELAND**, Georgia, a municipal corporation, hereinafter referred to as the “CITY” and **WHITE COUNTY**, a political subdivision of the State of Georgia, by and through **THE BOARD OF COMMISSIONERS OF WHITE COUNTY**, hereinafter referred to as the “COUNTY” approved by *Rick Kelley* in his capacity as the duly elected Sheriff of White County, Georgia, hereinafter referred to as the “SHERIFF”.

WHEREAS, White County presently operates a jail facility for the detention of persons charged with violations of statutes of the State of Georgia and City Ordinances; and

WHEREAS, the **City of Cleveland** either has no facility or a limited facility for the detention of persons arrested for violations of municipal ordinances of the **City of Cleveland** and State statutes and the City is desirous of entering into an agreement with White County to detain such persons at the White County Jail;

WITNESETH, that in order to promote, and in the interest of, efficient law enforcement in the aforesaid City and County, the parties hereto have reached the agreement herein specified pursuant to the provisions of Article 9, Section 3, Paragraph 1 of the 1983 Constitution of the State of Georgia, and

NOW, THEREFORE, for valuable consideration and mutual promises exchanged between the parties hereto in consideration of the premises and in compliance with and pursuant to the provisions, terms and conditions of the State of Statutes pertaining thereto, the City and County do hereby contract with each other as follows:

-1-

White County shall provide to the City of Cleveland services and facilities for the detention of persons charged with violation of municipal ordinances of the City of Cleveland and State Statutes with such services and facilities to be substantially the same as utilized for the detention of persons charged with violations of State Statutes and County Ordinances.

-2-

The County shall be compensated for said services at \$45.00 per diem boarding fee. The County shall provide to the City a monthly statement for services provided hereunder, and the City shall remit payment therefore within thirty days (30) after receipt of that statement.

-3-

The City hereby agrees to reimburse the County for any expenses incurred by the County in the providing of medical, hospital or dental services and medication to persons detained by the County in its jail pursuant to the provisions of this agreement. The City shall indemnify and hold harmless White County, its officers and employees, the Sheriff of White County and his lawful deputies, jailers and dispatchers from any and all claims, damages or expenses (including legal expenses incurred in defending actions or habeas corpus proceedings) arising out of, or related to, the arrest, detention, or imprisonment,

except that the City shall not be liable for any claims, damages, or expenses that may arise due to actions or omissions of any agent or employee of the County unless such actions or omissions are at the directions of the City.

-4-

The City shall comply with all procedures and policies of the White County Sheriff's Office regarding the processing and release of persons to be detained in the County Jail. Detention by the County of persons charged in violation of ordinance of the **City of Cleveland shall be under no obligation to give to the City and references or priority in the detention of persons in the County Jail.**

-5-

This agreement may be terminated by either party hereto upon giving the other party thirty days (30) written notice of such intention to terminate. This agreement is executed in two counterparts, each of which shall constitute an original hereof for all purposes.

-6-

The City shall provide for transportation of such persons to and from the County Jail as well as for all necessary court appearance and required medical treatment transports.

-7-

The City's employees or officials shall communicate to the County Jail's intake officers any knowledge of medical illness, unusual behavior, suicidal tendencies or expressions, or any other unusual or out of the ordinary behavior of the detainee, along with copies of any medical reports or questionnaires completed after the arrest, all of

which shall be delivered to the County Jail prior to or at the time of delivery of the prisoner.

-8-

Although housed in the White County Jail at all times hereunder, the prisoner shall be deemed to be in the physical custody of the City, and any expenses for medical, hospital and drug, not caused by actions or omissions of any agent or employee of the County, shall be the sole responsibility of the City. The City agrees that the County, shall use its best judgement and the White County Sheriff's Office adopted operating procedures to determine the need for medical, dental or pharmaceutical needs of the prisoner.

-9-

All persons arrested for violations of ordinances of the City will be adjudicated in the **Cleveland Municipal Court of the City and all fines and forfeitures shall be the property of the City.**

IN WITNESS WHEREOF, the City and the County have hereunto set their names and the signatures of their proper officials duly authorized by resolution spread upon the official minutes of The Board of Commissioners of White County, and upon the minutes of the Mayor and Council of the **City of Cleveland respectively on the day and year first above written.**

**Approved by the Board of Commissioners of
White County, Georgia, this ____ day of
_____, _____.**

(SEAL)

**BY: _____
Chairman, Board of Commissioners**

ATTEST: _____, CLERK

**Approved and authorized by the Mayor and
Council of the **City of Cleveland** this ____ day
of _____, _____.**

(SEAL)

**BY: _____
Mayor**

ATTEST: _____, CLERK

**Approved by the Sheriff of White County, Georgia, this ____ day of
_____, _____.**

Rick Kelley, Sheriff

AGREEMENT

STATE OF GEORGIA
COUNTY OF WHITE

THIS AGREEMENT, made and entered into this the 1st, day of JANUARY 2024, by and between the CITY OF HELEN, Georgia, a municipal corporation, hereinafter referred to as the “CITY” and WHITE COUNTY, a political subdivision of the State of Georgia, by and through THE BOARD OF COMMISSIONERS OF WHITE COUNTY, hereinafter referred to as the “COUNTY” approved by *Rick Kelley* in his capacity as the duly elected Sheriff of White County, Georgia, hereinafter referred to as the “SHERIFF”.

WHEREAS, White County presently operates a jail facility for the detention of persons charged with violations of statutes of the State of Georgia and City Ordinances; and

WHEREAS, the City of Helen either has no facility or a limited facility for the detention of persons arrested for violations of municipal ordinances of the City of Helen and State statutes and the City is desirous of entering into an agreement with White County to detain such persons at the White County Jail;

WITNESETH, that in order to promote, and in the interest of, efficient law enforcement in the aforesaid City and County, the parties hereto have reached the agreement herein specified pursuant to the provisions of Article 9, Section 3, Paragraph 1 of the 1983 Constitution of the State of Georgia, and

NOW, THEREFORE, for valuable consideration and mutual promises exchanged between the parties hereto in consideration of the premises and in compliance with and pursuant to the provisions, terms and conditions of the State of Statutes pertaining thereto, the City and County do hereby contract with each other as follows:

-1-

White County shall provide to the City of Helen services and facilities for the detention of persons charged with violation of municipal ordinances of the City of Helen and State Statutes with such services and facilities to be substantially the same as utilized for the detention of persons charged with violations of State Statutes and County Ordinances.

-2-

The County shall be compensated for said services at \$45.00 per diem boarding fee. The County shall provide to the City a monthly statement for services provided hereunder, and the City shall remit payment therefore within thirty days (30) after receipt of that statement.

-3-

The City hereby agrees to reimburse the County for any expenses incurred by the County in the providing of medical, hospital or dental services and medication to persons detained by the County in its jail pursuant to the provisions of this agreement. The City shall indemnify and hold harmless White County, its officers and employees, the Sheriff of White County and his lawful deputies, jailers and dispatchers from any and all claims, damages or expenses (including legal expenses incurred in defending actions or habeas corpus proceedings) arising out of, or related to, the arrest, detention, or imprisonment,

except that the City shall not be liable for any claims, damages, or expenses that may arise due to actions or omissions of any agent or employee of the County unless such actions or omissions are at the directions of the City.

-4-

The City shall comply with all procedures and policies of the White County Sheriff's Office regarding the processing and release of persons to be detained in the County Jail. Detention by the County of persons charged in violation of ordinance of the **City of Helen shall be under no obligation to give to the City and references or priority in the detention of persons in the County Jail.**

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-9-

All persons arrested for violations of ordinances of the City will be adjudicated in the **Helen Municipal Court of the City and all fines and forfeitures shall be the property of the City.**

IN WITNESS WHEREOF, the City and the County have hereunto set their names and the signatures of their proper officials duly authorized by resolution spread upon the official minutes of The Board of Commissioners of White County, and upon the minutes of the Mayor and Council of the **City of Helen respectively on the day and year first above written.**

**Approved by the Board of Commissioners of
White County, Georgia, this _____ day of
_____, _____.**

(SEAL)

**BY: _____
Chairman, Board of Commissioners**

ATTEST: _____, CLERK

**Approved and authorized by the Mayor and
Council of the **City of Helen** this ____ day
of _____, _____.**

(SEAL)

**BY: _____
Mayor**

ATTEST: _____, CLERK

**Approved by the Sheriff of White County, Georgia, this ____ day of
_____, _____.**

Rick Kelley, Sheriff

Proposed Changes - Chapter 16, STR Host License

- There are two (2) items being addressed as relates to short-term rentals:
 - (1) amending the STR Host License Ordinance
 - (2) land use amendments

** The required advertisement and public hearings have been met for both of these items*
- 120-Day Moratorium on new STR land use applications was effective 10/02/2023 – to expire 01/30/2024
- White County has issued 501 STR Host Licenses – represents 546 rental units
 - *One (1) license required if more than one (1) unit is on the same parcel of land*
- Utilizing Host Compliance Software for address identification & compliance monitoring
- We have identified 50 additional STR's operating, compliance measures were suspended during moratorium, however, will resume when the moratorium is over
- The proposed changes to Chapter 16, Short-Term Rental Host License:
 - (1) limits the maximum number of host licenses to be issued to 650
 - (2) establishes an objective criteria for the host licenses to be issued, which can only be changed by the BOC
 - (3) establishes an “Official Subdivision Map” to be adopted by the BOC – which limits STR's in subdivisions (as defined) to only those subdivisions with covenants which specifically allow for short-term rentals
 - (4) This map can only be adopted & revised by the BOC
- Current ordinance & proposed revision includes a 3-strike rule for addressing violations, to date no complaints have been filed within that process

Proposed Changes - Appendix C, Land Use Regulations

- All rezoning requests will still go through the Planning Commission for a Public Hearing & Recommendation, then to the BOC for action.
- Puts all requirements for STR's in one (1) chapter of the County Code.
- Balances issues of: private property rights, allowable legislative authority, and being a tourist destination
- Proposed revisions are more restrictive based on the following statistics the draft was based on June 2019 – July 2023: Under proposed changes 56 fewer (28%) of the STR Applications would have been approved.
- Current regulations do not provide for a limit of short-term rental host licenses, the proposed revisions (Chapter 16) would limit the number of short-term rental host licenses to 650.

Summary of Proposed Amendments

Property Description	Allowed	Not Allowed
R-1 / Not Located in a Subdivision*	•	
R-1 / Located in a Subdivision* without covenants		•
R-1 / Located in a Subdivision* with covenants that expressly allow STR's	•	
R-1 / Located in a Subdivision* with covenants that does not reference STR's		•
R-1 / Located in a Subdivision* with covenants that expressly do not allow STR's		•
R-3 / Part of a rental tourist cabin development	•	
R-3 / Not part of a rental tourist cabin development (Except RV parks, etc.)		•
A-1 / Not located in a subdivision	•	
A-1 / Located in a Subdivision* without covenants		•
A-1 / Located in a Subdivision* with covenants that expressly allow STR's	•	
A-1 / Located in a Subdivision* with covenants that does not reference STR's		•
A-1 / Located in a Subdivision* with covenants that expressly do not allow STR's		•
Properties zoned R-2, C-1, C-2, or I		•



WHITE COUNTY

Board of Commissioners

Item Title: Consideration of revisions to Chapter 16, Short Term Rental Host License

For Meeting Date: 1/8/2024

Work Session **Regular Meeting** **Public Hearing**

Category (Select One): Resolution

Submitted By: Staff - Pittard, Sell, Murphy

Attachments: Yes **If yes, please list each file name below:**

1. Redlined Document
2. Summary PowerPoint
- 3.

Purpose:

Consider amendments to Chapter 16, Short Term Rental Host License

Background / Summary:

- 120 day moratorium enacted 10/02/2023 to allow time to review ordinances -ends 01/30/2024
- All advertising and public hearing requirements have been met - public hearing held 12/04/2023
- Recommended revisions will address all issues identified during the review - allowing for more objective, consistent, legally sound decision making while also simplifying the process.

Department Recommendation:

Approval of the proposed amendments 01/31/2024

Options:

- Approving amendments & adopt Appendix C revisions as well
- Not approving amendments - therefore no need to adopt amendments to Appednix C

Budget Information: Applicable Not Applicable

Budgeted: Yes No

Finance Director's Comments (if applicable):

-

County Manager Comments:

-

Chapter 16 SHORT-TERM RENTAL HOST LICENSE

Secs. 16-1—16-199. Reserved.

ARTICLE II. SHORT-TERM RENTAL HOST LICENSE

Sec. 16-200. Purpose.

The purpose of this article is to establish regulations for the use of a residential structure or part thereof as a short-term rental in order to support the White County Comprehensive Plan while minimizing the negative, secondary effects on surrounding properties, to ensure proper safety precautions are in place, to establish a rental host license and to facilitate the collection and payment of hotel/motel taxes.

Sec. 16-201. Definitions.

As used in this article, the following terms shall have the meanings ascribed to them in this section:

Bedroom. A room that is intended primarily for sleeping as reflected on the building permit, tax assessors records or site inspection.

County. Unincorporated White County.

Compensation. Remuneration or anything of economic value that is provided, promised or donated primarily in exchange for services rendered. This includes, but is not limited to, voluntary donations, and fee-sharing.

Director. The director of community and economic development or his or her designee.

Guest. Any person or persons renting a short-term rental. Note that this definition of guest specifically applies to the short-term rental host license.

Owner. Any person who, alone or with others, has title or interest in any residential structure, building, property, or portion thereof, with or without accompanying actual possession thereof, including any person who, as tenant, agent, executor, administrator, trustee, or guardian of an estate, has charge, care, or control of any short-term rental use.

Person. Any individual, firm, partnership, corporation, company, association or institution, governmental entity, or partnership and including any trustee, agents, assigns or other representative.

Subdivision, platted. A subdivision of common development with a final plat approved by the White County Planning Commission, the White County Community and Economic Development Department or recorded in a plat book with the White County Clerk of Superior Court, which are designed for the purpose of sale, lease, legacy or building development.

Subdivision, platted for family/estate. A subdivision of land with a final plat approved by the White County Planning Commissioner, the White County Community and Economic Development Department or recorded in a plat book with the White County Clerk of Superior Court, which are designed for intra-family land transfer and not for the purpose of sale, lease, or building development.

Responsible party. An individual(s) with the legal authority to make and act on decisions of tenancy, building maintenance, complaints and repairs relating to applicable safety codes. The responsible party must be available as a point of contact for the county as well as any short-term rental guest(s) for the duration of the stay in the short-term rental. The responsible party shall be available 24 hours per day, seven days per week for the purpose of responding within two hours to complaints related to the short-term rental and taking remedial action to resolve such complaints. Such initial response to a complaint by the responsible party may include a telephone response to either a 911 emergency dispatch operator or an in-person or telephone contact with an appropriate law enforcement officer.

Short-term rental advertisement. Any method of soliciting use of a lodging accommodation or any part thereof for short-term rental purposes.

Short-term rental. A lodging accommodation offered to transient guests for a period of time not to exceed 30 consecutive days. For the purposes of this definition, a residential dwelling shall include all housing types and shall exclude group living or group homes, campgrounds, RV parks, bed and breakfasts, motel, hotels or other lodging uses.

Short-term rental host. (Innkeeper) Any person who is the owner of a lodging accommodation or any part thereof that is offered for short-term rentals for periods of 30 days or less and who is responsible for applying for a short-term rental host license.

Sec. 16-202. License required.

It is unlawful for any person to operate or advertise as a short-term rental within the county without a valid occupational tax certificate for such rentals and a valid short-term rental host license issued pursuant to this article for each short-term rental location and the authority to collect and remit hotel/motel taxes. Any long-term rental property that is found to have terminated a contract rental agreement in less than 30 days may be considered a short-term rental and in violation of this article.

A license will not be issued to any property located in a platted subdivision as depicted on the adopted map established for this purpose as referenced in Section 16-208 of this article, unless the subdivision has covenants which specifically allows for short-term rentals.

Properties permitted as a vacation rental tourist cabin development as defined by Article VII of the White County Code of Ordinances will be issued a license according to the provisions of this chapter.

With adoption of these short-term rental host license requirements, the governing authority has established the maximum number of host licenses to be issued and to be active at any time shall be 650.

Sec. 16-203. License fee and license term.

- (a) The annual fees for the issuance of a short-term rental host license shall be established by resolution and shall be set forth in the schedule of fees and charges on file in the county clerk's office.
- (b) A short-term rental host license shall expire December 31st of each year and must be renewed annually. In the event that any person commences a new business on any date after January 1, the short-term rental host license shall be due and payable 30 days following the commencement of the business.
- (c) Short-term rental host licenses are non-transferable. If a property covered by a host license is sold or is otherwise transferred to a new owner, the new owner has sixty (60) days to apply for a host license under the same rights and privileges afforded to the prior owner such as grandfathered status and maximum license to be issued.
- (d) This license applies to all short-term rentals in unincorporated White County.
- (e) A penalty of ten percent per month of the amount of the short-term rental host license shall be imposed upon payments, for existing businesses, made after December 31st.
- (f) Operation of a short-term rental business for more than 30 days, whether the premises are rented or not, without payment of the required short-term rental host license is a violation of this article, and the business will be given a warning and be required to pay a penalty of three times the required short-term rental host license fee due. If the short-term rental host license and the penalty are not paid within ten calendar days of the date of the warning, a citation will be issued.

Sec. 16-204. License investigation and issuance of short-term rental host.

Upon receipt of a completed application for the issuance or renewal of a short-term host license, the community and economic development office may inspect the short-term rental for compliance with all applicable laws, rules, and regulations.

Sec. 16-205. License applications.

- (a) In addition to obtaining an occupational tax certificate from the business tax office, the following applies to a short-term rental host license:

- (1) Application for the issuance, renewal or change of ownership of a short-term rental host license shall be provided to the White County Business Tax office on the form provided and comply with requirements set out in this article. A short-term rental host license shall be required for each separate property. The 911 address for each property must be provided to White County.
- (2) The applicant shall be the owner(s) of the property listed on the application to be used as a short-term rental. If applicant is a business entity, the name of the authorized agent shall be provided on the short-term rental host application.

Sec. 16-206. Short-term rental host general provisions.

- (a) All short-term rental hosts must comply with the following:
 - (1) Obtain an approved Short-Term Rental Eligibility Form from the White County Planning Office.
 - (2) Provide documentation and a signed declaration of compliance attesting to compliance with the following:
 - a. Provide local contact (responsible party) information to all short-term rental guests during a guest's stay. The person designated by the owner as the responsible party shall be available 24 hours per day, seven days per week for the purpose of responding within two hours to complaints related to the short-term rental and taking remedial action to resolve such complaints.
 - b. Comply with all applicable laws, rules and regulations pertaining to the use and occupancy of a short-term rental. Attest by owner or third-party inspector that short-term rentals meet applicable International Building Code, International Fire Code regulations and NFPA 101 Life Safety Codes.
 - c. Post the following information in a conspicuous place within the short-term rental:
 1. Contact information for the responsible party;
 2. Street address;
 3. Floor plan indicating fire exits and escape routes;
 4. Information about how a guest can contact the planning department to report any concerns or complaints; and
 5. Maximum occupancy load;
 6. "In Case of Emergency", Dial 911;
 7. "This rental is located in a residential area. Please be courteous to our neighbors and the residents of this area. Any loud sounds (music, voices, etc.) or excessive activity may be reported to local law enforcement, and you may be subject to citations, fines, arrest, etc. Please respect our residential area and preserve the peaceful nature and beauty of this area."
 - (3) Parties that do not use third party rental platforms (Airbnb, VRBO, HomeAway, etc.) that remit hotel/motel tax on the short-term rental owner's behalf are responsible for remitting all applicable hotel/motel tax proceeds to White County.
 - (4) Provide proof that the short-term rental host license number is included on any short-term rental advertisement.
 - (5) Provide the White County Business Tax office with a copy of "house rules".
 - (6) Certify that there are no unpaid financial obligations to White County.
 - (7) If located in a platted subdivision, truthfully execute the affidavit stating that the subdivision has covenants which do specifically allow for short-term rentals with false execution of the affidavit being punishable by law.

- (8) Parking. All vehicles shall only be parked in the driveway and/or within the garage area of the short-term rental. Vehicles shall not be parked within the right-of-way of public roads or easements, including grassy/unimproved areas. Vehicles shall not be parked along any roadways which would cause safety issues, hinder access to such roadways or be in violation of any laws, subdivision rules, etc.
- (9) Solid waste/trash. Trash and refuse shall not be left or stored within public view, or in the public right-of-way, except in proper containers for purposes of collection by an authorized waste hauler. Trash and refuse shall not be left or stored in such a way that would cause safety issues, hinder access to the public right-of-way, violate subdivision rules, etc.
- (10) Occupancy load. Occupancy limit shall be established in accordance with the maximum occupancy limit as established in the **host license** application. The short-term rental host will keep the total number of guests to that number which can safely stay in the premises and the short-term rental host may be subject to the State of Georgia's fire safety code regulations.
- (11) Provide proof that the owner has commercial or specific short-term rental insurance for the property.
- (12) Noise. Short-term rentals shall not violate any noise or sound regulations, subdivision rules, etc.
- (13) Hours of operation. Check-in/departure and other rental-related activities should occur between 6:00 a.m. and 10:00 p.m.
- (14) A short-term rental owner **shall** not be in violation of any White County ordinances and must be in compliance with **short-term rental and** land use regulations.
- (15) Provide White County with the local contact (responsible party) information. The person designated by the owner as the responsible party shall be available 24 hours per day, seven days per week for the purpose of responding within two hours to complaints related to the short-term rental and taking remedial action to resolve such complaints. If this information changes, White County shall be immediately informed of the contact information of the new local contact (responsible party). Failure to have a readily available local contact (responsible party) is a violation of this Code.
- (16) Rental management companies shall either list each property separately on the monthly lodging tax form that is submitted to the White County Business Tax office or provide a separate lodging tax form for each property to the White County Business Tax office.
- (17) Business occupation tax certificate. Short-term rental host license and hotel/motel tax authorization certificate must be prominently displayed at each short-term rental property.

Sec. 16-207. Violations/consequences.

- (a) The community and economic development director is authorized to issue a warning, suspend or revoke a short-term rental host license issued under the provisions of this chapter if the short-term rental host license is issued in error, or on the basis of incorrect information supplied, or where it is determined that the building, structure, unit or portion thereof is in violation of any ordinance or regulation or any of the provisions of this article, including but not limited to the International Building Code, International Fire Code regulations and NFPA 101 Life Safety Codes.
- (b) If any violations stated in this article have been committed and not corrected within the time specified, the community and economic development director shall begin the procedures to revoke the short-term rental host license in accordance with the following:
 - (1) In the event of a first violation of this article, the director shall give a warning to the owner/operator specifying the nature of the violation(s) and the time to correct violation(s).
 - (2) In the event of a second violation of this article of the same nature within a 12-month period, the director will issue a suspension of the short-term rental host license for a 30-day period.
 - (3) In the event of a third violation of this article, of the same nature within a 12-month period, the director will revoke the short-term rental host license. The owner/operator may not reapply for the same property for a period of 12 months.
- (c) Any long-term rental property that is found to have terminated a contract rental agreement in less than 30 days may be considered a short-term rental and in violation of this article.

- (d) Any person who shall do anything prohibited by this article or who shall fail to do anything required by this article shall be guilty of a misdemeanor, amenable to the process of the county magistrate court and upon conviction, shall be punished as provided in O.C.G.A 15-10-50, and said provisions are by reference incorporated herein.

Section 16-208. Official Subdivision map.

The location and boundaries of subdivisions within White County are hereby established as shown on a map entitled "Official Subdivision Map of White County, Georgia." Said map, together with all explanatory matter thereon, is hereby adopted by reference and declared to be a part of this resolution.

The official subdivision map shall be identified by the signature of the county commission chairman, attested by the county clerk, and bear the following words: "This is to certify that this is the Official Subdivision Map referred to in Chapter 16, Short Term Rental Host License, White County, Georgia," together with the date of the adoption of the resolution.

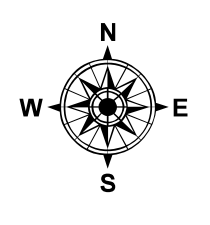
The purpose of the subdivision map is to identify platted subdivisions of common development, 4 or more lots, for the purposes of excepting those subdivisions from allowing short-term rentals in residential land use districts unless the covenants specifically allow it, as identified in Appendix C, Article VII, Section 702, Item B.

If in accordance with the provisions of this resolution and the applicable laws of the State of Georgia, changes are made in parcels or other matter portrayed on the official subdivision map, such changes shall be entered on the official subdivision map promptly after the amendment has been approved by the White County Board of Commissioners with appropriate entry or indication of such amendment on the official subdivision map. No amendment to this resolution which involves matters portrayed on the official subdivision map shall become effective until after such changes and entry has been made on said map.

Amendments and/or revisions to the subdivision map shall only be approved by the White County Board of Commissioners. However, if a new subdivision is proposed and then approved by the White County Planning Commission, the staff of Community and Economic Development can add those new subdivisions to the map once they have received final plat approval from the Planning Commission. Any unauthorized change of whatever kind by any person or persons shall be considered a violation of this resolution.

Regardless of the existence of purported copies of the official subdivision map which may from time to time be made or published, the official subdivision map shall be located in the office of Community and Economic Development and shall be the final authority as to the current subdivisions in the county.

Subdivision Map of White County, Georgia



Prepared by White County GIS
March 28, 2019

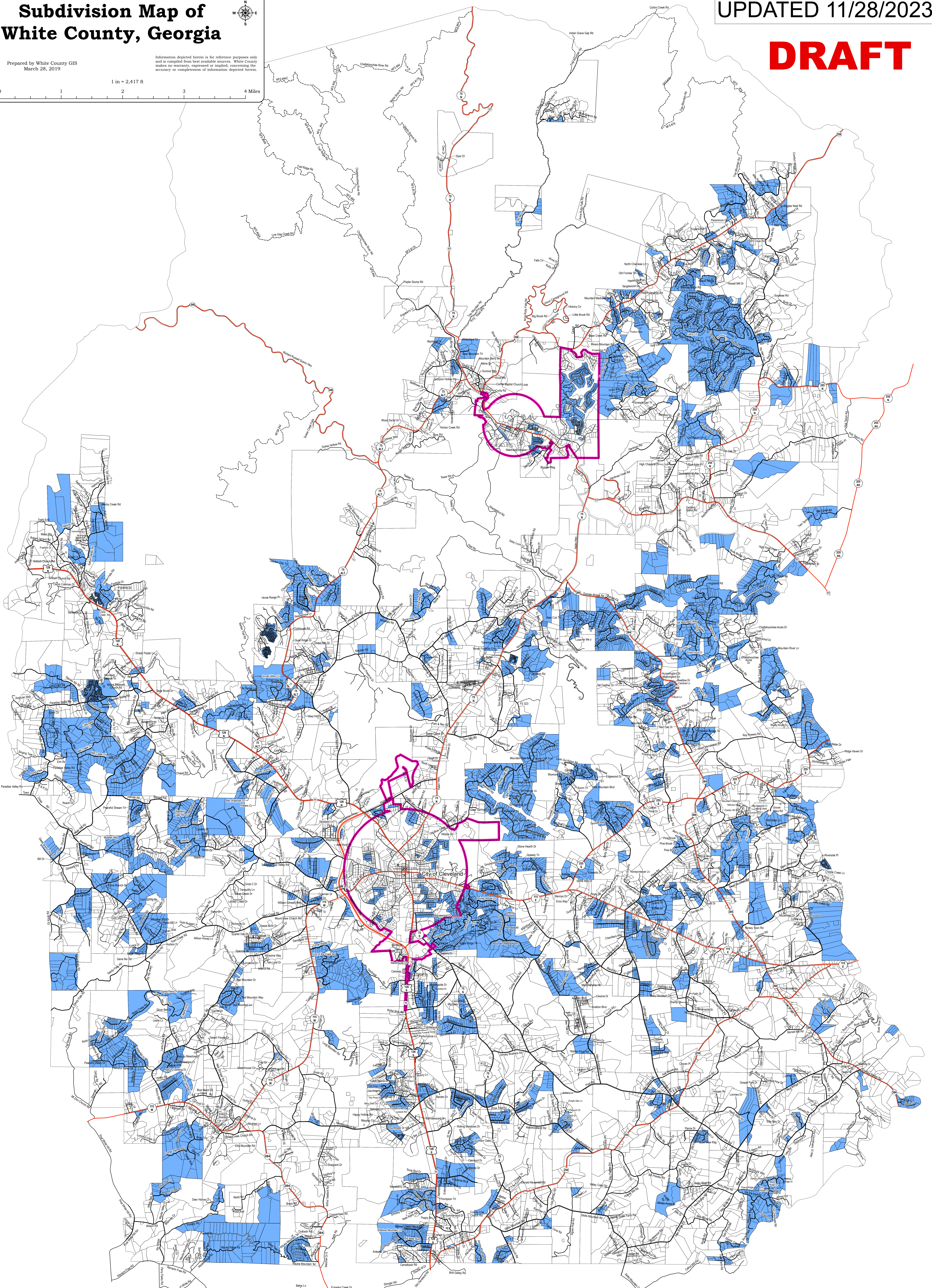
Information depicted herein is for reference purposes only and is compiled from best available sources. White County makes no warranty, expressed or implied, concerning the accuracy or completeness of information depicted herein.

1 in = 2,417 ft



UPDATED 11/28/2023

DRAFT





WHITE COUNTY

Board of Commissioners

Item Title: Consideration of revisions to Appenidx C, as relates to Short Term Rentals

For Meeting Date: 1/8/2024

Work Session **Regular Meeting** **Public Hearing**

Category (Select One): Resolution

Submitted By: John Sell

Attachments: Yes **If yes, please list each file name below:**

1. Redline of Proposed Changes
2. Work Session Minutes 10/21/2023
3. Public Hearing Minutes 11/20/2023
4. Work Session Minutes 11/27/2023
5. Regular Meeting Minutes 12/4/2023

Purpose:

Consider amending Article 7 and related articles of Appendix C of the White County Code of Ordinances to allow for Short-Term Rentals in all residential districts while excepting subdivisions. This lays the ground work for making Short-Term Rentals an administrative process that involves zoning verification through the planning department instead of the current land use public hearing process. It also clarifies that conditional use permits go with the property.

Background / Summary:

- The Committee of County Manager Billy Pittard, County Clerk Shanda Murphy and Community and Economic Development Director were directed by the BOC to improve the process for Short-Term Rentals. The proposed changes will take STR decisions out of the land use/public hearing process by allowing them in all residential subdivisions. • A public hearing was held on Nov. 20, 2023 and there were comments made about the changes from 5 individuals. One of the comments focused on expanding the definition of subdivisions in the proposal to make it easier for STRs. The other comments focused on keeping the public hearing aspect to protect all properties from STRs, not just subdivisions. • The Planning Commission recommended that the BOC not approve the overall amendments. The majority felt like the people in the community need to have an opportunity to express their opinions.

Department Recommendation:

Planning Commission recommended not approving by 4-2 vote

Options:

- Uphold Planning Commission recommendation and do not approve the amendments.
- Reverse Planning Commission recommendation and approve the amendments
- Table the application for further review or to send back to Planning Commission

Budget Information: Applicable Not Applicable

Budgeted: Yes No

Finance Director's Comments (if applicable):

-

County Manager Comments:

-

ARTICLE VII. SHORT TERM RENTALS

Section 700. Purpose.

The purpose of this article is to establish regulations for the use of a residential structure or any part thereof as a short term rental in White County while minimizing the negative, secondary effects on surrounding properties, to ensure proper safety precautions are in place, and to facilitate the collection and payment of hotel/motel taxes as allowed by state law and county code.

(Res. No. 2019-09, 6-4-19)

Section 701. License required.

- (a) It is unlawful for any person to operate or advertise as a short term rental within the county without a valid business occupational tax license, a host license and authorization to collect hotel/motel tax.
- (b) Short term rental properties that have a current occupational tax license, a current host license and are remitting hotel/motel taxes in White County prior to (effective date) will be grandfathered in as legal short term rentals in the A-1, R-1, R-2 or R-3 Districts. The grandfather of the short term rental goes with property, so future owners will be able to operate short term rentals as long as they acquire the business occupational tax license, the host license and authorization to collect hotel/motel tax from White County.

(Res. No. 2019-09, 6-4-19)

Deleted: June 4, 2019

Deleted: from having to apply for conditional use permits

Deleted: or

Section 702. Permitted uses.

- (a) Short term rentals are allowed as a permitted use in A-1, R-1, R-2 and R-3 Residential District (Seasonal) land districts.
- (b) Short term rentals are not allowed in subdivisions in any district, unless the covenants of the subdivision/Homeowners Association specifically allow for short term rentals.
- (c) Short term rentals are prohibited in C-1 Community Commercial; C-2 Highway Business and I Industrial districts.
- (d)

(Res. No. 2019-09, 6-4-19)

Deleted: allowed as a conditional use in A-1 Agricultural/Forestry, R-1 Residential Single-Family and R-2 Residential Multi-Family districts. Shortterm rental properties in A-1, R-1 and R-2 will have to acquire a conditional use permit through the process outlined in this ordinance, obtain an occupational tax license and hotel/motel tax authorization certificate, prior to renting the property

Deleted: Conditional use permits for shortterm rentals will not be issued to property owners in subdivisions, zoned R-1, unless shortterm rentals are specifically allowed by the subdivision or homeowners association covenants - or with a signed majority of the homeowners in the subdivision if there is no homeowners association.

Section 703. Applications.

- (a) Applicants for Short Term Rentals will have to complete applications for an occupational tax license and a host license and will need to obtain a zoning/subdivision verification letter from the White County Community and Economic Development Department.
 - a. Zoning verification will be based on the current official land use map as referenced in Section 302 of Appendix C of White County Code of Ordinances.

Deleted: (a) . Shortterm rental conditional use permit applications have to comply with section 1804 of this appendix and in addition

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b. Subdivision determination will be based on an official subdivision map that is approved by the White County Board of Commissioners as referenced in Chapter 16 of White County Code of Ordinances.

(Res. No. 2019-09, 6-4-19)

Section 704. Reserved

(Res. No. 2019-09, 6-4-19)

Section 705. Violations.

All violations will be dealt with in accordance with article XXI of this appendix.

(Res. No. 2019-09, 6-4-19)

Deleted :

Deleted: (b) . Acknowledge that the applicant will keep the total number of guests to that number which can safely stay in the premises and that the applicant may be subject to the State of Georgia's fire safety code regulations. ¶

(c) . Certify that there are no deed restrictions and/or covenants on a property that prohibits the use of the property as a shortterm rental. ¶

(d) . Certify that the owner has commercial or specific shortterm rental insurance for the property. ¶

(e) . Attest by owner or third party inspector that shortterm rentals meet applicable International Building Code, International Fire Code regulations and NFPA 101 Life Safety Codes. ¶

Deleted: Shortterm rental requirements.

Deleted: This section applies to all shortterm rental properties in White County, Georgia and is in addition to any rules that the property is subject to via any land covenants, homeowner association covenants, subdivision rules, etc. ¶

(a) . *Parking.* Vehicles shall not be parked on the county right-of-way so as to hinder access to such and shall not be parked along any roadways which would cause safety issues, hinder access to such roadways or be in violation of any laws, subdivision rules, etc. ¶

(b) . *Solid waste/trash.* Trash and refuse shall not be left or stored in such a way that would cause safety issues, hinder access to the public right-of-way, violate subdivision rules, etc. ¶

(c) . *Noise.* Shortterm rentals shall not violate any noise or sound regulations, subdivision rules, etc. ¶

(d) . *Hours of operation.* Check-in/departure and other rental-related activities should occur between 6 a.m. and 10 p.m. ¶

(e) . *Additional information.* Shortterm rental owners or responsible parties must provide the White County Clerk's office with the following information: ¶

1. . Full contact information for a local contact (responsible party) who is available 24 hours a day to respond within two hours to any complaint about the property or guest behavior. ¶

2. . The 911 address for all properties owned/operated by the occupational tax license owner or responsible management company. ¶

3. . Certify that there are no unpaid financial obligations to White County. ¶

4. . Rental management companies shall either list each property separately on the monthly lodging tax form that is submitted to the White County Clerk's office, or provide a separate lodging tax form for each property to the White County Clerk's office. ¶

5. . Business occupation tax certificate and hotel/motel tax authorization certificate must be prominently displayed at the property. ¶

ARTICLE IX. AGRICULTURE FORESTRY DISTRICT, A-1

The White County Board of Commissioners recognize the tremendous value that our farming and agricultural communities have and will continue to be in the coming years. That is why it is duly noted that agricultural and farming properties are grandfathered in that as long as the property maintains its purpose as of the date of this document, the operation of it shall not be impeded by this appendix. Agricultural land may be subdivided for family estate purposes and shall continue to exist as such for the heirs of the property.

Section 900. Purpose and intent.

Located in White County are several areas which contain soils highly suitable for the cultivation and operation of agricultural activities. These areas of prime agricultural lands are located in several communities throughout the county.

Land designated for the Agriculture Forestry Protection Land Use District constitutes a valuable natural resource whose protection is in the public interest. Agriculture is a major component of White County's economy, and it remains a viable economic enterprise in that land is held in relatively large tracts and land values are sufficiently low to support exclusively agricultural uses.

The White County Board of Commissioners realize that there are times where capital is required to continue operations related to agricultural purposes, therefore, the board authorizes the subdividing of said classified properties for the benefit of the farming operations. The purchaser of said subdivision may request that this property be reclassified if he or she wishes. The continuation of agriculture as a viable land use and component of the location economy is threatened by suburban and urban development land subdivision and land uses. When land is subdivided into smaller tracts, it becomes less suitable for agriculture because the assembly of enough acreage for a farm of minimum efficient size becomes difficult. Smaller tracts generally sell for a higher price per acre, and subdivision of large agricultural tracts generally results in the increase of per-acre land values. The availability of smaller tracts at lower costs attracts suburban and non-farm buyers into the market, thereby increasing adjacent land values for residential uses and decreasing land values for agricultural uses. The cumulative impact of the subdivision of farm land into small lots increases the level of conflict between farmers and non-farmers, makes farming more difficult, and eventually leads to dissolution of the agricultural economy.

Forestry has been an important industry for White County for many decades. In regards [to] complete removal of trees from a property, White County will encourage replanting of this renewable resource. We want to see continued green space so that we are not only good stewards of the lands entrusted to us but it also provides cleaner air and a healthier environment for us to raise our children.

Therefore, pursuant to the many goals, objectives, policies and recommendations of the comprehensive plan for White County, an Agriculture Forestry Land Use District is hereby established with the purposes of maintaining the agricultural land resources in a form amenable to the continuation of agriculture, restricting the division of farmland so that it does not become broken up into small parcels, thereby avoiding the accelerated conversion of land residential uses and discouraging the shift of the land market from rural to suburban/urban. An additional purpose of this land use district is [to] keep open enough land so that agriculture remains functionally viable, through the application of use restrictions which promote the preservation of prime agricultural lands. While the intent of this district is to promote maximum use of such areas for crop cultivation, the district regulations permit other active agricultural uses. Another purpose of this district is to hereby establish and promote the best use of forested land and to discourage and manage the division and development of forest land through use restrictions and various development requirements. This district may, in some very limited cases, serve as a transition from intensive agricultural operations to extremely low residential uses.

This district also includes a number of businesses and establishments uses that require a special use permit (SUP) from the White County Commission. Uses requiring special use permits are those that would not be appropriate without restrictions and is not permitted by right or conditionally, but allowed through regulations as to the number, area, location, relation to neighborhoods, operations or other pertinent considerations and specification/criteria as specified in this Code.

(Res. No. 2019-09, 6-4-19)

Section 901. Permitted uses.

1. Accessory uses and structures normally incidental and subordinate to one or more permitted uses.
2. Agricultural uses including the production of field crops, fruits, nuts, vegetables and forestry products. Heavy commercial agricultural uses such as livestock, feedlots and swine and poultry raising are permitted uses provided that such houses are located a minimum of 100 feet from the boundary of any residential land use district.
3. Farm structures, including barns, grain storage facilities, implement sheds and other structures accessory to agricultural uses are allowed with a setback of 15 feet from all property lines.
4. Residences, single-family detached, provided that such dwelling is farm-related and subordinate to the principal use of the property for agricultural uses or for intrafamily uses.
5. Non-farm residences, single-family detached, provided such residences are located on a minimum lot size of ten acres, and provided said residences are located on permitted and available non-farm development lots, and, provided that they are placed in accordance with all other White County environmental codes and within any conservation use covenant with the State of Georgia and White County. Such residences are allowed to have backyard farm plots or gardens.
6. Cemeteries, churches, temples, synagogues and places of worship set back 50 feet from all property lines.
7. Agri-tourism, heritage tourism, wedding tourism, event facilities and attractions, as defined by this resolution, with required driveway access improvements and parking facilities and provided that all structures and activity areas are buffered and located a minimum of 100 feet from the boundary of any other land use district.
8. Public, semi-public, and utility buildings, structures and uses.
9. Forest uses associated with the management, production and harvesting of raw timber, provided such uses are included within a forest management plan consistent with the Georgia Forestry Commission's Best Management Practices (BMPs) for forestry and timber harvesting, and the White County Code, chapter 30, article II, soil erosion, sedimentation, pollution control.
10. Mineral resource extraction uses provided that they are permitted by the Georgia Department of Natural Resources and they are consistent [with] the appropriate mineral land use plan as required by Georgia DNR. In-stream dredging/hobby mining/panning activities are allowed provided a U.S. Army Corps of Engineers permit or exemption has been granted for the proposed activity.
11. Public and private conservation areas and customary structures and other dwellings for the protection of water, soil, open space, forest and wildlife resources, including nature preserves, wilderness and wildlife management areas.
12. Child caring institutions that provide traditional care or BASE care - base watchful oversight (BWO) in a home-like setting, and are licensed by the State of Georgia for providing such services. This setting shall be limited to a group care capacity of no more than 12 children, including the biological or adopted children of any host family serving the child caring institution.

Created: 2023-07-31 11:10:45 [EST]

(Supp. No. 60)

13. Home occupations as defined and limited by this ordinance.

14. ~~Single-family residences, not in a platted subdivision, placed with vacation rental cabin agencies or placed in a shortterm rental program provided that the owner obtains an occupational tax certificate, a host license and a certificate of taxing authority.~~

Moved (insertion) [1]

Deleted: 1 .

(Res. No. 2019-09, 6-4-19; Res. No. 2023-01, 1-19-23)

Section 902. Conditional uses.

~~2. Radio and communication towers, transmission or communication substations.~~

3. Child caring institutions providing other types of residential care and room, board and watchful oversight.

4. Outdoor recreation uses and campgrounds uses provided that all structures and activity areas are buffered and located a minimum of 100 feet from the boundary of any other land use district.

Moved up [1]: 1 . Single-family residences placed with vacation rental cabin agencies or placed in a shortterm rental program provided that the owner obtains an occupational tax certificate and a certificate of taxing authority. ¶

(Res. No. 2019-09, 6-4-19; Res. No. 2023-01, 1-19-23)

Section 903. Special use permit.

1. Amusement parks, related attractions and performance entertainment facilities.

2. Animal mills or pet breeding facilities.

3. Auto or motorsports tracks or related facilities.

4. Meat processing and slaughter yards.

5. Rooming, boarding or group housing, and group recovery/homes/centers.

6. Shooting ranges (outdoor or indoor).

7. Substance abuse and treatment facilities.

(Res. No. 2019-09, 6-4-19)

ARTICLE X. RESIDENTIAL, SINGLE-FAMILY DISTRICT, R-1

Section 1000. Purpose and intent.

Within White County are areas that have been subdivided, or can be subdivided, for residential development in a variety of development settings based on the carrying capacity of the land and the infrastructure available in the area. These areas range from being rural in character to more suburban settings. It is the intent of the Residential Single-Family District to provide suitable areas where the development of residential subdivision has occurred or is taking place. Furthermore, the White County Comprehensive Plan supports the maintenance of the rural character of the county and recommends the application [of] extremely low density restrictions to discourage the subdivision of land in these areas. These parts of the county are those that lie within agricultural areas and may also display traditional historic elements within the fabric of the community setting. The White County Comprehensive Plan also recognizes the need for establishing residential areas where public infrastructure and related services are available, or in close proximity, are adjacent to compatible uses and can be developed in an economically efficient manner.

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(Supp. No. 60)

These areas are intended to establish and preserve quiet, stable and affordable single-family neighborhoods at low to medium densities, free from other land uses, except those which are compatible with and convenient to the residents of such district. It is also the intent to recognize the need for conservation and open space as densities increase and allow for open spaces and conservation areas to be set aside for the benefit of the community, developer and all future generations who live in White County.

(Res. No. 2019-09, 6-4-19)

Section 1001. Permitted uses.

1. Residences, single-family detached.
2. Accessory uses and structures normally incidental and subordinate to one or more permitted uses. Such residences are allowed to have backyard farm plots or gardens.
3. Agricultural uses, including the production of field crops, fruits, nuts, vegetables and forest products. Livestock and poultry are permitted provided that poultry houses are located a minimum of 100 feet from the boundary of any other land use district, The required setback does not apply to the boundary of an Agricultural Forestry District.
4. Farm structures, including barns, grain storage facilities, implement sheds and other structures accessory to agricultural uses meeting the required property line setback of 15 feet (not including stream setbacks).
5. Child caring institutions that provide traditional care or BASE care - base watchful oversight (BWO) in a home-like setting, and are licensed by the State of Georgia for providing such services. This setting shall be limited to a group care capacity of no more than 12 children, including the biological or adopted children of any host family serving the child caring institution.
6. Home occupations as defined and limited by this ordinance.
7. Single-family residences, not in a platted subdivision, placed with vacation rental cabin agencies or placed in a shortterm rental program provided that the owner obtains an occupational tax certificate, a host license and a certificate of taxing authority.

Moved (insertion) [2]

Deleted: 5. .

(Res. No. 2019-09, 6-4-19)

Section 1002. Conditional uses.

1. Cemeteries, churches, temples, synagogues and places of worship set back 50 feet from all property lines.
2. Parks, playgrounds, community centers, swimming pools, golf courses and other recreational facilities operated on a non-profit basis.
3. Public, semi-public buildings, structures and uses.
4. Public, private and parochial schools and related educational institutions not offered for profit.
6. Agri-tourism, heritage tourism, wedding tourism, event facilities and attractions, as defined by this resolution, with required driveway access improvements and parking facilities and provided that all structures and activity areas are buffered and located a minimum of 100 feet from the boundary of any other land use district.
7. Child caring institutions providing other types of residential care and room, board and watchful oversight.

Moved up [2]: 5. . Single-family residences placed with vacation rental cabin agencies or placed in a shortterm rental program provided that the owner obtains an occupational tax certificate and a certificate of taxing authority. ¶

(Res. No. 2019-09, 6-4-19)

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(Supp. No. 60)

Section 1003. District requirements.

1. Minimum area for a residential lot:
 - a. One acre for stand-alone lots or residential development.

(Res. No. 2019-09, 6-4-19)

ARTICLE XI. RESIDENTIAL MULTI-FAMILY DISTRICT, R-2

Section 1100. Purpose and intent.

The Residential Multi-Family District is intended to provide suitable areas for the development of a variety of multi-family dwelling types at medium to high densities, up to 16 units per acre. The intent of this district is to locate in area or in close proximity to where public water and public waste water treatment services are available and adequate access to the state highway and county major arterial transportation network. The location of this district is more compatible with higher densities and access to commercial facilities and community services. Developments within this district should also look to provide non-motorized alternatives to motorized transportation to access adjacent commercial facilities and community services.

Manufactured and mobile home parks for rental purposes only are allowed within this district at a density of one unit per acre and shall follow the requirements in the White County Code for manufactured mobile home parks.

This district also includes uses that require a special use permit (SUP) from the White County Commission. Uses requiring special use permits are those that would not be appropriate without restrictions and is not permitted by right or conditionally, but allowed through regulations as to the number, area, location, relation to neighborhoods, operations or other pertinent considerations and specification/criteria as specified in this Code.

(Res. No. 2019-09, 6-4-19)

Section 1101. Permitted uses.

1. Residences, multi-family, not to exceed 16 units per acre, including:
 - a. Apartments.
 - b. Condominiums.
 - c. Townhouses.
 - d. Duplexes, with shared driveways.
2. Manufactured housing or mobile home parks in conformance with the White County manufactured mobile home park requirements in the White County Code.
3. Accessory uses and structures normally incidental and subordinate to one or more permitted uses.
4. Home occupations as defined and limited by this ordinance.
5. Single-family residences, not in a platted subdivision, placed with vacation rental cabin agencies or placed in a shorter term rental program provided that the owner obtains an occupational tax certificate, a host license and a certificate of taxing authority.

(Res. No. 2019-09, 6-4-19)

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(Supp. No. 60)

Section 1102. Conditional uses.

1. Churches, temples, synagogues and places of worship set back 50 feet from all property lines.
2. Residences, single-family attached, with shared driveways and service alleys, not to exceed four units per acre.
3. Residences, single-family, detached cottage dwellings, not to exceed five units per acre and shared driveways are utilized.
4. Parks, playgrounds, community centers, swimming pools, golf courses and other recreational facilities operated on a non-profit basis.
5. Public, semi-public buildings, structures and uses.
6. Public, private and parochial schools and related educational institutions not offered for profit.
7. Ground level retail or service establishments not to exceed 1,000 square feet for each space.
8. Rooming or boarding houses.

(Res. No. 2019-09, 6-4-19)

Section 1103. General provisions for residential multi-family district uses.

Section 1103.1. Plan review and site plan approval required.

All developments within this district shall follow the requirements and procedures of plan review and site plan approval in accordance with established procedures established in this appendix.

(Res. No. 2019-09, 6-4-19)

Section 1103.2. Site plan requirements.

All site plans required by this section, shall at a minimum, contain the following information:

1. Title or name of the proposed development.
2. Scale (minimum) 1" = 100 feet.
3. Sheet size (maximum) 24"x36".
4. North arrow and graphic engineering scale.
5. Description of water supply and sewerage system.
6. Vicinity map.
7. Total acreage.
8. Total disturbed acreage.
9. Name, address, and phone number of owner of record.
10. Name, address, and phone number of preparer of plan.
11. Date of plan drawing and revision date(s) if any.
12. Existing buildings and structures on or encroaching on the tract.

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13. Proposed buildings, structures, and amenity areas on the tract.
 14. Existing streets, utilities, and easements on and adjacent to the tract.
 15. Proposed streets, utilities, and easements on and adjacent to the tract.
 16. Environmental conditions (streams, wetlands, watersheds, groundwater recharge areas, flood hazard areas, river corridor protection boundaries, mountain and hillside protection areas, etc.).
 17. Right-of-way widths and pavement widths for abutting streets and existing and proposed streets.
 18. Locations of drainage structures and stormwater management facilities.
 19. Minimum building setbacks.
 20. Location of nearest fire hydrant.
 21. Land surveyor's stamp, certificate, and signature, including field survey and closure statement.

(Res. No. 2019-09, 6-4-19)

Section 1103.3. Parking.

Off-street, paved parking facilities shall be groups in bays, either adjacent to street or in the interior of blocks. No off-street parking shall be more than 100 feet by the most direct pedestrian routes from a door of the dwelling unit it is intended to serve. Parking shall be provided at the rate of two parking spaces per each housing unit in the development. Visitor parking areas shall be designated and provided at the rate of one parking space per two housing units in the development. Visitor parking areas shall not be utilized for patron or complex storage, or serve as an area [for] automotive maintenance, construction repair or property maintenance.

(Res. No. 2019-09, 6-4-19)

Section 1103.4. Interior roads and sidewalks.

Interior roads serving any proposed development within this district shall be constructed and paved in accordance with those standards identified in the White County Subdivision Regulations.

Sidewalks and crosswalks shall be provided to allow pedestrian access and safe movement from housing units to designated parking areas, amenity areas, service facilities, along all interior streets and shall provide access to the entrance and exits of the proposed development.

(Res. No. 2019-09, 6-4-19)

Section 1103.5. Fire protection.

All proposed multi-family developments within this district shall provide fire protection in the form of placement of water systems, fire hydrants, sprinkler systems, fire walls, and alarms systems as required [by] local and state fire codes.

(Res. No. 2019-09, 6-4-19)

Section 1103.6. Street lighting.

Street lighting shall be required at each entrance and exit to the proposed development and at every street intersection within the development. Street lighting shall be placed and staggered, at a maximum, every 300 feet

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along the streets within the proposed development, and street lighting shall be placed at every parking bay within the proposed development.

(Res. No. 2019-09, 6-4-19)

Section 1103.7. Setback, buffer, landscaping and open space requirements.

All developments within this district shall conform to the following requirements in order to promote the health, safety, order, aesthetics and general welfare of the community by: protecting against incompatible uses of land; controlling problems of flooding, soil erosion and air pollution; providing for a more attractive environment; and, reducing noise, night lighting, glare, odor, objectionable view, loss of privacy, and other adverse impacts and nuisances through the use of buffers, landscaping and open space.

Each development shall have a minimum of 20 percent of the development's total land area as landscaped open space or natural (green) space. All streams and stream buffers shall be withheld and placed in common space. A side and rear setback and buffer of at least 30 [feet] shall be provided and maintained. Utilization of existing trees is appropriate for inclusion within the buffer, or when not found appropriate, shall be supplemented with approved tree planting and landscaping.

(Res. No. 2019-09, 6-4-19)

Section 1103.8. Utilities.

All developments within this district shall be served by approved public water and public sanitary sewer facilities. All electric, natural gas, communication and data lines serving the proposed developments shall be placed underground. Meter boxes shall also be clustered in designated sites and adequately buffered. Nonpublic water systems shall meet all Georgia Environmental Protection Division (EPD) state requirements.

Where easements are needed for utility locations, they shall be provided by the developer to the appropriate utility provider. Easements having a minimum width of 15 feet shall be provided, where required for utility lines and underground mains and communication lines. Where easements are needed for public water and/or sanitary sewer lines, they shall be provided as determined appropriate by the appropriate utility agency. All easements required shall be shown on the preliminary plat and final plat and development plans.

(Res. No. 2019-09, 6-4-19)

Section 1103.9. Stormwater management.

Where a proposed development is traversed by a watercourse, drainageway, channel or stream, there shall be provided a stormwater or drainage easement of minimum 20 feet in width. Easements for storm pipes shall be at least ten feet wide, and all easements shall be provided for all drainage facilities in accordance with the Georgia Stormwater Management Manual and approved by the director of public works.

All proposed developments within this district shall be designed in accordance with stormwater management standards in the Georgia Stormwater Management Manual.

In addition, to the design and installation [of] stormwater management facilities, the developer shall provide a longterm maintenance plan for such facilities, including designating longterm responsibility for the management and maintenance of the stormwater facilities.

(Res. No. 2019-09, 6-4-19)

Section 1103.10. Refuse collection.

Each proposed development shall provide refuse collection pads at locations that are convenient to each housing unit, but in no case more than 50 feet from the street or parking area serving each housing unit. Refuse collection sites must be properly screened and buffered, and designed not to negatively impair any stormwater draining off the location.

(Res. No. 2019-09, 6-4-19)

Section 1103.11. Street names and unit numbering.

Each proposed development within this district shall follow the street name and number system within the White County Code and shall be approved by the White County GIS/Mapping Department.

(Res. No. 2019-09, 6-4-19)

Section 1103.12. Service buildings and amenity areas.

Service buildings, offices, maintenance structures and barns, amenity areas, and other facilities shall be centrally grouped and conveniently located for patrons.

All developments with ten or more family units shall provide an amenity area for use by residents at the rate of 100 square feet for each living unit. Areas, including but not limited to, pools, tennis courts, playgrounds, public shelters, walking paths, and other areas of common access may be included in this calculation.

All multi-family developments shall provide adequate covered school bus stop shelters accessible to a designated school bus route.

(Res. No. 2019-09, 6-4-19)

Section 1103.13. Signage.

Signs and signage within proposed developments within this district shall be permitted in accordance with the sign regulations in the White County Code.

(Res. No. 2019-09, 6-4-19)

Section 1103.14. Apartment complex requirements.

1. Minimum lot size for apartment developments is five acres.
2. Minimum lot width shall be 100 feet and minimum lot frontage of 60 feet along either a state route or major arterial county route.
3. Apartment developments shall have a front setback of a minimum of 50 feet from the route it is accessing.
4. No apartment building or structure shall exceed the height of 40 feet.
5. Apartment buildings shall be constructed to have a minimum separation of at least 20 feet if one or more buildings contain two or more stories. The fire service code may require a greater separation as building height increases.
6. All dwelling units shall have a minimum heated floor area of 800 square feet.

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7. No more than 16 units shall be permitted to form any one single building.

(Res. No. 2019-09, 6-4-19)

Section 1103.15. Condominium development requirements.

1. All condominium developments shall meet all applicable state laws, including the Georgia Condominium Act.
2. Minimum lot size for condominium developments is three acres.
3. Minimum lot width shall be 100 feet and minimum lot frontage of 60 feet along either a state route, county arterial or collector route.
4. Condominium developments shall have a front setback of a minimum of 50 feet from the route that it is accessing.
5. No building or structure shall exceed the height of 40 feet.
6. Apartment buildings shall be constructed to have a minimum separation of at least 20 feet if one or more buildings contain two or more stories. The fire service code may require a greater separation as building height increases.
7. All dwelling units shall have a minimum heated floor area of 800 square feet.
8. No more than eight units shall be permitted to form any one single building.
9. Proposed by-laws for the condominium development shall be filed and recorded with the White County Clerk of Court.

(Res. No. 2019-09, 6-4-19)

Section 1103.16. Townhouse development requirements.

1. Each townhouse shall be its own lot of record.
2. Minimum area for townhouse developments is three acres.
3. Minimum lot width for the overall development shall be 100 feet and minimum lot frontage of 60 feet along either a state route, county arterial or collector route.
4. Townhouse developments shall have a front setback of a minimum of 50 feet from the route that it is accessing.
5. No townhouse building or structure shall exceed the height of 40 feet.
6. Townhouse buildings and structures shall be constructed to have a minimum separation of at least 20 feet if one or more buildings contain two or more stories. The fire service code may require a greater separation as building height increases.
7. All dwelling units shall have a minimum heated floor area of 800 square feet.
8. No more than four units shall be permitted to form any one single building.
9. Townhouses may utilize shared driveways in lieu of off-street parking in bays.

(Res. No. 2019-09, 6-4-19)

Section 1103.17. Duplex, cottage and attached housing requirements.

1. Minimum area for a duplex, cottage and attached housing development shall be three acres.
2. Each cottage and attached housing units shall be its own lot of record.
3. Minimum lot width for the overall development shall be 100 feet and minimum lot frontage of 60 feet along either a state route or county arterial route.
4. Duplex, cottage and attached housing developments shall have a front setback of a minimum of 50 feet from the route it is accessing.
5. No building or structure shall exceed the height of 35 feet.
6. Buildings and structures shall be constructed to have a minimum separation of at least 30 feet. The fire service code may require a greater separation as building height increases.
7. Each duplex and cottage dwelling unit shall have a minimum heated floor of 800 square feet. Floor area for a cottage dwelling unit shall not exceed 1,100 square feet.
8. Front, side and rear setbacks for cottage housing and attached housing shall be 15 feet.

(Res. No. 2019-09, 6-4-19)

Section 1104. Special use permit.

1. Group recovery homes/centers and rehabilitation facilities involving professional care and treatment.

(Res. No. 2019-09, 6-4-19)

ARTICLE XII. RESIDENTIAL DISTRICT (SEASONAL), R-3

Section 1200. Purpose and intent.

There exists in White County a large percentage of the county wide housing stock that is utilized for seasonal, second home and vacation housing. The most recent U.S. Census reported that more than 20 percent of the total housing stock in White County was classified as seasonal housing. Many of these housing units are second homes or vacation homes that are placed in vacation cabin rental programs. Additionally, there are rental cabin resorts located primarily in the northern sections of White County. Other types of seasonal housing include the placement of park model recreation vehicles that are employed primarily by visitors and vacationers during the summer and fall seasons in recreation vehicle (RV) park developments and resorts. Campgrounds and outdoor recreation camps and retreats also house visitors temporarily in White County throughout the tourist season.

The purpose and intent of the Seasonal Residential (SR) land use classification is to establish an area to provide housing and service needs of vacationers and seasonal residents or others. The land uses in this land use classification must also meet additional development requirements found in the White County Code for their respective type of development.

This district also includes uses that require a special use permit (SUP) from the White County Commission. Uses requiring special use permits are those that would not be appropriate without restrictions and is not permitted by right or conditionally, but allowed through regulations as to the number, area, location, relation to neighborhoods, operations or other pertinent considerations and specification/criteria as specified in this Code.

(Res. No. 2019-09, 6-4-19)

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(Supp. No. 60)

Section 1201. Permitted uses.

1. Rental tourist cabins developments in accordance with the appropriate ordinance in the White County Code.
2. Recreation vehicle parks and recreation trailer developments in accordance with the appropriate ordinance in the White County Code. Planned developments for RV lots require a minimum of one-half acre per lot.
3. Outdoor recreation uses, camps, campgrounds and retreat facilities are permitted uses provided that all structures and activity areas are buffered and located a minimum of 100 feet from the boundary of any other land use district.
4. Bed and breakfast establishments and inns not to exceed 15 guest rooms.
5. Single-family residences, not in a platted subdivision, placed with vacation rental cabin agencies or placed in a shortterm rental program provided that the owner obtains an occupational tax certificate, a host license and a certificate of taxing authority.

(Res. No. 2019-09, 6-4-19)

Section 1202. Conditional uses.

1. Convenience retail store and service offices not to exceed 500 square feet.
2. Parks, playgrounds, community centers, swimming pools, golf courses and other recreational facilities operated on a non-profit basis.
3. Public, semi-public buildings, structures and uses.

(Res. No. 2019-09, 6-4-19)

Section 1203. Special use permit.

1. Amusement parks, attractions and performance entertainment facilities.

(Res. No. 2019-09, 6-4-19)

ARTICLE XXII. DEFINITION OF TERMS

When used in this regulation, the following words and phrases shall have meaning given in this article. Terms not herein defined shall have their customary dictionary definitions where not inconsistent with the context.

Abandonment: The relinquishment of property, or a cessation of the use of the property, by the owner or lessee without any intention of transferring rights to the property to another owner or of resuming the use of property.

Accessory building or use: A building or use which is subordinate to and serves a principal building or principal use; is subordinate in area, extent, or purpose to the principal building or use served; contributes to the comfort, convenience or necessity of occupants of the principal building or principal use; and is located on the same lot as the principal building or principal use.

Adult dog: A dog at least one year of age.

Agriculture: The use of land for agricultural purposes, including the raising of crops and livestock, dairying, pasturage, horticulture, floriculture, viticulture, animal and poultry husbandry, forestry and other similar enterprises or uses.

Agri-tourism: An agricultural-related facility or use that attracts and serves people visiting the area for recreation, vacation, special events, education or conferencing.

Airport: Any area of land, water or mechanical structure which is used for the landing and takeoff of aircraft, including any appurtenant structures and areas which are used or intended to be used for airport buildings, other airport facilities, rights-of-way or easements.

Alteration: Any change in the structural components of a building, any modification or change in construction, any addition that changes the area or height, any change in use of or movement of a building from one location to another, or any change in the amount or volume of space used for any activity.

Ambient noise: The all-encompassing noise associated with a given environment, being usually a composite of sounds from many sources, near and far.

Amenity: A natural or created feature that enhances the aesthetic quality, visual appeal, or makes more attractive or satisfying a particular property, place or area.

Attraction: A tourism related venue or use that serves as a destination for tourism.

Barn: A farm building used to store farm products or shelter livestock.

Bed and breakfast inn: A building wherein lodging or lodging and breakfast are provided to guests for compensation and where the operator of the bed and breakfast lives on the premises. Operator must have a current occupational tax license and hotel/motel tax certificate.

Bedroom. A room that is intended primarily for sleeping as reflected on the building permit, tax assessor's records or site inspection.

Boardinghouse: A building where, for compensation, both lodging and meals are provided for persons, provided that a single-family dwelling shall not be deemed to be a boardinghouse by reason of a contribution to or expense-sharing arrangement with the owner or tenant occupying the dwelling by a person related by blood or marriage.

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ARTICLE XXII. DEFINITION OF TERMS

Buffer, opaque fence: An opaque fence shall be a wall or fence, solid in appearance of either wood, stone, brick, vinyl or stucco. Neither a chainlink fence nor a chainlink fence with metal slats, qualifies as an opaque fence. The fence or wall must have a minimum height of six feet. The owner shall be responsible for all maintenance of the fence or wall.

Buffer, opaque vegetative: An evergreen buffer of shrubbery, such as Holly or Leyland Cypress that when mature, has a minimum height of six feet. When planted, the distance between the shrubs shall be sufficient to create a solid opaque barrier when mature. Plants must reach a height of six feet within two years of planting. The owner shall be responsible for all maintenance of the vegetative buffer, to include replacement of plants if necessary, and to ensure continual compliance with height requirements.

Building: Any structure, either temporary or permanent, above or below ground, having a roof or other covering, and designed, built or used as a shelter or enclosure for persons, animals, property, or waste of any kind, or similar structures used for purposes of a building as defined herein.

Building official: The primary employee or his/her designee who is designated by the board of commissioners to administer and enforce its building code and related regulations.

Building, principal: A building or structure in which is conducted the primary use of the property on which the building or structure is located.

Building setback line: A line establishing a minimum allowable distance between the wall of a building, including any covered porches, and the street right-of-way or property line when measured perpendicularly thereto. In the case of corner lots or double frontage lots, front yard requirements shall be observed for those areas adjacent to street rights-of-way.

Bulk: A term used to describe the size and shape of a building or structure and its relationship to other buildings, to the lot area for a building and to open spaces and yards.

Campground: A parcel of land used or intended to be used, let or rented for occupancy by campers or for occupancy by tents or movable or temporary dwellings, rooms or sleeping quarters.

Cemeteries: Cemeteries are burial grounds, generally where multiple burial plots are sold or provided for burial of persons beyond the immediate family. All cemeteries must be located on a lot of at least five acres.

Cemetery—Family plots: Family plots are burial grounds restricted to members of the family owning the lot on which the cemetery is located. Family plots shall be located only on lots of two acres or greater. For the purposes of this section, "family" shall be defined as family within the fourth degree of civil reckoning from the property owner.

Certificate of occupancy: A legal statement or document issued by the building official indicating that the building and use or reuse of a particular building or land is in conformity with all applicable codes and regulations, and that such building or land may be occupied for the purpose stated therein.

Child caring institution: A child welfare agency that is any institution, society, agency, or facility, whether incorporated or not, which either primarily or incidentally provides full-time care for children through 18 years of age outside of their own homes. This full-time care is referred to as room, board and watchful oversight. For these purposes a child caring institution means any institution, society, agency or facility that provides care to six or more children and licensed by the State of Georgia.

Club: A building or facility owned or operated for social, educational, or recreational purposes, but not for profit or other purposes that is customarily undertaken for monetary gain.

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Commercial kennel: An enclosed structure with soundproof walls used for the raising, housing, breeding, boarding or training of more than four adult dogs primarily for the purpose of generating income or revenue; or an enclosed structure with sound proof walls used for the raising, housing, breeding, boarding or training of more than 12 adult dogs, and not primarily used for the purpose of generating income or revenue.

Common Development: A group of 4 or more platted lots approved by White County Planning Commission, the White County Community and Economic Development Department and/or recorded in a plat book with the White County Clerk of Court.

Compatibility: The characteristics of different uses or activities that permit such uses or activities to be located near each other or otherwise coexist in harmony and without conflict. Some elements affecting compatibility include but are not limited to: intensity of occupancy as measured by dwelling units per acre or gross square footage per acre; pedestrian or vehicular traffic generated; volume of goods handled, such environmental effects as noise, vibration, odor, glare, air pollution, water pollution or radiation; and the effects of uses on the value of other property.

Compensation: Remuneration or anything of economic value that is provided, promised or donated primarily in exchange for services rendered. This includes, but is not limited to, voluntary donations, and fee-sharing.

Comprehensive plan: Those coordinated plans or portions thereof which have been or may hereafter be prepared by or for the governing body for the physical development of the jurisdiction; or any plans that designate plans or programs to encourage the most appropriate use of the land in the interest of public health, safety and welfare.

Conditional land use: The granting or adoption of land use for property subject to compliance with restrictions as to use, size, density or actions stipulated by the governing body to mitigate adverse impacts that are anticipated without imposition of such conditions.

Conditional use: A use that would be appropriate only with specified restrictions throughout a land use district and that is not automatically permitted by right within a land use district, but that may be permitted within a land use district subject to meeting specific conditions contained in these regulations or otherwise required by the governing body. Such uses shall be permitted only if approved in advance by the governing body in accordance with the regulations established herein as evidenced by the issuance of a conditional use permit.

Conditional use permit: The permit issued as a precondition to allowing any conditional use in a land use district.

Condominium (residential building): A building or complex of multiple-dwelling units in which each unit is owned individually by separate owners with the common areas jointly owned by the owners of the units.

Contractor's establishment: A building, structure or use involved in construction activities, including but not limited to, plumbing, electrical work, building, paving, carpentry and other such activities, including the storage of materials and the overnight parking of vehicles related to such establishments.

Convenience store: A retail store, which sells convenience items. A convenience store may include the sale of gasoline, propane, kerosene and diesel fuel.

Conversion: Any change in the original use or purpose of a building or lot to a different use.

County: Unincorporated White County.

Day care center: A child care facility, pre-kindergarten, play or other special school for young children (other than at public or private elementary schools) providing, for compensation, care and maintenance to seven or more

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children under age 17 for a period of 12 hours or less, typically during normal daytime hours. A day care center of six children or less is considered to be a home occupation.

Density: The number of dwelling units developed, or to be developed, per gross acre of land, or the gross square footage of a building, other structure or use per acre of land.

Development: Any manmade change of improved or unimproved real estate including, but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations.

District, land use: A geographical area or areas, designated with the use of symbols on the official land use map, wherein uses of land are restricted in type, size, height and other limitations as established in these regulations.

Dormitory: A building that is owned and/or operated by an educational institution, the primary purpose of which is to provide living accommodations for individuals associated with the institution, but which does not include individual kitchen facilities.

Dwelling: A building designed, arranged or used for permanent living, and/or sleeping quarters for persons.

Dwelling, multifamily: A structure under single ownership designed for or occupied by three or more dwelling units. Multi-family dwellings do not include motels, hotels, lodging houses, hospitals, nursing homes, or public institutions such as prisons and mental institutions.

Dwelling, single-family: A completely freestanding residential building, occupying its own structure from ground to roof, designed for or occupied exclusively by one family and meeting or exceeding the local building code for onsite construction, and separated from other single-family detached dwellings by yards. For regulatory purposes, a single-family dwelling is not to be construed to include manufactured homes or mobile homes or portable housing for recreational or other temporary use or a single-family attached dwelling.

Dwelling, two-family (duplex): A dwelling designed or arranged to be occupied by two single housekeeping units living independently of each other.

Dwelling unit: A building, or portion thereof, designed, arranged or used for living quarters for one or more persons living as a single housekeeping unit using the same cooking facilities, but not including units in hotels or other structures designed for transient residence.

Family: An individual, or two or more persons related by blood, marriage, adoption or guardianship, or a group of not more than four unrelated persons, occupying a single dwelling unit and using the same cooking facilities. For purposes of this ordinance, family may include foster children placed in a family foster home licensed by the State of Georgia, but shall not include fraternities, sororities, rooming houses or boarding houses, nursing home or rest homes.

Farm: An area of land principally devoted to agriculture.

Farm supply store: An establishment engaged in the retail sale of animal feeds, fertilizers, agricultural chemicals, pesticides, seeds and other such farm supplies.

Flea market: The use of land, structures or buildings for the sale of goods which are principally used or secondhand goods.

Garage: An accessory building or portion of a principal building used only for the private storage of motor vehicles and other personal property as an accessory use.

Governing body: The board of commissioners of White County, duly elected by the citizens within the jurisdiction.

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Grade: The average elevation of the ground on all sides of a building.

Guest: Any person or persons who utilize lodging on a temporary basis to include the renting of hotels, motels, bed and breakfast inns, lodges, tourist camps, tourist cabins, campground and any other place in which rooms, lodgings or accommodations, including shortterm rentals, are available.

Guest house: A lodging unit for temporary guests in an accessory building. No such lodging unit shall contain independent cooking or kitchen facilities and shall not be rented or otherwise used as a separate dwelling.

Height, building: The vertical distance measured from the grade to the highest point of the coping of a flat roof; to the declines of a mansard roof; or to the mean height level between the eaves and ridge of a gable, hip or gambrel roof.

Heritage tourism: A historic related facility or use that attracts and serves people visiting the area for recreation, vacation, special events, education or conferencing.

Home occupation: Any use, occupation or activity conducted on the same lot as a dwelling by the residents thereof, which is clearly incidental and secondary to the use of the dwelling for residence purposes and does not change the character thereof, and in connection with which there is no display, no stock-in-trade nor commodity sold or stored on the premises; and where only those persons residing on the premises and not more than one outside employee are employed specifically in connection with the home occupation.

Hotel/motel: Every building or structure kept, used, maintained, advertised and held out to the public to be a place where there are sleeping accommodations for more than 16 persons (Life Safety Code 6.1.8.1.3) and operators have a current occupational tax license and hotel/motel tax certificate.

Hotel/motel tax: An excise tax levied at the rate of eight percent paid for the occupancy of any room, lodging or accommodation furnished by any person or legal entity within the unincorporated portions of the county. The tax applies to hotels, motels, bed and breakfast inns, lodges, tourist camps, tourist cabins, campground and any other place in which rooms, lodgings or accommodations, including shortterm rentals, are available.

Household appliance: Any large enameled appliance such as refrigerators, stoves, washers, dryers, water heaters, and dishwashers that are commonly found in most houses.

Inoperable vehicle: Any motorized vehicle, other than those vehicles temporarily disabled, incapable of immediately being driven. Any motorized vehicle designed for use on a public road without a current vehicle registration tag shall be considered an inoperable vehicle.

Junk/salvage yard: Any property involving the abandonment, parking, storage or disassembly of junked or inoperable vehicles or junked machinery, or the abandonment, storage, sale, or resale of used auto parts, tires, scrap iron, metal, used plumbing fixtures, old stoves, refrigerators and other old household appliances, used brick, wood, or other building/structural materials, used paper, rags or other scrap materials.

Kennel: A structure or enclosure used for the raising, housing, breeding, boarding or training of more than four adult dogs, but not more than 12 adult dogs, and not primarily used for the purpose of generating income or revenue.

Lagoon, animal waste: A shallow body of liquid waste material.

Land use: A police power measure in which the county is divided into districts or zones within which permitted uses, and in some cases conditional uses, are established as well as regulations governing lot size, bulk, height and other development requirements.

Land use administrative officer: The field representative of the White County Planning Commission or any other representative designated by the governing body.

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Landfill, construction and demolition waste: A landfill accepting only waste building materials and rubble resulting from construction, remodeling, repair, and demolition operations on pavements, houses, commercial buildings and other structures. Such wastes include, but are not limited to wood, bricks, metal, concrete, wall board, paper, cardboard, inert waste landfill material, and other nonputrescible wastes which have a low potential for groundwater contamination.

Landfill, inert waste: A landfill accepting only wastes that will not or are not likely to cause production of leachate of environmental concern. Such wastes are limited to earth and earth-like products, concrete, cured asphalt, rock, bricks, yard trimmings, stumps, limbs, and leaves. This definition excludes industrial and demolition waste not specifically listed above.

Landfill, solid waste: A landfill accepting any garbage or refuse; sludge from a wastewater treatment plant, water supply treatment plant, or air pollution control facility; and other discarded material including solid, semisolid, or contained gaseous material resulting from industrial, commercial, mining, and agricultural operations and from community activities, but does not include recovered materials or hazardous waste; solid or dissolved materials in domestic sewage; solid or dissolved materials in irrigation return flows or industrial discharges that are point sources subject to permit under 33 U.S.C. section 1342; or source, special nuclear, or byproduct material as defined by the Federal Atomic Energy Act of 1954, as amended (68 Stat. 923).

Livestock: All animals of the equine, bovine, or swine class, including but not limited to goats, sheep, mules, horses, hogs, cattle, and other grazing animals, and all raites, including, but not limited to, ostriches, emus, and rheas, and non-traditional livestock including, but not limited to, bison, deer, buffalo, llamas, and alpacas.

Lodging house: A building or portion thereof, that does not qualify as a one- or two-family dwelling such as a fraternity house, sorority house, dormitory, or other such building designed and occupied, with or without separate kitchen or housekeeping facilities for each unit. Typically, sleeping accommodations are for less than 16 people (Life Safety Code 6.1.8.1.2).

Lot: A parcel of land occupied or capable of being occupied for a use, by a building or group of buildings devoted to a common use, together with the customary accessories and open spaces belonging to the same, and having frontage on a street; or a developed or undeveloped tract of land in one ownership legally transferable as a single unit of land.

Lot area: The total horizontal area within the lot lines of a lot, exclusive of public street right-of-way.

Lot, corner: A lot abutting upon two or more public streets at their intersection.

Lot, double frontage: Any lot, other than a corner lot, which has frontage on two public streets that do not intersect at a point abutting the property.

Lot frontage: The width in linear feet of a lot where it abuts the right-of-way of any public street.

Lot of record: A lot which is part of a subdivision, a plat of which has been recorded in the records of the county superior court clerk; or a parcel of land, the deed, plat or other designation (as a separate lot of record) of which has been recorded in the same office.

Lot width: The horizontal distance between side lot lines measured at the minimum required front yard (regulatory front building setback) line.

Manufactured home: A detached, single-family dwelling unit designed for longterm occupancy and constructed in one or more units made to be transported after fabrication on wheels and when connected to required utilities to include plumbing and electrical systems. Such a dwelling shall be constructed in accordance with the Federal Manufactured Home Construction and Safety Standards, which came into effect on June 15, 1976, as amended, and shall bear the insignia issued by the U.S. Department of Housing and Urban Development (HUD).

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Removal of the wheels and placement on a foundation does not change its classification. Travel trailers and recreational vehicles are not manufactured/mobile homes.

Manufacturing, processing and assembling: The mechanical or chemical transformation of materials or substances into new products. The land uses engaged in these activities are usually described as plants, factories or mills and characteristically use power driven machines and materials handling equipment. Establishments engaged in assembling component parts of manufactured products are also considered under this definition if the new product is neither a fixed structure nor other fixed improvement. Also included is the blending of materials such as lubricating oils, plastic resins or liquors.

Miniwarehouse: A building or group of buildings in a controlled access and fenced compound that contains varying sizes of individual, compartmentalized stalls or lockers used for storage, including accessory office and/or night watchman's residence, but not including retail sale on the premises, commercial repair or other services, manufacturing or any other commercial use.

Mobile home: A residential structure transportable on wheels after fabrication in one or more sections, which is built on a permanent chassis and designed to be used as a permanent dwelling when connected to the required utilities and constructed prior to June 15, 1976 (See the definition of "manufactured home" for all factory-fabricated structures built to the Federal Manufactured Home Construction and Safety Standards (HUD Code) since June 15, 1976).

Mobile home/manufactured home park: A parcel of land or any portion thereof under single ownership which has been designed, planned, or improved for the placement of more than four mobile homes/manufactured homes for residential use, including land, buildings, and facilities used by the occupants of such homes on the property.

Mobile/manufactured home space: A parcel of land within a mobile/manufactured home park which is reserved or leased for the placement of an individual mobile/manufactured home, accessory structures and the exclusive use of its occupants.

Modular home: A dwelling unit composed of components substantially assembled in a manufacturing plant and transported to the building site for final assembly on a permanent foundation in accordance with applicable codes.

Non-conforming lot: A lot, the area, width, or other characteristic of which fails to comply with applicable regulations and which was of record and in full compliance with all applicable federal, state and local laws, rules and regulations prior to the enactment of these or other regulations applicable thereto, but which does not comply with the requirements of these regulations.

Non-conforming structure: Any building or structure which does not conform to applicable regulations hereunder governing the type, bulk, location, height or size of buildings or structures permitted in the district, which building or structure was lawfully in existence and in full compliance with all applicable federal, state and local laws, rules and regulations, and for which all required federal, state and local permits had been issued, prior to the adoption of these or other regulations applicable thereto, but which does not comply with the requirements of these regulations.

Non-conforming use: Any use of any land, building or other structure which was existing and in full compliance with all applicable federal, state and local laws, rules and regulations, and for which all required federal, state and local permits had been issued, prior to the adoption of these or other regulations applicable thereto, but which does not comply with the requirements of these regulations.

Nuisance: Anything that substantially interferes with the use or enjoyment of property, creates a risk of endangering the public health or safety, or is offensive to the senses.

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Office: A building or portion thereof wherein services are performed involving predominantly administrative, professional or clerical operations and not involving retail sales or other sales of any kind on the premises.

Official land use map: The "Official Land Use Map of Unincorporated White County" described in these regulations.

Open air business: Any commercial establishment that displays products in non-enclosed area.

Open space: An area that is permanently set aside through dedication, designation, or reservation and is available to all occupants of a development and that is not used for or occupied by a public right-of-way, driveway, an off-street parking area, a loading space, a refuse storage space, or a building.

Outdoor storage: The keeping, in an unenclosed area, of any goods, junk, material, merchandise, or commercial vehicles in the same place for more than 24 hours.

Outdoor storage yards: The keeping within an unroofed and unenclosed area of any goods, material, merchandise or vehicles, not for sale at retail, in the same area for more than 24 consecutive hours. This term also includes an unroofed or unenclosed area used for the performance of work or other such activities necessary in the operation of a business.

Owner/innkeeper: Any person who, alone or with others, has title or interest in any residential structure, building, property, or portion thereof, with or without accompanying actual possession thereof, including any person who, as tenant, agent, executor, administrator, trustee, or guardian of an estate, has charge, care, or control of any shortterm rental use.

Parking space: An area having dimensions of not less than nine feet by 20 feet and 300 square feet including maneuvering space within a parking lot, to be used exclusively as a temporary storage space for a motor vehicle.

Permitted use: A use by right which is specifically authorized in a particular land use district.

Person: An individual, firm, partnership, corporation, company, association or institution, including any trustee, assigns or other representative.

Planning commission: The White County Planning Commission.

Plat: A map, plan or layout of a county, city, town, section or subdivision indicating the location and boundaries of properties.

Policies and procedures ordinance: The "Land Use Public Hearing Policies and Procedures Ordinance of White County" as amended from time to time.

Principal building: A building in which is conducted a principal use.

Property owner: The person or persons who own property being considered under these regulations.

Public use: Any building, structure or use owned and/or operated by the federal government, State of Georgia, White County or other county, or any municipality, or any authority, agency, board or commission of the above governments, which is necessary to serve a public purpose, such as but not limited to the following: government administrative buildings, police and fire stations, public health facilities and hospitals, public works camps, parks and community centers, public roads and streets, airports, water and sanitary sewerage storage, intake, collection and treatment and pumping facilities, public housing facilities, jails and correctional centers.

Recreational vehicle: A vehicular-type portable structure which can be towed, hauled or driven and is primarily designed as temporary living accommodations for recreational, camping and travel uses.

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Recreational vehicle (RV) park (travel trailer park): Any lot of land upon which two or more recreational vehicle sites are located, established or maintained for occupancy on a temporary basis by recreational vehicles of the general public as temporary living quarters by campers, vacationers or travelers.

Responsible party: An individual(s) with the legal authority to make and act on decisions of tenancy, building maintenance, complaints and repairs relating to applicable safety codes. The responsible party must be available as a point of contact for the county as well as any shortterm rental guest(s) for the duration of the stay in the shortterm rental. The responsible party shall be available 24 hours per day, seven days per week for the purpose of responding within two hours to complaints related to the shortterm rental and taking remedial action to resolve such complaints.

Restaurant: Any place or premises used for sale, dispensing or service of food, refreshment or beverages.

Restaurant, drive-in: Any place or premises used for sale, dispensing or service of food, refreshment or beverage to person(s) in automobiles, including those establishments where customers may eat or drink on the premises.

Right-of-way: That area, distinguished from an easement, which is owned in fee-simple title by the governing body or other government, for the present or future use of roads, streets, and highways, together with its drainage facilities and other supporting uses and structures.

Rooming house: A building where, for compensation, lodging only is provided.

School: A facility that provides curriculum of elementary and secondary academic instruction. A school is considered public if operated by the county board of education.

Screening: A method of shielding, obscuring or buffering one use or building from another use or building by fencing, walls, berms, densely planted vegetation, natural vegetation or other means; a visual and acoustical barrier which is of such nature and density that provides yearround maximum capacity from the ground to a height of at least six feet or that screens structures and activities from view from the normal level of a first story window on an abutting lot.

Semi-public use: Any building, structure or use owned and/or operated by private utilities for the purpose of providing utilities to the public, or which is reasonably necessary for the furnishing of adequate service by such utilities, such as but not limited to the following: underground or overhead gas, electrical, steam, or water distribution or transmission lines or systems, electric power substations, wires, towers, cables, and poles.

Setback: The minimum horizontal distance between the property boundary lines of a lot and the front, rear, or side lines of a building, other structure or activity located on that lot.

Short-term rental advertisement: Any method of soliciting use of a lodging accommodation or any part thereof for shortterm rental purposes.

Shortterm rental: Shortterm vacation rental means an accommodation for transient guests where, in exchange for compensation, a residential dwelling unit is provided for lodging for a period of time not to exceed 30 consecutive days. For the purposes of this definition, a residential dwelling shall include all housing types and shall exclude group living or other lodging uses.

Shortterm rental host/innkeeper: Any person who is the owner of a lodging accommodation or any part thereof that is offered for shortterm rentals for periods of 30 days or less and who is responsible for applying for a shortterm rental host application and fee.

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Site plan: A two-dimensional graphic illustration, prepared to scale, showing accurately and with complete dimensioning the boundaries of a lot or tract and the location of all buildings, structures, uses and principal site development features proposed for a specific lot or tract of land.

Small appliance: Any appliance that typically can fit on a countertop such as microwave, toaster, mixer, blender, iron, toaster oven, electric skillet, or other plug-in electric devices.

Street: A public or private thoroughfare which affords the principal means of access to abutting property.

Structure: Anything constructed or erected, the use of which requires more or less permanent location on or in the ground, or which is attached to something having more or less permanent location on or in the ground, including, without limitation, wells, signs, tiles, liners, and any other tangible property placed on or in the ground to facilitate any use.

Subdivision, platted: A subdivision of common development with a final plat approved by the White County Planning Commission, the White County Community and Economic Development Department or recorded in a plat book with the White County Clerk of Superior Court, which are designed for the purpose of sale, lease, legacy or building development.

Subdivision, platted for family/estate: A subdivision of land with a final plat approved by the White County Planning Commissioner, the White County Community and Economic Development Department or recorded in a plat book with the White County Clerk of Superior Court, which are designed for intra-family land transfer and not for the purpose of sale, lease or building development.

Tourism: A facility or use for the purpose of attracting and serving of people visiting an area for recreation, vacation, special events, education and conferencing.

Townhouse: A single-family dwelling in a row of at least three attached units in which each unit has its own front and rear access to the outside, no unit is located over another unit, and each unit is separated from any other unit by one or more vertical common fire resistant walls. A townhouse shall have at least two stories.

Trade shop: An enclosed structure used for the commercial operation of a skilled trade, including but not limited to, cabinet making and carpentry, sheet metal, roofing, upholstering, electrical and plumbing.

Truck stop: An area principally devoted to the service, refueling, temporary storage or parking of trucks, including accessory buildings, structures and uses such as restaurants.

Truck terminal: An area where cargo is stored for routing or reshipment and where trucks load and unload cargo on a regular basis, or an area in which semi-trailers and/or trucks are parked and stored.

Use: Any purpose for which a building, structure or a tract of land is actually being utilized at a particular point in time; or any activity, occupation, business, or operation actually being carried on in a building or structure or on a tract of land at a particular point in time.

Variance: A minimal relaxation or modification of the strict terms of the height, area, placement, setback, yard, buffer, landscape strip, parking and loading regulations as applied to specific property when, because of particular physical surroundings, shape, or topographical condition of the property, compliance would result in a particular hardship upon the owner, as distinguished from a mere inconvenience or a desire to make a profit.

Vehicles: Vehicles include cars, trucks, boats, ATVs, trailers, golf carts and motorcycles.

Yard: A space on the same lot with a principal building, which is open, unoccupied, and unobstructed by buildings or structures from ground to sky except where encroachments and accessory buildings are expressly permitted. A yard may contain a parking and/or loading area and fencing unless otherwise specified by these regulations.

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Yard, front: A space on the same lot with a principal building, extending the full width of the lot, and situated between the street right-of-way and the front line of the building projected to the side lines of the lot. In the case of a corner lot, both spaces with street frontage shall be considered front yards. In the case of double frontage lots, the spaces as defined above shall both be considered front yards.

Yard, rear: A space on the same lot with a principal building, extending the full width of the lot and situated between the rear line of the lot and the rear line of the building projected to the side lines of the lot.

Yard, side: A space on the same lot with a principal building, situated between the building and the side lot line and extending from the rear line of the front yard to the front line of the rear yard.

(Res. No. 2019-09, 6-4-19)

ARTICLE XVIII. AMENDMENT, APPLICATION AND PROCEDURAL REQUIREMENTS

Section 1800. Authority to amend.

The board of commissioners may from time to time amend the number, shape, boundary or area of any district, or may amend any regulation pertaining to any district; or may amend any article or section of this appendix. The procedure for amending this appendix shall be as provided in this article.

(Res. No. 2019-09, 6-4-19)

Section 1801. Initiation of land use amendments.

A petition to amend the text of these land use protection regulations or the official land use district map may be initiated by the board of commissioners, the planning commission or any person, firm, corporation or agency that owns property involved in a petition for amendment, subject to the provisions established herein. This shall also include the legal representative of the board of commissioners, the planning commission or any person, firm, corporation or agency that owns property involved in a petition for amendment.

(Res. No. 2019-09, 6-4-19)

Section 1802. Frequency of application.

The board of commissioners or the planning commission may at any time file, in its own name, an application for amendment to the text of the zoning protection regulations or the official land use district map, except that if a zoning decision of the board of commissioners is for the rezoning of property and the amendment to the land use protection resolution and associated map to accomplish the redistricting is defeated by the board of commissioners, the same property may not again be considered for redistricting until the expiration of at least six months immediately following the defeat of the redistricting by the board of commissioners.

A property owner or subsequent property owner shall not initiate action for a map amendment, conditional use permit, variance or special use permit affecting the same or any portion of property more often than once every six months from the date of any previous decision rendered by the board of commissioners; provided, however that a property owner may petition for alteration, modification or deletion of conditions of land use protection in accordance with the provisions of this article.

A property owner or subsequent property owner shall not initiate action for a text amendment affecting the same or any portion of property more often than once every six months from the date of any previous decision rendered by the board of commissioners.

(Res. No. 2019-09, 6-4-19)

Section 1803. Withdrawal of amendment application.

Any petition for an amendment to these regulations, official land use district map, conditional use approval, variance or special use permit may be withdrawn, at the discretion of the person or agency initiating such request, at any time prior to final action by the board of commissioners upon written notice to the planning director. Any required fees shall be forfeited.

(Res. No. 2019-09, 6-4-19)

Section 1804. Application requirements.

Application materials specified in this section shall be required for the following petitions:

1. Amendments to the official land use district map;
2. Alterations or extensions of conditional use decision;
3. Conditional use permits;
4. Special use permits, including alterations or extensions; and
5. Applications for variances or appeals to the board of commissioners.

Application materials shall include:

1. An application form furnished by the planning department; and
2. A legal description of the property to be considered in the application. The legal description shall be by metes and bounds unless an alternative legal description which clearly describes the property in question without ambiguity and without conflicting with the description of any other property, is determined to be acceptable by the planning director. Boundary surveys of the property should be submitted with the application; and
3. A letter of intent which describes general characteristics of the proposed development, such as type and timeframe of development, background information in support of such application, professional studies, as required by the planning director, and any other information deemed pertinent by the applicant.
 - (A) For variance applications, the letter shall address the criteria specified in this appendix.
 - (B) For land use district map amendment applications, the letter of intent shall address the standards specified in this appendix.
 - (C) For conditional use permit applications, the letter of intent shall address the standards specified in section 1807 of this appendix.
 - (D) For conditional use permit applications for shortterm rentals, applications must include all items specified in section 703 of this appendix.
 - (E) For special use permits application, the letter shall address the standard specified in article XVIII of this appendix.
4. A site plan prepared by an architect, engineer or surveyor, with professional stamp, with all information specified in this appendix. Unless otherwise noted in the approval, the site plan submitted in support of an approved application shall be considered a part of the approval and must be followed.
5. A fee for said application as established by the board of commissioners.
6. Applications which require action by the board of commissioners shall also require disclosure of any conflicts of interest as specified in chapter 67A of the Georgia Code, "Conflict of Interest in Land Use District Actions."

Applicants shall submit three copies of any required site plans or development plans and letters of intent to the planning director for distribution to the applicable bodies and/or review agencies. The planning director may require more or less copies depending on the nature and extent of required review.

(Res. No. 2019-09, 6-4-19)

(Supp. No. 60)

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Section 1805. Site plan requirements.

All site plans required by this section, shall at a minimum, contain the following information:

1. Title or name of the proposed development.
2. Scale (minimum) 1" = 100 feet.
3. Sheet size (maximum) 24"x36".
4. North arrow and graphic engineering scale.
5. Description of water supply and sewerage system.
6. Vicinity map.
7. Total acreage.
8. Total disturbed acreage.
9. Name, address, and phone number of owner of record.
10. Name, address, and phone number of preparer of plan.
11. Date of plan drawing and revision date(s) if any.
12. Existing buildings and structures on or encroaching on the tract.
13. Proposed buildings, structures, and amenity areas on the tract.
14. Existing streets, utilities, and easements on and adjacent to the tract.
15. Proposed streets, utilities, and easements on and adjacent to the tract.
16. Environmental conditions (streams, wetlands, watersheds, groundwater recharge areas, flood hazard areas, river corridor protection boundaries, mountain and hillside protection areas, etc.).
17. Right-of-way widths and pavement widths for abutting streets and existing and proposed streets.
18. Locations of drainage structures and stormwater management facilities.
19. Minimum building setbacks.
20. Existing and proposed parking areas.
21. Location of nearest fire hydrant.
22. Land surveyor's stamp, certificate, and signature, including field survey and closure statement.

(Res. No. 2019-09, 6-4-19)

Section 1806. Criteria to consider for map amendments.

The applicant, staff, planning commission and board of commissioners should review an application for land use district map amendment with regard to the following criteria:

1. The existing uses and district designation of nearby property and whether the proposed land use will adversely affect the existing use or usability of nearby property.
2. The extent to which property values are diminished by the particular zoning restrictions.
3. The extent to which the destruction of property values promotes the health, safety, morals or general welfare of the public.

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4. The relative gain to the public, as compared to the hardship imposed upon the individual property owner.
 5. The physical suitability of the subject property for development as presently districted land under the proposed land use district.
 6. The length of time the property has been vacant, considered in the context of land development in the area in the vicinity of the property and whether there are pre-existing or changed conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the rezoning request.
 7. The zoning history of the subject property.
 8. The extent to which the proposed zoning will result in a use which will or could cause excessive or burdensome use of existing streets, transportation facilities, utilities, schools, parks or other public facilities.
 9. Whether the land use proposal is in conformity with the policy and intent of the comprehensive plan or other adopted plans.

The staff, planning commission and board of commissioners, may consider other factors deemed relevant before formulating recommendations and taking action on a particular request.

(Res. No. 2019-09, 6-4-19)

Section 1807. Conditional uses.

In adopting an amendment to the land use map, or approving a conditional use, the board of commissioners may impose special conditions which it deems necessary in order to make the requested action acceptable and consistent with the purposes of the district(s) involved and to further the goals and objectives of the comprehensive plan. Such conditions may consist of, but are not limited to: setback requirements from any lot line; specified or prohibited locations for buildings, parking, loading or storage areas or other land uses; driveway curb cut restrictions; restrictions as to what land uses or activities shall be permitted; maximum building heights or other dimensions; special drainage or erosion provisions; landscaping or planted area, which may include the location, type and maintenance of plant materials; fences, walls, berms, or other buffering provisions or protective measures; preservation of existing trees or other vegetation; special measures to alleviate undesirable views, light, glare, noise, dust or odor; permitted hours of operation; architectural style; a requirement that the existing building(s) be retained; a requirement that developers must build according to the site plans as adopted; a limitation on exterior modifications of existing buildings; or any other requirement that the board of commissioners may deem appropriate and necessary as a condition of reclassification of use or issuance of a variance or special use permit.

Such conditions:

1. Shall only be valid if they are included in the motion approving the amendment for adoption;
2. Shall be in effect for the period of time specified in the amendment;
3. Shall be required of the property owner and all subsequent owners as a condition of their use of the property;
4. Shall be interpreted and continuously enforced by the development director in the same manner as any other provision of this resolution; and
5. A building permit shall not be issued until after the presentation and approval by the planning commission and/or the board of commissioners of final site, architecture and development plans required by such conditions.

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1. Land use districts established herein permit certain uses which are allowable therein provided they meet specified conditions, as set forth therein and here. No such use shall be permitted until a conditional use permit has been issued authorizing such use. The procedures for granting such permits shall be the same as for amendments to the zoning ordinance or zoning map.
 2. Those conditions specified in this appendix shall be considered to be the minimum standards which must be met before the conditional use application may be considered by the planning commission for review and recommendation and the board of commissioners for decision. In deciding upon whether or not a conditional use meets the minimum standards and promotes the health, safety, morals, or general welfare of the county, the board of commissioners shall utilize the applicable standards of review set forth in this appendix.
 3. If the board of commissioners, after applying the evidence to the standards of review and conditions, have been convinced that the allowance of the conditional use will promote the health, safety, morals, or general welfare of the county, a conditional use permit may be granted, subject to those provisions that may be imposed by the board of commissioners.

(Res. No. 2019-09, 6-4-19)

Section 1808. Criteria to consider for conditional uses.

The applicant, staff, planning commission and board of commissioners should review applications for conditional uses with regard to the following criteria, in addition to other standards and criteria set forth in this appendix:

1. Off-street parking and loading facilities are adequate in terms of location, amount and design to serve the use.
2. The number, size and type of signs proposed are compatible with the surrounding area.
3. The amount and location of open space and the provisions of screening is such that buffering of incompatible uses is achieved.
4. Ingress and egress to the property is suitable and safe, and the effects of the proposed activity on traffic flow along adjoining streets is not adverse.
5. The location and intensity of outdoor lighting is such that it does not cast light on adjacent or neighboring properties.
6. Hours and manner of operation of the proposed [use] are not inconsistent with adjacent and nearby uses.
7. Public facilities and utilities are capable of adequately serving the proposed use.
8. The proposed use will not have a significant adverse effect on the level of property values or the general character of adjacent land uses or the general area.
9. The physical conditions of the site, including size, shape, topography and drainage, are suitable for the proposed development.
10. The proposed use is consistent with the goals and objectives of the comprehensive plan of White County and this appendix. The staff, planning commission and board of commissioners may consider other factors deemed relevant before formulating recommendations and taking action on a particular conditional use application.

(Res. No. 2019-09, 6-4-19)

Section 1809. Public notice and public hearing required.

This section shall apply to all applications for amendments to (1) the text of the land use protection regulations, (2) amendments to the official zoning district map, (3) petitions for variances and appeals to the board of commissioners, (4) requests for conditional use approval, (5) requests for alteration or of conditional redistricting, (6) request for special use permit approval, and (7) request for alteration or extension of a special use permit.

Upon receipt of a completed application, fees and other information required by this article, the planning director shall cause notice of such application to be published at least one time in a newspaper of general circulation in the community at least 15 days but not more than 45 days prior to the date of the public hearing before the planning commission.

Said published notice shall include, as a minimum, the purpose, location, date and time of the public hearing, before the board of commissioners, the purpose, location, date and time of the public hearing before the planning commission, the location of the property being considered, the present land use classification of the property, and proposed action to be taken, as appropriate, such as proposed land use district, type of conditional use, variance to particular articles and sections, and so forth. The administrative office shall also cause the applicant to have posted in a conspicuous place on said property one or more sign(s), each of which shall contain the information specified for published notices. No public hearing shall take place until said sign(s) have been posted for at least 15 days, but not more than 45 days prior to the date of the public hearing.

On any application, a public hearing shall be held by the planning commission who reviews and makes their recommendation. The application along with their recommendation shall be forwarded to the board of commissioners for their review.

Public hearings may be delayed, rescheduled or continued at another time and date, provided announcement is given at the time and place of the initially scheduled and advertised public hearing, and provided such date, time and location of the public hearing to be delayed, rescheduled or continued is given. If the applicant of a petition before the planning commission or fails to attend the public hearing, then the planning commission may require re-advertisement of the subject petition at the expense of the applicant or may proceed on the application in the absence of the applicant or the applicant's legal representative. If the petition has been rescheduled or delayed at the request of or due to the absence of the applicant, the petition may be held for up to two meeting cycles without resubmittal being required. If after two meeting cycles no action as been taken by the applicant, the petition will be considered closed and a new application would need to be submitted in order to be presented to the planning commission.

(Res. No. 2019-09, 6-4-19; Res. No. 2023-01, 1-19-23)

Section 1810. Recommendation by planning director.

The planning director may as appropriate customarily submit to the recommending and/or decision making body, prior to a scheduled public hearing, copies of the site plan, letter of intent and other additional materials along with a written recommendation for approval, disapproval, deferral, withdrawal or other recommendation. Said recommendation shall include reasons for said recommendations, considered within the context of the appropriate criteria as specified by this appendix. The recommendations of the planning director shall have an advisory effect only and shall not be binding on the board of commissioners. Copies of the planning director's recommendations shall be made available to the applicant and other interested parties upon completion and distribution to the appropriate bodies and at the public hearing.

(Res. No. 2019-09, 6-4-19)

Section 1811. Planning commission recommendation.

The planning commission shall hold a public hearing on all applications for amendment to the text of the land use protection regulations, amendments to the official land use district map, conditional use permit applications, petitions for alteration or extension of conditional land uses requests for site plan for manufactured home parks in the Residential District and variances.

After completing its studies of the particular petition, the planning commission shall submit a recommended action in writing to the board of commissioners. The planning commission may submit any additional report it deems appropriate. The recommendations of the planning commission shall have an advisory effect only and shall not be binding on the board of commissioners. Copies of the planning commission's recommendations and reports shall be made available to the applicant and other interested parties upon completion and distribution to the board of commissioners.

The planning commission shall have 30 days within which to submit its recommendations. The board of commissioners shall not take action on any of said applications, until it has received the recommendation of the planning commission within the specified time period. If the planning commission fails to submit a recommendation within a 30-day period, it shall be deemed to have approved the proposed application.

(Res. No. 2019-09, 6-4-19)

Section 1812. Conduct of public hearings.

All public hearings regarding applications considered by planning commission shall be held in accordance with any procedures adopted by said body and, in addition, shall be governed by the following procedure:

1. The presiding officer shall open the hearing by stating the specific application being considered at the public hearing. At this time, the presiding officer may summarize the public hearing procedures.
2. The planning director will present a description of the proposed application, any applicable background material, his/her recommendation regarding action on said application as appropriate, and the recommendations and reports of the planning commission as appropriate.
3. Persons who support the application will be asked to comment first. The petitioner may, upon recognition and upon statement of name and address, present and explain his application. The petitioner, or his designated agent, shall be required to attend the public hearing unless written notice of hardship is received prior to such meeting. Failure of the petitioner or agent to attend the public hearing or meeting, except in cases of hardship, may be due cause for dismissal or denial of such application. A time limitation may be imposed at the discretion of the chairman, however, such time period shall be no less than ten minutes.
4. Persons who oppose the application will be asked to comment next. All interested parties after being recognized shall be afforded an opportunity to address the proposed application by standing before the appropriate body and identifying their name, address and interest, along with any comments on the proposed application. A time limitation may be imposed at the discretion of the chairman, however, such time period shall be no less than ten minutes per side with a three-minute limit per person.
5. The petitioner shall have an opportunity for summary remarks and rebuttal concerning the proposed application. The petitioner shall have the same ten-minute minimum given to those who spoke in opposition of the application.
6. Upon completion of any comments from interested parties and the petitioner, the public hearing shall be completed and adjourned.

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7. All public comments having been heard, the members of the body considering the application may discuss the request among themselves. During this discussion period, the members of the body may call on the petitioner or other interested parties to clarify points made previously or to answer questions. Said petitioner or interested parties may respond upon recognition.
 8. The public hearing procedures as adopted by the board of commissioners shall be made available to all parties and the public by requesting a copy from the clerk of the board of commissioners.

(Res. No. 2019-09, 6-4-19; Res. No. 2023-01, 1-19-23)

Section 1813. Action by the appropriate body.

The board of commissioners may take action to approve or deny the request, refer the application back to the planning director or planning commission for further study or the board of commissioners may table or defer action until a later meeting. The board of commissioners may take action to approve or deny the request, or defer action until a later meeting.

(Res. No. 2019-09, 6-4-19)

Section 1814. Conditional approval permitted.

The planning director and planning commission may recommend, and the board of commissioners may approve, applications for map amendments and conditional use permits, subject to certain conditions, provided that said conditions are set forth in the ordinance regarding approval of such application. Said conditions of approval may reduce the number or type of permitted uses, limit the nature or scope of permitted uses, restrict certain activities on the property, restrict the number and kind of improvements which can be made on the property, stipulate specific acts which the property owner will perform or any other conditions directly related to the physical use of land and which are designed to render the proposed land use or use compatible with nearby properties. Applications for alteration or extension of conditional districting shall be made in accordance with the requirements of this article.

(Res. No. 2019-09, 6-4-19)

Section 1815. Standards of review.

In ruling on any matter herein in which the exercise of discretion is required, or in ruling upon any application for zoning map amendment, the planning director, planning commission or board of commissioners shall act in the best interest of the health, safety, morals, and general welfare of the county. In doing so, they will consider one or more of the following factors, in addition to other factors and criteria set forth in this appendix, as they may be relevant to the application:

- (1) The existing land use pattern;
- (2) The possible creation of an isolated district unrelated to adjacent and nearby districts;
- (3) The population density pattern and possible increase or overtaxing of the load on public facilities including, but not limited to, schools, utilities, and streets;
- (4) The cost of the county and other governmental entities in providing, improving, increasing or maintaining public utilities, schools, streets and other public safety measures;
- (5) The possible impact on the environment, including, but not limited to, drainage, soil erosion and sedimentation, flooding, air quality and water quantity;

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- (6) Whether the proposed zoning map amendment will be a deterrent to the value or improvement of development of adjacent property in accordance with existing regulations;
 - (7) Whether there are substantial reasons why the property cannot be used in accordance with existing regulations;
 - (8) The aesthetic effect of existing and future use of the property as it relates to the surrounding area;
 - (9) The extent to which the proposed zoning map amendment is consistent with the land use plan;
 - (10) The possible effects of the proposed zoning map amendment on the character of a zoning district, a particular piece of property, neighborhood, a particular area, or the community;
 - (11) The relation that the proposed zoning map amendment bears to the purpose of the overall zoning scheme, with due consideration given to whether or not the proposed change will help carry out the purposes of these zoning regulations;
 - (12) Applications for a zoning map amendment which do not contain specific site plans carry a rebuttable presumption that such rezoning shall adversely affect the zoning scheme;
 - (13) The consideration of the preservation of the integrity of residential neighborhoods shall be considered to carry great weight;
 - (14) In those instances in which property fronts on a major thoroughfare and also adjoins an established residential neighborhood, the factor of preservation of the residential area shall be considered to carry great weight.

After reviewing evidence, the board of commissioners shall apply the evidence to the standards of review in making their decision. It will not be required that the board of commissioners consider every criteria contained in the standards of review. It shall be the duty of the applicant to carry the burden of proof that the proposed zoning map amendment promotes the public health, safety, morality or general welfare.

If the board of commissioners determine that the applicant has shown that the proposed zoning map amendment promotes the health, safety, morals and general welfare under the standards of review, then the application shall be granted, subject to those reasonable provisions as may be imposed by board of commissioners as provided in this appendix. Otherwise, such application shall be denied.

In ruling on any petition in which the petitioner has brought a challenge of the existing zoning classification, the board of commissioners may impose upon such property any appropriate zoning classification, which might be consistent with the considerations contained above.

(Res. No. 2019-09, 6-4-19)

Section 1816. Reversion of conditional districting and/or conditional use approval.

If, after 24 months from the date the board of commissioners approves a map amendment or conditional use permit, action has not been taken to utilize the property, pursuant to such conditions, such as securing a development permit, the approval shall expire. The board of commissioners shall, by official action, cause the conditional use approval to expire or the land use district to revert to the district classification assigned to the property immediately prior to the approval.

The planning director shall notify all property owners in question of pending action to rescind or revoke approvals, and such notice shall be by certified mail, dated at least 15 days prior to the date of the board of commissioner's scheduled meeting and directed to the owner's address as it appears on the tax rolls of the board of commissioners.

Prior to notification by the planning director of any reversion of approval, the owner of the property in question may petition the board of commissioners for a modification or extension of land use or conditional use approval. Any such extension shall valid for 24 months from the date of approval. Only one such extension shall be permitted.

(Res. No. 2019-09, 6-4-19)

Section 1817. Approval required by appropriate body.

Applications for amendments to the text of the land use protection regulations, land use district map amendments, alterations or extensions of conditional districting, conditional use permits, special use permits (including alterations or extensions) require approval by the board of commissioners before development may be initiated or before such application is made effective. Applications for variances and appeals shall require approval by the board of commissioners before development may be initiated or before such application is made effective.

(Res. No. 2019-09, 6-4-19)

Section 1818. Procedure for approved land use protection resolution text amendments.

The date of all approved amendments to the text of this appendix may be indicated on the title/cover page of the text, and any sections within this resolution text hereafter amended or repealed shall be so indicated by an asterisk (*, **, ***, etc.) and concurring footnote providing the date such amendment was approved. All such text amendments shall be incorporated within the text without unreasonable delay.

(Res. No. 2019-09, 6-4-19)

Section 1819. Criteria for requiring screens and buffers.

Where noise, visual effects or distracting activity is determined by the planning commission to affect adjacent property or roadway, a vegetative screen, cement or masonry wall, or earth berm may be required by the planning commission to reduce the undesirable effects. In deciding if such screens and buffers are necessary the planning commission shall consider the following criteria and factors:

1. The nature of the adjoining use;
2. The size of the property being considered for screens and buffers;
3. The existence of any light, noise, odor or other impact caused by the property being considered for screens and buffers;
4. Screens and buffers can be required as a permit condition for a conditional use permit or variance application; and
5. Any factors herein for consideration of conditional use permits.

(Res. No. 2019-09, 6-4-19)

REVISION OF THIS SECTION IS ADDRESSED BY 2024-03

Section 1820. Judicial review; procedures.

(1) Zoning decisions may be challenged or appealed in accordance with O.C.G.A §36-66-1 et. seq. All such challenges or appeals shall be brought within 30 days of the written decision of the challenged or appealed action.

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(2) The Board of Commissioners, as the entity having final legislative authority, designates the Chairman of the Board of Commissioners as the officer who shall have authority to perfect the petition.

(3) The Board of Commissioners designates that the County Manager shall have authority to accept service of an appeal on behalf of the local governing authority, during normal business hours, at the regular administrative offices of White County.

(4) This section shall comport to O.C.G.A §36-66-5.1 and any amendments there to.

Section 1821. Conflict with Georgia's zoning procedures law.

In the event that any provisions of this article conflict with the minimum requirements of O.C.G.A. § 36-66-1 et seq., as subsequently amended, known as the "Zoning Procedures Law," the provisions of O.C.G.A. § 36-66-1 et seq., as subsequently amended, known as the "Zoning Procedures Law" shall control.

(Res. No. 2019-09, 6-4-19)



WHITE COUNTY

Board of Commissioners

Item Title: Amend Article 18 of Appendix C to clarify the appeal process

For Meeting Date: 1/8/2024

Work Session **Regular Meeting** **Public Hearing**

Category (Select One): Resolution

Submitted By: John Sell

Attachments: Yes **If yes, please list each file name below:**

1. Article 18 Redline of Proposed Changes
2. Work Session Minutes 10/21/2023
3. Public Hearing Minutes 11/20/2023
4. Work Session Minutes 11/27/2023
5. Regular Meeting Minutes 12/4/2023

Purpose:

Consider amending Article 18 of Appnedix C of the White County Code of Ordinances by adding section 1820 Judicial Review to clarify the process of challenging or appealing a zoning decision. This includes compliance with OCGA 36-66-1 et. seq. It states the appeal has to be within 30 days and designates the Chairman of the Board of Commissioners as the officer who has the full authority to perfect the petition. It also designates the County Manager as the person to accept service of an appeal on behalf of the local governing authority. These changes proposed by the County Attorney will meet the requirements of OCGA 36-66-1.

Background / Summary:

- The Georgia General Assembly revised OCGA 36-66-1 et. seq. during the 2022 session. Several of the changes were incorporated into changes made by the White County Board of Commissioners to Appendix C to meet a deadline of July 1, 2023. Those changes did not include the clarifications to judicial review. White County Attorney Mary Jane Henneke recommended the Judicial Review changes to get White County into compliance.
- A public hearing was held on Nov. 20, 2023 and no comments were made about the changes. The amendments were part of the greater amendments for land use to include Chapter 7 for Short Term Rentals. The Planning Commission recommended that the BOC not approve the overall amendments. However, there was no conversation about Section 1820 when that vote was made on Dec. 4.

Department Recommendation:

Planning Commission recommended not approving by 4-2 vote.

Options:

- Uphold Planning Commission recommendation and do not approve the amendments.
- Reverse Planning Commission recommendation and approve the amendments
- Table the application for further review or to send back to Planning Commission

Budget Information: Applicable Not Applicable

Budgeted: Yes No

Finance Director's Comments (if applicable):

-

County Manager Comments:

-

Prior to notification by the planning director of any reversion of approval, the owner of the property in question may petition the board of commissioners for a modification or extension of land use or conditional use approval. Any such extension shall valid for 24 months from the date of approval. Only one such extension shall be permitted.

(Res. No. 2019-09, 6-4-19)

Section 1817. Approval required by appropriate body.

Applications for amendments to the text of the land use protection regulations, land use district map amendments, alterations or extensions of conditional districting, conditional use permits, special use permits (including alterations or extensions) require approval by the board of commissioners before development may be initiated or before such application is made effective. Applications for variances and appeals shall require approval by the board of commissioners before development may be initiated or before such application is made effective.

(Res. No. 2019-09, 6-4-19)

Section 1818. Procedure for approved land use protection resolution text amendments.

The date of all approved amendments to the text of this appendix may be indicated on the title/cover page of the text, and any sections within this resolution text hereafter amended or repealed shall be so indicated by an asterisk (*, **, ***, etc.) and concurring footnote providing the date such amendment was approved. All such text amendments shall be incorporated within the text without unreasonable delay.

(Res. No. 2019-09, 6-4-19)

Section 1819. Criteria for requiring screens and buffers.

Where noise, visual effects or distracting activity is determined by the planning commission to affect adjacent property or roadway, a vegetative screen, cement or masonry wall, or earth berm may be required by the planning commission to reduce the undesirable effects. In deciding if such screens and buffers are necessary the planning commission shall consider the following criteria and factors:

1. The nature of the adjoining use;
2. The size of the property being considered for screens and buffers;
3. The existence of any light, noise, odor or other impact caused by the property being considered for screens and buffers;
4. Screens and buffers can be required as a permit condition for a conditional use permit or variance application; and
5. Any factors herein for consideration of conditional use permits.

(Res. No. 2019-09, 6-4-19)

Section 1820. Judicial review; procedures.

(1) Zoning decisions may be challenged or appealed in accordance with O.C.G.A §36-66-1 et. seq. All such challenges or appeals shall be brought within 30 days of the written decision of the challenged or appealed action.

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(2) The Board of Commissioners, as the entity having final legislative authority, designates the Chairman of the Board of Commissioners as the officer who shall have authority to perfect the petition.

(3) The Board of Commissioners designates that the County Manager shall have authority to accept service of an appeal on behalf of the local governing authority, during normal business hours, at the regular administrative offices of White County.

(4) This section shall comport to O.C.G.A §36-66-5.1 and any amendments there to.

Section 1821. Conflict with Georgia's zoning procedures law.

In the event that any provisions of this article conflict with the minimum requirements of O.C.G.A. § 36-66-1 et seq., as subsequently amended, known as the "Zoning Procedures Law," the provisions of O.C.G.A. § 36-66-1 et seq., as subsequently amended, known as the "Zoning Procedures Law" shall control.

(Res. No. 2019-09, 6-4-19)

RESOLUTION NO. 2023-_____

Resolution Approving a SPLOST Intergovernmental Agreement and
Authorizing the Chairman to Execute the Agreement on Behalf of the County

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF WHITE COUNTY, GEORGIA APPROVING AND AUTHORIZING EXECUTION, BY THE CHAIRMAN OF THE WHITE COUNTY BOARD OF COMMISSIONERS, OF AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE COUNTY AND CERTAIN MUNICIPALITIES OF WHITE COUNTY CONCERNING A COUNTY ONE PERCENT SPECIAL PURPOSE LOCAL OPTION SALES AND USE TAX ENACTED PURSUANT TO O.C.G.A. § 48-8-110 ET SEQ.; REPEALING PRIOR RESOLUTIONS IN CONFLICT; AND FOR OTHER PURPOSES.

WHEREAS, O.C.G.A. § 48-8-110 et seq. authorizes the imposition of a one percent county special purpose local option sales and use tax (SPLOST) for the purposes inter alia of financing capital outlay projects to be owned or operated by the County and one or more municipalities; and

WHEREAS, White County, Georgia, the Municipality of Cleveland, Georgia, and the Municipality of Helen, Georgia desire to utilize the proceeds of a SPLOST for one or more of the purposes authorized under O.C.G.A. § 48-8-111 (a)(1).

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of White County, Georgia as follows:

SECTION 1.

The attached intergovernmental agreement addressing the disbursement of SPLOST proceeds among White County, the Municipality of Cleveland, and the Municipality of Helen and other related matters is hereby approved.

SECTION 2.

The Chairman of the White County Board of Commissioners is authorized to execute the intergovernmental agreement on behalf of the Board of Commissioners of White County, Georgia and affix the seal of the County thereto.

SECTION 3.

All resolutions, or parts of resolutions, in conflict herewith are repealed.

This the _____ day of December, 2023.

WHITE COUNTY, GEORGIA

By: _____

Travis Turner, Chairman

ATTEST: _____

Clerk

STATE OF GEORGIA
COUNTY OF WHITE

**INTERGOVERNMENTAL AGREEMENT
FOR THE USE AND DISTRIBUTION OF PROCEEDS FROM THE 2024
SPECIAL PURPOSE LOCAL OPTION SALES TAX
FOR CAPITAL OUTLAY PROJECTS**

THIS AGREEMENT is made and entered this the ____ day of January, 2024 by and between White County, a political subdivision of the State of Georgia (the “County”), and the City of Cleveland and the City of Helen, municipal corporations of the State of Georgia (the “Municipalities”, individually and collectively).

WITNESSETH:

WHEREAS, O.C.G.A. § 48-8-110 et seq. (the “Act”), authorizes the levy of a one percent County Special Purpose Local Option Sales Tax (the “SPLOST”) for the purpose of financing capital outlay projects for the use and benefit of the County and qualified municipalities within the County; and

WHEREAS, the County and Municipalities met to discuss possible projects for inclusion in the SPLOST referendum on the 18 day of December, 2023 in conformance with the requirements of O.C.G.A. § 48-8-111 (a); and

WHEREAS, the County and the Municipalities have negotiated a division of the Special Purpose Local Option Sales Tax proceeds as authorized by the Act.

NOW, THEREFORE, in consideration of the mutual promises and understandings made in this Agreement, and for other good and valuable consideration, the County and the Municipalities consent and agree as follows:

SECTION 1. REPRESENTATIONS AND MUTUAL COVENANTS

(A) The County makes the following representations and warranties which may be specifically relied upon by all parties as a basis for entering this Agreement:

(i) The County is a political subdivision duly created and organized under the Constitution of the State of Georgia;

(ii) The governing authority of the County is duly authorized to execute, deliver, and perform this Agreement; and

(iii) This Agreement is a valid, binding, and enforceable obligation of the County; and

(iv) The County will take all actions necessary to call an election to be held in all voting precincts in the County on the 21st day of May, 2024 for the purpose of submitting to the voters of the County for their approval, the question of whether or not a SPLOST shall be imposed on all sales and uses within the special district of White County for a period of 24 quarters, commencing on the 1st day of October, 2026, to raise an estimated \$56,733,783 to be used for funding the projects specified in Exhibit A attached hereto.

- (C) It is the intention of the County and Municipalities to comply in all respects with O.C.G.A. § 48-8-110 *et seq.* and all provisions of this Agreement shall be construed in light of O.C.G.A. § 48-8-110 *et seq.*
- (D) The County and Municipalities agree to promptly proceed with the acquisition, construction, equipping, and installation of the projects specified in Exhibit A of this Agreement and in accordance with the priority order referenced in Section 8 of this Agreement.
- (E) The County and Municipalities agree that each approved SPLOST project associated with this Agreement shall be maintained as a public facility and in public ownership. If ownership of a project financed pursuant to this Agreement is transferred to private ownership, the proceeds of the sale shall, for the purposes of this Agreement, be deemed excess funds and disposed of as provided under O.C.G.A. § 48-8-121 (g)(2).
- (F) The County and Municipalities agree to maintain thorough and accurate records concerning receipt of SPLOST proceeds and expenditures for each project undertaken by the respective county or municipality as required fulfilling the terms of this Agreement.

SECTION 2. CONDITIONS PRECEDENT

- (A) The obligations of the County and Municipalities pursuant to this Agreement are conditioned upon the adoption of a resolution of the County calling for the imposition of the SPLOST in accordance with the provisions of O.C.G.A. § 48-8-111 (a).
- (B) This Agreement is further conditioned upon the approval of the proposed imposition of the SPLOST by the voters of the County in a referendum to be held in accordance with the provisions of O.C.G.A. § 48-8-111 (b) through (e).
- (C) This Agreement is further conditioned upon the collecting of the SPLOST revenues by the state revenue commissioner and transferring same to the County.

SECTION 3. EFFECTIVE DATE AND TERM OF THE TAX

The SPLOST, subject to approval in an election to be held on May 21, 2023, shall continue for a period of *24 quarters or 6 years* with collections beginning on October 1, 2026 [*date the state revenue commissioner specifies as the collection start date*].

SECTION 4. EFFECTIVE DATE AND TERM OF THIS AGREEMENT

This Agreement shall commence upon the date of its execution and shall terminate upon the later of:

- (A) The official declaration of the failure of the election described in this Agreement.
- (B) The expenditure by the County and all the Municipalities of the last dollar of money collected from the Special Purpose Local Option Sales Tax after the expiration of the Special Purpose Local Option Sales Tax; or
- (C) The completion of all projects described in Exhibit A.

SECTION 5. COUNTY SPLOST FUND; SEPARATE ACCOUNTS; NO COMMINGLING

(A) A special fund or account shall be created by the County and designated as the 2024 White County Special Purpose Local Option Sales Tax Fund (“SPLOST Fund”). The County shall select a local bank which shall act as a depository and custodian of the SPLOST Fund upon such terms and conditions as may be acceptable to the County.

(B) Each Municipality shall create a special fund to be designated as the 2024 Cleveland Special Purpose Local Option Sales Tax Fund and the 2024 Helen Special Purpose Local Option Sales Tax Fund. Each Municipality shall select a local bank which shall act as a depository and custodian of the SPLOST proceeds received by each Municipality upon such terms and conditions as may be acceptable to the Municipality.

(C) All SPLOST proceeds shall be maintained by the County and each Municipality in the separate accounts or funds established pursuant to this Section. Except as provided in Section 6, SPLOST proceeds shall not be commingled with other funds of the County or Municipalities and shall be used exclusively for the purposes detailed in this Agreement. No funds other than SPLOST proceeds shall be placed in such funds or accounts.

SECTION 6. PROCEDURE FOR DISBURSEMENT OF SPLOST PROCEEDS

(A) Upon receipt by the County of SPLOST proceeds collected by the state department of revenue, the County shall immediately deposit said proceeds in the SPLOST Fund. The monies in the SPLOST Fund shall be held and applied to the cost of acquiring, constructing and installing the County capital outlay projects listed in Exhibit A and as provided in Paragraph B of this Section.

(B) The County, following deposit of the SPLOST proceeds in the SPLOST Fund, shall within 10 business days disburse the SPLOST proceeds due to each Municipality according to the schedule in Exhibit A. The proceeds shall be deposited in the separate funds established by each Municipality in accordance with Section 5 of this Agreement.

(C) Should any Municipality cease to exist as a legal entity before all funds are distributed under this Agreement, that Municipality's share of the funds subsequent to dissolution shall be paid to the County as part of the County's share unless an act of the Georgia General Assembly makes the defunct Municipality part of another successor municipality. If such an act is passed, the defunct Municipality's share shall be paid to the successor Municipality in addition to all other funds to which the successor Municipality would otherwise be entitled.

SECTION 7. PROJECTS

All capital outlay projects, to be funded in whole or in part from SPLOST proceeds, are listed in Exhibit A which is attached hereto and made part of this Agreement.

SECTION 8. PRIORITY AND ORDER OF PROJECT FUNDING

Projects shall be fully or partially funded and constructed in accordance with the schedule found in Exhibit A of this Agreement. Except as provided in Paragraph B and Paragraph C of Section 9 of this Agreement, any change to the priority or schedule must be agreed to in writing by all parties to this Agreement.

SECTION 9. COMPLETION OF PROJECTS

(A) The County and Municipalities acknowledge that the costs shown for each project described in Exhibit A are estimated amounts.

(B) If a county project has been satisfactorily completed at a cost less than the estimated cost listed for that project in Exhibit A, the County may apply the remaining unexpended funds to any other county project in Exhibit A.

(C) If a municipal project has been satisfactorily completed at a cost less than the estimated cost listed for that project in Exhibit A, the Municipality may apply the remaining unexpended funds to any other project included for that Municipality in Exhibit A.

(D) The County and Municipalities agree that each approved SPLOST project associated with this Agreement shall be completed or substantially completed within five years after the termination of the SPLOST. Any SPLOST proceeds held by a County or Municipality at the end of the five year period shall, for the purposes of this Agreement, be deemed excess funds and disposed of as provided under O.C.G.A. § 48-8-121 (g)(2).

SECTION 10. CERTIFICATE OF COMPLETION

Within thirty (30) days after the acquisition, construction or installation of a municipal project listed in Exhibit A is completed, the Municipality owning the project shall file with the County a Certificate of Completion signed by the mayor or chief elected official of the respective Municipality, setting forth the date on which the project was completed, and the final cost of the project.

SECTION 11. EXPENSES

The County shall administer the SPLOST Fund to effectuate the terms of this Agreement and shall be reimbursed for the actual costs of administration of the SPLOST Fund. Furthermore, the County and Municipalities shall be jointly responsible on a per capita basis for the cost of holding the SPLOST election. The County shall be reimbursed for the costs of the election including the Municipalities' share of such costs out of SPLOST proceeds deposited in the SPLOST Fund.

SECTION 12. AUDITS

(A) During the term of this Agreement, the distribution and use of all SPLOST proceeds deposited in the SPLOST Fund and each Municipal fund shall be audited annually by an independent certified public accounting firm in accordance with O.C.G.A. § 48-8-121 (a)(2). The County and each Municipality receiving SPLOST proceeds shall be responsible for the cost of their respective audits. The County and the Municipalities agree to cooperate with the independent certified public accounting firm in any audit by providing all necessary information.

(B) Each Municipality shall provide the County a copy of the audit of the distribution and use of the SPLOST proceeds by the Municipality.

SECTION 13. NOTICES

All notices, consents, waivers, directions, requests or other instruments or communications provided for under this Agreement shall be deemed properly given when delivered personally or sent by registered or certified United States mail, postage prepaid, as follows:

White County Board of
Commissioners
1235 Helen Hwy
Cleveland, GA 30528

City of Cleveland, Mayor
85 South Main Street
Cleveland, GA 30528

City of Helen, Mayor
25 Alpenrosen Strasse
Helen, GA 30545

Section 14. Entire Agreement

This Agreement, including any attachments or exhibits, constitutes all of the understandings and agreements existing between the County and the Municipalities with respect to distribution and use of the proceeds from

the Special Purpose Local Option Sales Tax. Furthermore, this Agreement supersedes all prior agreements, negotiations and communications of whatever type, whether written or oral, between the parties hereto with respect to distribution and use of said SPLOST.

Section 15. Amendments

This Agreement shall not be amended or modified except by agreement in writing executed by the governing authorities of the County and the Municipalities.

Section 16. Governing Law

This Agreement shall be deemed to have been made and shall be construed and enforced in accordance with the laws of the State of Georgia.

Section 17. Severability

Should any phrase, clause, sentence, or paragraph of this Agreement be held invalid or unconstitutional, the remainder of the Agreement shall remain in full force and effect as if such invalid or unconstitutional provision were not contained in the Agreement unless the elimination of such provision detrimentally reduces the consideration that any party is to receive under this Agreement or materially affects the operation of this Agreement.

SECTION 18. COMPLIANCE WITH LAW

The County and the Municipalities shall comply with all applicable local, state, and federal statutes, ordinances, rules and regulations.

Section 19. No Consent to Breach

No consent or waiver, express or implied, by any party to this Agreement, to any breach of any covenant, condition or duty of another party shall be construed as a consent to or waiver of any future breach of the same.

Section 20. Counterparts

This Agreement may be executed in several counterparts, each of which shall be an original and all of which shall constitute but one and the same instrument.

Section 21. Mediation

The County and Municipalities agree to submit any controversy arising under this Agreement to mediation for a resolution. The parties to the mediation shall mutually select a neutral party to serve as mediator. Costs of mediation shall be shared equally among the parties to the mediation.

IN WITNESS WHEREOF, the County and the Municipalities acting through their duly authorized agents have caused this Agreement to be signed, sealed and delivered for final execution by the County on the date indicated herein.

COUNTY OF WHITE, GEORGIA

By: _____ ATTEST: _____

Travis Turner, Chair

Clerk

(Seal)

MUNICIPALITY OF CLEVELAND, GEORGIA

By: _____ ATTEST: _____

Josh Turner, Mayor

Clerk

(Seal)

MUNICIPALITY OF HELEN, GEORGIA

By: _____ ATTEST: _____

Jeff Ash, Mayor Clerk

(Seal)

Exhibit A

2026 SPLOST Revenue Estimate		
City of Cleveland	\$ 11,346,757	20%
City of Helen	\$ 11,346,757	20%
Unincorporated County	\$ 34,040,269	60%
White County Total	\$ 56,733,783	100%

2026 White County SPLOST Project List

Distribution of Proceeds: All projects have equal priority and shall receive a pro rata allocation of SPLOST proceeds on a monthly basis in accordance with the table below:

Project	County/ Municipality	Estimated Cost	% Distribution
WHITE COUNTY PROJECTS			
Governmental Facilities, Vehicles, Infrastructure and Equipment	WHITE COUNTY	\$ 15,000,000	44.07%
Roads, Bridges, and Sidewalks: including Facilities, Vehicles and Equipment and Signage	WHITE COUNTY	\$ 8,500,000	24.97%
911, Fire-EMS Equipment, Facilities, and Vehicles	WHITE COUNTY	\$ 3,540,270	10.40%
Parks and Recreation Equipment, Facilities, and Vehicles	WHITE COUNTY	\$ 2,000,000	5.88%
Sherriff's Department Equipment, Facilities, and Vehicles	WHITE COUNTY	\$ 5,000,000	14.69%
TOTAL ESTIMATE OF WHITE COUNTY SPLOST PROJECTS	WHITE COUNTY	\$ 34,040,269	100.00%

2026 City of Cleveland SPLOST Project List

Distribution of Proceeds: All projects have equal priority and shall receive a pro rata allocation of SPLOST proceeds on a monthly basis in accordance with the table below:

Project	County/Municipality	Estimated Cost	% Distribution
CITY OF CLEVELAND PROJECTS			
Governmental Facilities, Vehicles, Infrastructure and Equipment	CITY OF CLEVELAND	\$ 4,096,757	36.11%
Roads, Bridges, and Sidewalks: including Facilities, Vehicles and Equipment and Signage	CITY OF CLEVELAND	\$ 2,000,000	17.63%
Public Safety Equipment, Facilities, and Vehicles	CITY OF CLEVELAND	\$ 2,000,000	17.63%
Parks and Recreation Equipment, Facilities, and Vehicles	CITY OF CLEVELAND	\$ 250,000	2.20%
Water and Sewer Facilities, Vehicles, Infrastructure and Equipment	CITY OF CLEVELAND	\$ 3,000,000	26.44%
TOTAL ESTIMATE OF CITY OF CLEVELAND SPLOST PROJECTS	CITY OF CLEVELAND	\$11,346,757	100.00%

Exhibit A (continued)

2026 City of Helen SPLOST Project List

Distribution of Proceeds: All projects have equal priority and shall receive a pro rata allocation of SPLOST proceeds on a monthly basis in accordance with the table below:

Project	County/ Municipality	Estimated Cost	% Distribution
City of Helen			
Water /Wastewater Improvements including Equipment and Vehicles, Resurfacing and Repairs	CITY OF HELEN	\$ 3,000,000	26.42%
Roads, Street, Bridges, and Sidewalks Projects: including Equipment and Vehicles, Resurfacing and Repairs	CITY OF HELEN	\$ 3,075,000	27.10%
Acquisition and/or Capital Improvement of Public Infrastructure, Parks and Public Recreation Areas Including: Administration, Cultural, Recreational, or Public Safety Facilities or Vehicles	CITY OF HELEN	\$ 4,671,757	41.19%
Administration Equipment, Facilities, and Vehicles	CITY OF HELEN	\$ 600,000	5.29%
TOTAL ESTIMATE OF CITY OF HELEN SPLOST PROJECTS	CITY OF HELEN	\$ 11,346,757	100.00%

QUALIFYING FEES FOR 2024 ELECTIONS

In General

The county governing authority is required to set and publish the qualifying fees for 2024 elections for salaried or non-salaried county offices (*i.e.*, members of county boards of commissioners, members of the governing authority of consolidated governments, sole commissioners, sheriffs, tax commissioners, superior court clerks, magistrates, probate judges, state court judges, solicitors general, coroners, surveyors, and school board members) by February 1, 2024.¹ A county governing authority should adopt a resolution setting the qualifying fee for each office. Calculation of qualifying fees is explained below.²

Although state law does not specify the particular method of publication, it might be a best practice to publish the fees in the legal organ rather than in a newspaper of general circulation. In addition to publication in physical media, the fees could also be posted on the county's website.

County Constitutional Officers and Magistrates

Qualifying fees to run for the offices of superior court clerk, probate judge, sheriff, and tax commissioner (county constitutional officers) and magistrates must be set at **3 percent of the minimum base salary** specified in state law for each county based on the county's population under the 2020 census.³ The effective date of the 2020 census for this purpose is January 1, 2022.⁴ Note that if a county's population decreases according to a more recent census below its population according to an earlier census, then, notwithstanding any other provision of law, any officer who is compensated under a minimum salary law and who is in office on January 1, 2022 continues during his or her entire tenure in such office (including any future terms of office in such office) to be compensated on the basis of the county's population according to such earlier census. In such case, the qualifying fee would be set at 3% of the minimum base salary according to the 2010 census.⁵

Note that in calculating the qualifying fee for the county constitutional officers and magistrates, the minimum base salary is not to be adjusted to reflect supplements, cost-of-living increases, or longevity increases.

County Governing Authorities and Chairs

Qualifying fees to run for the office of members of the county governing authority (including the members and chair of a board of commissioners or governing body of a consolidated government, but not including sole commissioners) must be set at **3 percent of the base salary** established by local Act of the General Assembly unless the county governing authority has set a higher salary using the process allowed by general law (see below).

QUALIFYING FEES FOR 2024 ELECTIONS

The qualifying fee to run for sole commissioner is 3 percent of the salary set by local Act of the General Assembly or by the state minimum salary law for sole commissioners,⁶ whichever is applicable.

In those counties where the governing authority has exercised its general-law power to increase its members' base salary,⁷ the qualifying fee is 3% of that salary. As with the county officers and magistrates, the qualifying fee for commissioners is not adjusted to reflect the training supplement, cost-of-living increases, or longevity increases.

All Other Elected County Offices

The qualifying fee to run for all other county offices, including but not limited to the offices of coroner, state court judge, surveyor, or school board member, is **3% of the total gross salary** of the office paid in 2023, including all supplements authorized by law.⁸ If the elected official is not paid a salary, the county governing authority must set a fee that is not more than 3 percent of the income that the elected official earned from the office in 2023.

State Officials

Qualifying fees for state officials (*e.g.*, legislators, superior court judges, district attorneys) are set by the Georgia Secretary of State.

For more information, please contact the Elections Division of the Secretary of State's office at (404) 656-2871.

¹ O.C.G.A. § 21-2-131.

² A sample resolution is attached.

³ O.C.G.A. § 21-2-131(a)(1)(B) references: O.C.G.A. § 15-6-88(a) for superior court clerks; O.C.G.A. § 15-9-63(a)(1) for probate judges; O.C.G.A. § 15-10-23(a) for magistrates; O.C.G.A. § 15-16-20(a)(1) for sheriffs; and O.C.G.A. § 48-5-183(b)(1) for tax commissioners.

⁴ O.C.G.A. § 1-3-1(d)(2)(A).

⁵ *Id.*

⁶ O.C.G.A. § 36-5-25.

⁷ O.C.G.A. § 36-5-24.

⁸ O.C.G.A. § 21-2-131(a)(1)(A).

WHITE COUNTY BOARD OF COMMISSIONERS

RESOLUTION NO. 2024-05

WHEREAS, the White County Board of Commissioners, as the governing authority of White County, is required by the Official Code of Georgia Annotated Section 21-2-131, to fix and publish a qualifying fee for each county office to be filled in the upcoming primary or election;

AND WHEREAS, the White County Board of Commissioners is required, no later than February 1 of 2024 to fix and publish such fees;

NOW, THEREFORE, the qualifying fees for the following county offices to be filled in the upcoming 2024 primary or election are hereby set as follows:

- 1) Board of Commissioners, Chair as currently held by Chairman Travis Turner - \$432.00;
- 2) Board of Commissioners, District 1, as currently held by Commissioner Terry Goodger- \$360.00;
- 3) Board of Commissioners, District 4, as currently held by Commissioner Craig Bryant- \$360.00;
- 4) Board of Education, District 1 as currently held by Mr. John Estes - \$_____;
- 5) Board of Education, District 3 as currently held by Mr. Charlie Thomas - \$_____ ; and
- 6) Board of Education, Chair as currently held by Ms. Missy Jarrard - \$_____.
- 7) Chief Magistrate Judge - \$1,935.37
- 8) Clerk of Superior Court – \$1,897.42
- 9) Coroner – \$706.50
- 10) County Surveyor – \$25.00
- 11) Probate Judge - \$1,897.42
- 12) Sheriff – \$2,318.83
- 13) Tax Commissioner – \$1,897.42

The Clerk of the Board of Commissioners is hereby directed to forward a copy of this Resolution to the Supervisor of Elections of White County.

ADOPTED, this 8th day of January, 2024.

WHITE COUNTY BOARD OF COMMISSIONERS

Travis C. Turner, Chairman

Terry D. Goodger, District 1

Lyn Holcomb, District 2

Edwin Nix, District 3

Craig Bryant, District 4

Attest:

Shanda Murphy, County Clerk



WHITE COUNTY

Board of Commissioners

Item Title:

Consider Purchase of Mack Road Tractor

For Meeting Date: 12/14/2023

Work Session **Regular Meeting** **Public Hearing**

Category (Select One): SPLOST Request

Submitted By: Derick Canupp

Attachments: Yes **If yes, please list each file name below:**

1. Quote
2. Specifications
3. Pictures of old truck

Purpose:

The purpose of this agenda item is to request approval to purchase a replacement lowboy tractor for moving equipment.

Background / Summary:

- The county has a 1986 Mack road tractor that is used to pull a lowboy trailer
- The truck has several issues that are related to the vehicles age and has reached a point that it will not pass a pre-trip inspection and is becoming unreliable.
- Staff have found a good replacement vehicle that should give 30+ years of service
- The quoted price is based on a cooperative purchasing partnership called Sourcewell.
- Most local governments, including ACCG and White County, have purchasing partnerships with Sourcewell
- The FY24 CIP budget for the truck is \$214,000.
- The Sourcewell price is \$142,632
- The quoted price is very competitive as it has already been competitively bid and negotiated by the purchasing cooperative at a national level.

Department Recommendation:

Staff recommend approval of the purchase

Options:

- Approve purchase of vehicle
- Do not approve purchase
- Commission defined alternative

Budget Information: Applicable Not Applicable

Budgeted: Yes No

Finance Director's Comments (if applicable):

- White County is a member of the Sourcewell cooperative purchasing program.
- This project was included in the FY2024 Capital Improvement Plan with SPLOST as the recommended funding source.

County Manager Comments:

-

CUSTOMER PROPOSAL



PREPARED FOR

WHITE COUNTY GA
675 TRUELOVE RD
CLEVELAND
GA 305287187

DATE

11/20/2023

PREPARED BY

GAINESVILLE TRUCK CENTER, INC.
2145 ATHENS HWY
GAINESVILLE
GA 305077403

QUOTE INFORMATION

ALLI2023000391C630
PINNACLE 64T DAYCAB
Qty: 1



TECHNICAL SPECIFICATION

PINNACLE 64T DAYCAB



			WEIGHT (LB)	
APPLICATION PACKAGES		DESCRIPTION	FRONT	REAR
MPK10K	CHASSIS CONFIGURATION PACKAGE	ONEBOX EATS, RIGHT FRONT BATTERY BOX, 18.4 GALLON (70L) DEF, SINGLE 26" LH FUEL TANK	0	0

			WEIGHT (LB)		
CUSTOMER/VEHICLE INFO		DESCRIPTION	FRONT	REAR	
S	0029J2	CHASSIS (BASE MODEL)	PINNACLE 64T DAYCAB	5,038	2,090
S	99X93X	ASSEMBLY PLANT	Made in Macungie, PA USA	0	0
	MP2001	CUSTOMER FLEET SIZE	DEALER FLEET WITH LESS THAN 25 VEHICLES IN OWN FLEET OF ANY VEHICLE BRAND	0	0
S	M45001	ORDER TYPE REQUIREMENTS	RETAIL OR STOCK - CUSTOM SPECIFICATIONS	0	0
	013002	TYPE OF SERVICE	MUNICIPAL	0	0
S	M98018	WARRANTY REGISTRATION LOCATION	USA - WARRANTY REGISTRATION LOCATION	0	0
	MBT02T	EMISSION WARRANTY CERTIFICATION	CARB + EPA for Mack MP7 / MP8 Diesel	0	0
	M84010	INTENDED REGISTRATION LOCATION	GEORGIA	0	0
S	5050B5	INITIAL REGISTRATION LOCATION	USA REGISTRATION	0	0
	5FFB1X	BRAND ORNAMENT	BULLDOG, CHROME	0	0
S	534014	LANGUAGE-PUBS/DECAL/SIGNS	ENGLISH	0	0
	005025	VEHICLE USE & BODY/TRAILER TYPE	LOW BOY MACHINERY TRAILER	0	0
S	78XB1X	TRANSPORT CYCLE	LOCAL DISTRIBUTION	0	0
S	DKXG2X	GROSS COMBINATION WEIGHT (CA in PC29 only)	80,000 LB (36 TONNES) GROSS COMBINATION WEIGHT	0	0
S	70BC1X	BRAKE REGULATION	BRAKE REGULATION, STOPPING DISTANCE 76M (250FT)	0	0
	QCXB1X	TOPOGRAPHY	GRADES <6% GREATER THAN 98% OF DRIVING DISTANCE MAX GRADE 16%	0	0
S	E1BD1X	AMBIENT TEMP UPPER LIMIT (GTA)	AMBIENT TEMPERATURE HOT. WARMER THAN 104 F (40 C) ALLOWED UP TO 25 HOURS PER YEAR	0	0
S	032A79	OPERATING TERRAIN GRADE CONDITIONS	ON HIGHWAY, STARTING GRADES<16%	0	0
S	033A10	LOADING SURFACE FACTOR	CONCRETE LOADING AND / OR UNLOADING SURFACE	0	0
	0341A2	VEHICLE VOCATION	PICKUP & DELIVERY / SHORT HAUL SERVICE	0	0
	0260H6	SALES PROMOTION	SOURCEWELL SALES PROGRAM	0	0

			WEIGHT (LB)		
ENGINE/TRANSMISSIONS		DESCRIPTION	FRONT	REAR	
	1004F0	ENGINE PACKAGE, COMBUSTION	MP8-505C MACK 505HP @ 1500-1700 RPM (PEAK) 2100 RPM (GOV) 1850 LB-FT, US'21	2,108	530
S	Q1CA1X	GEAR SELECTION TUNING	BASIC, GEAR-SELECTION TUNING	0	0
S	3GCA1X	GHG APPLICATION, VEHICLE	GREEN HOUSE GAS HIGHWAY APPLICATION	0	0
	136AF8	TRANSMISSION	FULLER FRO-18210C (12.94/0.74)	530	177
S	V4EZ9X	GEARBOX 12TH GEAR LOCK-OUT	WITHOUT 12TH GEARBOX GEAR LOCK-OUT	0	0

			WEIGHT (LB)		
EXHAUST/EMISSIONS		DESCRIPTION	FRONT	REAR	
	Z8FT1X	NOX LIMITS	CARB LEGACY / EPA (200MG/HP/HR), 50 State Idle Compliance	0	0
S	Y7BC1X	IDLE EMISSION LABEL LOCATION (CA in PC29 only)	IDLE EMISSION LABEL LOCATION, LOWER LH CORNER OF DRIVER DOOR	0	0
S	DPF04F	DPF DIESEL PARTICULATE FILTER	CLEARTECH ONE BOX E.A.T.S. RH SIDE UNDER CAB US17 / US21	0	0

TECHNICAL SPECIFICATION *(cont.)*



				WEIGHT (LB)	
EXHAUST/EMISSIONS		DESCRIPTION		FRONT	REAR
	MCF05F	CHASSIS MOUNTED EMISSIONS FINISH	BRIGHT FINISH DEF COVER & STAINLESS STEEL DPF COVER	0	0
S	DF10N1	DIESEL EXHAUST FLUID TANK	18.4 GALLON (70 L) 26" LEFT SIDE FRAME MOUNTED	190	67
	130AC4	EXHAUST	DUAL VERTICAL OUTBOARD MOUNTED STRAIGHT EXHAUST STACK TURNED OUT END	89	51
S	KRXB5X	EXHAUST STACK HEIGHT	11' 6" FROM GROUND	0	0
	Q0AF2X	EXHAUST SYSTEM MATERIAL FINISH	DUAL, BRIGHT FINISH HEAT SHIELDS, STACKS, ELBOWS	0	0
	78ADBx	EMISSION ON BOARD DIAG CONTROL	EMISSION OBD, DISPLAY ONLY, USA2024	0	0

				WEIGHT (LB)	
ENGINE EQUIPMENT		DESCRIPTION		FRONT	REAR
S	125065	AIR CLEANER	UNDER HOOD SINGLE ELEMENT DRY TYPE W/AIR INTAKE FROM BOTH SIDES OF HOOD&FILTER MTD AIR RESTRICTION I	0	0
S	121AA5	BUG SCREEN	BLACK ALUMINUM BUG SCREEN MOUNTED BEHIND GRILLE, WITHOUT WINTER FRONT COVER	0	0
S	1130G3	AIR COMPRESSOR/DRYER	WABCO HEATED SS-HP AIR DRYER W/ WABCO 636 (37.4 CFM) AIR COMPRESSOR	0	0
S	KOXA1X	AIR DRYER POSITION (CA)	AIR DRYER POSITION STANDARD	0	0
S	132AB9	ALTERNATOR	DELCO 12V 160A (28SI) BRUSH-TYPE	16	0
S	316AA5	BATTERIES	(3) MACK 12V 760/2280 CCA THREADED STUD TYPE	7	3
S	393AA9	BATTERY BOX - MOUNTING (x)	RH RAIL UNDER CAB (3 BATTERY MAX)	0	0
	L5XF1X	BATTERY BOX COVER	POLISHED ALUMINUM	5	0
	318AA3	BATTERY DISCONNECT SWITCH	FLAMING RIVER BIG SWITCH WIRED TO POSITIVE SIDE	3	0
S	NCXA5X	STARTER MOTOR	12 VOLT DELCO 39MT-MXT	31	0
	110AA6	ENGINE BRAKE	MACK MP8 POWERLEASH	0	0
S	JMxB1X	ENGINE BRAKE LIGHTING (CA)	VEHICLE AND TRAILER (IF APPLICABLE) STOP LAMPS ACTIVATE UPON SERVICE BRAKE APPLICATION ONLY(3899000)	0	0
S	118AB8	FAN DRIVE	BEHR FAN AND ELECTRONIC MODULATING VISCOUS FAN DRIVE	0	0
S	119AI9	COOLANT PROTECTION	ETHYLENE GLYCOL FULLY FORMULATED COOLANT (50/50 MIX DYED PINK) TO -34DEG, W/ FILTER	0	0
	124AA2	HOSES - RADIATOR/HEATER	SILICONE RADIATOR AND HEATER HOSES	0	0
S	293043	FUEL-WATER SEPARATOR	MACK W/MANUAL DRAIN VALVE V2 (INTEGRAL W/ PRIMARY FUEL FILTER)	0	0
S	MBXA1X	PRIMARY FUEL FILTER POSITION (CA)	STANDARD FUEL FILTER POSITION	0	0
S	MCA04A	ENGINE HEATERS	120v 1500w BLOCK HEATER ONLY (120V-15A PLUG)	0	0
	5NXA1X	ENGINE BLOCK HEATER	120V 1500W ENGINE BLOCK HEATER	5	0
S	QHXC1X	OIL SUMP	OIL PAN	0	0
S	36AA1X	TETHER DEV PKG, CAPS & COVERS	FURNISH CAP RETAINER FOR OIL FILL & RADIATOR OVERFLOW TANK	0	0
S	2YBZ1X	ENGINE STOP, EMERGENCY (CA in PC29 only)	WITHOUT ENGINE STOP, EMERGENCY	0	0

				WEIGHT (LB)	
CLUTCH/TRANS EQUIPMENT		DESCRIPTION		FRONT	REAR
	492032	GEAR SHIFTER	EATON/FULLER SHIFTER	0	0
	133AD6	CLUTCH	EATON ADVANTAGE SOLO 9-SPRING,2PLATE 15.5" CERAMIC 6 PADDLES, SELF ADJUST	7	0
	MCB02B	CLUTCH ACTUATION SYSTEM & PEDAL PAD	MECHANICAL CLUTCH CABLE SYSTEM WITH OPEN GRATE PEDAL	0	0
	2XAA1X	CLUTCH PEDAL PAD	OPEN GRATED TYPE	3	0
	MRP003	MINIMUM REQUIRED PROP SHAFT SIZE	MINIMUM REQUIRED FOR KAX PROP SHAFT, PROPS-L	0	0
	1950J5	DRIVELINE - MAIN	SPICER SPL250HDXL LITE - LARGE (PROPS-L)	25	25

TECHNICAL SPECIFICATION *(cont.)*



				WEIGHT (LB)	
CLUTCH/TRANS EQUIPMENT		DESCRIPTION		FRONT	REAR
	204054	DRIVELINE - INTERAXLE	SPICER SPL250XL "LITE SERIES"	0	36
S	76AA1X	PROPELLR SHAFT MAIN, UNVSL JNT	UNIVERSAL JOINT HALF-ROUND TYPE	0	0
S	8WAAAX	PROP SHAFT INTERAXL UNIV JOINT	HALF-ROUND UNIVERSAL JOINT	0	0
S	4LDA1X	TRANSMISSION OUTPUT TORQUE	TRANSMISSION OUTPUT TORQUE BASIC	0	0
S	7RXB1X	LUBRICANTS, TRANSMISSION	SYNTHETIC OIL IN TRANSMISSION	0	0
	139AA2	TRANSMISSION OIL COOLER	TRANS OIL COOLER (INTEGRAL OIL PUMP)	45	3

				WEIGHT (LB)	
FRONT AXLE EQUIPMENT		DESCRIPTION		FRONT	REAR
S	240AA6	FRONT AXLE	12000# (5400 KG) MACK FXL12 STRAIGHT SPINDLE/UNITIZED BEARINGS	0	0
S	244AB2	SPRINGS - FRONT	MACK TAPERLEAF HD 12000# (5400 KG) GROUND LOAD RATING, EQUAL BIAS	0	0
	2410K1	FRONT AXLE BRAKES	MERITOR EX+ AIR DISC BRAKES 430MM (17") L-TYPE	25	0
	U3XD1X	BRAKE, FRONT	FRONT BRAKE DISC LIGHTWEIGHT	23	0
	U0AF1X	FRONT BRAKE ADJ. MANUFACTURE	AUTOMATIC FOR AIR DISC BRAKES	0	0
	V7AF1X	FRONT BRAKE CHAMBER MFG.	FRONT BRAKE CHAMBER MANUFACTURER, WABCO	0	0
	0KXG1X	HUB MATERIAL, FRONT	BASIC HUB UNITIZED IRON, FRONT	106	0
S	61500A	FRONT AXLE LUBRICANT	FRONT AXLE LUBE, FAG NLGI2 GREASE	0	0
	245AB1	STEERING	SHEPPARD HD94 INTEGRAL POWER	64	0

				WEIGHT (LB)	
REAR AXLE EQUIPMENT		DESCRIPTION		FRONT	REAR
	268AB4	REAR AXLE	40000# (18100kg) MACK S402R CAST DUCTILE IRON HOUSING	0	1,614
S	6MAA1X	REAR AXLE CASING WIDTH	W/O WIDE TRACK AXLE	0	0
S	617003	DRIVE AXLE LUBRICANT	DRIVE AXLE LUBE, SHELL 75W90 SYNTHETIC OIL	0	0
	01800R	CARRIER - REAR AXLE	150/151 SERIES (Tandem Mack Rear Axles up to 150,000lb GCW)	0	0
	254015	TRACTION DIFFERENTIAL	INTERWHEEL DIFFERENTIAL LOCK, ALL REAR AXLES w/ INDEPENDENT SWITCHES	0	0
S	3LAC1X	POWER DIVIDER LOCKOUT	INTERAXLE POWER DIVIDER LOCKOUT, W/BUZZER & LIGHT	0	40
	TAXAVX	REAR AXLE RATIO	3.79 RATIO	0	0
	1860T6	REAR SUSPENSION	AIR ADZ-246 NEWAY 46,000 lb	0	1,471
S	GWXBYX	BOGIE SPREAD, REAR	52" AXLE SPACING (BOGIE WHEELBASE)	0	18
S	ZAXA1X	SUSPENSION LEVELLING DEVICE (CA in PC29 only)	ELECTRICAL REGULATION LEVELING DEVICE	0	3
S	J6DB1X	AIR SUSPENSION DUMP WARNING	AIR SUSPENSION DUMP, SPEED LIMITED, WARNING INDICATOR & BUZZER	0	0
S	YVXA1X	REAR SHOCK ABSORBER	REAR SHOCK ABSORBER	0	27
S	XYXA1X	TRANSVERSE TORQUE RODS, R SUSP	TRANSVERSE TORQUE ROD - ALL AXLES	0	0
S	237037	AUX.SPRING BRAKE QTY	AUX SPRING BRAKE QTY, 4 CHAMBERS	0	20
	25300M	BRAKES - REAR	MERITOR EX+ AIR DISC BRAKES, 430MM (17") - L TYPE (Total for QTY = 2)	0	102
	U4XD1X	BRAKE, DRIVE, REAR	BRAKE DRIVE, REAR, DISC LIGHTWEIGHT	0	0
	U1AG1X	REAR BRAKE ADJ MANUFACTURE	AUTOMATIC SLACK ADJUSTERS FOR REAR AIR DISC BRAKES (Total for QTY = 2)	0	0
	V1AE3X	REAR BRAKE CHAMBER SIZE	REAR SPRING BRAKE CHAMBERS 24/24 TYPE	0	0
	N5FBFX	BRAKE ORI REAR-MOST DRIVE AXLE	DISC BRAKE CHAMBER ORIENTATION: Middle Mount - Forward of Axle - Chamber Inward	0	0

TECHNICAL SPECIFICATION *(cont.)*



				WEIGHT (LB)	
REAR AXLE EQUIPMENT		DESCRIPTION		FRONT	REAR
	300AF0	PARKING BRAKE CHAMBER	WABCO BRAKE CHAMBERS VENDOR (Total for QTY = 2)	0	0
S	0LXI1X	HUB MATERIAL, DRIVE	ALUMINUM PRESET REAR HUB W/INTEGRATED SPINDLE NUT	0	212
S	698098	ANTILOCK BRAKE SYSTEM	MACK ROAD STABILITY ADVANTAGE BENDIX ABS/ATC/ESP W/YAW CONTROL 4S4M	7	0
S	URXD1X	BRAKE VALVE VERSION	BENDIX SWITCHES AND VALVES WHERE POSSIBLE	0	0
	H9CA1X	TRACTION CONTROL DISABLE (CA in PC29 only)	AUTOMATIC TRACTION CONTROL (ATC) FULL DISABLE SWITCH	0	0
S	3ZAA1X	SPRING BRAKE INVERSION VALVE	TRACTOR SPRING BRAKE INVERSION VALVE	5	0

				WEIGHT (LB)	
FRAME EQUIPMENT/FUEL TANKS		DESCRIPTION		FRONT	REAR
	271213	WHEELBASE	213"	62	62
S	374056	AF (OVERHANG)	56"	-4	161
	MCE08E	FRAME RAILS & LINERS	9.5 x 90 x 300mm - (0.37" x 3.54" x 11.81"); RBM 2,470,000 LB-IN	0	0
S	A0XH2X	FRONT FRAME LENGTH	Standard Bumper Position	47	-2
	281AA3	CROSSMEMBERS	HIGHWAY SEVERE DUTY BOC AND BCL CROSSMEMBERS	7	12
S	Q5AC4X	REAR CROSSMEMBER OPTIONS	BOXED AND TAPERED CLOSING CROSSMEMBER FOR USE W/ BUILT IN TAIL LAMPS	-8	49
S	X6XCBX	REAR FRAME TREATMENT	FURNISH TAPERED & FLANGED FRAME RAIL ENDS (28 DEG) FOR USE W/BUILT IN TAIL LAMPS	0	0
	69XC3X	MUDFLAP HANGERS, REAR AXLE	BETTS B60S (ANGLED) STAINLESS STEEL W/INTEGRATED REFLECTIVE TAPE	0	20
	67XG1X	MUDFLAP TYPE, REAR AXLE	BLACK POLYETHYLENE WITH WHITE "MACK" LETTERS	0	14
S	2HXA1X	MUDFLAP, FRONT AXLE	BLACK POLYARMOUR (NO NAME TO APPEAR ON FLAP) (NOT ANTI-SPRAY TYPE)	0	0
S	4DXP1X	FRONT BUMPER	FLUSH-STAINLESS CLAD ALUMINUM	98	-4
S	2RAA1X	FUEL LEVEL SENDER UNIT, LIQUID	BASIC FUEL LEVEL SENDER MOUNTED ON L.H TANK	0	0
	288AC1	FUEL TANK - LH	142 GALLON (540 L) 26" ALUMINUM ROUND	228	100
	290AA1	FUEL TANK - RH	W/O RH FUEL TANK	0	0
	R0AA1X	FUEL TANK POLISH OPTION	POLISHED ALUMINUM	0	0
S	JHXB1X	FUEL HOSES, LIQUID	BRAIDED HOSE	5	3
S	8520C2	FUEL FILLER NECK OPTIONS	WITHOUT FILLER NECK SCREEN, WITH NON-LOCKABLE FUEL TANK CAP	0	0
	12AA1X	FUEL LINE OPTIONS, LIQUID	W/O FUEL LINE OPTION	-2	0
S	Q2AA1X	CAB INSTEP VERSION	STANDARD 2 STEP CAB ACCESS	0	0
	223AA2	STEPS (BRIGHT) - FUEL TANK	BRIGHT FINISH ALUMINUM STEPS & STAINLESS STEEL BRIGHT FINISHED STRAPS	0	0
	464AA5	QUARTER FENDERS	STAINLESS STEEL QUARTER FENDERS	0	20

				WEIGHT (LB)	
AIR/BRAKE		DESCRIPTION		FRONT	REAR
S	UWXD1X	AIRTANK DRAIN VALVE	MANUAL DRAIN VALVES, WITH LANYARD ON SUPPLY TANK ONLY	0	0
	U2XA2X	AIRTANK MATERIAL	ALUMINUM AIR TANK, POLISHED ALUMINUM FINISH	-13	-4
S	141AA1	RELOCATE AIR RESERVOIRS	W/O RELOCATED AIR TANKS	0	0
	3MBA1X	PARK BRAKE ALARM	ALARM TO SOUND WHEN DRIVER DOOR OPENED & PARKING BRAKE NOT ON	0	0
S	1JAABX	PARKING BRAKE VALVE	TWO (2) VALVE DUAL BRAKE SYSTEM - TRAILER SUPPLY AND TRACTOR-TRAILER PARK	0	0

TECHNICAL SPECIFICATION *(cont.)*



			WEIGHT (LB)		
ELECTRICAL	DESCRIPTION		FRONT	REAR	
	5RXA7X	BACK-UP ALARM	POLLAK 41-722 CONSTANT AUDIBLE (MOUNTED ON REAR CROSS MEMBER) 107 dB	0	3
	EAXB1X	DASH MOUNTED SWITCHES	TWO (2) EXTRA DASH MOUNTED ILLUMINATED SWITCHES	0	0
	NGXB1X	AUX. FOG LAMP	FOG LAMPS (ROUND)	9	0
S	3120A2	ROOF & SIDE MARKER LIGHTS	(5) TRUCKLITE CHROME BULLET ROOF MARKER & STANDARD MARKER / DIRECTIONAL SIGNAL	0	0
S	LJXB1X	HEADLAMP BULB TYPE	HEADLAMP BULB TYPE, LED	0	0
S	LSXJ7X	DAYTIME RUNNING LIGHTS	W/OVERRIDE SWITCH, PARK BRAKE & ENGINE RUNNING ACTIVATED	0	0
S	X2AA1X	DRL OVERRIDE SPEED THRESHOLD	DRL OVERRIDE SPEED THRESHOLD 8 KMPH (5 MPH)	0	0
S	NEXK2X	TAIL LAMPS	LED STOP & TAIL LAMPS W/BACKUP LAMP & LICENSE PLATE MTD IN CLOSING CROSSMEMBER	0	5
	05AGAX	WORK LIGHTS - CHASSIS MOUNTED	RH/LH LED WORK LIGHT (STEPS & GROUND) ON BOTH SIDES TRUCK	3	0

			WEIGHT (LB)		
TRAILER CONNECTIONS	DESCRIPTION		FRONT	REAR	
	33001C	FIFTH WHEEL	AIR - FONTAINE SL7LWB SERIES, LH RELEASE (AVAIL: 6.73",7.24",8.27",9.25",10.24")	0	503
S	6DXH1X	5TH WHEEL MOUNTING BRACKETS	SLIDING 5TH WHEEL MTG, 24" TRAVEL	0	75
S	LIXA1X	FIFTH WHEEL ANGLE MATERIAL	STEEL FIFTH WHEEL ANGLES	0	0
S	9DAABX	5TH WHEEL ANGLE THICKNESS	5TH WHEEL ANGLE, 10MM THICKNESS	0	0
S	6BX5XX	5TH WHEEL OFFSET	50" BOGIESPREAD = -1" OFFSET, 52" BS = 0", 54" BS = 1", 55" BS = 1.5", 4x2 = - 26"	0	0
	E5BAEX	GROUND TO 5TH WHEEL TOP HGT. (CA in PC29 only)	1245MM (49") GROUND TO 5TH WHEEL TOP HEIGHT	0	0
	6EXBMX	FIFTH WHEEL LEG-HEIGHT (KAX Result)	171MM (6.75"), FIFTH WHEEL LEG-HEIGHT (SELECTED BY KAX)	0	0
S	53XBAX	TRAILER GLAD HAND COUPLINGS	GLAD HAND COUPLINGS - NORTH AMERICAN STD	0	0
S	WGXA1X	TRAILER BRAKE VALVE	HAND CONTROL VALVE FOR TRAILER BRAKES W/ AIR CONNECTIONS OR SERVICE BRAKES W/O AIR CONNECTIONS	0	0
S	WHXQ1X	TRAILER CONNECTION POSITION	TRAILER AIR BRAKE CONNECTIONS, BACK OF CAB	0	0
S	7KXA3X	TRAILER ACCESS PACKAGE	LOW PROFILE DECK PLATE	18	45
S	51XD1X	TRAILER BRAKE HOSEHANGER	HOSE TENDER, POGO STICK (CHASSIS MOUNTED)	0	0
S	321021	TRAILER ELECTRICAL RECEPT	SINGLE, 7 PINS STD SAE TYPE, BACK OF CAB	0	0
	5ZXB1X	TRAILER BRAKE HOSES & CABLES	TRAILER AIR HOSES (12' COILED TYPE)	0	0
	322092	TRAILER HOOKUP LIGHT	DUAL TRUCKLITE SUPER-44 LED 27 DIODE RECESSED IN BOC	3	0
	2UAB1X	TRAILER ELECTRICAL CABLE CONFIG	TRAILER ELECTRICAL CORD (12' COILED TYPE)	0	0
S	3SAA1X	TRAILER CONNECTORS HOLDER	ELECTRICAL PLUG HOLDER (INCLUDES GLAD HAND STORAGE)	0	0

			WEIGHT (LB)		
PTO	DESCRIPTION		FRONT	REAR	
	TYXE1X	POWER TAKE OFF CONTROL	TRANSMISSION PTO SWITCH AND LIGHT WITH WIRING AND PIPING FOR LOCAL INSTALLATION	3	0

			WEIGHT (LB)		
SPECIALTY EQUIPMENT	DESCRIPTION		FRONT	REAR	
S	7VEZ1X	AUXILIARY POWER UNIT	WITHOUT AUXILIARY POWER UNIT	0	0
S	MCQ01Q	LANE SUPPORT SYSTEM (LSS)	WITHOUT LANE SUPPORT SYSTEM	0	0
S	2PEZ1X	DATA CAPTURE	WITHOUT DATA CAPTURE	0	0

TECHNICAL SPECIFICATION *(cont.)*



				WEIGHT (LB)	
SPECIALTY EQUIPMENT		DESCRIPTION		FRONT	REAR
S	1PAZ1X	CAMERA, SURVEILLANCE	WITHOUT CAMERA	0	0

				WEIGHT (LB)	
CAB INTERIOR (A THRU G)		DESCRIPTION		FRONT	REAR
S	198048	SPEEDOMETER -&- GAUGES - UNIT(S) OF MEASURE	U.S. UNITS (PREDOMINANT)	0	0
	CCXD1X	GUAGE - PACKAGE, SECONDARY	2ND GA PKG W/ENG OIL TEMP, TRANS OIL TEMP, PYRO, BOOST PRESS	0	0
	E1AAAX	GAUGE OIL TEMP-REAR AXLE	REAR AXLE OIL TEMP GAUGE IN DID (DRIVER INFORMATION DISPLAY)	0	0
	I6AA1X	AUXILIARY PNEUMATIC OUTLET CAB (CA family in PC29 only)	AUX. INCAB PNEUMATIC LINE CLEANOUT	0	0
S	173AA5	AIR CONDITIONING/HEATER	BLEND AIR HVAC W/"ATC" TEMP REGULATION	0	0
S	EEXA1X	CUPHOLDER	CUPHOLDER	0	0
S	I0XAHX	DOME LAMP, INTERIOR	(4) DOME LAMPS - DOOR AND SWITCH ACTIVATED	0	0
	7860E6	FIRE EXTINGUISHER	5LB (ABC RATED) MOUNTED BETWEEN DRIVER SEAT BASE AND DOOR VALVE AIMED REARWARD	9	0
	184AA3	FLOOR COVERING	POLYURETHANE FLOOR MAT W/ REMOVABLE INSERTS	16	0

				WEIGHT (LB)	
CAB INTERIOR (H THRU R)		DESCRIPTION		FRONT	REAR
S	C52082	INSTMNT CLUSTER LANGUAGE	DEFAULT: ENGLISH, SPANISH, FRENCH	0	0
S	20XA1X	KEY TYPES FOR DOORS	ALL CHASSIS KEYED AT RANDOM	0	0
S	13AA1X	DOOR OPENING OPTIONS	W/O ELECTRONIC KEYLESS ENTRY	0	0
S	E3XC1X	FORWARD OVERHEAD STORAGE	COMPARTMENT W/NET	0	0
S	1740D4	AUDIO ACCOMMODATION	PREMIUM STEREO, AM/FM, MP3, WEATHER BAND, BLUETOOTH	0	0
S	73AJ1X	ANTENNA - RADIO	48" ANTENNA RIGHT SIDE MIRROR MOUNTED	0	0
	5BXB5X	ANTENNA - CB RADIO	48" ANTENNA LEFT SIDE MIRROR MOUNTED	0	0
S	0LAA1X	AUDIO SHUTOFF	AUTO SHUTOFF FOR RADIO ENTERTAINMENT SYSTEM WHEN VEHICLE IS ENGAGED IN REVERSE	0	0
S	1WAB1X	POWER LEADS	POWER LEADS (5-WAY BINDING POSTS FOR CB RADIO) IN HEADER CONSOLE	0	0
S	5CXB2X	AUDIO SPEAKER LOCATION	SPEAKER LOCATION, IN DOORS, MIDDLE HIGH SIDE PANEL	0	0
S	5JXALX	COM.RADIO PREP KIT (CB)	MOUNTING PLATE AND VELCRO STRAP IN HEADER CONSOLE	0	0
S	21XA1X	AUXILIARY REAR WINDOW	REAR WINDOW (FIXED TYPE)	0	0
S	IFXB1X	REAR WALL STORAGE COMPARTMENT	STORAGE POUCH REAR	5	0
	784054	REFLECTOR KIT	EMERGENCY REFLECTOR KIT MOUNTED PARALLEL & CENTERED AGAINST BOC	12	5

				WEIGHT (LB)	
CAB INTERIOR (S THRU Z)		DESCRIPTION		FRONT	REAR
	004034	INTERIOR TRIM LEVELS	PREFERRED TRIM PACKAGE, STEEL GRAY (Package 12A)	0	0
S	196AAA	SEAT - DRIVER'S	MACK-AIR, HIGH BACK, 1 CHAMBER AIR LUMBAR	71	16
S	MAP05P	SEAT COVERING - DRIVER'S	DRIVER'S SEAT - BLENDED BLACK & GREY VINYL	0	0
	197AA2	SEAT - PASSENGER'S	MACK-FIXED, HIGH BACK, W/ STORAGE BOX	40	9
S	MAQ06Q	SEAT COVERING - PASSENGER'S	PASSENGER'S SEAT - BLENDED BLACK & GREY VINYL	0	0
	3PXC1X	SEAT ARMREST	INBOARD MOUNTED ARM REST, DRIVER'S & RIDER'S SEAT	5	3
S	592092	SEAT BELT(S)	LAP & SHOULDER (BOTH SEATS) CAB MOUNTED SHOULDER BELT ADJUSTMENT	0	0

TECHNICAL SPECIFICATION *(cont.)*



				WEIGHT (LB)	
CAB INTERIOR (S THRU Z)			DESCRIPTION	FRONT	REAR
S	D8XC1X	SEAT BELT REMINDER	SEAT BELT REMINDER IN INSTRUMENT, WITH AUDIO	0	0
S	2QAA1X	IGNITION TYPE	KEY TYPE	0	0
	161021	STEERING WHEEL	2 SPOKE LEATHER GRIP, SATIN ALUMINUM SPOKES, WITH SWITCHES	0	0
S	WSXBAX	WINDSHIELD TYPE	TWO PIECE WINDSHIELD	0	0
S	145AA1	CAB GLASS	TINTED WINDSHIELD & SIDE WINDOWS & REAR WINDOW (IF EQUIPPED)	0	0
S	148AA3	WINDSHIELD WIPERS	2 SPEED ELECTRIC MOTOR W/INTERMITTENT FEATURE	0	0

				WEIGHT (LB)	
CAB - SLEEPER BOX			DESCRIPTION	FRONT	REAR
S	4ZXZ1X	REFRIGERATOR	W/O SLEEPER BOX REFRIGERATOR	0	0

				WEIGHT (LB)	
CAB EXTERIOR			DESCRIPTION	FRONT	REAR
S	88AA1X	EMBLEMS OPTION	W/O MISC ORNAMENT CHANGE OPTION	0	0
	MCY01Y	HOOD LATCH TYPE & FINISH	STRAP TYPE HOOD LATCH WITH BRIGHT FINISH	0	0
S	MCG0BG	EXTERIOR TRIM FINISH AND PACKAGES	PINNACLE BLACK AIR INTAKE	0	0
S	400AG0	GRILLE	HERITAGE DESIGN CHROME GRILLE W/ BLACK BACKGROUND	0	0
S	MCD03D	PASSENGER SIDE VISIBILITY OPTIONS	AUXILIARY WINDOW IN RH DOOR	3	0
S	5870G7	GRAB HANDLES	PREMIUM BLACK EXTERIOR CAB GRAB HANDLE, BLACK GRAB HANDLE RH INTERIOR WINDSHIELD POST	0	0
	154AC3	HORN - AIR	(2) MACK RECTANGULAR SINGLE TRUMPET, BRIGHT FINISH ALUMINUM W/SNOW SHIELDS	7	0
S	LXXD1X	HORN - ELECTRICAL	DUAL TONE	5	0
	152AC5	MIRRORS - EXTERIOR	BULLDOG STYLIZED MIRRORS - LH & RH HEATED & MOTORIZED AND ILLUMINATED W/INTEGRAL CONVEX MIRROR	7	0
	157037	SUN VISOR - EXTERIOR	SUN VISOR, EXTERIOR, STAINLESS STEEL (UNPAINTED)	9	0

				WEIGHT (LB)	
AERODYNAMIC DEVICES			DESCRIPTION	FRONT	REAR
S	159AA1	CAB AERODYNAMIC PACKAGES	WITHOUT CAB AERODYNAMIC DEVICES	0	0
S	MCM998	FRONT CHASSIS AERODYNAMIC PACKAGE	WITHOUT FRONT AERODYNAMIC FAIRINGS	0	0
S	MCK03K	REAR CHASSIS AERODYNAMIC PACKAGE	WITHOUT REAR AERODYNAMIC FAIRING	0	0

				WEIGHT (LB)	
WHEELS & TIRES			DESCRIPTION	FRONT	REAR
	900AY1	TIRES BRAND/TYPE - FRONT	11R24.5 G MICHELIN XZE2 (13220 lbs) (Total for QTY = 2)	256	0
	531331	WHEELS - FRONT	24.5x8.25 ALCOA 98565x SEVERE SERVICE, POLISHED OUTER ALUMINUM, 6.60" OFFSET, 10 HAND HOLE (Total for QTY = 2)	124	0
	901341	TIRES BRAND/TYPE - REAR	11R24.5 H MICHELIN X WORKS Z (26440 lbs) (ALL POSITION) (Total for QTY = 8)	0	1,129
	346406	WHEELS - REAR	24.5x8.25 ALCOA 98U63x POLISHED INSIDE W/ DURA-BRIGHT ALUMINUM,6.60" OFFSET, 10 HAND HOLE (Total for QTY = 8)	0	406
S	15XABX	TIRE INFLATION VALVE	STANDARD VALVE STEMS AND CAPS	0	0
S	MCH03H	FRONT HUB/WHEEL TRIM	WITHOUT FRONT HUB/WHEEL TRIM	0	0
S	MCI03I	REAR HUB/WHEEL TRIM	WITHOUT REAR HUB/WHEEL TRIM (Total for QTY = 2)	0	0

TECHNICAL SPECIFICATION *(cont.)*



				WEIGHT (LB)	
WHEELS & TIRES		DESCRIPTION		FRONT	REAR
S	80AA1X	WHEEL NUT & FINISH, FRONT	WHEEL NUT BASIC FINISH, FRONT	0	0
S	3PBA1X	WHEEL NUT FINISH, REAR (CA)	WHEEL NUT BASIC FINISH, REAR	0	0

				WEIGHT (LB)	
COMMUNICATION SYSTEMS		DESCRIPTION		FRONT	REAR
	3YAB1X	CO-PILOT - DISPLAY FEATURES ACCESS LEVEL	CO-PILOT DISPLAY, FULL DRIVER ACCESS	0	0
S	M30060	TELEMATIC GATEWAY	TELEMATICS GATEWAY, 4G/LTE AND WLAN SYSTEM WITH DIAGNOSTIC SERVICES	0	0

				WEIGHT (LB)	
ENGINE ELECTRONICS		DESCRIPTION		FRONT	REAR
S	WOXA1X	OIL PRESSURE, ENGINE SHUTDOWN	OIL PRESSURE, ENGINE SHUTDOWN	0	0
S	WMXA1X	COOLANT TEMP, ENGINE SHUTDOWN	COOLANT TEMP, ENGINE SHUTDOWN	0	0
S	K5XA2X	ENGINE PROTECTION SYSTEM	ENGINE PROTECTION (SHUTDOWN)	0	0
	C7AABX	ENG FAN CNTL, A/C ON, TIME SET	ENG FAN CONTROL, A/C ON, TIME SETTING, 60 SEC	0	0
S	K7XY1X	ENGINE IDLE CONTROL	IDLE CONTROL, 600 RPM	0	0
S	X0AB0X	SMART IDLE ELEVATED IDLE RPM TIME	INCREASE 10 MINUTE MAXIMUM TIME	0	0
S	M3CA1X	IDLE S/D ABS TAMPER CHECK	IDLE SHUTDOWN ABS TAMPER CHECK, ENABLED	0	0
S	B1AZ1X	IDLE S/D WARNING TIME	WITHOUT IDLE S/D WARNING TIME	0	0
S	A8AALX	IDLE S/D IF WARM-UP TEMP	38C DEG (100F), WARM UP TEMP DELAY	0	0
S	A4AAEX	IDLE S/D WARM-UP TIMER	5 MIN. WARM UP TIME DELAY	0	0
S	B0AAAX	IDLE SHUTDOWN IF POWER > LIMIT	ENG IDLE SHUTDOWN TIME OVERRIDDEN IF TORQUE > THAN LIMIT	0	0
S	M4CB1X	IDLE S/D OVERRIDE %ENGINE LOAD	IDLE SHUTDOWN OVERRIDE UPTO 20% ENGINE LOAD THRESHOLD	0	0
S	D2AAFx	AMBIENT TEMP MIN TRESHOLD	AMBIENT TEMP MIN TRESHOLD, 16 DEG C, (60 DEG F)	0	0
S	D3AAEX	AMBIENT TEMP MAX TRESHOLD	AMBIENT TEMP MAX TRESHOLD, 27 DEG C, (80 DEG F)	0	0
S	B3ABAX	EL HD THROTTLE,MAX ROAD SPEED	ELECTRONIC HAND THROTTLE, MAX ROAD SPEED, 16 KMH (10 MPH)	0	0
S	B6ABAX	EL HAND THROTTLE,MAX ENG SPEED	ELECTRONIC HAND THROTTLE, MAX ENGINE SPEED, 1000 RPM	0	0
S	B4ADAX	EL HAND THROTTLE,MIN ENG SPEED	ELECTRONIC HAND THROTTLE, MIN ENGINE SPEED, 700 RPM	0	0

				WEIGHT (LB)	
TRANSMISSION ELECTRONICS		DESCRIPTION		FRONT	REAR
	M08038	ECONO ROLL	ECONO ROLL DISABLE mDRIVE (REQUIRED FOR ALL OTHER TRANSMISSIONS)	0	0
S	779001	TRANSMISSION ELECTRONICS PACKAGE	W/O ELEC TRANS PACKAGE OPTION (all non-Allison transmissions)	0	0
S	MAV01V	TRANSMISSION ELECTRONIC SHIFTING PROPERTIES	W/O ALLISON FUELSNSE 2.0 PROGRAMMING	0	0

				WEIGHT (LB)	
VEHICLE ELECTRONICS		DESCRIPTION		FRONT	REAR
	JCX1QX	ROAD SPEED LIMITER SETTING	114 KM/H ROAD SPEED LIMITER (71MPH)	0	0
	Y3CD4X	PEDAL RSL SETTING	114 KM/H PEDAL ROAD SPEED LIMITER (71MPH)	0	0
S	JDXA1X	CRUISE CONTROL	CRUISE CONTROL	0	0
	JFXNHX	CRUISE CONTROL, MAX SPEED	MAX CRUISE, 114 KPH (71 MPH)	0	0

TECHNICAL SPECIFICATION *(cont.)*



				WEIGHT (LB)	
VEHICLE ELECTRONICS		DESCRIPTION		FRONT	REAR
S	E3AACX	CRUISE CONTROL MIN SPEED	MIN CRUISE, 32 KPH (20 MPH)	0	0
S	E4AAAX	CRUISE RESUME WITH CLUTCH	CRUISE RESUME WITH CLUTCH	0	0
S	E5AACX	ENG BRK ENGAGE IN CRUISE	ENG BRK ENGAGE IN CRUISE, 3 MPH, ABOVE SET SPEED	0	0
S	X2BB1X	ROAD SPEED LIMIT CONTROL TYPE	RSL CONTROL TYPE NORMAL	0	0
	L2CB1X	PDLO ENGAGED VLS	POWER DIVIDER LOCK OUT (PDLO) ROAD SPEED LIMIT 24KMH (15MPH)	0	0
	Q6FAHX	DIFF LOCK SPEED LIMIT	DIFFERENTIAL LOCK ROAD SPEED LIMIT 24KMH (15MPH)	0	0
S	W5BA1X	MAXIMUM ENG SPEED AT 0 MPH	1000 MAXIMUM ENGINE SPEED AT 0 MPH	0	0
S	A4BAAX	DETECTION SPEED SENSR TMRNG	DETECTION OF SPEED SENSOR TAMPERING, ENABLE	0	0
S	8RXAEX	ENG TORQUE LIMIT,SPEED SENSOR	ENG TORQUE LIMITED TO 50%, IF SPEED SENSOR TAMPER DETECTED	0	0
S	X3CB1X	DRIVER ID FUNCTION	DRIVER ID FUNCTION, DISABLED	0	0
S	0PAZ1X	DR PERFORMANCE PARAMETERS	WITHOUT DRIVER PERFORMANCE PARAMETERS	0	0
S	G5AAHX	ENGINE OVERSPEED,ALL COND, LOG	ENGINE OVERSPEED, ALL CONDITIONS, TIME LOG IF ABOVE 2200 RPM	0	0
S	G2AAGX	ENGINE OVERSPEED,FUELED, LOG	ENGINE OVERSPEED, FUELED, TIME LOG IF ABOVE 2100 RPM	0	0
S	G4AAUX	VEHICLE OVERSPEED,ALL COND,LOG	VEHICLE OVERSPEED,ALL COND, TIME LOG IF ABOVE 75MPH (121KMH)	0	0
S	G3AAPX	VEHICLE OVERSPEED, FUELED, LOG	VEHICLE OVERSPEED, FUELED, TIME LOG IF ABOVE 70MPH (113KMH)	0	0
S	G1AABX	ENGINE IDLE DELAY TO LOG	ENGINE IDLE DELAY TO START LOG, 2 MIN	0	0
S	W9A01X	PERIODIC TRIP LOG DAY OF MONTH	PERIODIC TRIP LOG, DAY 1 OF THE MONTH	0	0

				WEIGHT (LB)	
PAINT		DESCRIPTION		FRONT	REAR
S	950AC0	PAINT DESIGN	SINGLE COLOR	0	0
S	924014	PAINT TYPE	SOLID PAINT	0	0
S	944AA7	PAINT COLOR - FIRST COLOR	MACK WHITE; P9188	0	0
S	945998	PAINT COLOR - SECOND COLOR	NO SECOND TRUCK COLOR PROVIDED; NO COLOR	0	0
S	946998	PAINT COLOR - THIRD COLOR	NO THIRD TRUCK COLOR PROVIDED; NO COLOR	0	0
S	996AA3	PAINT - CAB PAINT SYSTEM	PAINT - CAB, URETHANE CLEAR COAT	0	0
S	MPB944	CAB COLOR	SAME AS FIRST COLOR - CAB	0	0
S	MPD944	HOOD COLOR	SAME AS FIRST COLOR - HOOD	0	0
S	940944	MIRROR COVER COLOR	SAME AS FIRST COLOR - MIRROR COVER	0	0
S	MPA998	ROOF FAIRING COLOR	WITHOUT ROOF FAIRING	0	0
S	951AA6	CHASSIS RUNNING GEAR	MACK BLACK (URETHANE); P3036	0	0
S	958028	BUMPER	W/O OPTIONAL BUMPER PAINT	0	0
S	959019	FUEL TANK - ***NO INVENTED VARIANTS ALLOWED in the FUEL TANK PAINT FAMILY***	W/O OPTIONAL FUEL TANK PAINT	0	0
S	962032	HUBS & DRUMS-FRONT	SAME AS CHASSIS RUNNING GEAR	0	0
S	963033	HUBS & DRUMS-REAR	SAME AS CHASSIS RUNNING GEAR	0	0

				WEIGHT (LB)	
CALCULATED CODES - KAX		DESCRIPTION		FRONT	REAR
S	9JXA1X	PROPCALC SELECTION	YES, THE ORDER MUST BE CALCULATED	0	0

TECHNICAL SPECIFICATION *(cont.)*



				WEIGHT (LB)	
BASE WARRANTY & PURCHASED COVERAGES		DESCRIPTION		FRONT	REAR
S	898002	VEHICLE WARRANTY TYPE	NORMAL DUTY WARRANTY CLASSIFICATION	0	0
S	M50020	BASIC CHASSIS COVERAGE	NORMAL DUTY STANDARD BASE COVERAGE 12 MONTHS/100,000 MILES (160,934 KM)	0	0
	M8302T	EMISSION - SURCHARGE	CARB + EPA for Mack MP7 / MP8 Diesel	0	0
	M51102	ENGINE WARRANTY	MACK MP7/MP8 BASE CARB EMISSION COVERAGE 60 MONTHS / 350,000 MILES	0	0
	M52052	EMISSION COMPONENT COVERAGE	US and CANADA CARB EQUIPPED VEHICLE EMISSION COMPONENTS COVERAGE 60 MONTHS/350,000 MILES	0	0
	M54094	TRANSMISSION WARRANTY	36/350K MI: EATON TRANSMISSION STANDARD NORMAL AND HEAVY DUTY COVERAGE	0	0
	M550G6	CARRIER & AXLE HOUSING WARRANTY	STANDARD MACK NORMAL DUTY COVERAGE 60 MONTHS / 750,000 (1,207,008 KM)	0	0
S	M56026	AIR CONDITIONING WARRANTY	AIR CONDITIONING STANDARD COVERAGE (Sealed System Only) 12 MONTHS UNLIMITED MILEAGE	0	0
S	M57027	CHASSIS TOWING WARRANTY	STANDARD NORMAL / HEAVY DUTY CHASSIS TOWING 90 DAYS OR 5,000 MILES	0	0
S	M58028	ENGINE TOWING WARRANTY	STANDARD MACK ENGINE TOWING COVERAGE 24 MONTHS/250,000 MILES (402,000 KM)	0	0
S	M69089	GUARDDOG CONNECT BUNDLE	NO GUARDDOG CONNECT (ASIST & MACK ONECALL)	0	0
				WEIGHT (LB)	
SERVICES		DESCRIPTION		FRONT	REAR
S	S03011	MACK INTEGRATED UPTIME	MACK INTEGRATED UPTIME - 24 MONTHS	0	0
	S04011	MACK CONNECT LOCATION & REPORTING	MACK CONNECT LOCATION & REPORTING - 24 MONTHS	0	0
S	S05010	FLEET INTEGRATION	WITHOUT FLEET INTEGRATION	0	0
S	S06400	PARTNERED SERVICES	NO PARTNERED SERVICES PROVIDED	0	0
				WEIGHT (LB)	
FRONT / REAR AXLE WEIGHTS (LB)				9330	9099
TOTAL WEIGHT (LB)				18429	

PERFORMANCE - PREDICTOR



Inputs Required	DWGRef	Inputs	UOM
Vehicle Type		Aero Muscle Hood - Roof Fairing (0.60)	MPH
Performance Level		>67 MPH / >108KPH	MPH
Frontal Area		110.0	FEET ²
Accessory Power Loss		11.0	HP

VEHICLE SPECIFICATION SUMMARY			
Model		PINNACLE 64T	
Gross Combination Weight		80,000 LB (36 TONNES) GROSS COMBINATION WEIGHT	
Vehicle Application		ON HIGHWAY, STARTING GRADES<16%	
Body/Trailer Type		LOW BOY MACHINERY TRAILER	
Loading/Unloading Surface Type		CONCRETE LOADING AND / OR UNLOADING SURFACE	
Engine		MP8-505C MACK 505HP @ 1500-1700 RPM (PEAK) 2100 RPM (GOV) 1850 LB-FT, US'21	
Peak Power	HP	505.0 @ 1500 - 1700	
Peak Torque	Newton Meters	2508 @ 1000	
Transmission		FULLER FRO-18210C (12.94/0.74)	
Rear Axle		40000# (18100kg) MACK S402R CAST DUCTILE IRON HOUSING	
Rear Axle Ratio		3.79	
Rear Tire		11R24.5 H MICHELIN X WORKS Z (26440 lbs) (ALL POSITION)	
Tire Revolutions per	Mile	473	
Total Reduction		2.80	

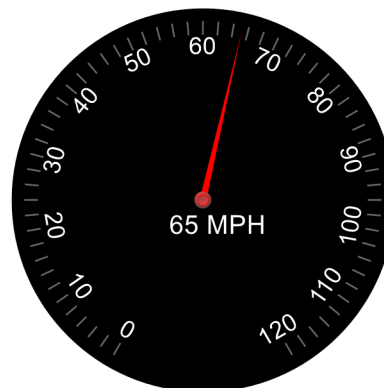
CALCULATED PERFORMANCE SUMMARY					
	Speed	UOM	RPM	Desired / Recommended Value	Status
Engine RPM @ 65 MPH	65.2	MPH	1443		
Engine RPM @ Desired Cruise Speed	70.8	MPH	1567	1100 - 1300 rpm	CHECK!
Engine RPM @ Road Speed Limit (RSL)	70.8	MPH	1567	< 2100 rpm	OK
Sweet Spot Cruise Speed Range in Top Gear	49.7 - 58.8	MPH	1100 - 1300		
Top Gear Speed Range	45.2 - 95.0	MPH	1000 - 2100	74.6 MPH	OK
Minimum Practical Speed In Reverse	1.5	MPH	600		
Maximum Practical Speed in Reverse	5.1	MPH	2100		
Minimum Practical Speed In Lowest Forward Gear	1.6	MPH	600		
Maximum Practical Speed In Lowest Forward Gear	5.4	MPH	2100		
	Concrete / Asphalt		UOM		
Wheel HP Required at (65 MPH) Cruise Speed	284.9 / 312.0		HP		
Wheel HP Required at (75 MPH) Road Speed Limit	284.9 / 312.0		HP		
Wheel HP Required at (92 MPH) Top Speed	555.8 / 594.9		HP		

PERFORMANCE - PREDICTOR *(cont.)*



VEHICLE SPECIFICATION SUMMARY			
Gradeability		Recommended Min. Gradeability in Top Gear	
Maximum in Top Gear (Concrete)	2.0%	1.9%	OK
Maximum in Top Gear (Asphalt)	1.8%	1.9%	CHECK!
Startability		Recommended Min. Startability	
In Lowest Gear	26.0%	16.0%	OK
Loading/Unloading Surface Type	CONCRETE LOADING AND / OR UNLOADING SURFACE		
		Recommended Speed on 1.5% Grade	
Speed on a 1.5% Grade (Concrete)	64.4 MPH	>67 MPH	CHECK!
	@1425 rpm in 10th gear	PL5	
Suggested Value for Gear Down Vehicle Speed	RSL - 10		
Driveability Rating	Status		
100% Max Power available after shift	CAUTION!		
>95% Very Good >90% Acceptable			
Performance Level	Recommended Speed on 1.5% Grade	Min. Gradeability in Top Gear	
PL5 - High Performance	>67 MPH	1.9%	
PL4 - Performance	61 - 67 MPH	1.7%	
PL3 - Economy	54 - 60 MPH	1.5%	
PL2 - Fleet / Construction	47 - 53 MPH	1.3%	
PL1 - Heavy Haul	40 - 46 MPH	1.1%	

RPM at 65 MPH

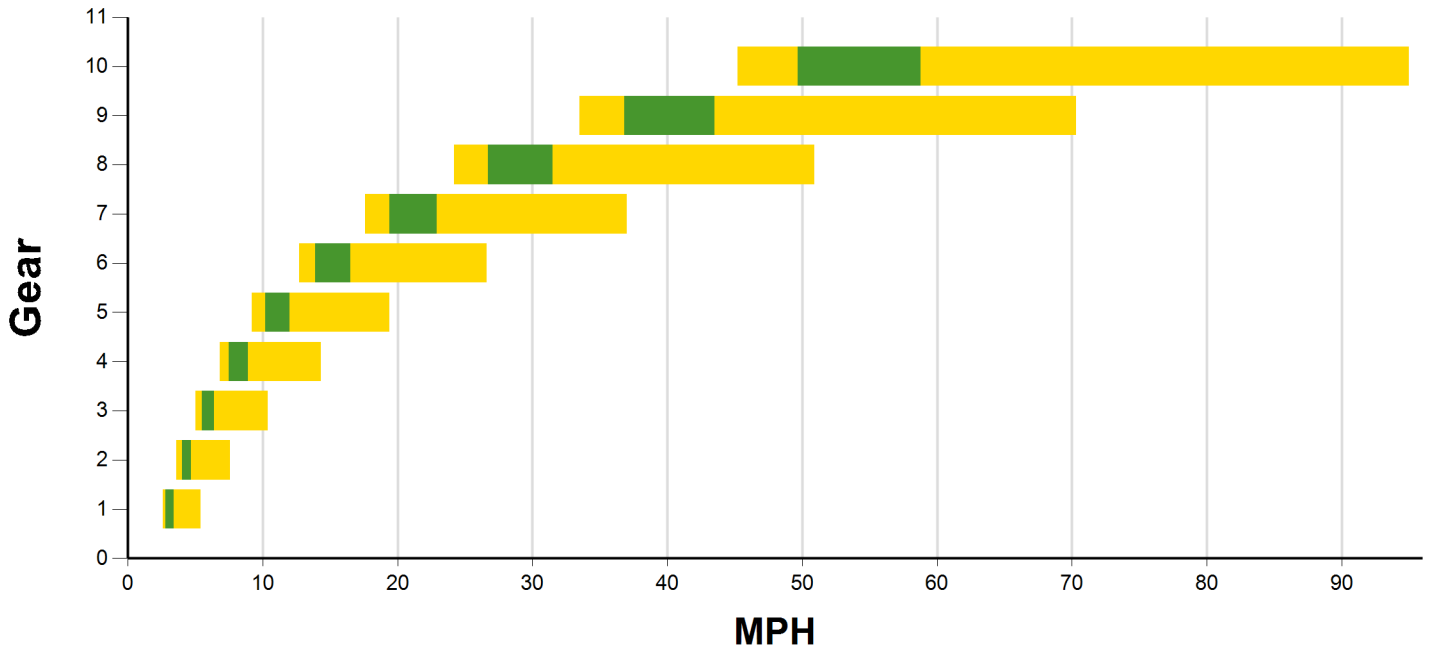


RPM at Cruise Speed

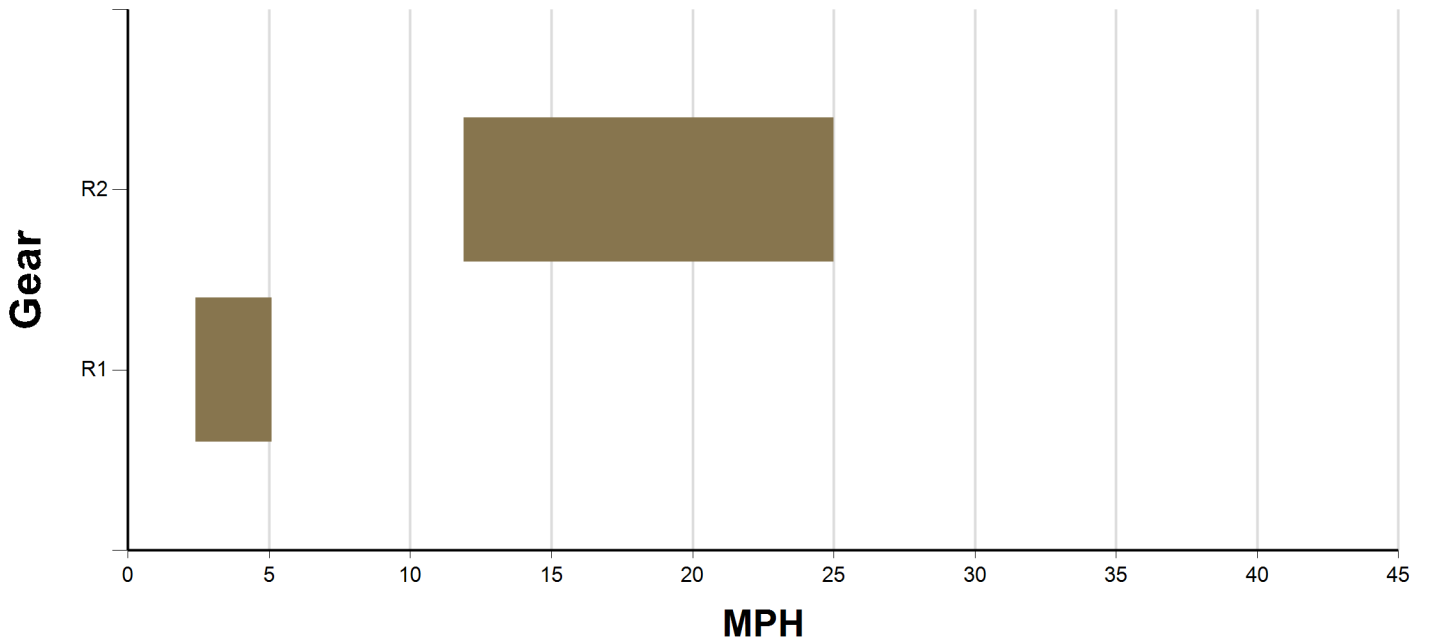


	MPH	RPM
Minimum of Engine Range	45.2	1000.00
Minimum of Economy Range	49.7	1100.00
Cruise Speed	70.8	1566.65
Maximum of Economy Range	58.8	1300.00
Road Speed Limit	70.8	1566.65
Maximum of Engine Range	95.0	2100.00

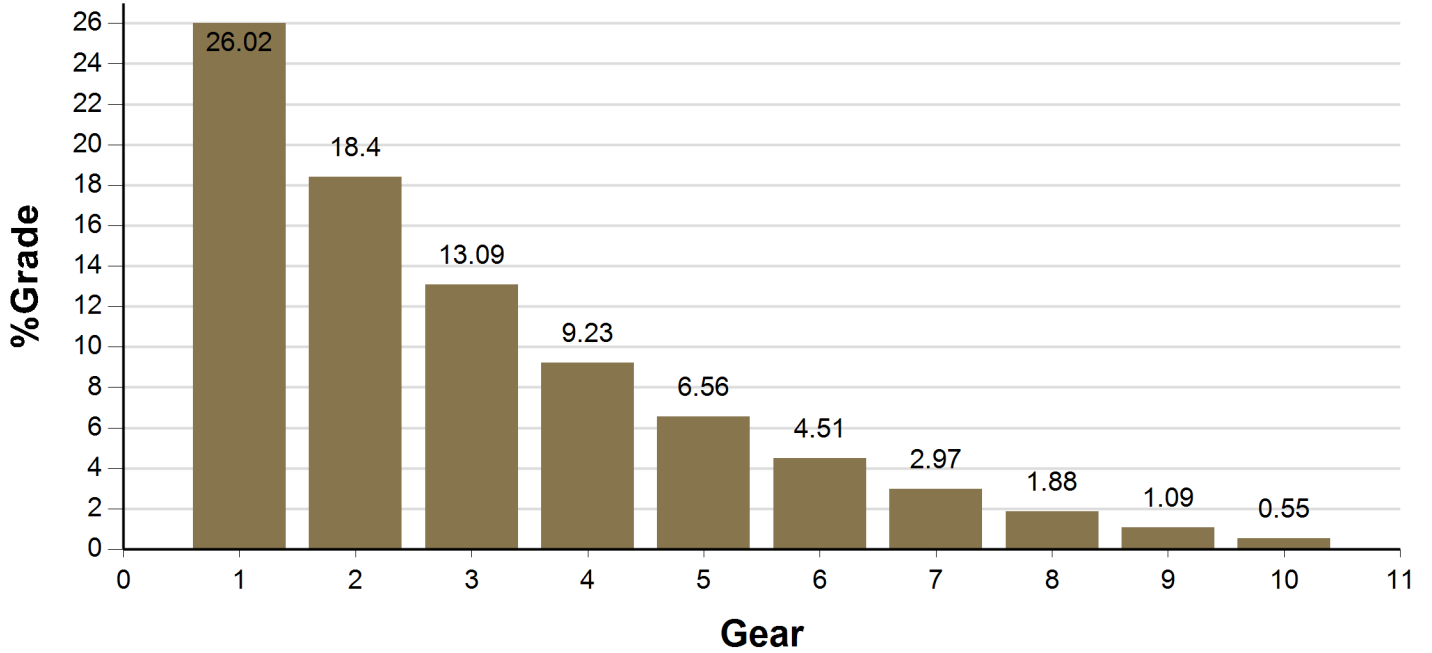
Forward Geared Speed



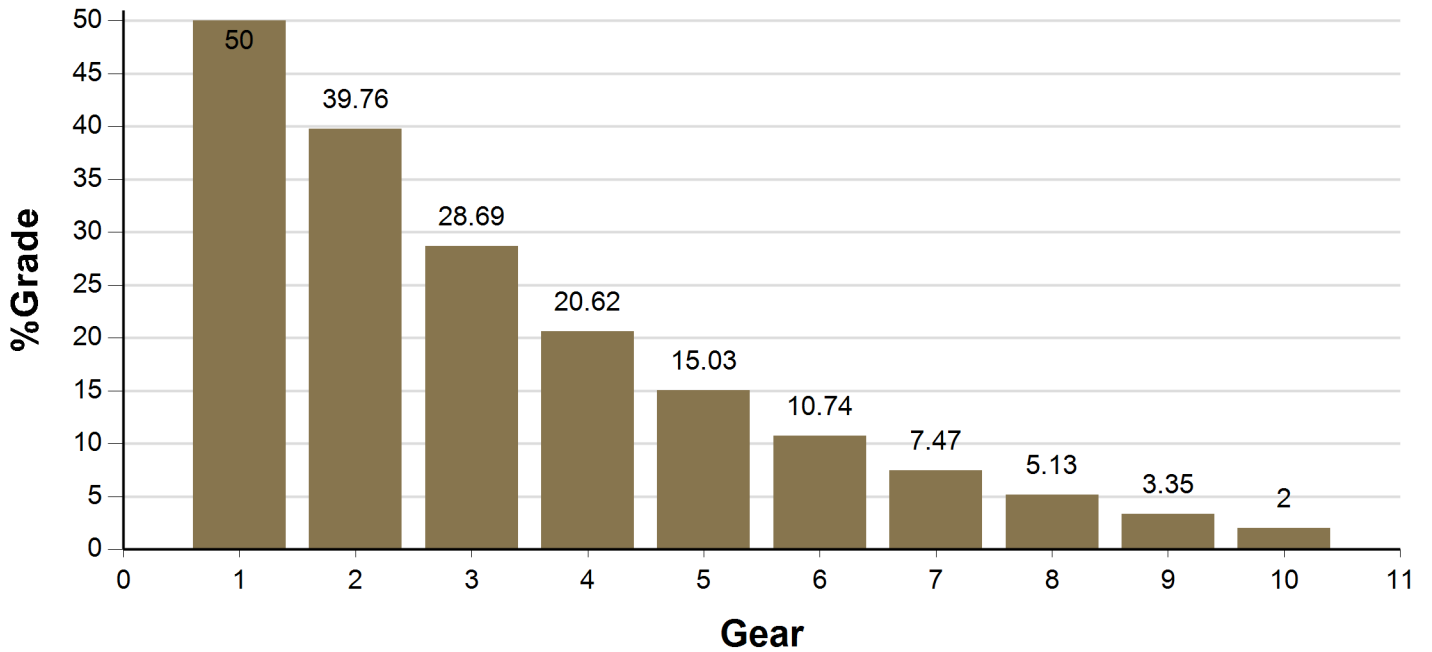
Reverse Geared Speed



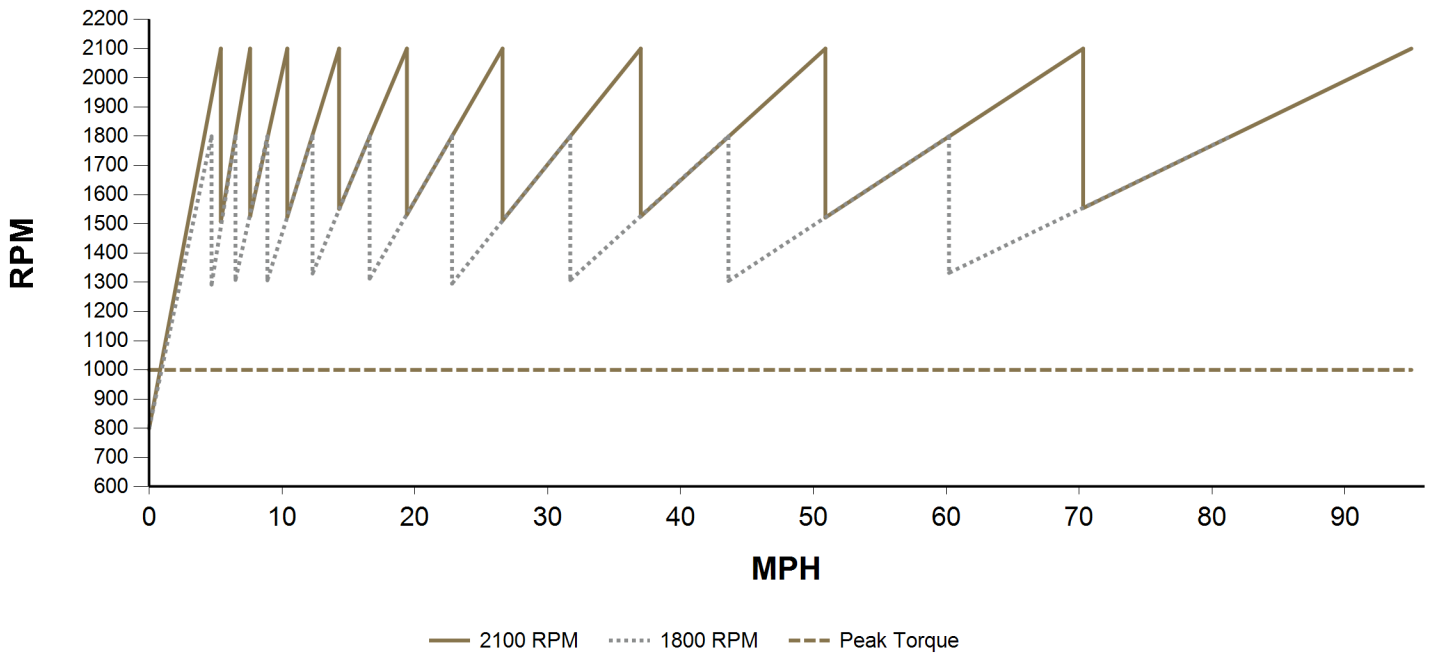
Startability



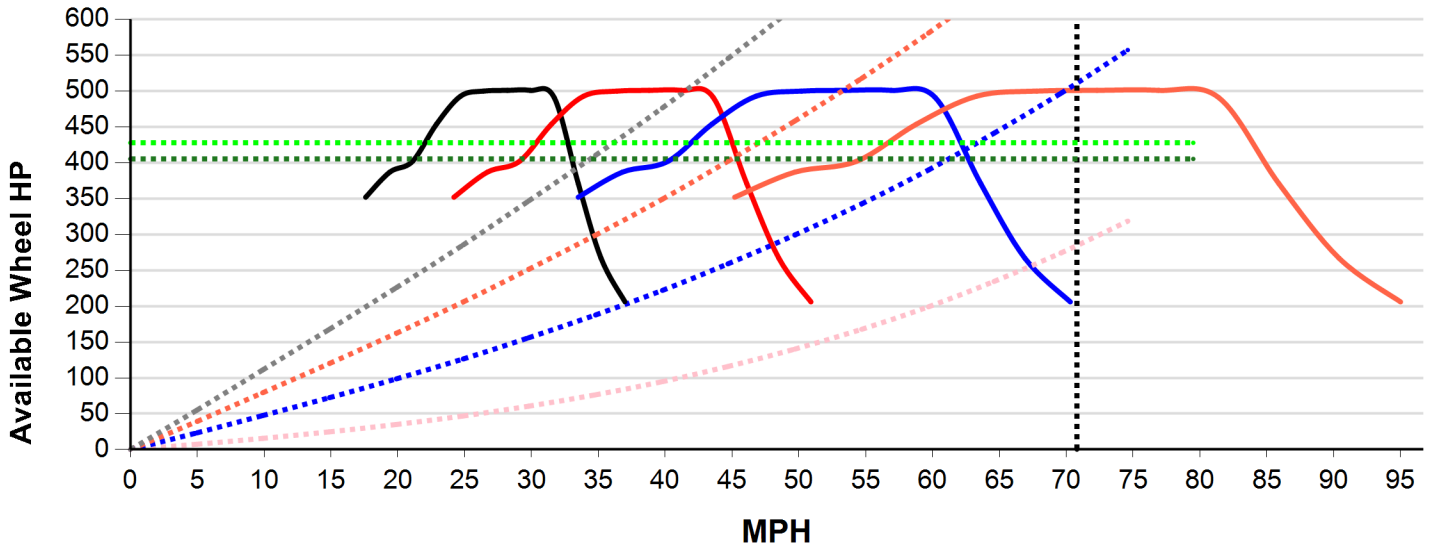
Gradeability at Max Torque



Shift Chart



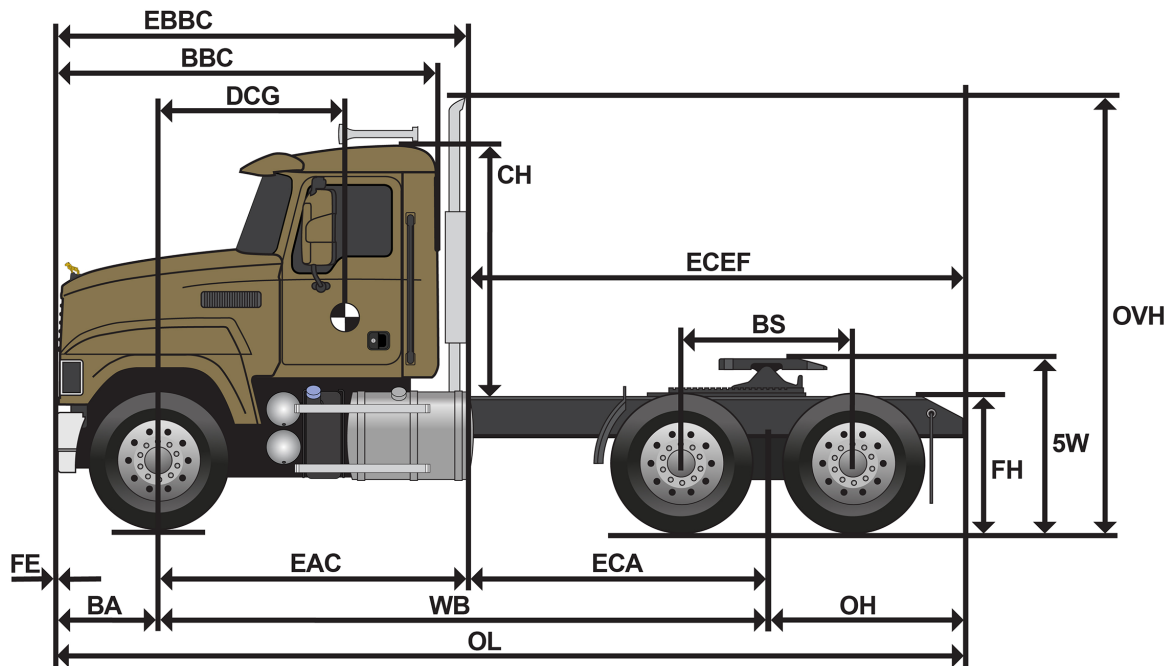
Horsepower VS. Speed



— 9th Gear	— 11th Gear	— 0.0% Grade	— 3.0% Grade	— Cruise Speed	— 90% Power	— 95% Power
— 10th Gear	— 12th Gear	— 1.5% Grade	— 4.5% Grade			

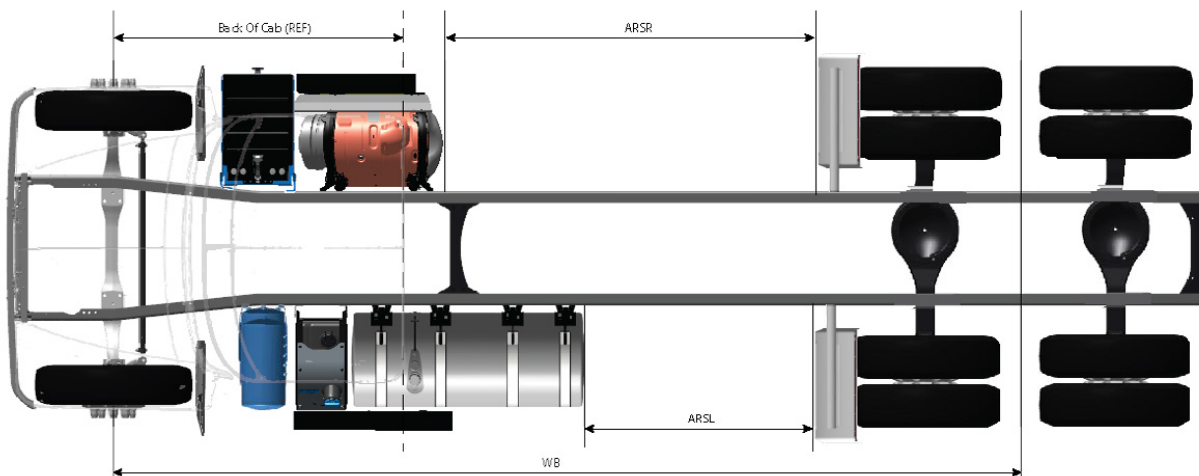
VEHICLE SPECIFICATION/CALCULATED PERFORMANCE SUMMARY

Description	Sales Code	Dwg Ref	Length	UOM
Front Frame Extension	N/A	FE	0.0	INCHES
Bumper to Front Axle	N/A	BA	29.8	INCHES
Eff. Bumper to Front Axle	N/A	N/A	29.8	INCHES
Wheelbase	N/A	WB	213.4	INCHES
Rear Overhang	N/A	OH	56.5	INCHES
Overall Length	N/A	OL	299.7	INCHES
Bumper to Back of Cab	N/A	BBC	117.3	INCHES
Eff. Bumper to Back of Cab	N/A	EBBC	128.8	INCHES
Eff. Cab to Rear Axle	N/A	ECA	114.4	INCHES
Eff. Front Axle to Back of Cab	N/A	EAC	99.0	INCHES
Eff. Cab to End of Frame	N/A	ECEF	170.9	INCHES
Unladen 5th Wheel Height	E5BAEX	5W	49.0	INCHES
Unladen Frame Height	N/A	FH	42.2	INCHES
Cab Height	N/A	CH	73.0	INCHES
Overall Height	N/A	OVH	140.2	INCHES
Driver CG	N/A	DCG	73.2	INCHES
52" AXLE SPACING (BOGIE WHEELBASE)	GWXBYX	BS	52.0	INCHES



VEHICLE SPECIFICATION/CALCULATED PERFORMANCE SUMMARY

Description	Sales Code	Dwg Ref	Left Value(in)	Right Value(in)
Wheelbase	N/A	WB	213.4	213.4
Available Rail Space Right	N/A	ARSR	N/A	57.1
Available Rail Space Left	N/A	ARSL	21.1	N/A
Eff. Front Axle to Back of Cab	N/A	REF	99.0	99.0
Front Axle To Fender	CDX30X	N/A	48.4	35.4
Cleartech One Unit	DPF04F	N/A	0.0	48.0
Battery Box	393AA9	N/A	0.0	15.0
142 GALLON (540 L) 26" ALUMINUM ROUND / W/O RH FUEL TANK	288AC1 / 290AA1	N/A	70.0	0.0
Ad-Blue Tank	DF10N1	N/A	16.0	0.0
Quarter Fender	68XC1X	N/A	10.0	10.0
Drive Tire Radius	901341	N/A	21.9	21.9

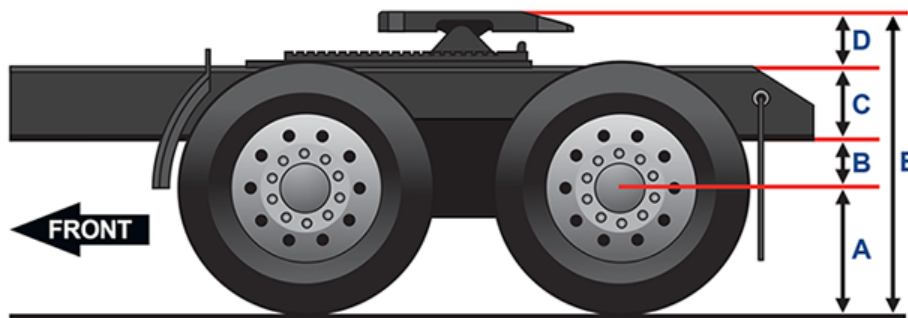


Top View image is intended for illustration purposes only and is not presented to scale. Wheelbase, Axle Spacing and After frame are not shown as specified, but are a representation. Customer Adaptation (CA) options and relocated components are not represented in these images. Most CA options impact the variation of the image, thus an image may not populate. Calculations are approximate to a tolerance of ± 4 inches due to component mounting variation. Certain chassis component options are NOT represented in the Top View image, such as, but not exclusive to, Front Frame Extensions, Fuel Water Separators, Air Dryers, PTOs, Fifth Wheels, Chassis Fairings, Toolboxes, Trailer Connections. For further information on these items and their respective locations on your specification, please refer to the data sheets associated with those items in the configurator.

VEHICLE SPECIFICATION/CALCULATED PERFORMANCE SUMMARY

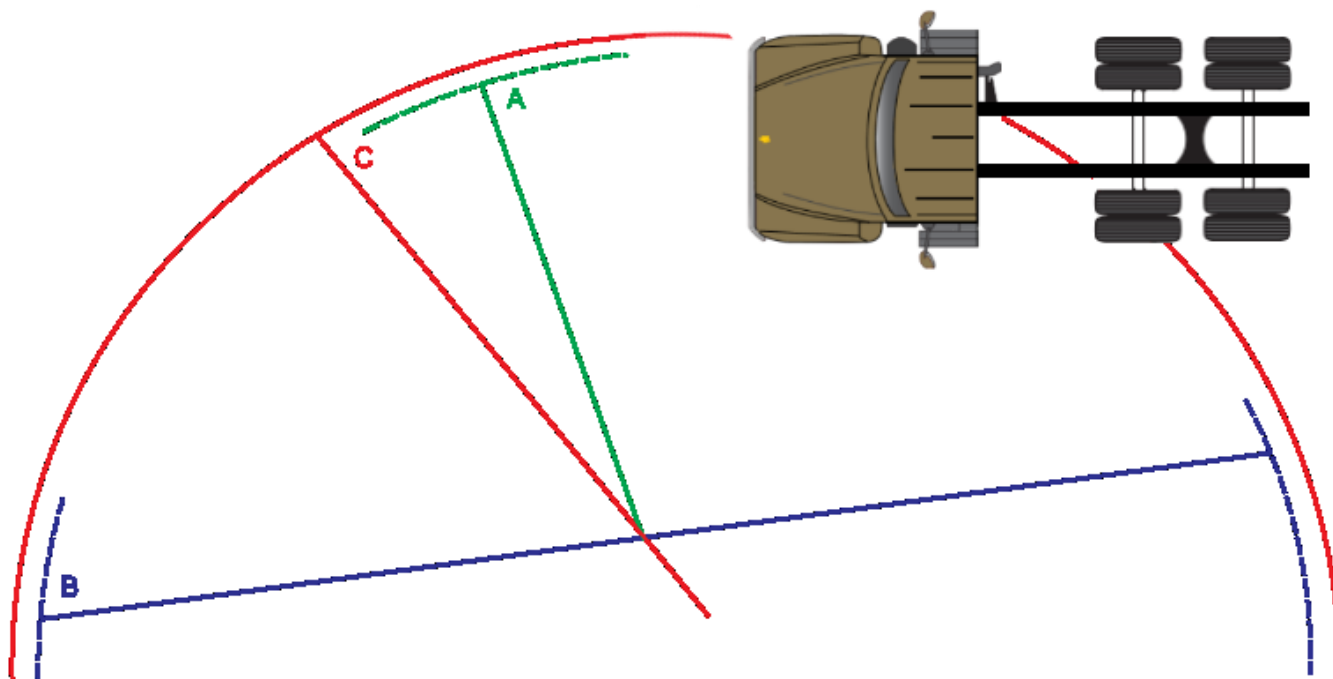
Description	Sales Code	Dwg Ref	Rear		UOM
			Unladen	Laden	
Requested Fifth Wheel Height	E5BAEX		49.0	49.0	INCHES
Tire Radius	901341	A	21.9	20.5	INCHES
Suspension Height	1860T6	B	8.5	8.5	INCHES
Frame Depth	YBXGAX	C	11.8	11.8	INCHES
Closest Available Fifth Wheel Leg Height	N/A	D	7.2	7.2	INCHES
Total Height	N/A	E	49.4	48.0	INCHES

Total height "E" will have a tolerance of +/- 1 inch from the "Requested Fifth Wheel Height" in the unladen position, due to engineering calculation and tolerance stack-ups. The laden position can have a greater variation. If there are any questions regarding these calculations, please contact Sales Engineering.



VEHICLE SPECIFICATION/CALCULATED PERFORMANCE SUMMARY

Description	Sales Code	Dwg Ref	Length	UOM
SAE Turning Radius	N/A	A*	30.2	FEET
Adjusted Turning Radius	N/A	A	34.4	FEET
Curb-to-Curb Diameter	N/A	B	69.8	FEET
Wall-to-Wall Diameter	N/A	C	76.3	FEET



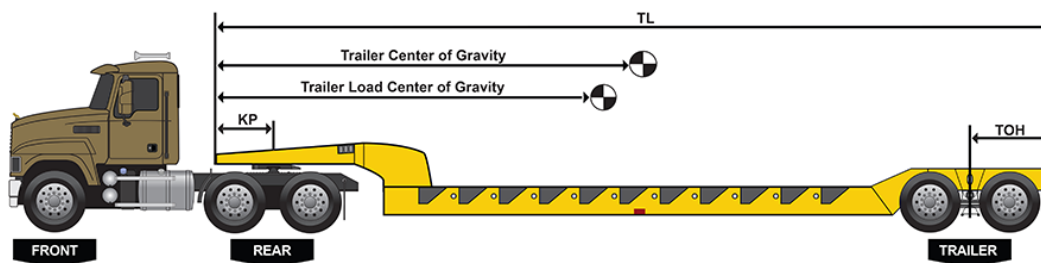
Tests have shown that the true location of the turning center is further to the rear than midway between drive axle sets (where applicable)

The actual location of the turning center depends on:

- Whether the drive tire equipment is single or dual.
- The overall load distribution for the vehicle (front/rear, between drive axles) in a loaded condition
- Manufacturing tolerances within the steering components

Inputs Required	DWGRef	Inputs	UOM
Driver(s) & Equipment Weight		201	LB
Total Trailer Length	TL	53.0	FEET
Trailer Tare Weight		13502	LB
Trailer CG from Front of Trailer	TRAILER CG	336.0	INCHES
Fifth Wheel Setting	FW	0.0	INCHES
Kingpin Location from front of Trailer	Kingpin	36.0	INCHES
Trailer Rear Overhang	TOH	86.0	INCHES
Trailer Axle(s) GAWR		34000	LB

VEHICLE SPECIFICATION SUMMARY				
Description	Description	Dwg Ref	Length	UOM
Bumper to Front Axle	N/A	BA	29.8	INCHES
Wheelbase	N/A	WB	213.4	INCHES
Rear Overhang	N/A	OH	56.5	INCHES
Bumper to Back of Cab	N/A	BBC	117.3	INCHES
BOC Exhaust Space	130AC4	N/A	11.5	INCHES
Driver CG from Front Axle	N/A	DCG	73.2	INCHES
First Pusher Axle Spacing			0.0	INCHES



CALCULATED PERFORMANCE SUMMARY					
Tare Weights	Front Axle	Rear Axle (s)	Trailer Axle(s)	Total	UOM
Chassis	9330	9099	0	18429	LB
Driver	132	69	0	201	LB
Fuel	514	465	0	979	LB
Body/Trailer	0	5625	7877	13502	LB
Total Tare	9976	15257	7877	33110	LB
Payloads					
First Body Payload	0	50147	-3256	46891	LB
Total - Lift Axles Down	9976	65404	4621	80000	LB
GAWR	12000	40000	34000	80000	LB



VEHICLE SPECIFICATION/CALCULATED PERFORMANCE SUMMARY

Sub-Category	Sales Code	Sales Code Description	Value	UOM
Front Axle	240AA6	12000# (5400 KG) MACK FXL12 STRAIGHT SPINDLE/UNITIZED BEARINGS	12000	LB
Front Suspension	244AB2	MACK TAPERLEAF HD 12000# (5400 KG) GROUND LOAD RATING, EQUAL BIAS	12001	LB
Front Tires	900AY1	11R24.5 G MICHELIN XZE2 (13220 lbs)	13220	LB
Front Wheels	531331	24.5x8.25 ALCOA 98565x SEVERE SERVICE, POLISHED OUTER ALUMINUM, 6.60" OFFSET, 10 HAND HOLE	16601	LB
Front GAWR			12000	LB
Rear Axle	268AB4	40000# (18100kg) MACK S402R CAST DUCTILE IRON HOUSING	40000	LB
Rear Suspension	1860T6	AIR ADZ-246 NEWAY 46,000 lb	46001	LB
Rear Tires	901341	11R24.5 H MICHELIN X WORKS Z (26440 lbs) (ALL POSITION)	52881	LB
Rear Wheels	346406	24.5x8.25 ALCOA 98U63x POLISHED INSIDE W/ DURA-BRIGHT ALUMINUM,6.60" OFFSET, 10 HAND HOLE	59199	LB
Rear GAWR			40000	LB
Tractor GVWR			52000	LB
Gross Combination Weight Rating			80000	LB
Tax Value GVWR (USA FET Only)			52000	LB

MACK®



Mack Trucks
www.macktrucks.com



11/20/2023

CUSTOMER QUOTATION

White County Board of Commissioners

1235 Helen hwy, Cleveland, GA 30528

Gainesville Truck Center provides the following vehicle(s) for your consideration.

One (1) New/Unused Mack (Pinnacle 64T Day Cab with MP8 505HP and Eaton Fuller FRO18210C.

	One Unit (1)
Chassis List Price	\$ 225,680
Member Discount Factor	62.47 %
Total Discount from List	<u>\$ (84,698)</u>
Sourcewell Customer Chassis Price	\$ 140,982
 Sourced Goods	
Prep	\$ 1,650
Body	\$ 0
Added Protection Plans	<u>\$ 0</u>
 Total	 \$ 142,632

This vehicle(s) is available under the Sourcewell Contract Number 060920-MAK. Please reference this Contract Number on all Purchase Orders.

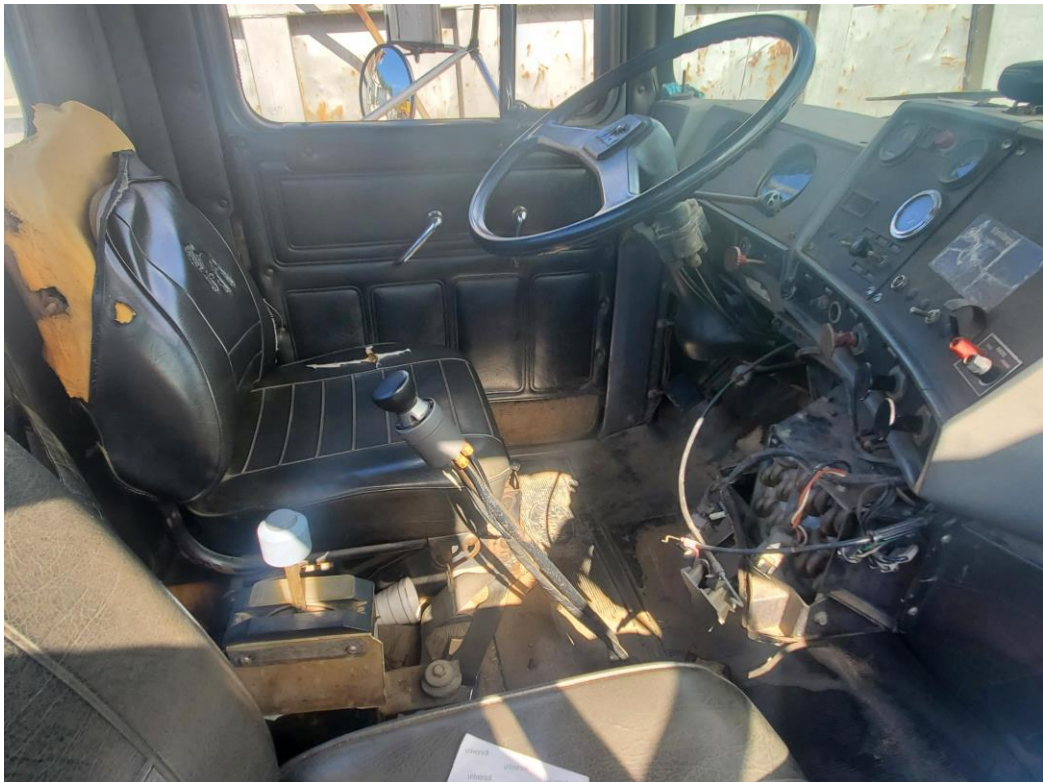
White County Board of Commissioners

Sourcewell Member ID # 198160

Thank you in advance for your consideration. Should you have any questions, please do not hesitate to call.

Sincerely,

TOMMY OCAMB 678-316-9541





WHITE COUNTY

Board of Commissioners

Agenda Request Form

Item Title: Edward Byrne Memorial Justice Assistance Grant

For Meeting Date: 1/8/2024

Work Session **Regular Meeting** **Public Hearing**

Category (Select One): Grant App / Acceptance

Submitted By: SAC Hillsman

Attachments: Yes If yes, please list each file name below:

1. Abstract
2. _____
3. _____

Purpose:

Permission to accept a \$500,000 grant from the Edward Byrne Memorial Justice Assistance Grant

Background / Summary:

- The Appalachian RDEO has been receiving this Edward Byrne Memorial Justice Assistance Grant since 1988.

Department Recommendation:

The ARDEO uses these funds to assist in payment of salary for the agents attached to the ARDEO.

Options:

-

Budget Information: Applicable Not Applicable

Budgeted: Yes No

Finance Director's Comments (if applicable):

-

County Manager Comments:

-

Abstract

The Georgia Bureau of Investigation's (GBI) Appalachian Regional Drug Enforcement Office (ARDEO) is a one-of-a-kind work unit that combines assets from the GBI, Department of Public Safety and the Georgia National Guard along with assets from local law enforcement authorities to create one of the State of Georgia's largest State and Local Drug Task Force. ARDEO's local government sponsor is White County. The purpose for this grant request is Law Enforcement. The goal of the ARDEO Unit is to provide a comprehensive effort to eliminate the utilization and influence of illegal narcotics, criminal street gangs and to reduce the incidents of drug related violent crime in a thirty County area of Georgia. The Appalachian Regional Drug Enforcement Office is comprised of the Georgia Bureau of Investigation, Department of Public Safety, Georgia National Guard along with the White County Sheriff's Office, Lumpkin County Sheriff's Office, Banks County Sheriff's Office, Habersham County Sheriff's Office, Stephens County Sheriff's Office, Rabun County Sheriff's Office, Franklin County Sheriff's Office, Jackson County Sheriff's Office, Fannin County Sheriff's Office, Gilmer County Sheriff's Office, Cleveland Police Department, Toccoa Police Department, Enotah Judicial Circuit's District Attorney's Office, Northern Judicial Circuit, the Mountain Judicial Circuit's District Attorney's Office, and the Appalachian Judicial Circuit's District Attorney's Office. The ARDEO Unit essentially functions as a hybrid of a traditional GBI Regional Drug Enforcement Office and a Multi-Jurisdictional Drug Task Force. The ARDEO Unit is funded in part through the Byrne-JAG grants. Additional funding is provided through each member Law Enforcement Agency, the Georgia Bureau of Investigation, and the Department of Public Safety. The Appalachian

Regional Drug Enforcement Office is requesting the maximum allowable grant award of \$500,000.

**OFFICE OF THE GOVERNOR
CRIMINAL JUSTICE COORDINATING COUNCIL
State of Georgia**

SUBGRANT AWARD

SUBGRANTEE: White County Board of Commissioners

IMPLEMENTING

AGENCY: White County

PROJECT NAME: Multi-Jurisdictional Task Force

SUBGRANT NUMBER: B23-8-004

FEDERAL FUNDS: \$ 500,000

MATCHING FUNDS: \$ 0

TOTAL FUNDS: \$ 500,000

GRANT PERIOD: 01/01/24-12/31/24


This Award is hereby made in the amount and for the period shown above for a Subgrant under the Anti-Drug Abuse Act of 1988, Public law 100-690, Title VI, Subtitle C.

The award is made in accordance with the plan set forth in the application of the Subgrantee and subject to any attached special conditions.

The Subgrantee has agreed through the executed copy of certified assurances to be subject to all applicable rules, regulations, and conditions of the Anti-Drug Abuse Act of 1988. This Subgrant shall become effective on the beginning date of the grant period, provided that within forty-five (45) days of the award execution date (below) the properly executed original of this "Subgrant Award" is returned to the Criminal Justice Coordinating Council.

AGENCY APPROVAL

SUBGRANTEE APPROVAL



Jay Neal, Director
Criminal Justice Coordinating Council

Date Executed: 01/01/24

Signature of Authorized Official Date

Travis Turner, Chairman

Typed Name & Title of Authorized Official

58-6000908-001

Employer Tax Identification Number (EIN)

INTERNAL USE ONLY

TRANS CD	REFERENCE	ORDER	EFF DATE	TYPE	PAY DATE	INVOICE	CONTRACT #
102	14160	1	01/01/24	9		**	B23-8-004
OVERRIDE	ORGAN	CLASS	PROJECT			VENDOR CODE	
2	46	4	14117				

ITEM CODE	DESCRIPTION 25 CHARACTERS	EXPENSE ACCT	AMOUNT
1	Multi-Jurisdictional Task Force	624.41	\$ 500,000



White County
Georgia

November 2023

Monthly Financial Report

January 8, 2024



General Fund Revenues & Expenditures

FY2024 Approved Budget = \$27,983,509

November

Revenues - \$ 5,680,469

Expenditures - \$ 2,097,808

YTD

Revenues - \$ 12,539,648 (45%)

Expenditures - \$ 11,491,294 (41%)

5 months of 12 = 42%



FY2020 – 2024 Alcohol Taxes & Fees

FY2024 Budget = \$156,840 55% Rec'd

Description	FY2020	FY2021	FY2022	FY2023	FY2024
License Fees	\$45,435	\$42,258	\$42,412	\$ 49,596	\$ 41,014
Excise Tax	\$86,457	\$102,169	\$98,094	\$ 100,078	\$ 45,254
Total Alcohol Fees & Taxes	\$131,892	\$144,427	\$140,506	\$ 149,674	\$ 86,268



FY2020 – 2024 TAVT (Title Ad Valorem Tax)

FY2024 Budget = \$1,900,000 48% Rec'd

Month	FY2020	FY2021	FY2022	FY2023	FY2024
JUL	\$136,306	\$153,972	\$160,887	\$161,796	\$180,825
AUG	\$144,099	\$152,696	\$166,466	\$182,277	\$182,031
SEP	\$135,669	\$131,587	\$175,054	\$169,663	\$172,291
OCT	\$117,060	\$130,468	\$149,876	\$133,911	\$207,001
NOV	\$109,057	\$110,052	\$141,044	\$163,468	\$174,881
DEC	\$116,593	\$144,212	\$178,495	\$146,906	
JAN	\$145,633	\$135,662	\$122,128	\$164,670	
FEB	\$113,050	\$150,507	\$160,983	\$158,073	
MAR	\$135,855	\$187,822	\$188,453	\$208,550	
APR	\$77,925	\$185,809	\$156,077	\$151,766	
MAY	\$113,550	\$179,239	\$167,551	\$155,830	
JUN	\$134,243	\$155,585	\$188,531	\$173,528	
TOTALS	\$1,479,040	\$1,817,611	\$1,955,545	\$1,970,438	\$917,029



FY2020 – 2024 Local Option Sales Tax

FY2024 Budget = \$4,550,000 47% Rec'd

Month	FY2020	FY2021	FY2022	FY2023	FY2024
JUL	\$262,785	\$297,868	\$373,325	\$406,727	\$414,648
AUG	\$286,083	\$312,028	\$400,728	\$432,997	\$476,329
SEP	\$254,983	\$536,860	\$353,260	\$370,726	\$398,808
OCT	\$256,146	\$303,063	\$333,517	\$382,268	\$406,479
NOV	\$268,171	\$327,889	\$371,966	\$434,395	\$425,734
DEC	\$255,898	\$302,201	\$367,858	\$383,378	
JAN	\$266,878	\$332,728	\$379,436	\$417,954	
FEB	\$229,921	\$271,627	\$305,170	\$325,798	
MAR	\$210,195	\$259,792	\$304,125	\$319,169	
APR	\$228,103	\$320,464	\$363,527	\$367,135	
MAY	\$213,733	\$319,636	\$359,678	\$368,755	
JUN	\$268,557	\$342,165	\$369,094	\$386,787	
TOTAL	\$3,001,453	\$3,926,321	\$4,281,684	\$4,596,089	\$2,121,998



FY2020 – 2024 Hotel / Motel Tax

FY2024 Budget - \$2,375,000 41% Rec'd

Month	FY2020	FY2021	FY2022	FY2023	FY2024
JUL	\$104,588	\$120,932	\$176,808	\$176,867	\$195,798
AUG	\$125,026	\$176,030	\$267,524	\$222,704	\$210,129
SEP	\$83,767	\$124,013	\$190,448	\$161,576	\$187,899
OCT	\$95,041	\$160,567	\$183,901	\$172,494	\$175,878
NOV	\$123,552	\$174,828	\$188,515	\$247,179	\$211,246
DEC	\$99,301	\$170,745	\$230,510	\$190,034	
JAN	\$98,634	\$148,085	\$176,886	\$165,397	
FEB	\$59,018	\$98,423	\$126,946	\$131,564	
MAR	\$50,630	\$105,446	\$117,928	\$114,009	
APR	\$46,562	\$131,277	\$171,026	\$122,786	
MAY	\$17,970	\$135,444	\$123,877	\$154,619	
JUN	\$72,217	\$156,170	\$171,676	\$148,020	
TOTAL	\$976,306	\$1,701,960	\$2,126,045	\$2,007,249	\$980,950



Separate Funds FY2024 Budget to Actual

November 2023

Fund	Total Budget	Cost to Gen Fund	Revenues YTD	Expenditures YTD	% Spent
Solid Waste	\$182,420	\$0	\$65,760	\$119,352	65%
E-911	\$1,420,127	\$750,000	\$516,985	\$550,941	39%
ARDEO	\$919,537	\$0	\$327,921	\$265,573	29%
Enotah Judicial	\$1,397,714	\$326,481	\$557,669	\$363,851	26%



2020 SPLOST

Start Date: December 2020

End Date: November 2026

November 2023 is 36th month of 72

Receipts = \$ 709,557

1% County Administration Fee = \$ 7,096

Cleveland & Helen portions = \$ 140,492 each

County portion = \$ 421,477

Earmarked Debt Service Funds = \$ 65,000

Project Fund Account = \$ 356,477



SPLOST2020 Receipts

Calendar Year History - Total To Date \$21,913,951

MONTH	2020	2021	2022	2023	2024	2025	2026
JAN	-	\$554,546	\$632,394	\$702,001			
FEB	-	\$452,713	\$508,617	\$542,956			
MAR	-	\$432,988	\$506,875	\$532,035			
APR	-	\$534,107	\$605,877	\$622,417			
MAY	-	\$532,726	\$599,464	\$604,603			
JUN	-	\$570,279	\$615,157	\$644,907			
JUL	-	\$622,210	\$677,879	\$691,119			
AUG	-	\$667,881	\$721,663	\$789,168			
SEP	-	\$588,768	\$617,383	\$664,680			
OCT	-	\$555,862	\$630,001	\$677,468			
NOV	-	\$619,945	\$723,945	\$709,557			
DEC	\$503,663	\$613,097	\$645,000				-
TOTAL	\$503,663	\$6,745,122	\$7,484,255	\$7,180,911			



White County
Georgia

QUESTIONS & COMMENTS