

WHITE COUNTY BOARD OF COMMISSIONERS

RESOLUTION NO. 2024-03

A RESOLUTION TO AMEND APPENDIX C. LAND USE REGULATIONS, ARTICLE XVIII. AMENDMENT, APPLICATION, AND PROCEDURAL REQUIREMENTS, SECTION 1809. PUBLIC NOTICE AND PUBLIC HEARING REQUIRED.) RELATED TO UPDATES IN ZONING PROCEDURES LAW (ZPL) MADE BY HB 1405.

WHEREAS, The White County Board of Commissioners adopted the White County Land Use Ordinance on March 30, 2015, by Resolution No. 2015-02 and has amended this ordinance by subsequent resolutions;

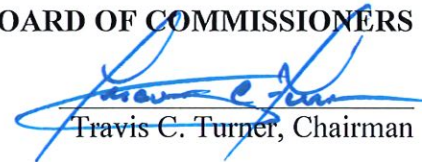
AND WHEREAS, The White County Board of Commissioners have the authority to further amend the White County Land Use Ordinance according to procedures outlined within O.C.G.A. § 36-66-1 et seq.;

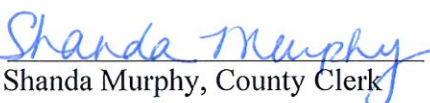
AND WHEREAS, The White County Board of Commissioners now wishes to further amend the Ordinance as follows having acted in accordance with the procedures within O.C.G.A. § 36-66-1 et seq.;

NOW, THEREFORE, it is hereby **RESOLVED** that the White County Land Use Ordinance be amended as follows to be effective January 8, 2024:

RESOLVED, this 8th day of January, 2024.

WHITE COUNTY BOARD OF COMMISSIONERS


Travis C. Turner, Chairman

Attest: 
Shanda Murphy, County Clerk

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)