

LUMPKIN COUNTY RESOLUTION No. 2010 – 44

**A RESOLUTION TO ADOPT AND ENACT AN AMENDMENT TO
THE CODE OF ORDINANCES OF LUMPKIN COUNTY, GEORGIA**

Whereas, the staff of the Lumpkin County Planning Department has reviewed the Code of Ordinances of Lumpkin County, Georgia, (hereinafter referred to as “the Code”) and has requested certain revisions and additions as set out herein; and

Whereas, the governing authority of Lumpkin County now desires to make certain revisions and additions as requested by the Planning Department;

Now therefore, it is hereby resolved that Chapter 10 of the Code is hereby amended to add the following definitions to Sec. 10-164:

- o Agricultural construction means construction of a structure intended to be used in a bona fide agricultural use. Agricultural structures will be treated as non-commercial outbuildings for the purpose of permitting.
- o Commercial construction means construction of a structure intended to be used in a commercial operation including but not limited to retail, wholesale, manufacturing, office, multifamily dwellings, boarding, lodging and services. Construction of structures for a bona fide agricultural use is not considered commercial construction.
- o Residential construction means the construction of single family homes and duplex structures only.

It is further resolved that Chapter 10 of the Code is hereby amended to revise the existing definition of “sheds and outbuildings” contained in Sec. 10-164 to read as follows:

- o Sheds and outbuildings mean those noncommercial structures adjacent to or appurtenant to residential dwellings. Sheds and outbuildings structures will be treated as non-commercial outbuildings for the purpose of permitting.

It is further resolved that Chapter 12 of the Code is hereby amended to add the following subsection:

(c) All peddlers, solicitors, mobile vendors, and roadside vendors shall be required to comply with all regulatory provisions of this Chapter.

It is further resolved that Chapter 12 of the code is further amended to delete Article IV. Peddlers and Solicitors in its entirety. Chapter 12, Article IV, shall be reserved for future use.

It is further resolved that Chapter 16 of the Code is hereby amended to delete the word “*Same*” from the title of subsection Sec. 16-71. (b).

It is further resolved that Chapter 26 of the Code is hereby amended as follows:

The existing Sec. 26-304 (b) is hereby revised to read as follows:

(b) Sections 26-310 through 26-314 apply only to commercial developments along state routes or in areas classified as commerce corridor, community village center, gateway corridor, or neighborhood village center and the land use regulations contained in Chapter 27 of this Code.

The existing Sec. 26-314 (a) is hereby revised to read as follows:

(a) *Compatible sizes.* Commercial buildings shall be compatible in scale, mass, and form to adjacent structures and the surrounding areas. All commercial developments must meet the requirements of this regulation and the land use regulation contained in Chapter 27 of this Code.

The existing Sec. 26-314 (g) is hereby revised to read as follows:

(g) *Single use developments.* Single use developments not previously covered in this section shall meet all requirements of the land use regulations contained in Chapter 27 of this Code.

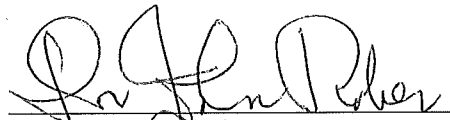
The existing Sec. 26-332 (2) (c) (1) is hereby revised to read as follows:

1. Calculation of net site area showing all existing and proposed structures, parking and access, other paved areas, and all required buffers and yard areas pursuant to this section and the land use regulations contained in Chapter 27 of this Code.

It is further resolved that Chapter 42, Article IV, Existing Road Acceptance is hereby amended by adding the following definition:

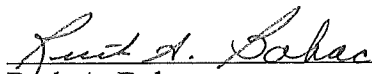
For the purposes of this article, an existing road is a road that has not received approval from the Planning Commission and acceptance by the Board of Commissioners as a county maintained road and has been in use for a period greater than 2 years by the public.

Resolved, adopted and effective this 21st day of October, 2010.



John Raber, Chairman
Lumpkin County Board of Commissioners

Attest:



Ruth A. Bohac
Clerk, Lumpkin County