

RESOLUTION AND ORDINANCE OF THE BOARD OF COMMISSIONERS OF CARROLL COUNTY TO AMEND SECTION 5 OF THE ZONING REGULATIONS TO ADD A NEW SECTION 5.19 REGARDING PERMITTED RESIDENTIAL OCCUPANCIES; TO AMEND SECTION 4.0 OF THE ZONING REGULATIONS TO INSERT THE DEFINITION OF “RECREATIONAL VEHICLE”; TO AMEND SECTION 4.0 OF THE ZONING REGULATIONS TO INSERT THE DEFINITION OF “RESIDENTIAL OCCUPANCY”; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

WHEREAS, the Board of Commissioners desires to amend Section 5 of the Zoning Regulations to add a new Section 5.19 regarding permitted residential occupancies; and

WHEREAS, the Board of Commissioners desires to amend Section 4.0 of the Zoning Regulations to insert the definition of “recreational vehicle”; and

WHEREAS, the Board of Commissioners desires to amend Section 4.0 of the Zoning Regulations to insert the definition of “residential occupancy”; and

WHEREAS, a notice of the public hearing for the purpose of considering proposed amendments to the Zoning Regulations was published in the legal organ of Carroll County having a general circulation within the territorial boundaries of Carroll County, Georgia, at least 15 but not more than 45 days prior to the date of the hearing; and

WHEREAS, a public hearing on the issue of amending the Zoning Regulations was held on Tuesday, _____, 2022, for the purpose of considering these proposed amendments to the Zoning Regulations prior to consideration of this resolution by the Board of Commissioners; and

WHEREAS, consideration of final adoption of these proposed amendments to the Zoning Regulations was heard before the Carroll County Board of Commissioners at its meeting held on Tuesday, _____, 2022;

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

Section 1. Section 5 “General Provisions” of the Zoning Regulations shall be amended

to add new Section 5.19, as follows:

5.19. *Permitted residential occupancies.* Residential occupancy is permitted only in a conventional home, a manufactured home, or an industrialized dwelling, each as defined in Section 4 of the Carroll County Zoning Regulations and as approved by DCA.

a. Residential occupancy is prohibited in any structure, vehicle, or other shelter which is not a conventional home, a manufactured home, or an industrialized dwelling. Such prohibited residential occupancies include but are not limited to: recreational vehicles; shipping containers; accessory buildings or accessory structures; “tiny homes” which do not fall under the definition of a conventional home, manufactured home, or industrialized dwelling; and tents and other camping arrangements.

b. The provisions of this Section 5.19 shall be in addition to all applicable requirements for the district in which the subject use or occupancy is located and all other applicable requirements of the Carroll County Zoning Regulations and Carroll County Code of Ordinances. This Section 5.19 shall not be interpreted to expand the permitted or conditional uses of any district.

Section 2. Section 4.0 “Definitions” of the Zoning Regulations shall be amended to

insert the following definition:

Recreational vehicle shall mean a wheeled vehicle, with or without motive power, primarily designed as temporary living quarters for recreational, camping, or travel use. The term includes camping trailers, travel trailers, fifth wheels, motor homes, park models, truck campers, and other similar vehicles.

Section 3. Section 4.0 “Definitions” of the Zoning Regulations shall be amended to

insert the following definition:

Residential occupancy shall mean fixed habitation. An occupant uses a structure, vehicle, or other shelter as residential occupancy when, for thirty or more consecutive days, the occupant performs household activities of daily living there, such as living, sleeping, eating, cooking, bathing, dressing, personal business, or other activities generally reserved for or associated with one’s dwelling, and, whenever the occupant is absent, the occupant has the intention of returning. A structure, vehicle, or other shelter need not be an occupant’s permanent domicile to constitute residential occupancy.

Section 4. This Resolution and Ordinance shall be effective on _____, 2022.

Adopted this _____ day of _____, 2022.

Montrell McClendon, Vice Chairman of
Board of Commissioners of Carroll County

Attest: _____
Lynda Bingham, County Clerk