

ORDINANCE

AN ORDINANCE BY JASPER COUNTY, GEORGIA TO AMEND ORDINANCES REFERENCING CONSERVATION SUBDIVISIONS BY DELETING AND ADOPTING NEW SECTIONS AS DELINEATED BELOW; TO PROVIDE FOR CODIFICATION; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN ADOPTION DATE; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the Jasper County, Georgia, hereinafter referred to as the (“County”) pursuant to Paragraph I, Section II, Article IX of the Constitution of the State of Georgia, known as the “Home Rule for Counties”, is authorized to adopt clearly reasonable ordinances, resolutions or regulations related to its property, affairs, and local government for which no provision has been made by general law and which are not inconsistent with the Constitution or any charter provision applicable thereto; and;

WHEREAS, Jasper County, Georgia has determined it beneficial and necessary to have well-functioning ordinances to promote and manage development in the County;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF JASPER COUNTY, GEORGIA THAT THE BOARD OF COMMISSIONERS OF JASPER COUNTY, GEORGIA HEREBY ORDAIN:

RESOLVED AND APPROVED by the Board of Commissioners of Jasper County, Georgia, this 3rd day of August, 2020.

Section 1.

The Code of Ordinances of Jasper County, Georgia is hereby amended by deleting sub-section (a) of Section 105-160 and replacing it with a subsection of the same number and location, which said section reads as follows:

“Applicability of regulations. The conservation subdivision option is available as a use by right in all residential zoning districts but shall be required for all major subdivisions in all agricultural and residential zoning districts. An applicant shall comply with all other provisions of chapter 119 and all other applicable laws, except those that are incompatible with the provisions contained herein.”

Section 2.

The Code of Ordinances of Jasper County, Georgia is hereby further amended by deleting sub-section (b)(1) of Section 105-162 and replacing it with a subsection of the same number and location, which said section reads as follows:

The minimum restricted open space shall comprise at least 30 percent of the gross tract area.

Section 3.

The Code of Ordinances of Jasper County, Georgia is hereby further amended by deleting the following language of Section 119-2:

Conservation subdivision means a subdivision planned using the conservation subdivision design method.

Conservation subdivision design means a type of residential development planning consisting of a four-step design process described in chapter 5 of Growing Greener by Randall Arendt (Washington DC, Island Press, 1999) resulting in designation of common open space and clustered compact lots for dwellings. It is intended to protect farmland, natural resources, and rural landscape character while permitting no fewer than the same number of dwellings allowed under current zoning regulations and conventional subdivision design. In some cases, a greater density (density bonus) may be offered in the local ordinance to encourage this approach to residential development planning.

The language deleted under this “Section 3” shall be replaced by the following language, to be inserted in the same location as the deleted language within Section 119-2 with identical formatting as the deleted language:

Conservation subdivision means a subdivision planned using the conservation subdivision design method as outlined in Article VI of Chapter 105 of these ordinances.

Conservation subdivision design means a type of residential development planning which complies with the requirements of Article VI of Chapter 105 of these ordinances.

Section 4.

The sections, paragraphs, sentences, clauses or phrases of this Ordinance are severable, and if any phrase, clause, sentence paragraph or section of this Ordinance shall be declared illegal by the valid judgment or decree of any court of competent jurisdiction, such illegality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance.

Section 5.

All ordinances and parts of ordinances in conflict herewith are hereby expressly repealed.

Section 6.

The adoption date of this ordinance is upon creation.

Section 7.

The effective date of this ordinance is upon creation.


[SIGNATURE LINE BELOW]

SO ORDAINED this 3rd day of August, 2020.

BOARD OF COMMISSIONERS
OF JASPER COUNTY,
GEORGIA

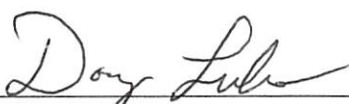

Bruce Henry, Chairman
District 2

Carl Pennamon, Commissioner
District 1


Don Jernigan, Commissioner
District 3


Gerald Stunkel, Commissioner
District 4

ATTEST:


Doug Luke, Commissioner
District 5


Sharon Robinson, County Clerk

APPROVED AS TO FORM:


S. David Ozburn, County Attorney

{Jasper County, Georgia Seal



