

ORDINANCE 2024-

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF HEARD COUNTY, GEORGIA, TO ADOPT AN AMENDED CHAPTER 46 - ZONING, REPEAL CONFLICTING CODE PROVISIONS, UNCODIFIED ORDINANCES, OR PORTIONS THEREOF; TO RESTATE AND REAFFIRM THE CODE OF ORDINANCES OF HEARD COUNTY, GEORGIA AS MODIFIED HEREIN; TO PROVIDE FOR SEVERABILITY; TO ESTABLISH AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

BE IT ORDAINED by the Board of Commissioners of Heard County that, Chapter 46 of the Code of Ordinances of Heard County, Georgia shall be amended as follows:

WHEREAS, the Board of Commissioners of Heard County, Georgia regulates land use and development through its duly adopted zoning ordinance; and

WHEREAS, the zoning ordinance defines subdivisions to require the review and approval of any division of land into one or more lots, and

WHEREAS, the Board finds it in the best interests of the health, safety and welfare to amend the Zoning Ordinance so the definition of “subdivision” is consistent with the definition contained in the subdivision regulations; and

WHEREAS, a public hearing was held and public notice was advertised pursuant to the state law and the Heard County Zoning Ordinance procedures.

NOW THEREFORE, be it ordained by the Board of Commissioners of Heard County, Georgia and it is hereby ordained by the authority of the same that Article I, Section 46-1 is hereby amended to delete the definition of “subdivision” and replace it with the following:

“*Subdivision* means all divisions of a tract or parcel of land into two or more lots, building sites, or other divisions for the purpose, whether immediate or future, of sale, lease, legacy, or building development, and includes all division of land involving a new street or a change to an existing street, and includes resubdivision of property, and where appropriate to the context, relates to the land or area subdivided; provided however, that the following are not included within this definition:

- i. The combination or recombination of portions of previously platted lots where the total number of lots is not increased and the resultant lots are equal to the standards of the county.
- ii. Divisions or sale of land by judicial decree.
- iii. The divisions of a tract or parcel of land where all lots are at least five acres, where all lots have the required public road frontage for the zoning district in which the lots are located, and such division does not include the construction of a new street or a change in an existing street.

iv. Divisions of four (4) or ~~less~~-fewer lots which meet the requirements of the zoning classification in which they are located including required public road frontage, and such division does not include the construction of a new street or a change in the existing street.”

All other provisions of the Zoning Ordinance of Heard County shall remain in full force and effect.

So, ordained this _____ day of November, 2024.

HEARD COUNTY, GEORGIA

Chairman

Attest: _____ (SEAL)
Clerk