

AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT CODE

WHEREAS, following a public hearing and meeting advertised in accordance with O.C.G.A. §§ 36-66-4 and 50-14-1 *et seq.*, the Douglas County Planning and Zoning Board and Douglas County Board of Commissioners has considered and adopted various amendments to the Unified Development Code.

NOW, THEREFORE BE IT ORDAINED by the Douglas County Board of Commissioners that the Unified Development Code is amended as follows:

SECTION ONE

The text of Table 2.5 of Article 2 regarding List of Principal Uses Allowed by Zoning District in the Unified Development Code is amended to add the following as shown by the underlining of text:

NAICS Code	Principal Uses	AG	RA	RLD	RMD	RD	RTC	RMF	RMH	OIL	OIH	CN	CC	CG	CH	CR	LI	LIR	HI	See Also
56292	<u>Recycling and Materials Recovery Facilities/Salvage/Junk Facility</u>																		<input type="checkbox"/>	§351
<u>56292</u>	<u>Recycling Center-Collecting</u>																<u>●</u>	<u>●</u>	<u>●</u>	<u>§351</u>
<u>56292</u>	<u>Recycling Center-Reprocessing</u>																<u>□</u>	<u>□</u>	<u>□</u>	<u>§351</u>

SECTION TWO

The text of Section 351(a) of Article 3 regarding Definitions related to waste handling or disposal in the Unified Development Code is amended to include the following as shown by the underlining of text and to delete the following as shown by the strikethrough of text:

~~*Recycling Center:* A lot or parcel of land, with or without buildings, upon which used materials are separated and processed for shipment for eventual reuse in new products. No smelting or other processing activities are permitted.~~

***Recycling Center, Collecting:* Any facility utilized for the purpose of collecting materials to be recycled including, but not limited to, plastics, glass, paper and aluminum materials. A drop off point for temporary storage of recyclables, no processing or reprocessing of materials is**

allowed. Such use may be principal or accessory to a non-residential use on non-residentially zoned property.

Recycling Center, Reprocessing: A facility, in which recyclables, such as newspapers, magazines, cardboard, books and other paper products; glass; metal cans; and other products, are recycled, reprocessed and treated to return such products to a condition in which they may again be used in new products. This does not include the reprocessing or storage, bailing or otherwise dealing in scrap irons or other metals, used cloth, plumbing fixtures, appliances, brick, wood or other building materials; and the storage or accumulation outside of a storage building of used vehicle tires or tire carcasses. A recycling center is not to be considered a landfill.

SECTION THREE

The text of Section 351(c) of Article 3 regarding Commercial recycling facilities in the Unified Development Code is hereby renamed Materials Recovery/Salvage/Junk Facility and is amended to delete the following as shown by the strikethrough of text with the balance of the Section remaining the same:

351 (c) ~~Commercial recycling facilities~~
Materials Recovery/Salvage/Junk Facility.

~~Commercial recycling is defined as the reuse of materials obtained from others that would otherwise be discarded. This provision covers all commercial recycling facilities where sorting or separation by machine or by employees of the facility, composting or other processing to accomplish recycling, takes place. Such facilities do not include recycling bins or storage areas in church, school or shopping center parking lots or the like where bins are periodically emptied or hauled off by a commercial recycler for their contents to be recycled. Commercial recycling facilities shall comply with, as applicable, the rules of the Georgia Department of Natural Resources Environmental Protection Division; all applicable provisions of O.C.G.A. Section 12-8-230; and all regulations of the federal government.~~

SECTION FOUR

The text of Section 1307(f)(5)(a) of Article 13 regarding Planning & Zoning Board public hearing in the Unified Development Code is amended to include the following as shown by the underlining of text and to delete the following as shown by the strikethrough of text:

- a. ~~A motion to approve or deny an appeal must be approved by an affirmative vote of at least a ~~quorum~~~~ majority of the members present in order for the motion to be approved.

SECTION FIVE

The text of Section 1404(c)(5) regarding Proceeding of the Planning & Zoning Board in the Unified Development Code is amended to include the following as shown by the underlining of text and to delete the following as shown by the strikethrough of text:

(5) A majority of the entire Planning & Zoning Board shall constitute a quorum. ~~The affirmative vote of a majority of the quorum shall be necessary to approve any decision or recommendation.~~ A quorum shall be necessary to conduct any public hearing and render any decision or recommendation. An affirmative vote of at least a majority of the members present is required to make any approval or recommendation.

SECTION SIX

The text of Section 1406(c)(3)(a) of Article 14 regarding Decision on a text amendment in the Unified Development Code is amended to add the following as shown by the underlining of text and to delete the following as shown by the strikethrough of text:

a. A motion to approve or deny an amendment must be approved by an affirmative vote of at least a ~~quorum~~ majority of the members present in order for the motion to be approved.

SECTION SEVEN

All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

This ordinance shall be effective upon adoption.

SO ORDAINED this 1st day of November 2011.

Tom Worthan, Chairman

Henry Mitchell, III, District I

Kelly Robinson, District II

Michael Mulcare, District III

Ann Jones Guider, District IV

Attest:

Amy Brumelow, Planning and Zoning