

**AN ORDINANCE TO ADOPT AMENDMENTS TO THE
2003 ZONING ORDINANCE, NEWTON COUNTY, GEORGIA;
TO REPEAL CONFLICTING PROVISIONS;
TO PROVIDE FOR AN EFFECTIVE DATE;
AND FOR OTHER PURPOSES**

BE IT ORDAINED by the Board of Commissioners, Newton County, Georgia, and it is hereby ordained by the authority of the Constitution of Georgia (1983), Art. IX, Sec. II, Par. I, II and IV, as follows:

SECTION 1

Article 1, Division 105 of the 2003 Zoning Ordinance, Newton County, Georgia is hereby amended by deleting the definitions of Adult Day Care Center, Adult Day Care Facility, Child Day Care Center, Child Day Care Facility and Commercial Vehicle in their entirety and by inserting in lieu thereof the following:

Sec. 105-020 Specific Definitions

Adult Day Care

An establishment operated by any person wherein compensation is paid for providing for the care, supervision, and oversight during day-time hours of adults who are elderly, physically ill or infirm, physically handicapped or mentally handicapped.

Child Day Care

Any place operated by a person, society, agency, corporation or institution, or any group, who receives for pay children under 18 years of age for group care, without transfer of custody, for more than four (4) hours, and as much as twenty-four (24) hours per day. See Section 510-210.

Commercial Vehicle

A duly licensed and registered vehicle used to transport passengers or property to further a commercial enterprise. A recreational vehicle, or a farm machine or a farm vehicle for agricultural use is not a commercial vehicle.

SECTION 5

Article 4 of the 2003 Zoning Ordinance, Newton County, Georgia is hereby amended by adding subsections 510-210 F and 510-220 C as follows:

Sec. 510-210 DAY CARE, CHILD

F. Day Care in residential structures must be occupied by a resident.

Sec. 510-220 DAY CARE, ADULT

C. Day Care in residential structures must be occupied by a resident.

SECTION 6

Article 5 of the 2003 Zoning Ordinance, Newton County, Georgia is hereby amended by deleting Section 515-010 in its entirety and by inserting in lieu thereof the following:

Sec. 515-010 GENERAL REQUIRMENTS

Within Newton County off-street automobile storage or parking space shall be provided on every lot on which any permitted or conditional use is established in accordance with this Ordinance. For the purpose of this Ordinance, the following general requirements are specified:

- A. If an off-street parking space cannot be reasonably provided on the same lot on which the principal use is conducted, the Zoning Administrator may permit such space to be provided on other off-street property, provided such space lies within six hundred (600) feet of the property of such principal use. Commercial and recreation vehicles in residential zonings shall not be parked off-site on property without a principal structure or use. The required number of parking spaces for any number of separate uses may be combined in one lot.
- B. Commercial and recreational vehicles may be parked in residentially zoned districts with the following provisions:
 - 1. A maximum of one commercial and one recreational vehicle is allowed per lot.
 - 2. No commercial or recreational vehicle shall be parked in the street.
 - 3. Recreational vehicles (including boats on trailers) must be parked within the buildable area of the lot but shall not be parked or project between the principal structure and the street(s). Recreational vehicles cannot be parked on lots that do not contain a permanent dwelling unit or other structure housing a permanent principal use, except in authorized recreational vehicle parks. (See illustrations in Appendix A).

4. Commercial vehicles, including trailers or vehicles with trailers must be parked within the buildable area of the lot but shall not be parked or project between the principal structure and the street(s). (See illustrations in Appendix A)
5. Commercial vehicles are restricted as follows:

Type of vehicle	Minimum lot size	Restricted Location	Screening Requirements
1.) Typical home use vehicle, with or without logo, including pickup trucks, passenger vans and "dually" trucks	None	None	None
2.) Commercial Vehicles including, vans and pickup trucks with outside equipment storage, emergency vehicles, flatbed trucks, box vans, vehicles with trailers, semi-tractor cabs without trailers	Ten acres or less	Within buildable area, but not between the principal structure and the street(s)	If located less than 15 feet from property line, an opaque fence or evergreen hedge/screen is required
3.) Tractors, earthmoving equipment, dump trucks, heavy construction equipment, semi tractor cabs and/or trailers	10 or more acres	Setback 100 feet from all property lines	None

6. Exceptions

These provisions do not apply to vehicles used in farming, engaged in moving household goods or making deliveries, or used in conjunction with construction under an active permit. Tractors used for property maintenance are allowed on lots more than one acre.

7. Vehicles may be enclosed in accessory structures provided that such structures meet all provisions outlined herein and in other applicable ordinances.

SECTION 7

Article 5 of the 2003 Zoning Ordinance, Newton County, Georgia is hereby amended by deleting subsection 510-310 G in its entirety.