

ORDINANCE NO. _____

AN ORDINANCE OF UPSON COUNTY, GEORGIA, AMENDING THE ZONING ORDINANCE OF UPSON COUNTY, NOTING DUE ATTENTION TO REASONABLE ACCOMODATION CIRCUMSTANCES AND REQUIREMENTS IN HOUSING DECISIONS; PROVIDING FOR MORE DETAILED REGULATION OF RECREATIONAL VEHICLES, ADDING DEFINITIONS; PROVIDING FOR RECREATIONAL VEHICLE CAMPING IN THE AGRICULTURAL-RESIDENTIAL ZONING DISTRICT; PROVIDING FOR STORAGE OF UNOCCUPIED RECREATIONAL VEHICLES; REQUIRING CURRENT REGISTRATION AND TAGS; PROHIBITING FULL TIME OR LONG-TERM RESIDENCY; PERMITTING TEMPORARY, EMERGENCY AND SHORT TERM RESIDENCY; SETTING MINIMUM DESIGN STANDARDS FOR RECREATIONAL VEHICLE PARKS; PROVIDING FOR THE GRANTING OF LEGAL NON-CONFORMING USE STATUS (GRANDFATHERING); PROVIDING FOR REPEAL/CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

* * * * *

WHEREAS, OCGA §36-1-20, empowers County governments to protect and preserve the public health, safety and welfare, through the adoption of ordinances, and

WHEREAS, OCGA Chapter 36-66, The Zoning Procedures Law, recognizes and confirms the authority of local governments to exercise the zoning power and establishes minimum procedures for such; and

WHEREAS, Section 410 of the Upson County Zoning Ordinance (UCZO) lists the procedures by which the Zoning Ordinance may be amended; and

WHEREAS, such due notice and due process requirements have been met through public hearings and published and posted notices; and

WHEREAS, recreational vehicles have been regulated minimally by Upson County since the adoption of the County Zoning Ordinance in 1995, by Ordinance No 79; and

WHEREAS, Upson County desires to create upgraded and additional standards for recreational vehicle use and storage to remedy situations where recreational vehicles are being used improperly and/or in improper places; and

WHEREAS, the Upson County Board of Commissioners has determined that the proposed ordinance additions meet the required review standards and serve to enhance the public health, safety, morality and/or general welfare of Upson County, Georgia, therefore:

BE IT ORDAINED by the Board of Commissioners of Upson County, Georgia, as follows:

SECTION ONE

That the Code of Upson County, Georgia, Appendix A - Zoning Ordinance of Upson County, Georgia, is hereby amended to read as follows:

APPENDIX A – ZONING

ARTICLE 1 - GENERAL

Section 104. Purposes

Add:

C. While the Upson County Zoning Ordinance must be enforced fairly and uniformly, there are certain circumstances where special considerations need to be factors in Upson County's land use policy-making and implementation. The federal Fair Housing Act of 1988 makes it unlawful

to refuse to make “reasonable accommodation” (modifications or exceptions) to rules, policies, practices or services, when such accommodations may be necessary to afford persons with disabilities an equal opportunity to use or enjoy a dwelling. Reasonable accommodation considerations may require Upson County to look at the purpose and intent of certain of its land use regulations from a different perspective in specific cases.

ARTICLE 2. DEFINITIONS OF TERMS USED

Section 202 – General definitions

Add the following and re-letter accordingly.

____. *Camping*: Temporary and occasional use of a recreational vehicle, tent or other temporary shelter, for ~~temporary~~ **short** stays, on an Upson County Zoning Ordinance-approved property/parcel/lot or site, for recreational, leisure, hunting or similar purposes for a period not to exceed thirty (30) cumulative days per calendar year.

____. *Permanent residential use of a recreational vehicle*: Illegal use of a recreational vehicle that causes it to be occupied for **residential**/housekeeping-type activities generally extending more than thirty (30) days in a calendar year or in a twelve month period, for other than those temporary uses approved by the Upson County Zoning Ordinance. Such approved temporary uses are camping, deer camps, temporary lodging, short-term vacation stays, short term guest housing, short-term RV residence, itinerant travel, temporary emergency shelter, special circumstances housing and the like, sometimes approved by special exception or special permit.

____. *Recreational vehicle*: A vehicle, with or without motive power, designed for human habitation for recreational, emergency shelter or other temporary human occupancy, most often built to ANSI/RVIA (Recreational Vehicle Standards Institute) standards. The terms motor home, motor coach, travel trailer, truck camper, pick-up coach, pop up trailer, conversions or camping trailer shall be synonymous with the term recreational vehicle.

____. *Recreational vehicle, occupied*: A recreational vehicle shall be considered “occupied” when it is entered or used by any person(s) for short- or long-term living, staying, vacationing, sleeping, camping/hunting activities and the like. A recreational vehicle shall be considered unoccupied when it is void of human or animal occupants or is being used/entered only for purposes related to maintenance, cleaning, repair, renovation, relocation, being shown for sale and similar activities.

____. *Recreational vehicle park/campground*: Any Upson County-approved site, lot, field, tract of land or property under single ownership, ownership of two or more people, owner-occupied or corporate ownership, where one or more spaces are rented to users of recreational vehicles and which may only be occupied for temporary residency purposes. Recreational vehicle parks may include specifically designated areas for recreational vehicle storage and tent camping.

____. *Recreational vehicle site/space*: A plot of ground within a County-recognized recreational vehicle park, manufactured home park, or similar, legal location reserved for the temporary location of one recreational vehicle.

____. *Visitor/camper registry*: An electronic and/or paper record of each recreational vehicle, by vehicle tag state and number, that remains in a park for any overnight stay of one night or longer. The registry shall indicate, by date, every day that the vehicle is present on the property. The registry shall list all occupants of each registered recreational vehicle, indicating by date, every day that the occupants are present on the property.

ARTICLE 5 – A-R AGRICULTURAL-RESIDENTIAL

Section 504. Permitted Uses

A. The following principal uses are permitted in A-R districts:

Add:

7. (Reserved) Non-commercial, property owner-only or property owner-accompanied family and friends, recreational vehicle camping, meeting the following standards:

- a. The lot must contain a minimum of five (5) acres.
- b. Recreational vehicle(s) must be removed immediately following each camping stay.
- c. Camping may be for a period not to exceed thirty (30) cumulative days per calendar year, per parcel.
- d. No rent, fees or other compensation may be charged or received for any campers accompanying the property owners.
- e. Property-owner accompanied camping trips which include three (3) to five (5) recreational vehicles must be registered with the appropriate County department, with any required fees.
- Permits must be prominently displayed, visible to code enforcement officers.**
- f. All recreational vehicles must be self-contained with potable water and waste holding tanks. Wastewater may not be disposed of on-site unless an operational, permitted septic system exists on-site and is properly connected to.
- g. The recreational vehicles must meet or exceed all minimum A-R zoning district setbacks.
- h. Any camping proposed for more than five (5) recreational vehicles at one time or more than thirty (30) cumulative days per year, per parcel may only be approved by special exception.
- i. Recreational vehicles used in A-R zoning district camping and the camp sites are subject to ordinance compliance inspections.**

Section 504. C.11.

Add:

4. The parking of one unoccupied, travel trailer, motor coach, and pleasure boat. Travel trailers and motor coaches not approved for camping or other temporary use, pursuant to this section, may not be located on A-R zoned property without the presence of a principle dwelling or home on-site. Such travel trailers must be unoccupied and stored as required.

ARTICLE 18 – M-1 MANUFACTURING - LIGHT

Add:

M-1 Zoning District

Section 1804. D. The following accessory uses are permitted as special exceptions in M-1 districts

- 1. ~~None~~ Temporary lodging, recreational vehicle spaces, for use by customers, company guests and employees bringing in their own recreational vehicles for no more than six months in a twelve month period. Such recreational vehicle spaces must be shown on a site or development plan that must be approved by the Board of Commissioners as a part of the Special Exception application.

ARTICLE 19 – M-2 MANUFACTURING – GENERAL

Add

M-2 Zoning District

Section 1904. D. The following accessory uses are permitted as special exceptions in M-2 districts:

1. ~~None~~ Temporary lodging, recreational vehicle spaces, for use by customers, company guests and employees bringing in their own recreational vehicles for no more than six months in a twelve month period. Such recreational vehicle spaces must be shown on a site or development plan that must be approved by the Board of Commissioners as a part of the Special Exception application.

Add this new article within the Zoning Ordinance:

ARTICLE ____ RECREATIONAL VEHICLE REGULATIONS

Section ____ . PURPOSE AND INTENT

It is the intent of this Section to more fully detail Upson County's recreational vehicle/travel trailer/motor home regulations as described elsewhere in the Zoning Ordinance and in certain zoning districts. It is Upson County policy that recreational vehicles shall not be considered equivalent to nor be permitted as permanent residential structures. Permanent residential structures are built to meet either State of Georgia/International Code Council (ICC) Building Codes or U.S. Department of Housing and Urban Development (HUD) standards. Recreational vehicles are intended for short-term vacation stays, itinerant travel, temporary emergency shelter, special circumstances housing and the like.

Specific, existing, **recreational vehicles and** recreational vehicle facilities are designated as legal non-conforming uses (grandfathered-in) for certain specified portions of these standards.

Section ____ Permitted Locations and Requirements

Each zoning district contains language that indicates the level and type of recreational vehicle use that may be employed in that district. Special overarching land use provisions may also be developed to address the appropriate use, placement and density of recreational vehicles.

- A. Recreational vehicles stored outdoors or in accessory structures on residential lots must be stored in conformance with the accessory structure requirements of the respective zoning district. In those instances where the rear yard is not accessible by means of a driveway, alley or has insufficient side yard clearance for the passage of a recreational vehicle, the recreational vehicle may be parked in the front yard. Recreational vehicles shall not be required to be towed or placed over any in-service septic tank or drain field. In those instances where a recreational vehicle is to be parked or stored in the front yard, the recreational vehicle shall be parked proximate to the side property lines, but no closer than five (5) feet from the property line. Such recreational vehicles must remain unoccupied, except as indicated in other parts of the Upson County Zoning Ordinance.
- B. Recreational vehicles must be currently registered and tagged, having the official, current license plate mounted in the appropriate location on the vehicle.

Section ____ Prohibitions

Recreational vehicles are not permitted as permanent residences in any zoning district. Legally stored recreational vehicles shall not be used for living, sleeping or housekeeping purposes. Recreational vehicles shall not be used as storage sheds.

Section ____ Special Circumstances

Pursuant to language found in each zoning district's requirements, recreational vehicles may be permitted as temporary residences for limited periods of time in those zoning districts under

special circumstances. Those special circumstances primarily include temporary accommodation for medical issues, emergency circumstances and temporary housing during residential construction. Language found in the zoning district sections of the Zoning Ordinance provides more details on approval processes and conditions of approval for such temporary arrangements.

Section ____ Recreational Vehicles as Short-Term Guest Housing

As described in this section, recreational vehicles are permitted as short-term guest quarters in zoning districts permitting single-family-residential units. Recreational vehicles that are owned by non-Upson County residents, guests or visitors and are registered and tagged from outside the County, may be parked or occupied by such guests or visitors on property on which a permanent, occupied dwelling unit is located for a total cumulative period not to exceed thirty (30) days per calendar year while visiting the resident of such property. Any individual or family remaining for 16-30 days shall register with the Upson County Building and Zoning Department. This cumulative total period may include visits by a single guest or multiple guests over the period, but no more than one recreational vehicle at a time. The recreational vehicles shall have self-contained sanitary facilities.

Such recreational vehicles may be parked in the front yard. No portion of a recreational vehicle may extend over, or interfere with, the use of any sidewalk or right-of-way intended for pedestrian or vehicular traffic

Section ____ Short-Term Recreational Vehicle Residence

In addition to emergency and Special Exception situations, short-term residence is permitted in recreational vehicles in recreational vehicle parks. Such short-term residence may not exceed twelve (12) months in a twenty-four (24) month period anywhere in Upson County and must be solely for short-term work or business purposes, as verified, in writing, by a local business or employer.

Section ____ Short-Term Recreational Vehicle Residence Permit

Such short-term residential recreational vehicles and their occupants must obtain a Short-Term Recreational Vehicle Residence Permit, which shall not be valid for more than six months, but may be renewed for not more than one additional six (6) month period. The Short-Term Recreational Vehicle Residence Permit application must be accompanied by a letter from the employer, naming the employee and explaining the short-term job/employment. Fees may be assessed as set by the Board of Commissioners. All short-term residential recreational vehicles must be legally registered and tagged. They may only be parked in a space where there is a direct sanitary disposal connection. The recreational vehicles must be maintained in good aesthetic appearance and function and be kept road-worthy. No structures such as porches, storage space, additional rooms, permanent stairs or the like, may be attached to the recreational vehicles.

Section ____ Recreational Vehicles as Emergency Shelter

Recreational vehicles may be used as short-term residences during governmentally-declared natural and man-made disasters. The twelve month maximum duration for short-term recreational vehicle residence may be waived for specified amounts of time by the Upson County Board of Commissioners. All recreational vehicles used for bona fide emergency shelter, due to natural or man-made disasters, shall register with Upson County and pay ~~the~~ **any** approved fees. All short-term, emergency-related residential recreational vehicles must be legally registered and tagged.

Section ____ Recreational Vehicle Parks

Section _____. Purpose

The purpose for these Recreational Vehicle Park regulations is to:

- A. Using minimum standards, allow for the establishment of adequate sites for temporary parking and use of recreational vehicles whose occupants are visiting, vacationing in or passing through, Upson County;
- B. Minimize the conflicts between recreational vehicle parks and surrounding land uses;
- C. Provide minimum health and safety standards to protect both the users of the parks and the larger Upson County community.

Section _____ Site Development Plan

As part of the Special Exception application for approval of a recreational vehicle park or through provisions of the Zoning Ordinance or some other ordinance procedure, a proposed Site Plan (map), meeting or exceeding Upson County's minimum Recreational Vehicle Park Design Standards, must be prepared and submitted to the Board of Commissioners for its review and approval. A written Development Plan, describing the RV park design primarily in text, may also be submitted for review and approval.

Section _____ Recreational Vehicle Parks as Part of a Manufactured Home Park

Recreational vehicle parks, approved as sections of a manufactured home park, shall be located along the external boundary of the manufactured home park, where it shall have at least one separate ingress/egress point onto an external public or private street, separate from ingress/egress points for the rest of the mobile home park. The recreational park may have interconnected streets with the manufactured home park.

Section _____. Permitted Uses

Recreational vehicle parks may include the following Principal and Accessory Uses and Structures, which shall be built to Georgia Building Codes, where applicable, unless otherwise indicated. The Accessory Uses and Structures shall only be permitted in the presence of one or more Principal Uses or Structures.

A. Permitted Principal Uses and Structures

- 1. Recreational vehicles and improved (utilities, pads) or unimproved spaces
- 2. Tent/primitive camping spaces
- 3. Recreational vehicle parking and storage areas
- 4. Recreation open space with recreational amenities

B. Permitted Accessory Uses and Structures

- 1. Park office
- 2. Park Manager residence
- 5. Recreation hall
- 6. A single park/camp store to supply retail goods for tenants and staff
- 7. Sanitation-related structures, fixtures and amenities
- 8. Recreational vehicle park-related maintenance uses and structures
- 9. **A limited, joint use structure and/or area for storage of tenant possessions**
- 10. Other customary accessory uses and structures as approved by the Zoning Administrator

C. All Principal and Accessory Uses and Structures not permitted here are specifically prohibited, unless permitted through Special Exception conditions of approval.

Section Occupancy

- A. Occupancy of each individual recreational vehicle site/space is limited to one recreational vehicle and not more than two passenger automobiles or trucks, accommodating one camping party. The length of stay in a recreational vehicle park for each recreational vehicle and/or its occupants is limited to a maximum of thirty (30) days in any twelve (12) month period.
- B. No buildings or storage sheds are permitted on the recreational vehicle sites.

Section Recreational Parks Design Standards

- A. Minimum park size: two (2) acres. The park must be on a single lot of record.
- B. Minimum park frontage/width: one hundred (100) feet
- C. Park minimum setbacks:
 - 1) Front yard: 35 feet
 - 2) Side yard: 30 feet
 - 3) Rear yard: 35 feet
- D. Buffer

As a part of the approved Site Plan and any written Development Plans, the Board of Commissioners may require buffer walls, fences and/or natural or planted buffers along the property lines of a proposed recreational vehicle park. RV park applicants are encouraged to propose through draft site plans and development plans, buffers which create separation between their proposed parks and neighboring property and uses. Existing natural buffers may be deemed appropriate by the Board of Commissioners. Fences and walls shall be a minimum of six (6) feet tall and a maximum of eight (8) feet, tall. All buffers shall be maintained and kept in good repair by the property owner. Vegetation shall be maintained and replaced as necessary to preserve the buffer's integrity.
- E. Visitor Parking

One visitor parking space, minimum, shall be provided for every four (4) recreational vehicle sites/spaces or fraction thereof. Grouped parking spaces shall be within one hundred fifty (150) ft of the recreational vehicle spaces served. Such parking shall be delineated on the approved site development plan.
- F. Facilities
 - 1) Recreation

An open space, recreation area of at least five thousand (5,000) sq. ft. shall be provided in each recreational vehicle park containing twenty or fewer spaces. For every recreational vehicle space over twenty, 150 sq. ft. of open space minimum shall be added to the 5,000 sq. ft. Recreation equipment and uses such as pools, spas, playgrounds, dog parks, picnic tables, pavilions, barbeques and a service building, including toilets, showers and laundry, may be located within the recreation area.
 - 2) Sanitation
 - a. A minimum of one toilet and one lavatory for each gender shall be provided for the exclusive use of the park occupants. An additional toilet and lavatory for each gender shall be provided for each fifteen (15) sites or fraction thereof which is not provided with a water connection and a three-inch drain inlet for connection to a vehicle equipped with a toilet.
 - b. A minimum of one shower for each gender and one washer and dryer is required.

- c. Trailer sanitation/dump stations, built to code and designed to receive the discharge of sewage holding tanks of self-contained vehicles shall be installed in an accessible location in every recreational vehicle park in which there are any recreational vehicle sites not provided with drain inlets designed to receive the discharge of toilets. Trailer sanitation stations shall be provided on the basis of one station for each one hundred (100) sites or fraction thereof. Sanitary dump stations shall be screened from other activities by visual barriers such as fences, walls or natural growth and shall be separated from any recreational vehicle space by a minimum distance of fifty (50) ft.
 - d. Trash dumpsters shall be located within three hundred (300) ft. of every recreational vehicle site, but no closer than two hundred (200) ft. and enclosed on all sides with a gated, solid wood or masonry enclosure, a minimum of six (6) ft. in height. Individual RV site trash cans, having regularly scheduled pickups, may substitute for this requirement.
- 3) Recreational Vehicle Site/Space Design Standards
- a. Minimum site/space size: 500 sf. A mix of sizes is suggested. No occupied recreational vehicle shall be located anywhere but in a recreational vehicle space and only one (1) recreational vehicle shall be located within a single recreational vehicle space.
 - b. Separation: Sites/spaces shall be designed so as to maintain a minimum of twenty (20) ft. between recreational vehicles.
 - c. Parking: Each site/space shall include one parking space for one automobile
 - d. Fires shall not be permitted except where pits or bases are constructed of non-combustible material.
 - e. Picnic tables and barbeques for each site are permitted.
 - f. **No accessory structures may be placed or constructed on a recreational vehicle site/space**
 - g. Each space shall be clearly marked, consecutively numbered or lettered with reflective 3" or 4" white numbers/letters on a blue sign.
- 4) Utilities and Lighting
- a) All utilities, including electrical power and telephone lines shall be installed underground.
 - b) All roads, walkways, grouped parking and service areas shall be provided with lighting adequate to ensure the safety of vehicular and pedestrian traffic.
 - c) All lighting shall be arranged and designed to minimize illuminating individual recreational vehicle spaces.
- 5) Access and Roads
- a) Each site/space shall have direct, unobstructed access to an internal recreational vehicle park road, designed so as to permit the movement of recreational vehicles.
 - b) All interior recreational vehicle park roads shall be private roads, owned and maintained by the owner or operator of the recreational vehicle park. All roads shall be open for access at all times to the Sheriff's Department, other emergency and code enforcement personnel.
 - c) Recreational vehicle park roads shall be surfaced with suitable, dustless material such as crushed rock or asphalt and meet the following minimum width requirements:

d) Road width:

	<u>On-Street Parking</u>
<u>No On Street Parking</u>	<u>One Side Only</u>
<u>One-Way Streets: 12 ft.</u>	<u>One-Way Streets: 22 ft</u>
<u>Two-Way Streets: 22 ft.</u>	<u>Two-Way Streets: 32 feet</u>

Section ____ Miscellaneous Provisions

- A. No home occupation or business shall be operated from an recreational vehicle park
- B. No structural additions may be built onto or attached to the RV except as may be required for certified handicapped or medically-necessary access or as permitted by the County's variance procedure. **Building permits shall be required in those instances where they would normally be required.**

Section ____ Current Non-Conforming Recreational Vehicle (RV) Use **by Owner-Occupants** as Permanent Residences

Intent: It is the intent of this section to greatly reduce and over time phase-out the current, widespread, illegal use of recreational vehicles (RV) in Upson County as non-camping, permanent residences. Upson County recognizes the existence of this activity in the community and wishes to ease the hardship that eliminating the permanent residential use of RVs **by owner-occupants** may create in certain circumstances. It is intended that this ordinance section create a mechanism that will enable, under prescribed circumstances, granting temporary, legal, non-conforming status (grandfathering) to recreational vehicles and **owner-occupants** individuals currently involved in this activity.

- A. There is hereby created an "Upson County Transitional Residential RV Registration Program" to be administered by the County Manager or his designee.
- B. The Program shall include, as a minimum, the following elements:
 - 1. **Eligibility: Only owner-occupied RVs and the owners themselves may be registered in the program. The program is not for RV renters or renter-occupied RVs.**
 - 2. Registration and Registration Application. Program registration is required to participate in the program and shall be initiated by Upson County within **sixty (60)** days of approval of this ordinance through an application process, whereby existing recreational vehicles being used as permanent residences shall be listed on a registration application by their **owner-occupants** who are also subjects of the application. Applications must be submitted by the RV **owner-occupants**. The **owner-occupants** who register at program start up are the only occupants who may be part of the program and they must remain in the same RV on the same property to remain in the program. The program registration window shall last for ninety (90) calendar days. Unoccupied recreational vehicles are not eligible for registration. Initiation of the program may be extended by the Board of Commissioners.
 - 3. Minimum Information Provided. Program registration shall include, as a minimum, the make, model, year made and size of the recreational vehicle, **copy of the title and/or registration**, the land and recreational vehicle owners' name(s), **photo id** and contact information, **any other** recreational vehicle occupants' names and contact information, address and tax ID number of the property where the recreational vehicle is located. ~~Copies of the RV and/or property lease or a notarized letter from the owner must be submitted as part of the application, when the owner is not the RV occupant.~~ Applications must be deemed complete before the program deadline to be considered for the program.
 - 4. Required Inspection. Each recreational vehicle to be considered for program registration must pass a life safety, sanitation and utility inspection by the Upson

- County Building Official, his successor or designee, following submittal and approval of a complete application. **Each RV must have a permitted, operational septic tank and permitted, operational well or county water service.** The registration application file shall include inspection results reports and photographs of the RV. RVs may be determined to be ineligible for the program if they fail the inspection, any follow up inspections and/or any other inspections resulting from a complaint or other actions resulting in a finding of unacceptable living conditions.
5. Additional requirements. In addition to meeting minimum life safety, sanitation and utility inspections, each RV must have its proper 911 address signage and County solid waste service to be accepted into and remain in the program.
 6. Registration Decal. Successfully registered RVs shall display the annually-provided registration decal on the rear of the RV.
- C. Registration Application Fee and Annual Registration. The initial application process and annual RV registration thereafter shall include a twenty-five dollar (\$25) fee to offset administrative costs. Registration fee and penalty delinquency of more than sixty (60) calendar days shall mean that the RV is no longer a part of the program. Penalties are set at \$10 for each thirty (30) days of delinquency or portion thereof after the thirtieth (30th) day of delinquency.
- D. State Tag and Registration. Registered RVs shall not be inspected or fined by Upson County Code Enforcement for expired tags or state registration, as long as the RVs are part of the program.
- E. Change of Status. Registered RVs shall lose their legal, non-conforming status, and shall no longer be a part of this program, if registered ownership is transferred or sold, if the RV is moved from its registered location, if the registered occupants leave the registered RV and/or if the RV is completely destroyed or damaged beyond fifty-percent (50%) of its resale value at the time of damage.
- F. Additions Prohibition. No structural additions may be built onto or attached to the RV except as may be required for certified handicapped or medically-necessary access or as permitted by the County's variance procedure. Building permits **shall** be required.
- G. Recreational vehicles being used as permanent, **owner-occupied** residences, but not registered as a part of this program **before the registration deadline**, are illegal non-conforming uses and are therefore subject to code enforcement action and immediate cessation of all illegal activities.

Section Current Non-Conforming Recreational Vehicle (RV) Parks – **Design Standards**

Existing recreational vehicle parks that do not meet the Design Standards of the County's RV park requirements shall be registered by their owner(s) with the County Manager or his designee **during the designated registration period.** The application **registration form** shall list all of the Design Standards that the park does not meet **and those that it does meet. These RV parks are deemed legal nonconforming uses, based upon their current configuration, and will continue as such until such time as any new or additional RV spaces are added in excess of those existing at the time of adoption of this ordinance. ~~when such standards will be met.~~ These legal nonconforming RV parks are not required to meet Upson County's minimum RV Park Design Standards unless new or additional RV spaces are added to the park.** No additional RV spaces may be added to the RV park without meeting the missing Design Standards. Any further deviation from the Design Standards shall require a variance from the Planning Commission.

Section ____ Administration and Enforcement

- A. Consistent with Article 4 of this ordinance, this ordinance section shall be administered and enforced by the County Manager or his/her designee(s). The authority shall include the ability to order, in writing, the remedy of any condition found in violation of this ordinance and the ability to institute legal action to insure compliance with the provisions, including injunction, abatement or other appropriate action or proceeding.
- B. The County Manager or his/her designees are hereby authorized to make inspections as are necessary to determine compliance with these requirements.
- C. Any person whether owner, lessee, principal agent, employee or otherwise, who violates any provisions of this ordinance section, or permits any such violation, or fails to comply with any of the requirements hereof, or who establishes or uses any park in violation of any detailed statement of plans submitted by him and approved under the provisions of this ordinance section, shall be guilty of a misdemeanor and, upon conviction shall be subject to punishment as provided by Article 4 of this Zoning Ordinance.
- D. Any park established, expanded or improved contrary to any of the provisions of this ordinance and any use of any park in terms of operation and maintenance contrary to any of the provisions of this ordinance, related permits or Upson County-approved plans shall be and is declared unlawful. The County Manager or his/her designee(s) are authorized to bring actions by any appropriate means to prevent the violation of this ordinance and enforce its provisions.

AND AMEND THE FOLLOWING SECTIONS, AS FOLLOWS:

For the R-1 Zoning District

- Section 604.D.2 and D.3 – *Following all section and subsections where the language reads: "...manufactured home" Add "or travel trailer..."*

For the R-2 Zoning District

- Section 704.D.2 and D.3 – *Following all section and subsections where the language reads: "...manufactured home" Add "or travel trailer..."*

For the R-4 Zoning District

- Section 904.D.2 and D.3 – *Following all section and subsections where the language reads: "...manufactured home" Add "or travel trailer..."*

For the R-5 Zoning District

- Section 1004.D.2 and D.3 – *Following all section and subsections where the language reads: "...manufactured home" Add "or travel trailer..."*

SECTION TWO

The Official Zoning Ordinance of Upson County, Georgia is hereby amended by repealing and replacing and adding the above and shall be accessible to the public.

SECTION THREE

All ordinances or parts thereof in conflict with the terms and provisions of this Ordinance are, and the same hereby, are repealed

SECTION FOUR

Should any sentence, paragraph or section of this Ordinance be declared to be invalid, for any reason, such declaration shall not affect the validity of any other sentence, paragraph or section of this Ordinance and all such remaining sentences, paragraphs and sections hereof shall remain valid and of full force and effect, and the Board of Commissioners of Upson County, Georgia, hereby declares that such continuing validity of the remaining portions hereof is its intent as of the date of the enactment hereof.

The foregoing ordinance this day adopted by the Board of Commissioners of Upson County, Georgia, and effective, this Xth day of MONTH, 2018. Certain actions or programs listed herein may be initiated at a later date as described in this ordinance.

**BOARD OF COMMISSIONERS
OF UPSON COUNTY**

BY:

NORMAN ALLEN, Chairman

BY:

JAMES ELLINGTON, Vice Chairman

BY:

FRANK SPRAGGINS, Commissioner

BY:

LORENZO WILDER, Commissioner

BY:

PAUL JONES, Commissioner

ATTEST:

Upson County Clerk