

**RESOLUTION AMENDING ZONING ORDINANCE
MADISON COUNTY, GEORGIA**

WHEREAS, the Madison County Board of Commissioners (herein "Board") deems it proper and necessary for the health, welfare, and safety of the citizens of Madison County to amend certain provisions of its Zoning Ordinance (the "Ordinance"); and

WHEREAS, all procedural and substantive requirements of state law and local ordinance pertaining to amendments to the Ordinance have been met;

NOW, THEREFORE, this Resolution (herein "Resolution") is adopted as follows:

ITEM ONE.

To add to Article III: Definition of Terms:

INTERMITTENT STREAM: a stream that flows in a well-defined channel during wet seasons of the year but not for the entire year.

ITEM TWO.

Revise Section 7.12.7.1 Stream Buffers:

For all perennial streams, a vegetated buffer must be maintained for a distance of fifty (50) feet on both sides of the stream, with twenty-five (25) ft. on both sides of an intermittent stream, with one hundred (100) ft. on the Hudson River, the Broad River and the South Fork River. This is to be measured from the waters banks. Septic tanks drain fields and holding tanks are prohibited within this protected area.

ITEM THREE.

Revise Section 7.12.7.2 Stream and River setbacks:

For all perennial streams, no impervious surface are allowed to be constructed within fifty (50) ft. setback area on both sides of the stream, with twenty-five (25) ft. on both sides of all intermittent streams, and one hundred (100) ft. on the Hudson River, the Broad River and the South Fork River, as measured from the waters banks. This is to be measured from the waters banks. Septic tanks drain fields and holding tanks are prohibited within this protected area.

ITEM FOUR.

Should any sentence, section, subsection or provision of this Resolution or application thereof be declared invalid or unconstitutional by any court of competent jurisdiction, such declaration shall not affect the validity of the Zoning Ordinance of Madison County, as amended, as a whole nor any part thereof that is not specifically declared to be invalid or unconstitutional.

This amendment of the Zoning Ordinance of Madison County, Georgia, shall take effect and shall be enforced from and after the date of its adoption, the public welfare demanding it.

Approved by the Madison County Board of Commissioners on the 2nd day of February, 2018.



John D. Scarborough Chairman

ATTEST:



Rhonda S. Wooten, Clerk