

ORDINANCE NO. 281

AN ORDINANCE OF UPSON COUNTY, GEORGIA TO AMEND THE ZONING ORDINANCE OF THE CODE OF UPSON COUNTY; TO ADD A DEFINITION OF "FLEX SPACE;" TO ADD FLEX SPACE AS A PERMITTED USE IN THE COMMERCIAL-GENERAL HIGHWAY (C-2), MANUFACTURING-LIGHT (M-1) AND MANUFACTURING-GENERAL (M-2) ZONING DISTRICTS; PROVIDING FOR REPEAL/CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

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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, pursuant to The Zoning Procedures Law, OCGA §36-66-1, the Upson County Board of Commissioners adopted the Upson County Zoning Ordinance, through Ordinance No. 79, February 15, 1995; and

WHEREAS, Section 1-4 of the Code of Upson County (CUC) and Section 410 of the Upson County Zoning Ordinance (UCZO) list the procedures by which the Code of Upson County may be amended; and

WHEREAS, Upson County desires to permit a diversified mix of commercial use types within the County's economic fabric; and

WHEREAS, a "flex space" business center has requested to be located within the County; and

WHEREAS, Upson County has agreed to rezone property to C-2 to allow a flex space location with certain restrictions and limited size; and

WHEREAS, less restricted, flex space uses are also appropriate in the M-1 and M-2 zoning districts; and

WHEREAS, flex space may accommodate such businesses as clean, small-scale manufacturers and assemblers, artisans/artists, third party logistics, research and development, business incubators, caterers, specialty food manufacturers, building contractors, pest control, call centers, rental equipment and supply companies, showroom retail space; and

WHEREAS, the Upson County Board of Commissioners has determined that the proposed amendments meet the required review standards and serve to enhance the public health, safety, morality 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 Zoning Ordinance of the Code of Upson County, Georgia, is hereby amended to read as follows:

Add the following definition and re-letter the definitions section as appropriate.

A. Section 202 – General definitions

KK. Flex space: Hybrid commercial space that houses businesses with a mix/combination of clean, light industrial, manufacturing or assembly uses with office and/or retail uses, sometimes combined with limited warehousing space as part of their business model. Flex space locations typically include structures with warehouse doors combined with personnel/customer doors as well as loading docks. Ceilings are high, usually in the 18-24-foot-tall range.

No hazardous materials or only minor amounts shall be used in the manufacturing or assembly processes. The goods, materials and activities of the flex space businesses may not employ or include anything that creates a hazard from fire or explosion or produces toxic or corrosive fumes, gas, smoke, obnoxious dust or vapor, offensive noise or vibration, glare, flashes or

objectionable effluent. Flex space shall not include vehicle repair garages, warehouse or distribution center uses.

Add the following to the listed Zoning Districts.

B. ARTICLE 16. – C-2 COMMERCIAL-GENERAL HIGHWAY

Section 1604. – Permitted uses.

A. The following principal uses are permitted in C-2 districts:

14. Flex space. No individual business may exceed 5,000 sf.

C. ARTICLE 18.-M-1 MANUFACTURING-LIGHT

Section 1804.- Permitted uses.

B. The following principal uses are permitted in M-1 districts:

30. Flex space which may include warehouse and/or distribution center uses. There are no square footage limits.

D. ARTICLE 19.- M-2 MANUFACTURING-GENERAL

Section 1904.- Permitted uses.

A. The following principal uses are permitted in M-2 districts:

53. Flex space which may include any uses permitted in the M-2 zoning district. There are no square footage limits.

SECTION TWO

The Official Zoning Ordinance of Upson County, Georgia is hereby amended with addition of the preceding language, 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.

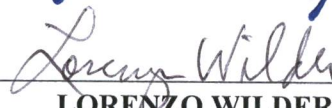
The foregoing ordinance this day adopted by the Board of Commissioners of Upson County, Georgia, and effective, this 14th day of May, 2024.


BOARD OF COMMISSIONERS
OF UPSON COUNTY

BY: 
NORMAN ALLEN, Chairman

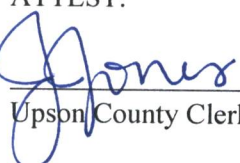
BY: 
PAUL JONES, Vice Chairman

BY: 
JAMES ELLINGTON, Commissioner

BY: 
LORENZO WILDER, Commissioner

BY: 
BENJAMIN WATSON, Commissioner



ATTEST:

Upson County Clerk