



ZONING PUBLIC HEARING

The Board of Commissioners of Spalding County, Georgia, held their Zoning Public Hearing on Thursday, August 25, 2005 in their office in the Courthouse Annex in the City of Griffin, Spalding County, Georgia, beginning at 6:00 o'clock p.m. with Chairman Edward Goss presiding and Commissioners Cecil Davis, Johnnie McDaniel, Gwen Flowers-Taylor and Eddie Freeman present. Also present were Community Development Director Chuck Taylor, Zoning Attorney Newton Galloway, Senior Planner Chad Jacobs and Executive Secretary Teresa Watson.

A. Call to Order.

B. New Business:

- 1. Application #05-26S:** Steve Minyard and Tracy Minyard, Owners – 159 Wisso Road (4.74 acres located in Land Lot 52 of the 2nd Land District) – requesting a Special Exception to allow a Class A Manufactured Home in the AR-1 District.

Community Development Director Chuck Taylor said Staff had reviewed the application and found it met the requirements of Section 413(G). Both Staff and Board of Appeals recommend approval.

Commissioner McDaniel made a motion to approve Application #05-26S, seconded by Commissioner Davis, and the motion carried by a unanimous 5-0 vote.

- 2. Amendment to UDO #A-05-16: Lift from the table** – Article 17A. VN Village Node – add new article.

Commissioner Flowers-Taylor made a motion to lift from the table Amendment to UDO #A-05-16, seconded by Commissioner McDaniel, and the motion carried unanimously at 5-0.

Community Development Director Chuck Taylor said this issue was tabled at last month's Zoning Public Hearing for further review and study. He offered to answer questions.

Extensive discussion followed regarding allowed uses with C1-A and residential comprising most of the uses, mixed use development, density, identification on the Future Land Use Map, common spaces and minimum requirements for same as both active and passive park areas, planned development designs, and sewer.

Mr. Galloway stated there was a specific requirement for a central park area for each Village Node (VN). It could be simple greenspace or be an active or passive park or even a specific type use within the park. Should the development desire to go to something different, they would need to make a proposal and have the Board of Commissioners approve. He continued that the tradeoff with VNs is to allow density at the node but keep the area immediately surrounding less dense, and VNs can only be in those areas so identified on the Future Land Use Map. Density will be concentrated in central areas of the County where it is obvious future provision of services will be required, and they will be planned and comprehensively designed.

Commissioner Flowers-Taylor said experience had shown, though, that the availability of sewer to an area led to greater density. Mr. Taylor said the Ordinance made a distinction between density and lot size. In zoning districts, while you might decrease lot size, the overall density for any given development does not increase automatically.

by the provision of sewer. Sewer makes it possible to shrink the development acreage down and leave the remainder as greenspace. Not having sewer would require a developer to build wall to wall on the tract with larger lots from one end of the development to the other.

Mr. Galloway said one of the benefits for this particular ordinance was that currently there was one developer with one proposal for an entire development as a cumulative effort. He personally had some concerns about how this ordinance would play out in other village node areas identified on the Future Land Use Map. He suggested that commissioners consider placing a moratorium on Village Nodes (VNs) after this one for Minerva Properties, should it be approved. This would allow the County to experience the implementation and use that experience to improve the concept elsewhere in the County. He did not want to see someone suddenly decide to bring in commercial development much like the 19/41 north corridor and call it a VN. A quality VN on the ground would serve as guide so the County will know how to eliminate future problems. The County must have this ordinance in place, though, to allow initial VN development.

Mr. Galloway felt the best way to eliminate unwanted types of development and risk was to create a separate zoning district. The concept has been reviewed and studied comprehensively. The City of Smyrna and parts of Cobb County VN plans were used for models. Mr. Galloway believed it to be a good standard, but he would still prefer to see one on the ground first to make sure the ordinance is right and good, particularly since the next developer may not be of the size or quality of Minerva Properties.

Chairman Goss was concerned that 49 uses were allowed. Some discussion followed.

Mr. Taylor said they looked at C1A uses and removed what they felt were unsuitable ones. These are the types of businesses used day-to-day and that provide jobs for people who live in the village. All 49 uses don't have to be in the development, but any of the 49 is allowed. Village means an area designed to accommodate the concept of walking to get all things you need done. The number of homes to support the businesses will vary. The criteria looked at in the Comprehensive Plan deals with how many homes will need to be provided for people who desire to live in the node. The plan is to draw customers for the stores from village residents. Some sales will come from outside the node, but most will be within the village. The market will drive most of this, i.e. the demand for kinds of stores and number of homes will be determined by customers and residents. There will be a buffer between the highway and stores.

Mr. Freeman said he had visited a nice development in Smyrna without even knowing he was in a VN, and the concept worked well. The Village Node could be a commercial center for surrounding rural residents nearby, as well, perhaps saving a drive into town or to the large shopping centers.

Commissioner Flowers-Taylor asked about Section 1703A: Permitted Uses, Section B, Item 8, (a), (b) and (c).

Mr. Taylor said the Minerva Properties VN would draw from the larger area of Heron Bay rather than just the Village Node to make the percentages workable. The units in the VN will also have to meet their greenspace requirement. This will ensure a mix of residential uses to avoid developer using the VN concept to throw in a development of a singular kind of dwelling, such as all apartments or multi-family housing, or even all commercial. The plan from Minerva works well for mixed use with no one type of dwelling overwhelming another. Without the percentage requirements in place, mixed uses are not ensured for residential. A minimum of 30 acres and a maximum size as shown on the Future Land Use Map should ensure convenience for walking traffic, with a distance of maybe ¼ to no more than ½ mile.

Chairman Goss said he saw some good things about this concept in the Heron Bay area but he had problems with other identified locations, particularly the one on Highway 155 at Jackson Road so close to Minerva's. He felt there were five identified locations that might actually work. It was noted that listing the allowed uses doesn't mean they

are mandated to be there. They are simply shown as a guide to what might be allowed, just as every other zoning classification in the UDO contains allowed uses.

Commissioner Flowers-Taylor said the types of businesses that are wanted and that will thrive will be based on market and demand.

Mr. Taylor said this new concept can save infrastructure costs for the county long-term. Citizens, although skeptical about how this will play out, will discover they don't have to drive all the way into town to purchase goods and services, thereby relieving some of the stress on roadways. He also recommended treating the Minerva Properties VN as a test case, in essence, to see how the concept works and feels before implementing others. He felt the moratorium might be a good idea.

Commissioner Freeman said he understood the need for the concept at Heron Bay with the tremendous growth. It will make shopping more convenient, but that decision will ultimately be left to the residents. Commissioners cannot make that decision for them.

Commissioner Flowers-Taylor agreed with Mr. Galloway that it would not be acceptable to see bad examples proliferate, so she would support a moratorium. She stated the concept is a good one, but she was most concerned with the close proximity of this VN to the node at Highway 155 and Jackson Road. She wondered if the Board should address this issue before the ordinance is approved. In the northeast quadrant of Spalding County there are potential VNs at Minerva Properties, Highway 155 at Jackson Road, and one at Smoke Road/Teamon Road. The City of Sunny Side, considered to be north central Spalding County, will essentially function as a village since it already exists.

Commissioner McDaniel urged commissioners to try to keep the Future Land Use Map and the need for this ordinance separate for purposes of discussion tonight. The next two items on tonight's agenda are for zoning changes to the VN district, if approved. None of the other locations identified on the map can be developed as VNs until the zoning for those locations is changed. If someone wants to develop a Village Node, there must be an ordinance in place to provide structure and guidelines. Location of VNs is another discussion for another time. This consideration is just to approve the concept and add it to Spalding County's Ordinance. If you want to discuss the Future Land Use Map and Plan and the identified locations of VNs, that action can be done later.

Mr. Galloway and Mr. Taylor reminded commissioners that if the County has no Village Node district in place, then developers can attempt developments defined as they see fit, so this Ordinance with a legislative standard to regulate such developments is in the County's best interest. Zoning should be consistent with the Land Use Map, but the fact that a development might comply with the Future Land Use Map is not a legal guarantor of development. The Board can take into consideration factors that might necessitate denial of a rezoning request even though that request may conform to the Future Land Use Map. This request tonight is a unique situation in a unique location with a uniquely single developer for the entire development. Approval would provide the opportunity to confirm that the concept can work in a way in which Spalding County can be proud with these resources as a test for dealing in more rural areas of Spalding County. Some areas, though they may be identified as such, are certainly not ready for development as a VN (infrastructure, population, etc.) and would not pass muster. Development of these areas would be extremely premature, but that is not the case in the Heron Bay area. Mr. Galloway concluded it would probably be a worthwhile exercise to review the locations of the Village Nodes identified in the northeast quadrant after this one is in place.

Commissioner McDaniel asked speakers signed to speak on this issue to remember the issue tonight was the Village Node ordinance itself and not about the identified locations on the Future Land Use Map.

John Dugdale, 1985 North Walkers Mill Road, Griffin, Georgia

Mr. Dugdale felt this matter had been proposed too quickly and quietly. He contended no public input had been received for this brainchild of Chuck Taylor and Newton Galloway. These two gentlemen arbitrarily and capriciously put VNs where they wanted. There is inadequate infrastructure to accommodate these VNs. During the last two weeks residents have been killed on Highway 155 in two separate accidents. This ordinance would allow developers carte blanche to do speculative buildings and there are already enough empty buildings in the County. A Publix chain grocery will be 1-1/2 miles down the road at the Highway 155 and Ted Gardner Parkway intersection in a shopping center just inside Henry County. He requested that commissioners table this ordinance for more public input and more careful study of the Future Land Use Map. The identified Village Nodes were placed on the map after the first one was adopted. The current Future Land Use Map is very different from the one originally proposed. These high density areas around the Village Nodes will need police and fire protection. The Village Node concept needs much more discussion and consideration. Otherwise, the County will end up saturating the area with condominiums and apartments to profit developers.

Ed Johnson, 600 Hamil Road, Griffin, Georgia

Mr. Johnson agreed that Village Node location is important. His opinion is subjective because this Village Node will be in his neighborhood. His family moved to Spalding County for the rural atmosphere, but it is changing into what he moved away from as evidenced by the fact that Spalding County is now on a list of 24 counties with a smog problem. Village Nodes will hurt this particular problem. He understood one purpose of the Village Node concept is to encourage development of residences around commercial property. Teamon Road and the northeast quadrant are being developed already. He also wondered controls that would be needed were in place. He asked the Board to rethink the concept to focus on one area and leave all the surrounding properties rural, because what seems to be happening is that surrounding properties are being rezoned for higher density as well. Spring Lake, in addition to the other identified Village Nodes, will have 2300 homes with proportionally increased traffic and emissions. Sewer will encourage developers to take advantage of building in area. Controlling density once sewer is available will be a tough challenge. He concluded by requesting that commissioners preserve what's left of rural character and not approve the Village Node ordinance.

Speaking for Leslie Hollberg is Sinclair Hollberg, 3335 Jackson Road, Griffin, Georgia. Mr. Hollberg distributed and read a prepared statement of Leslie Hollberg regarding the tourism program with the McIntosh Trail Historical Society and the high density Village Node development at Highway 155 at Jackson Road, along the original McIntosh Trail, only 3 miles from the Village Node at Heron Bay. There are currently only eight other scenic byways in the state other than McIntosh Trail which traverses Butts, Spalding, Fayette, Coweta and Carroll counties. He strongly urged the Board of Commissioners to move the Jackson Road/Highway 155 Village Node to a more suitable location, such as Teamon Road or Jordan Hill Road which would relieve congestion at the four-way stop and be closer to Clayton County and Henry County. He also would like to see a public hearing to allow interested persons to hear Brian Davidson's presentation from Minerva Properties. He was desperate for more information and there has been no local media coverage to educate and inform about the Village Node concept. He concluded by requesting that the Board table voting on this ordinance until such time as a public hearing with Brian Davidson as a speaker can occur.

Nancy Burkes Cook, 3951 Jackson Road, Griffin, Georgia

Ms. Cook stated she was interested in the past, as well as the future. She questioned if real estate companies had provided any input and if the wishes of residents around the designed Village Nodes had been considered. Ms. Cook asked if the concept was designed to primarily pad the pockets of builders or help the county. She questioned how these businesses in the Village Nodes will affect city businesses, as well, and wondered if that impact had been considered. Diversified county resources are necessary to take on this type endeavor. She did see the presentation by Minerva Properties at a Planning Commission meeting. The area no longer has much of a manufacturing or textile industry, and there is a real need to diversify which she felt

Village Nodes could help accomplish. Tourism with the McIntosh Trail Historical Society program described by Mr. Hollberg could help to link counties together like pearls on a string. She asked that the Board consider the map presented by Mr. Hollberg on behalf of his wife.

Chairman Goss said of the 50 or 60 in attendance at the previous Future Land Use Map hearing, most were from the City. He didn't feel that most people in the initial stages realized the vast implications of this concept to the area.

Sinclair Hollberg, 3335 Jackson Road, Griffin, Georgia

Mr. Hollberg provided packets to commissioners. The first attachment is a copy of an email from Zoning Attorney Newton Galloway to Community Development Director Chuck Taylor where he states it would be useful to support relocating the Village Node at Teamon Road and Highway 155 to Highway 155 at Jackson Road. No public input was received on this topic. Secondly, the Planning Commission workshop minutes of August 9, 2003 referenced a consultant who stated that nodal development would not necessarily increase density and was not intended to do so. He would like clarification of this point as it was obvious to him the concept promoted density. He referenced next the statement of support for the Village Node plan provided nine necessary conditions were met. Finally, surveys of twenty respondents were included that showed 65% were unfamiliar with the Village Node concept, 90% had not attended any workshop on the issue, 90% said they had not been made aware of such workshops, 90% stated they would not support a high density, mixed use village near them, and 90% desired more public hearings for information. Additionally, of the seven respondents surveyed in the local community association, 100% did not support the Village Node plan.

Mr. Hollberg concluded that the police power entrusted to local government to devise land use plans and to zone property is abused when the people are neither included nor informed in decisions that directly affect those issues. The denial of a public hearing request is a further abuse of such police power. The engagement of the government in a land use policy that has potential adverse effects to its citizens breeds distrust and makes it more difficult for that government to obtain public approval. This scenario is a recipe for conflict wherein the public perceives itself as being viewed as a nuisance in the planning process. The County is required to update the Comprehensive Plan every five years and open that process to the public. He referenced the petition presented at the last meeting with signatures of persons opposing adoption of the Village Node ordinance and requesting an information public hearing. Mr. Hollberg said he requests the same tonight.

Chairman Goss said he had conversed with many of the citizens and one commissioner of the City of Sunny Side, and they are at a loss as well about the Village Node plan. He mentioned the email referenced by Mr. Hollberg, noting the placement of the Highway 155 at Jackson Road Village Node was too close in proximity to Heron Bay.

Mr. Galloway said with regard to the email, he was asked for an opinion and he provided that, but had no direct involvement on the location of the nodes.

Chairman Goss said there were still questions in his mind that need answering, and he could not support the ordinance in its present form without more information. People need to be made more aware of the concept.

Commissioner McDaniel made a motion to approve Amendment to the UDO #A-05-16. The motion was seconded by Commissioner Davis.

Commissioner McDaniel reiterated that workshops and meetings were held here and in Sunny Side and Orchard Hill. They heard from citizens who wanted growth but in a controlled, managed manner. They also heard that most want to maintain the rural character, so the Future Land Use Map was developed with these thoughts in mind. Further, in order to leave as much as possible of the County in a rural atmosphere, the Village Node concept was adopted as part of the Future Land Use Plan. It does have high density in some areas, but at designated sites. When density is designated in certain areas, there is not density all over the County. The Future Land Use Plan is a

living, breathing document just like the Unified Development Ordinance. If the proposed Village Nodes are too close, then a review process can be undertaken, but he urged commissioners to get an ordinance in place. Commissioner McDaniel endorsed the idea proposed by Mr. Galloway of approving the Village Node Ordinance and then enacting a moratorium to allow review of the ordinance and the locations on the map, but the two items should be two separate discussions. Commissioners can address the locations identified on the map during the period of the moratorium. It will take time to change these sites, because the Comprehensive Plan will have to be balanced in the review process, but the moratorium could be put in place for however long it might take to evaluate the locations. The Village Node amendment has his full support.

Commissioner Davis expressed his support for the Village Node plan, as well, asking if the remaining five amendments to the Unified Development Ordinance tonight should be held up as some would like to do on this one.

Chairman Goss responded yes, stating that he would seriously like to place the Unified Development Ordinance in the dumpster and begin the process over.

Commissioner Freeman said he was in favor of Village Nodes but doesn't feel the need for a moratorium. He suggested if they felt the ordinance amendment was a good one after all their work and research, then approve it; changes can always be made later.

Commissioner Flowers-Taylor said she supports the amendment but with provision the Board will consider removing the identified Village Node location at Highway 155 and Jackson Road.

Commissioner McDaniel said he had no problem with that, but felt they should approve the amendment to the ordinance and then direct an immediate review of locations. It would take time to carefully consider and, if moved, to put it at a more logical place.

Mr. Galloway said an amendment to the Future Land Use Map was not a zoning change and it would have to comply with DCA regulations, not zoning procedures law. It would have to return to the Board, being the entity to approve the plan. Then, if the plan results in an increase in traffic, infrastructure and density, it is considered a major plan change and has to go to the RDC. Mr. Galloway suggested having staff look at the site of Highway 155 and Jackson Road, as well as possibly moving the Teamon Road at Smoke Road Village Node because it may be better situated on Jordan Hill Road closer to the city and more urban areas where there will most certainly greater density, such as Spring Lake. The goal is to remove density pressure from the northeast quadrant.

Chairman Goss said this process would probably take one or two years before this change can be affected.

Commissioner McDaniel pointed out that if a moratorium was in effect it wouldn't matter how long it took as long as it was within the time frame of the moratorium.

Chairman Goss said as soon as this amendment was approved, the Minerva and Wilson properties would follow and he felt the Board was approving this amendment so those applicants could accomplish their plans. He asked if they could implement a moratorium in between the approval of the amendment tonight and the Minerva and Wilson requests.

Commissioner McDaniel responded no, and said he agreed with Mr. Galloway that they could get a quality model on the ground with the Minerva Properties proposal and then review the process.

Commissioner McDaniel made a motion to approve Amendment to UDO #A-05-16, amended to include the provision that the Zoning Attorney and Community Development Director start immediately with a review of the Village Node located at Highway 155 and Jackson Road, seconded by Commissioner Davis. The motion carried by a vote of 4-1, with Chairman Goss voting in opposition.

3. **Application #05-13Z: Lift from the table** – Cole Tract Associates, L.P., Owner – Johnson Road (199.669 acres located in Land Lot 146 of the 2nd Land District) – requesting a rezoning from PDD, Planned Development District, to PDD, Planned Development District, and VN, Village Node.
4. **Application #05-13AZ: Lift from the table** – Frank S. Wilson, Sr. and Emily Howard Wilson, Georgia Wilson-Jones, Thomas D. Wilson, Jr. and William P. Wilson, Jr. as Trustee for the Estate of William P. Wilson, Sr., Owners – Minerva Properties, L.L.P., Agent – Georgia Highway 155 (35.891 acres located in Land Lot 147 of the 2nd Land District) – requesting a rezoning from R-2, Single Family Residential, to VN, Village Node.

Commissioner McDaniel made a motion to lift both Items #3, Application #05-13Z, and #4, Application #05-13AZ, seconded by Commissioner Davis. The motion to lift passed by a unanimous vote of 5-0.

Community Development Director Chuck Taylor said these were requests for approval to allow the rezoning of 199.669 acres from PDD to PDD and Village Node. This application contains approximately 55.2 acres of the total 199.669 acres that are proposed to be developed as part of a village node. The Ordinance amendment creating the Village Node zoning district was approved by the Board of Commissioners earlier tonight. Staff, after reviewing the application and associated documents, as well as the standards set forth in the Ordinance for rezoning property, recommends approval with conditions:

- a) All front porches will be underpinned and finished in character of the home.
- b) A parking plan shall be provided.
- c) Access to sewer with sufficient capacity to serve the development shall be available.

The Planning Commission recommends approval, as well, with the same conditions. Mr. Taylor said the developer was providing sewerage.

Mr. Brian Davison, Cole Tract Associates, LP, 2292 Henderson Mill Road, Atlanta, GA
Mr. Davison gave a presentation on Heron Bay, and identified the area of the proposed Village Node application. The node will have a neighborhood feel rather than the mega-store feel you get with major chains. He pointed out problems with Johnson Road and detailed Minerva's plans to realign and rectify the road way, utilizing a new intersection after sweeping the changed road through the property. The road will be four-laned with landscaped medians and angled parking throughout the village area. The Department of Transportation is acquiring land now to widen Highway 155 already and will impose additional restrictions on the property. The mix, with retail/commercial/office uses on the ground level and office and/or residential on the second and third floors, will have the feel of an old town that might have developed a hundred years ago on a piece by piece basis. The central communal park will be the focal point for the village. There won't be a vast wasteland of asphalt that you see with the malls and mega-stores.

Architectural styles are extremely critical and will be mixed, as well, and he presented slides to show examples of all the mixed uses, both front and rear views, parking areas with options to asphalt parking such as pavers, communal parks, trails, gardens and greenspace, entrances, accel/decel lanes, a civic use building that could be donated to the municipality/county for communal needs as well as a fire station/police precinct, etc. The vegetation and alternative materials used provide aesthetically pleasing details. One of the new concepts in the mixed use is a live/work product for all the people who now prefer to office out of their homes. The ground floor of the unit would probably house the office with living quarters above the office space on the upper floors. The village area is planned so that each area is a block with all the blocks containing different product types being roughly the same size.

As Minerva did with Heron Bay, they will push the limit somewhat on architectural design and price point. Heron Bay is now writing contracts in Spalding County for \$900,000 and \$1,000,000 plus homes. They will be as conscientious about providing a

quality development with this village node and will probably heavily subsidize the commercial uses until the area matures since these retail and commercial centers are critical to having the concept succeed. All the communal places are what will create the old-time village feel. Although Minerva has done most every other type of product, but this will be the first true village.

Mr. Davison felt it might be beneficial for commissioners to outline the procedure that can be utilized to deal with the village node to the south of Heron Bay at Highway 155 and Jackson Road, since that seemed to be the thrust of citizens' comments tonight.

Commissioner McDaniel made a motion to approve Application #05-13Z with the following conditions:

- a) All front porches will be underpinned and finished in character of the home.*
- b) A parking plan shall be provided.*
- c) Access to sewer with sufficient capacity to serve the development shall be available.*

Commissioner Davis seconded the motion which carried by a vote of 4-1 with Mr. Goss voting in opposition.

Commissioner McDaniel made a motion to approve Application #05-13AZ with the following conditions:

- a) All front porches will be underpinned and finished in character of the home.*
- b) A parking plan shall be provided.*
- c) Access to sewer with sufficient capacity to serve the development shall be available.*

Commissioner Davis seconded the motion which carried by a vote of 4-1 with Mr. Goss voting in opposition.

- 5. Application #05-15Z:** Karen Martin, Owner – 1310 Highway 19/41 South (2 acres located in Land Lot 117 of the 2nd Land District) – requesting a rezoning from C-1, Highway Commercial, to C-1B, Heavy Commercial.

Community Development Director Chuck Taylor said the applicant has requested approval from Spalding County to rezone the subject property from C-1, Highway Commercial, to C-1B, Heavy Commercial, to allow for neat and orderly outdoor storage for a new landscape supply business that is moving to the location.

Staff recommends conditional approval with the following stipulations:

- a) Outdoor storage shall be limited to the side and rear of the property.
- b) The site will limit all lighting so any neighboring residential properties or rights-of-way will not be affected by glare.
- c) Expansion of the building would require that the building be brought into conformity with the 70-foot front yard setback or a variance shall be obtained.

Mr. Taylor said C-1B is for heavy retail and/or light manufacturing where outdoor storage is allowed. The C-1B uses are for types of businesses that rely on outdoor storage for their business, such as equipment sales, car and recreational vehicle sales.

Ms. Karen Martin, Owner, 103 Tony Trail, Griffin, Georgia

Ms. Martin spoke on behalf of the petition. This property had been leased to a heating and air conditioning company for about ten years and the C-1 zoning was appropriate, but now a proposed lawn care tenant needs outdoor storage capabilities. Adjoining property is zoned C-1B and that business, K & K Manufacturing, shares a driveway with this site. Both that business and her property back up to residential properties zoned R-4. Across Highway 19/41 is Diversified Fabricators which is C-1 but is grandfathered to have outside storage. The lawn care materials, such as pine straw, wood chips, stones, etc. will be stored in outside bins in an orderly fashion. She asked

that commissioners please allow this rezoning to equal that of adjacent property and accommodate this business.

Ryan Rogers, 1892 Carver Road, Griffin, Georgia

His business, Rogers Turf Care, is the proposed tenant and he offered to answer any questions. He anticipated regular business hours to be 9 a.m. to 6 p.m. on weekdays and 9 a.m. to 4 p.m. on Saturday. There is a 25-foot buffer between the business and the residential property to the rear.

Commissioner McDaniel made a motion to approve Application #05-15Z with the following conditions as recommended by Staff and Planning Commission:

- a) Outdoor storage shall be limited to the side and rear of the property.*
- b) The site will limit all lighting so any neighboring residential properties or rights-of-way will not be affected by glare.*
- c) Expansion of the building would require that the building be brought into conformity with the 70-foot front yard setback or a variance shall be obtained.*

Motion was seconded by Commissioner Freeman and carried by a unanimous 5-0 vote.

- 6. Application #05-16Z:** Markland Management, LLC, Owner – C. Mark McCullough, Agent – 1495 Macon Road (0.93 acre, more or less, located in Land Lot 204 of the 2nd Land District) – requesting a rezoning from C-2, Manufacturing, to R-6, Planned Residential Community District.
- 7. Application #05-16AZ:** Markland Management, LLC, Owner – C. Mark McCullough, Agent – Macon Road (2.18 acres, more or less, located in Land Lot 204 of the 2nd Land District) – requesting a rezoning from AR-1, Agricultural and Residential, to R-6, Planned Residential Community District.
- 8. Application #05-16BZ:** Markland Management, LLC, Owner – C. Mark McCullough, Agent – Macon Road (12.99 acres, more or less, located in Land Lot 204 of the 2nd Land District) – requesting a rezoning from AR-1, Agricultural and Residential, to R-6, Planned Residential Community District.

Community Development Director Chuck Taylor and Mr. Galloway said Items #6, 7 and 8 could be considered collectively and then voted on separately. The applicant is requesting approval from Spalding County to allow the rezoning of 15.17 acres from AR-1 Agricultural/Residential and C-2 Manufacturing to R-6 Planned Residential Community to allow for the development of a 96-unit town home project.

Staff recommends conditional approval of the request with conditions as follows:

1. Should amendment #A-05-14 not be approved by the Board of Commissioners, Applications #05-16Z, #05-16AZ and #05-16BZ shall be rendered moot.
2. That a plan for the amenity area be submitted to Staff for review and approval per Section 1104A:Y.
3. Each building shall be constructed with 30% brick, stone or stucco materials.
4. An acceleration/deceleration lane shall be provided for sight distance and traffic issues.
5. Provide a streetscape plan with decorative streetlights and tree plantings for both sides of the drives. Trees to be planted at 50-foot intervals. Trees to be hardwood species with minimum 2-inch caliper.
6. Provide a landscape plan that shall be submitted to staff for approval. This plan shall detail any significant features on the property as it now exists, indicate effort to retain the existing features as much as possible and show proposed landscaping for the common area and boulevard entrance.

Planning Commissioner recommended denial of the request.

This property forms the triangle between Old Macon Road, Wilson Road and Futral Road. Department of Transportation currently has an intersection improvement project ongoing at this intersection. A buffer would need to be made a condition if the Board desired such with a 25-foot setback, but there is currently a wooded area along Wilson Road. The lower lots along Wilson Road were split off road frontage, and they are between 1.5 and 2 acres. Some discussion followed regarding positioning of the lots, design and architecture of the town homes, and the ownership of the one-story units. Owners would have a 196 ownership and own the town home but not the land on which the dwelling footprint rests. A homeowners' association, in which the residents would have an ownership, would maintain the remainder of the property. The area has a great deal of C-1 and C-2 zoning mixed in with the residential classifications. There is no common space requirement but there is a limit to the percentage of impervious surface allowed which will establish some green space. There is an amenity requirement. Square footages will approximate 1300 to 1400 square feet. A detention pond is planned near the entrance, about 400 feet from the road, positioned here because of the topography of the land. With the streetscape requirement, this pond will not be as visible as it appears on the site plan. There are still a great many aspects of the landscape design still to be worked out, which is the reason Staff included condition #6.

Some discussion followed regarding the concern for already overcrowded schools.

Commissioner McDaniel said there was some confusion on behalf of the applicant who was not sure he had to sign as a speaker since he was the petitioner, and he requested the County look at making sign-in procedures consistent with other boards. For instance, at Planning Commission meetings, the applicant doesn't have to sign in as a speaker. Whether applicants should have to sign in or not, consistency in the process was needed.

Mark McCullough, 704 West Taylor Street, Griffin, GA 30224

Mr. McCullough said he realized that higher density projects were more difficult to get approved, and they require much more planning and identification of critical location. This area is already an area of higher density with many apartment complexes already nearby with Autumn Ridge, Willow Creek Apartments, Garden Gate Apartments, Carlyle Apartments, and Deer Creek Subdivision within a ½ mile radius. The Future Land Use Map played a big part in his choosing this site since the area is identified as high density, and this density is needed with a clubhouse and amenity package. Traffic and increased school attendance is obviously anticipated if the area is already designated as high density. Accel/decel lanes would definitely be concluded. He stated Taylor Street Middle School and Spalding High School are not yet at capacity.

These one-level units have wider hallways and entrances, vaulted ceilings, foyer entrances, large patios, and the same will be done with the clubhouse. Extensive landscaping and community garden areas will constitute the amenities for the targeted older, more mature homeowner. Architectural design criteria is still somewhat vague, and he was open to suggestion. The 196 ownership would be fee simple. The ordinance will only allow for 40% impervious, so at least 60% of the property will be green space or open areas. The detention pond won't be an eyesore with proper landscaping and buffers that will be included, but this is the natural drainage for the property. The buffer area mentioned earlier will definitely be kept natural. The front parking area will be detailed and he hoped to incorporate some of the stamped asphalt (pavers) shown by Mr. Davison of Minerva earlier tonight to give the parking areas more character.

Commissioner Flowers-Taylor said the 96-unit level of density concerned her. Mr. McCullough said this density was actually reduced from the initial stages and was necessary to support the amenities area which has not been concretely defined. There will not be a typical amenity arrangement with pool and playgrounds, but probably garden areas, clubhouse, community garden areas, with perhaps a bacci ball court, more landscaping than active recreation since the targeted homeowner is the empty nester, more mature homeowner. Pads are large enough to support a three-bedroom unit, but the two-bedroom units will be the same square footage. He planned to let the market decide by demand what percentage would be two bedroom and what percentage would

be three bedroom. These units can be staggered to provide a more varied look architecturally. He has not been required to submit a plan as with other classifications, but he would be happy to do that should the Board want to make that a condition of approval.

Commissioner McDaniel said he hoped this development could provide a second chance to achieve a higher standard with this zoning classification, with a quality visually pleasing architectural benchmark. He certainly wanted to see diverse facades and entrance treatments. He noted that the R-6 ordinance would be the first thing on the agenda for the Ordinance Review Committee tomorrow morning.

Some felt more mature homeowners might not need three bedroom units. Mr. McCullough reiterated that would be market driven. There are some communities for seniors in the area, but they have been free standing dwellings and not multi-family. Mr. McCullough said again he was open to other designs so that each unit could have its own identity with a varied mix in the development. Mr. McCullough said he was very willing to be the guinea pig for this standard in the County and would entertain all suggestions. Some concern was noted for the lack of sidewalks, and Mr. McCullough said he could incorporate interconnecting sidewalks into the design.

Ross Beasley, 750 Wilson Road, Griffin, Georgia

Mr. Beasley lives in the lower house shown on the site plan and his tract touches this property. The C-2 zoning has been there for decades, but the need for it is obsolete now that this thoroughfare is not a major one with the advent of I-75. Even though the area is zoned C-2, it is primarily residential. Opening the door for R-6, he felt, is to go beyond what is apparent here. The density with 96 units on 14 acres leaves little or no room for greenspace or trees, regardless of how the plan looks when drawn not according to scale. Mr. Beasley felt this development would only mirror the Summerwoods area off Carver Road, and residents did not want to see that materialize. The area does have some dense developments but was built around apartments that are now are nicely secluded. Autumn Ridge across the street was developed around the local residences. This development would be alongside the school's playgrounds on Futral Road. Traffic is bad already there and would only worsen. He urged the Board not to open the door to R-6 but rather keep the current zoning. He had no problem with homes, but 96 town homes are too much.

David Dunn, 730 Wilson Road, Griffin, Georgia

Mr. Dunn said his parcel abuts the rear of this property. He felt the 55 and older crowd would be hard for Mr. McCullough to guarantee. He and his family moved to their current location on Wilson Road from Waterford on Ellis. Teachers live nearby and say they are already in trailer classrooms at Spalding High School. If children add to already overcrowded schools, what then? Will schools continue to be built? If so, how will that affect taxes which increase every year? He and his family will stay in Spalding County and have a small child. He feels that Futral Road is one of best schools in county. Autumn Ridge with 193 units, Deer Run, apartment complexes in several places nearby and mobile homes have all combined to make for problems already, and he urged that the Board not compound the problems by approving this dense development.

Tim Rutledge, 760 Wilson Road, Griffin, Georgia

Mr. Rutledge said he wanted to address what he feels will basically be an apartment complex, just one where a person can own the apartment. The traffic, density and greenspace issues present real concerns for him. A traffic light will not help an already bad situation, and he hoped the Board would not make it worse with more volume. As a business owner, he had moved here from another county. He was not against development, but it doesn't need to be in this area. Mr. Rutledge said this development on approximately 13 acres basically constituted a lot of money in one little hole. Traditional homes would be preferable, but nothing approaching this density. What will essentially be a duplex community won't provide any benefit to Spalding County.

Kelly Cronan, 1525 Macon Road, Griffin, Georgia

Ms. Cronan felt the issue of wet land needed to be addressed for the property just north of hers, which is the entrance for this development. A portion of the property sold to Mr. McCullough cannot be bushhogged currently because of wetness, and it's basically swamp land. She was also disappointed with the lack of planning and definite designs for these units. She agreed with some that the three-bedroom units won't be geared to homeowners 55 and older. Ms. Cronan doesn't want to see Section 8 housing or empty units. There are homes for sale all over the county, but more and more are being built. Some discussion followed and it was noted that wetlands (with water present) differed from identified flood plain (subject to flooding).

Wetlands are identified on the grading plan in the construction period, noted Community Development Director Chuck Taylor, and the sewer line will come from near St. George's Woods. There are federal standards that restrict development of wetland areas. Mr. Galloway noted the Army Corps of Engineers would have to issue a separate Section 404 Clean Water Act permit before the land declared wetlands could be touched.

Commissioner Davis did not disagree with the concept but would like to see fewer units. No pool or tennis courts are planned, even though there might be a clubhouse, so he felt Mr. McCullough could perhaps compromise on density. The ordinance allows six units, but that number is not right for this tract of land on the approximate 13 buildable acres.

Commissioner Flowers-Taylor also liked the concept but had a problem with the density. She did not favor having this project set the standard for R-6 zoning.

Commissioner McDaniel said the density application as it appears in the Ordinance presented reason for concern when applied to this particular tract. The ordinance also limits units per buildable acre, so it would apply differently to apartments than it does to town homes, condominiums and patio homes. Much work is needed on the Ordinance.

Mr. McCullough said he had owned the land for a year or more. There are controls in place to monitor stormwater runoff which should eliminate this becoming an issue. He can take more time to work on the plan and come up with more concrete design criteria, but he wanted to note that not everyone desires to live in a single family dwelling with all its inherent qualities. He did not feel the Ordinance was specific enough since he prepared to meet the required criteria but it was obviously not sufficient. He could submit the landscape and architectural criteria not presently in the ordinance for the Board's approval. Mr. McCullough said he was willing to go through the process in order to get it correct, and most felt that time should take between 60 and 90 days.

Commissioner Davis made a motion to table Applications #05-16Z, #05-16AZ and #05-16BZ for a period of at least 60 days, not to exceed 90 days. Commissioner Freeman seconded the motion, which passed by a vote of 4-1 with Chairman Goss opposing.

Commissioner Davis exited the meeting.

- 8. Amendment to UDO #A-05-17:** Article 5. AR-1 Agricultural and Residential – Section 503:A(1), Article 6. AR-2 Rural Reserve – Section 603:A(1), Article 7. R-1 Single Family Residential Low Density – Section 703:A(1), Article 7A. R-1A Single Family Residential – Section 703A:A(1), Article 8. R-2 Single Family Residential – Section 803:A(1), Article 8 A. R-2A Single Family and Two Family Residential; Article 10. R-4 Single Family Residential – Section 1003:A(1), and Article 11. R-5 Single Family Residential – Section 1103:A(1) – add provision for minimum size of first floor of any single family dwelling.

Community Development Director Chuck Taylor said adoption of this Ordinance for all districts shown would require at least 1250 square feet on the primary floor of multi-level, single family dwellings. The Ordinance Review Committee was divided on this issue. Some felt this would unnecessarily limit the styles of homes. The Planning Commission made no recommendation. Small footprints are not particularly desirable, but the

definition of a primary floor needs to be defined. If primary means the lowest floor, the impact will be different than if it means floor with the most square footage (i.e. the second level over a heated basement). Sometimes the second floor is primary when it's over a garage on a lower level. Some might consider the floor with the most bedrooms the primary floor and even others may think the floor with the kitchen is primary.

It was noted that trying to eliminate small footprints on large lots, but allowing small footprints on small lots may be desirable, and some work needs to be done to figure out how to achieve this result. The objective to which this ordinance amendment aspired was commendable, but perhaps the stipulation should apply to lots one acre or greater in size.

Chairman Goss said he was undecided on this issue for two reasons. Firstly, he was tired of constantly adding to the Spalding County Unified Development Ordinance and doing so consumes too much of his time. He also had a fundamental problem with trying to regulate the style of houses too stringently, as well, which he felt this amendment attempted to do.

Ray Browning, 128 Meadowvista Drive, Griffin, Georgia

Mr. Browning said this amendment was one of those that had good intentions but those intentions got lost in the planning. He agreed it was a dangerous constitutional issue when trying to legislate the style of a house. In his opinion, the County had already taken restrictions too far, and this amendment would be another step in that direction. He urged commissioners to more closely look at what they're doing and the long-term ramifications.

Tom Smith, 2255 Emerald Drive, Jonesboro, Georgia

Village Partners, his business, has developed a couple of subdivisions in Spalding County. The conservation subdivision called Vineyard Ridge, located at the corner of Vineyard and Westmoreland on the south side of Vineyard, took two years to get approval with plans, design changes, and negotiations. This ordinance being considered tonight would have killed that development with homes that don't even have 1000 feet on first floor. The covenants and restrictions for this subdivision is an 86-page document. He has spent much money and time in his subdivisions for things not required, such as accel/decel lanes, playgrounds, berms, etc. and has tried to do things in good faith, only to have the county attempt this amendment that would effectively kill their constructing two-story homes in this county. A map was filed for Sherbrook Woods subdivision in 1989, and of the 138 lots in the subdivision, 50 were on the ground at the time. He would like to make sure grandfathering was in place for his lots in this conservation subdivision to exempt his having to comply with this amendment should it pass. Mr. Smith in his forty years as a builder has provided a good mix in his developments with both one- and two-story dwellings and he enjoys good, stable clientele. He concluded that he had done in good faith all that was asked of him in the past, and he would appreciate the Board's reconsideration of this amendment.

Commissioner McDaniel said this would not work in a conservation subdivision anyway in all likelihood. He admitted there had been some unintended consequences of this amendment which had come to light. Originally suggested as 1000 square feet, it was designed to eliminate the straight-up, two-story elevations that had only 700 square foot stories on a one-acre or smaller lot. After lengthy discussion at the Board's retreat, it was decided the suggested 1000 square foot footprint of any single family residence should be increased to 1250 square feet. His subjective opinion was that this amendment would curb the proliferation of the ugliest house on the market ... the drive-in living room with a split foyer. People gravitate toward the lowest common denominator and this is a cheap house to build. Developers can get a lot of square footage for less money, and these are popping up everywhere. Entryways are ten feet off the ground with a 4 x 4 stoop and twelve steps going down the front of a white vinyl house. Some developers have been willing to limit the number of homes using the split foyer design. The word primary evidently causes some confusion. The Planning Commission had returned it without a recommendation, and now he thought it best to go back to the Ordinance Review Committee for more work. Perhaps it either needs to be tweaked, looking at the lot size it needs to be applied to, and perhaps other recommended changes can improve the ordinance while protecting the intent.

Commissioner Flowers-Taylor agreed the original concept was good, but perhaps they needed to address the issue of lot size more carefully. Obviously a smaller footprint on a small lot in a quality development, such as The Dairy, would have different connotations than one perhaps on a larger lot elsewhere. Lot size has a tremendous impact on what one expects to see aesthetically on the ground. She pointed out that the “smokestack,” straight-up home is not a hypothetical situation; it is one that is occurring more and more in the County with developers who are not committed to a quality product.

Mr. Browning said that maybe in a different vehicle this concept would work. He understands some of the reasoning but was afraid the original intent may not be the end result. He suggested that Staff research how other counties handle the footprint issue and continue to study the matter more carefully. It does not have to be disposed of at this meeting tonight and he urged commissioners to address this problem but in a different way.

Sam Smith, 200 St. Gabriel Way, Fayetteville, Georgia.

Mr. Smith said he had built almost 250 homes in last the past five years in Spalding County. Only 12-14 of those incorporate split foyers, built because of the demand for them. The requirement of 1250 square feet for the footprint could help in some areas, but it might hurt in others such as Vineyard Ridge. He noted he doesn't build small, and his developments provide much for the price point, such as in Vineyard Ridge and Park Place.

Commissioner Freeman made a motion to table Amendment to UDO #A-05-17 indefinitely until reviewed and returned by the Ordinance Review Committee, seconded by Commissioner McDaniel. The motion carried by a unanimous 4-0 vote.

10. **Amendment to UDO #A-05-18:** Article 5. AR-1 Agricultural and Residential – Section 503:C – add provision to allow Class B Manufactured home in relation to farms as an accessory use.

One farm utilizing mobile homes for hired help needs a mechanism to allow for replacement of those mobile homes. The older mobile homes are in a state of disrepair, and they would like to put in newer models for their workers as an accessory use. The language defines a working farm as one of 100 acres or more and states the farm must be classified as Preferential Assessment as defined by OCGA 48-5-7-1 with the County Board of Tax Assessors. This is a well defined farm designation. Rucks Dairy is the working farm in question, but three or four in the county might conceivably fit into this category. Rucks Dairy may have three or four mobile homes located on the property. The concrete definition of a working farm will help to eliminate the possibility of abuse.

Commissioner Freeman made a motion to approve Amendment to UDO #A-05-18, seconded by Commissioner Flowers-Taylor. The motion carried unanimously at 4-0.

11. **Amendment to UDO #A-05-19:** Article 4. General Procedures – Section 413:G”(2)(d) – amend Urban Proximity requirements.

Community Development Director Chuck Taylor said this amendment was also worked on by the Ordinance Review Committee at the request of Commissioner Flowers-Taylor to improve the quality of the Urban Proximity section of Special Exception criteria. Language now adds an increased greenspace requirement and an increased requirement for architectural design. They have also added that Urban Proximity lots must be served by sewer and be 40 acres or less. The 40 acres or less requirement resulted in the rather large tracts along North Second Street and Highway 155 that appeared in the East Griffin area being removed from the map. Many fewer areas qualify with these proposed changes. Infill lots are also unlikely now for Urban Proximity designation. These changes increased quality and decreased the number of eligible lots. They didn't have a copy of the sewer map, so they did not apply sewer accessibility criteria to this, but that would shrink the number of eligible lots by an even greater number. These changes hopefully will bring the actual application of Urban Proximity designation closer to the original intent. Should the ordinance be adopted, the map would also be

adopted, and it would be only those parcels shown on the map which would be eligible. There are many fewer lots which don't touch and are not positioned in close proximity to the city limits. Commissioners reviewed the map projected by Mr. Taylor. A 40-acre tract, allowing for streets, etc., will probably yield about 33-34 homes on one acre lots. Common space requirements will vary with the number of dwellings. To allow greater density will provide an increase in common space, so it is a good balancing factor. With sewer, a developer can have smaller lots and get into 80-90 unit range for that size tract with zero lot line special exception status. Square footage requirements also vary according to zoning districts for Urban Proximity. Discussion followed, and Commissioner Flowers-Taylor said the changes improved the Urban Proximity criteria by a great deal.

Commissioner McDaniel made a motion to approve Amendment to UDO #A-05-19, seconded by Commissioner Freeman. Motion carried by a unanimous 4-0 vote.

12. Amendment to UDO #A-05-20: Article 8. R-2 Single Family Residential – Section 803:A – add provision for Mill Village Infill.

Community Development Director Chuck Taylor said he realized the following language needed to be added to this subdivision design criteria to address house size:

“The house sizes shall be compatible with those of the existing Mill Village, but in no case shall be less than 1250 square feet.”

Expansion of the Highland Mill Village through infill lots is the objective of this development by Mr. Ray Browning. An investment for this type development could be a catalyst for improving the area and result in much nicer surroundings. The development would have the same street and lot pattern, as well as density and architecture. House sizes should reflect the size seen in the immediate area but not be less than 1250 square feet. Staff wrote the ordinance to fit into the R-2 district, but obviously building a 1750 square foot house in a village of 900 square foot homes was impractical. This was the rationale for adding the language that house size shall be compatible with those of surrounding mill village homes but in no instance be less than 1250 square feet. The development would stay in the R-2 ordinance because this is the zoning for property for Highland Mill Village and it would only apply to Highland Mill Village. Approval of this ordinance would allow the Board and Staff to see how well it would work in this area. All mill villages have unique qualities and architectural styles, house sizes, etc., and a blanket ordinance that would apply to each is almost impossible. In addition, Highland Mill Village would be the only one currently with access to sewer. The grid extends to properties directly adjacent to the existing mill village but not beyond that. Two properties on the north side were originally part of the mill village, so they have been apparently extended out on the grid for lots but were never developed. There could be 33 or 34 lots developed on this total area of about ten acres. Architectural design will complement that of surrounding homes. Mr. Taylor said the development was proposed to hook onto the Highland Mill sewer system. They can accomplish this by either allowing residents to tie onto the system or tie onto the city sewer system and mothballing the Highland Mill sewer plant.

Commissioner McDaniel said this proposed layout by Mr. Browning was very interesting and had the potential to be a really nice development.

Ray Browning, 128 Meadowvista Drive, Griffin, Georgia
Highland Mill Village represents a unique development opportunity. He has developed infill lots already. This mill village is still about 60% owner occupied and has not transitioned to rental properties yet but is headed in that direction without intervention. Most owners are mature and the project will approximate \$5,000,000 in cost. This will be a substantial contribution to the neighborhood. Redeveloping the mill is also being discussed, perhaps into shops and maybe a mall type center. This would almost be a Village Node concept except in an older, established, infill neighborhood. The price of homes must include the cost for sewer taps or septic tank systems. Mr. Browning said he would be willing to pay the \$2000 necessary and go to the lift station to tie this system into the City system on a certificate of occupancy. This would go toward

getting the County out of the sewer system and provide additional monthly customers for the City, as well. The nearest City sewer line is just the other side of the railroad track on Old Atlanta Road across from the old Riegel property. There would have to be a pressure line with bore or go overhead across the bridge with iron pipe. Piping is not very expensive, but the lift station required would be about \$180,000. The mill village theme will incorporate large front porches, foundations of masonry with some columns and brick accents, and rear entry garages through the old-type village alleyway system to discourage on-street parking in the front. Rear porches and decks will also be included.

Commissioner McDaniel reiterated Mr. Browning's layout has great potential. If this goes into the R-2 ordinance, all he has to do is to bring in a preliminary plat and renderings. Mr. Browning said he would work closely with Staff on these issues.

Commissioner McDaniel made a motion to approve Amendment to UDO #A-05-20, seconded by Commissioner Freeman, and the motion carried by a unanimous 4-0 vote.

- 13. Amendment to UDO #A-05-21:** Appendix A Subdivision Ordinance – Section 704 – add provision for Architectural Design Criteria, and Section 706 – revise Discretionary Density Bonuses.

Community Development Director Chuck Taylor stated this ordinance would make changes to the conservation subdivision architectural standards by applying recommendations from the Ordinance Review Committee. Staff has applied some of the same architectural criteria required for special exceptions to conservation subdivisions, as well. The intent is to level the playing field between special exceptions and conservation subdivisions. This amendment also clarifies the issue of discretionary density bonuses for the Board of Commissioners.

Commissioner McDaniel felt it would be very beneficial to make this change right now. When conservation subdivisions were made a matter of right, the Board lost some control and this amendment brings some degree of that control back.

Commissioner McDaniel made a motion to approve Amendment to UDO #A-05-21, seconded by Commissioner Freeman, and the motion carried by a unanimous 4-0 vote.

C. Other Business:

Consider a Resolution to Instruct the Administrative Officer to Implement Certain Future Land Use Map Amendment Procedures.

Chuck Taylor said this item was a multiple choice option. If the Board needed to review these procedures more carefully and modify them if necessary, they can opt to extend the current moratorium which is set to expire at the end of this month. A resolution to extend the moratorium has been prepared in addition to the resolution to instruct the Administrative Office to implement certain Future Land Use Map amendment procedures. The Resolution to Instruct the Administrative Officer to Implement certain Future Land Use Map Amendment Procedures was developed utilizing a base fee then additional charges per project acre proposed in the amendment. Extensive discussion followed on the proposed procedures to amend the Future Land Use Map, scaled to increase in cost based on the size of the project and the complexity of the request, versus the possibility of extending the moratorium. A request to change the Future Land Use Map can accompany a rezoning application, but it doesn't necessarily have to, as evidenced by one request to do so already. The Board can, of course, introduce Future Land Use Map changes without charge. This would enable any private citizen to approach the Board of Commissioners and ask for a land use map change, just as developers have that right, if they deem the change necessary. To request that the process begin doesn't imply any favorable action on the part of the Board, but rather just consideration of the request. This intake form will provide all the necessary information needed for an educated decision by the Board, both pro and con.

Commissioner McDaniel made a motion to approve the Resolution Extending the Moratorium on the Acceptance and Approval of Rezoning Applications which Require Modification of the Designation of any Property on the Future Land Use Map within Spalding County. This moratorium, set to expire at the end of August, shall now expire on November 20, 2005. Motion seconded by Commissioner Freeman, and carried by a unanimous vote of 4-0.

Commissioner McDaniel made a motion to table consideration of the Resolution to Instruct the Administrative Officer to Implement Certain Future Land Use Map Amendment Procedures until the October 27, 2005 Zoning Public Hearing. Study of the issue will proceed with careful consideration during the time of the extended moratorium. Motion was seconded by Commissioner Freeman and carried by a unanimous 4-0 vote.

D. Adjournment.

On a motion by Commissioner McDaniel, seconded by Commissioner Freeman, the vote to adjourn at 10:45 p.m. was unanimous.

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