

PLANNING COMMISSION
Regular Meeting
August 14, 2001

The Spalding County Planning Commission held its regular meeting on August 14, 2001 at 7:00 P.M. in the County Commission Meeting Room, Spalding County Courthouse Annex. Members present were: Chairman Karen Mathiak, presiding, Ray Browning, Delores Phillips, John Youmans, Frank Harris, and Bill Bryant.

Also present were Community Development Director Michael Sabine, Planner Jennifer Peterson, Zoning Attorney Newton Galloway, and Cindy McDaniel to record the minutes.

Ms. Mathiak called the meeting to order.

Amendment to UDO #A-01-13: Lift from the table - Raise maximum height of buildings in certain zoning districts to 60 feet.

MOTION

Mr. Browning made a motion to lift from the table Amendment to UDO #A-01-13. The motion passed on a second by Ms. Phillips with Ray Browning, Delores Phillips, Karen Mathiak, John Youmans, Bill Bryant, and Frank Harris voting for the motion.

Mr. Sabine stated Amendment to UDO #A-01-13 was addressed at the Planning Commission's July 31, 2001 meeting. This amendment would allow, in major commercial districts, a 60-foot building height permitted as a matter of right provided that all buildings in excess of the standard 35 feet now permitted would be certified and approved by a fire protection sprinkler system. All other districts, mainly the residential district, the use would be allowed by a special exception. This would require a certified and approved fire protection sprinkler system as well. At the last Planning Commission meeting, there was discussion about increasing side yard widths for taller buildings. If it is agreeable with the Planning Commission, the following statement shall be added in Sections 2, 4, 6, 8, 10, 12, 14, 16, 18, 20, 22, 24, & 26 as follows: "For all buildings in excess of 35 feet in height, required side yards shall be increased by 1 foot for every 2 feet (or fraction thereof) of building height in excess of 35 feet."

Mr. Sabine stated the Fire Department has updated their fire fighting capability since the UDO was originally created back in 1994 and has better equipment to service the buildings. Also, by requiring all buildings with a height of 35 to 60 feet be fully sprinklered, this would certainly assist in the suppression of fires.

MOTION

Mr. Browning made a motion to approve Amendment to UDO #A-01-13 to include language of side yard requirements as stated by Mr. Sabine. The motion passed on a second by Mr. Youmans with Ray Browning, Delores Phillips, Karen Mathiak, and John Youmans voting for the motion.

MOTION

Mr. Browning made a motion to move Amendment to UDO #A-01-15 before Amendment to UDO #A-01-14 and move approval of minutes to end of meeting. This motion passed on a second by Ms. Phillips with Ray Browning, Delores Phillips, Karen Mathiak, and John Youmans voting for the motion.

Amendment to UDO #A-01-15: Commercial Zone Inclusion Ordinance – add provision to C-1, C-1B, C-1C, and C-2 Districts.

Mr. Sabine stated Amendment to UDO #A-01-15 would allow uses in the more intensive commercial districts than the less intensive districts. In the C-2 district, Spalding County does not allow some of the uses as in the C-1 district, a much less intensive district. This basically nests the zoning districts so when you go from C-1 to C-2, it allows you to incorporate the uses. This would eliminate some of the rezoning requests, i.e. someone requesting a rezoning from C-1B to C-1. The uses in C-1 are mainly retail or office/professional space, which are not expressly allowed in C-1B; therefore, exercising a rezoning to a less intensive classification. This would allow those uses as a matter of right in the more intensive districts and actually create a situation in which the districts are in relativity more intensive relative to their uses as you go up the scale from C-1 to C-2.

MOTION

Mr. Youmans made a motion to approve Amendment to UDO #A-01-15. The motion passed on a second by Ms. Phillips with Ray Browning, Delores Phillips, Karen Mathiak, and John Youmans voting for the motion. Mr. Harris entered the meeting at this time and abstained from voting.

Amendment to UDO #A-01-14: Appendix A. Subdivision Ordinance – add Article 7. Conservation Subdivisions.

Mr. Galloway stated the Planning Commission had received the substantive provision and the one handed out is the procedural component. Mr. Galloway stated this text amendment needs to go before the Board of Commission at the end of September to meet deadline dates. Mr. Galloway stated a conservation subdivision comes from the premise that you don't want cookie-cutter subdivisions developed, which require the maximum use of acreage or required subdivisions take up the entire acreage at the preclusion at preserving the green space. The concept of this comes from Mr. Randall Arendt who developed a book called "Dwelling Greener." Essentially, the concept is, if you do not attempt to preserve the green space, in 50 years, all you will see from a aerial view of Spalding County is a lot with a house on an acre next to a lot with a house on an acre. It would result, as we know, residential properties actually destroy much more than commercial properties. The result would be cookie-cutter tract subdivision housing with virtually no preservation green space. What this does, in principal, is it takes the density allowed under the current ordinance and allows the developer to cut the lot size down, put water and septic systems into common areas, and then preserves up to 50% of the tract as green space undeveloped, which then goes into either a conservation easement, a public trust, or the title held publicly by Spalding County. This would allow concentrated density, which

should also result in lower development costs in return for the preservation of development properties green space.

Mr. Galloway discussed two forms of subdivision developments. The first is a Neutral Density and Basic Conservation. If a developer had a 50-acre tract, and it was zoned a residential class and the developer did not apply for a conservation subdivision, the developer would be able to put 50 lots on 50 acres. Under option #1, the developer would still be able to have 50 houses, but the houses would be concentrated onto smaller lots and the property to the rear would be preserved as undeveloped green space. The second is Enhanced Density with Greater Conservation. This would allow the developer the right to increase density if the developer is preserving up to 60% of the property as green space. It is essentially the same principal, but you get greater density for more green space.

Mr. Galloway discussed Section 103 which sets out the minimum design area and will be made part of the Subdivision Ordinance not the Zoning Ordinance nor replace any component of the Zoning Ordinance. The Neutral Density has the larger lot requirement and the Enhance Density the smaller lot requirement. Under Section 103:C – Density Determinations for Neutral Density and Basic Conservation and Enhanced Density with Greater Conservation Subdivisions, there are two ways a developer can come in to develop property and Spalding County would be required to except either the Adjusted Tract Acreage Method or the Yield Plan. Under the Adjusted Tract Acreage Method, the density would have to be identified by allotting factors for constrained land and Spalding County would exclude the constrained land from the total acreage requirements to calculate the density. So while the undeveloped property itself would not have to be all developable, the component of or the degree to which those properties undevelopable would be a factor in what density would be allowed. The Yield Plan simply spreads the lots out at the current density allowed and then brings back in the density subject only to the issue whether the lots could be developed on an area that would allow a septic tank.

Bill Bryant entered the meeting at this time.

Mr. Galloway stated Section 104 discusses permitted uses and greenspace design standards. Section 106 - Discretionary Density Bonuses are allowed if one or more the public benefits are proposed. Section 107 – Ownership and Maintenance of Greenspace and Common Facilities sets out procedures for owning and maintaining the greenspace. If Spalding County sets aside property for greenspace and that property is not being held in a natural state, a maintenance plan is required.

Mr. Galloway discussed the Procedures briefly. A meeting is scheduled between the Developer and the Administrative Officer; at which time, a sketch plan is submitted for review. The sketch plan is then submitted to the Planning Commission for review. If sketch plan is acceptable by the Planning Commission, a conceptual preliminary plan is submitted to the Planning Commission for recommendation to the Spalding County Board of Commissioners for review and final approval.

Mr. Galloway stated this ordinance does not supplant zoning. There is another ordinance that will have to be drafted to go along with the Conservation Subdivision Ordinance. This ordinance

would be drafted to insert Conservation Subdivision as a permitted use in each zoning district. The Conservation Subdivision does not eliminate the need to rezone property.

Mr. Galloway stated there are some revisions to be made to the ordinance submitted to the Planning Commission.

Dick Morrow – 263 Westchester Drive

Mr. Morrow stated the reason Spalding County does not have a Land Trust, at present, is he hasn't had the time, it takes money, corporate papers, and work. Hopefully, Spalding County will have a Land Preservation Trust within the next year. Spalding County would, at that time, be able to take deed to greenspace throughout the county through gifts, if the governor has land trust money available, or if Spalding County gets deeded properties. Mr. Morrow stated he would like to see a Land Trust hold the conservation easement cause Spalding County would know where it is.

Mr. Morrow stated he had attended a Water Quality Conference today. The water usage in Spalding County has become extremely important. Mr. Morrow stated everything Spalding County does in the future water will have to be kept in mind. Spalding County will have a fixed number of people who will be able to reside here and that number is not known. Mr. Morrow stated he would like to see Conservation Subdivisions rather than the cookie-cutter types. Mr. Morrow stated the second half of water is quality not just quantity. Over 30 studies show that more than 10% impervious surfaces seriously impacts water quality. Spalding County is now faced with TMDL's (Total Maximum Daily Limits). Spalding County is going to have to start monitoring, measuring and dealing with this. So every time a road or a subdivision is built, TMDL's is going to be impacted. Mr. Morrow stated he does not feel small commercial tracts of 1 acre or less should have to do hydrology studies or water detention. The problems are the big subdivisions.

There was discussion on requirements for road frontage lots in Conservation Subdivisions. Mr. Sabine stated the text amendment would be revised to incorporate the discussion and resubmitted to the Planning Commission at the September 11, 2001 meeting.

Attached is a copy of text amendment #A-01-14.

MOTION

Mr. Browning made a motion to table Amendment to UDO #A-01-14 to the September 11, 2001 meeting. The motion passed on a second by Mr. Youmans with Ray Browning, Delores Phillips, Karen Mathiak, John Youmans, and Frank Harris voting for the motion.

MINUTES

The minutes of the July 31, 2001 meeting were approved on a motion by Mr. Bryant and a second by Mr. Youmans with Ray Browning, Delores Phillips, Karen Mathiak, John Youmans, Frank Harris, and Bill Bryant voting for the motion.

ADJOURNMENT

Mr. Bryant made a motion, seconded by Ms. Phillips, to adjourn the meeting. The motion passed with Karen Mathiak, Ray Browning, Delores Phillips, John Youmans, Bill Bryant and Frank Harris voting for the motion.

Karen Mathiak – Chairman

Cindy McDaniel - Recorder