

Memo

To: Bryan County UDO Steering Committee
From: Michael Lauer, AICP - Principal
Date: April 19, 2019
Re: May 1 Steering Committee Meeting

The next Steering Committee will be held:

Date: May 1, 2019

Time: 5:30 p.m. – 7:30 p.m.

Location: Richmond Hill Administration Building – Commissioners’ Hearing Room

Please review this memo and be prepared to discuss the following issues. Your review prior to the meeting will enable us to be much more productive in the meeting. Note that I will provide illustrations of many of the issues that are highlighted for discussion.

Steering Committee Meeting Agenda

- Overview
- Comments on March 27th Steering Committee Meeting Notes
- Short-Term Work Program Overview
- Discussion Items
 - Zoning Districts Relationship to Character Areas
 - Uses Requiring Specific Conditions
 - Planned Unit Development
 - Development Patterns
- Next Steps

March Steering Committee Meeting Notes

Please review the attached meeting notes (you previously received them via email) and be prepared to offer corrections and clarifications as applicable.

Short-Term Work Program Overview

The Board of County Commissioners has a short-term work program that includes the following items related to the UDO. This is provided for background information for the Committee.

- Modify existing ordinances to include references to ensure new development is compatible with military activities
- Develop conservation-based subdivision ordinances that minimize the consumption of greenspace and establish adequate buffers

- Adopt development guidelines for protection of agricultural lands from unreasonable encroachment of commercial use
- Adopt a pollution ordinance to protect against unwanted noise, light and commercial signage
- Develop a fishing village overlay district or small area development plan for Kilkenny
- Discourage the proliferation of new septic systems
- Explore design standards for residential developments
- Conduct a comprehensive review of zoning ordinance to consider reclassification of residential zones

Zoning Districts Relationship to Character Areas

Please review the following table of zoning districts to consider consistency with Comprehensive Plan Character Areas. Not all districts will be applicable in all areas of the corresponding character areas.

Zoning and Character Area Consistency

District (# of parcels)	Minimum Lot Size	Character Areas	
"A-5" Agricultural (1,495)	5 acres	Any character area as a holding zone until rezoning for future development	
"AR-2.5" Agricultural Residential (339)	2.5 acres	Agriculture/Low Density Residential	
"AR-1.5" Agricultural Residential (52)	1.5 acres	Agriculture/Low Density Residential	
"AR-1" Agricultural Residential (2,951)	30,000 sq.ft.	Not Applicable	No rezoning to this district allowed
"R-30" Residential (150)	30,000 sq.ft., 21,780 sq.ft. w/ central water or sewer, or 15,000 sq.ft. with central water and sewer	Low Density Residential	Note: Comments on sewerage requirements from technical committee are pending
"R-1" Single Family Residential (4,354)	30,000 sq.ft., 21,780 sq.ft. w/ central water or sewer, or 15,000 sq.ft. with central water and sewer	Low Density Residential, Low Density Suburban, and Mixed-Use	Primarily a transitional district within the Mixed-Use character area
"R-2" Two-family Residential (0)	Same as R-1 for single family; areas increase for duplexes	Low Density Residential, Low Density Suburban, and Mixed-Use	Primarily a transitional district within the Mixed-Use character area
"R-3" Multi-Family Residential (0)	Same as R-1 for single family; same as R-2 for duplexes; and 2 acres for multi-family	Mixed-Use	
"R-4" Manufactured Housing Park (15)	5 acres w/ no more than 6 units per acre	Mixed-Use	Primarily a transitional district within the Mixed-Use character area

District (# of parcels)	Minimum Lot Size	Character Areas	
"PUD" Planned Unit Development (1,714)	None	All character areas except Agriculture/ Low Density Residential	Consider allowing in Ag/LD areas for conservation subdivision pattern
"BN" Neighborhood Business (16)	30,000 sq.ft.	Mixed-Use, Community Crossroads, and Low-Density Suburban	Limit the scale of commercial development within Low-Density Suburban
"B-1" Neighborhood Commercial (23)	30,000 sq.ft.	Mixed-Use, Community Crossroads, and Low-Density Suburban	Limit the scale of commercial development within Low-Density Suburban
"B-2" General Commercial (125)	30,000 sq.ft.	Mixed-Use	Not applicable if access to arterial streets requires use of residential street. Discuss potential applicability for Community Crossroads
"C-I" Interchange Commercial (15)	30,000 sq.ft.	Mixed-Use	Only applicable in I-16 corridor
"I-L" Light Industrial (19)	30,000 sq.ft.	Mixed-Use	Location criteria to address compatible transitions with adjacent neighborhoods and access safety
"I-1" General Industrial (47)	None	Mixed-Use	Consider making this a conditional zoning district that includes criteria to address compatible transitions with nearby neighborhoods and access safety.
"O-I" Office (1)	30,000 sq.ft.	Mixed-Use	Renamed "O" Office district
"WP" Waste Management (0)	50 acres	Agriculture/Low Density Residential	Location criteria to address compatible transitions with nearby neighborhoods and access safety
"WB-1" Waterfront Business/Commercial	None	Privately-Owned Coastal and State Owned Commercial	Combine WB-1 and WB-2 districts. Require conditional use permit for any use not currently allowed in WB-1 district
"WB-3" Waterfront Commercial-Industrial (3)	None	Privately-Owned Coastal and State Owned Commercial	Consider making this a conditional zoning district

District (# of parcels)	Minimum Lot Size	Character Areas	
"DM-1" Dunes and Marshlands (9)	None	Conservation Lands and applicable portions of other character areas	

Planned Development Districts

- 1) **Applicability.** Should PD zoning be required for:
 - a. Any development on lots smaller than 15,000 square feet?
 - b. Any development with a mix of uses/residential unit types?
- 2) **Density.**
 - a. **Net vs. gross density.** Should density be based on developable acreage or total acreage?
 - b. **Density bonuses.** Should the standards allow for sliding scale density bonuses for any of the following development components:
 - i. Attainable/workforce housing?
 - ii. Mix of housing products?
 - iii. Mix of residential and non-residential uses?
 - iv. Additional amenities above basic requirements?
 - v. Additional land preservation above basic requirements?
 - vi. Extraordinary buffering above basic requirements?
 - vii. Other?
- 3) **Development Patterns.** Which of the following development patterns do we want to consider as basic options authorized through the PD zoning process:
 - a. Conservation Subdivision?
 - b. Cluster Subdivision?
 - c. Traditional Neighborhood Development (walkable development with mix of housing types/uses)?
 - d. Townhome Development?
 - e. Multi-Family Development?
 - f. Mixed-Use Development?

Uses Requiring Specific Conditions

Committee members received an expanded list of these uses earlier this month that included the uses listed below. Please review the list and identify concerns you have about listed uses and unlisted (missing) uses that should have a common set of conditions applied to them throughout the County. Additionally, please consider the listed questions.

- Accessory Structures (garages with and without apartment, barns, utility sheds)
 - Should size and setbacks of accessory structures vary by zoning district?
- Accessory Dwellings (secondary dwelling units that can be rented)
 - Should these be allowed by right or should they be authorized through a discretionary approval?

- Accessory Uses
 - Should allowed accessory uses in AR and R districts vary between districts?
- Adult Uses
- Amusement Parks and Outdoor Commercial Entertainment (shooting ranges, private recreation facilities)
- Bars and Nightclubs
- Bed and Breakfast Establishments
- Cemeteries
- Commercial Vehicle Storage/Parking
- Day Care Facilities
- Drive-through Facilities
- Excavation and Mining
- Farmers' Markets
- Food Trucks, Trailers and Carts
- Fuel Sales
- Guest Houses (accessory dwelling units that may not be rented)
- Horses
- Home Occupations
- Institutional Care Facilities (e.g., non-exempt group homes, shelters, nursing homes, half way houses and continuing care facilities)
- Junk Yards
- Landfills
- Long-Term Vehicle Storage
- Marinas
- Micro-Breweries and Distilleries
- Outdoor Dining
- Outdoor Operations (associated with commercial and industrial operations – painting, assembly)
- Outdoor Recreation (private or public tennis courts, swimming pools, golf courses, skate parks)
- Outdoor Storage
- Outside Kennels
- Recreational Vehicles and Equipment Parking
 - Note that County has received negative feedback on recent enforcement efforts.
- Recreational Vehicle Parks and Campgrounds
- Religious Institutions (including accessory uses)
- Restaurants
- Schools
- Self-Storage Facilities
- Short-Term Vacation Rentals
- Short-Term Loan, Check Cashing, Pawn Shops and Precious Metals Purchasing
- Special Events
- Solar Farm
- Suburban Agriculture – animals (chicken, bees, goats, pot belly pigs)

- Suburban Agriculture (community gardens and small-scale commercial gardens)
- Swimming Pools and Ponds
- Telecommunications Facilities (cell towers and small cell towers)
- Temporary Uses (roadside produce stands, holiday sales, tent events)
- Temporary Buildings
- Towing and Recovery Service Operations
- Truck Stops
- Used Car Lots
- Vehicle Repair (Vehicle Service Stations), Major
- Vehicle Repair, Minor
- Vehicle Washing Facilities
- Veterinary Clinics

Design Guidelines

The draft IDO includes design guidelines for single-family, multi-family and commercial development. Single-family design guidelines have been challenged in court and by proposed legislation that would ban such guidelines (note that the proposed bill will not be considered this session). Please be prepared to discuss the following questions:

- 1) Should the UDO address design of residential structures?
- 2) Should the UDO modify required design standards on the following factors:
 - Applicable zoning district?
 - Lot sizes?
 - Required setbacks?
 - Existence of private development restrictions?

Next Steps

The next Steering Committee Meeting [date to be confirmed] in Pembroke and will focus on a more detailed discussion of subdivision and site development requirements.



**STEERING COMMITTEE
MARCH 27, 2019 - PEMBROKE
NOTES**

Attendees: Michael Lauer, Amanda Clement, Audra Miller, Lisa Safely, Tracy Walden Stafford, Joshua Coffey, Key Bartow, Boyce Young, Dawn Poe, Michele Henderson, Beth Williams Holley, John Reynolds

Question: Meeting Notes from 2/20/19 any changes? Michael summarized the major points from the 2/20/19 meeting. No one reported any omissions in the notes.

Spectrum of Standards/Options for Code

Wide spectrum: hard mandates to suggestions. In middle have incentives, point systems, etc.

Draft Outline of UDO

Michael explained the outline is a dynamic document and will change as the ordinance is drafted.

- **Article 1** includes administrative provisions about applicability, jurisdiction and responsibilities for implementation of the UDO.
- **Article 2** consolidates all procedures in the UDO, identifying responsibilities for review, recommendation and approval of each type of application.
- **Article 3** focuses on zoning, establishing zoning districts, identifying allowed uses, and setting standards for setbacks, height, lot size, and density. It also establishes standards/conditions that are specific to uses in each.
- **Article 4** establishes site development standards, describing rules for height, setbacks, yards, and density. It will also include standards for parking, landscaping, buffering, and signs. When asked about the need for lighting requirements, members replied that lighting should be addressed, with dark sky requirements being applied in North Bryan. One member said lighting is a huge issue for wildlife. Michael explained that there may be lighting issues related to Fort Stewart operations. **Committee question:** Are site development standards universal across zones? Michael said not necessarily; for example, parking and sign standards will be different for residential parking versus commercial. Sign standards will be broken down by district. He explained that within each zoning district, the UDO will have a link to the standards in Article 4 rather than restating the standard in each zoning district to reduce length and minimize the chance of creating inconsistencies when one section is updated.
- **Committee question:** Will development procedures and staff expectations match staff capabilities and support developers? Michael explained that the IDO streamlined procedures gave staff more discretion to eliminate unnecessary steps in the development process. He pointed out that the Technical Committee comprised of staff will review procedures and responsibilities to assess staff needs to achieve the UDO objectives. The Committee and public have highlighted the importance of



implementing the UDO to maintain credibility with the Steering Committee and the public. A committee member responded that more staff may be needed to apply new requirements/reviews in a timely manner. Michael said goal is to remove subjective nature of the code and have more predictability in the code which should make the review process more efficient. Ultimately, staff discretion and subjective requirements should be limited in the UDO. Committee member observed that the goals are to simplify the process, to no longer fly by the seat of the pants and to reduce confrontational nature of the process.

- Committee member commented that the existing language in the PUD is subjective (e.g., in harmony, or in character). Michael said current purpose language is subjective, and Commissioners have requested more guidance on design and amenity issues, while retaining some design flexibility. Michael pointed out that **Article 6** would include Development Patterns and Design Guidelines that would provide the requested design guidance.
- **Article 5**, Supplemental /Conditions for Specific Uses, will establish specific standards for identified uses that will be universal in the zoning districts (see later discussion).
- **Article 7**, Floodplain Management, may either include or reference the County's floodplain development regulations. A Committee member said floodplain management big issue. FEMA changed maps and no one looked at them for two years. Properties went into A where no elevations were established. Michael explained we will not be addressing floodplain mapping. All we are doing is talking about the location of these provisions. The Committee member responded that the County is not required to participate in the National Flood Insurance Program. Note that more discussion of this is required.
- **Article 8**, Environmental Management, will include provisions for wetlands, stormwater and erosion/sedimentation management.
- **Article 9**, Streets, and **Article 10**, Utilities, will incorporate general standards but not specific engineering design requirements, which will be included in a separate design manual.
- **Article 11**, Non-Conforming Situations, will govern uses, lots, and structures that do not comply with past or new development regulations. Sometimes called grandfathering, the rules will allow continuation of non-conformities and may include provisions for change and expansion. When new code is approved, there will likely be newly created non-conforming uses or situations that will be allowed to continue. An example of a non-conforming situation would be an undersized lot that may be created when state or local gov't takes land for ROW.

Future Land Use and Zoning

The Comprehensive Plan describes general intent of character areas and identifies appropriate zoning districts. The character areas do not address intensity or density. Because the Plan does not identify appropriate locations for all zoning districts (WB, R-4, and B-2 are omitted), Michael suggests that the UDO identify which character areas are appropriate and clarify the circumstances under which each



district would be appropriate. For example, the Mixed-Use character area allows industrial, commercial and residential districts, but the Plan does not say how to determine where each district is appropriate. Another example would be that a Wal-Mart would be appropriate in a Mixed-Use character area according to the Plan, but it would not be appropriate on a local residential street – it should be located on a high-volume road. **Question from Member** – why have mixed use area? Response – mixed-use areas can increase mobility, increase access between services and residential.

Additionally, mixed-use neighborhoods retained their value better than single-use residential developments during the recession. If not done well, however, mixed-use development can be a recipe for blight. A Committee member mentioned Reston as an example of mixed-use development. When Committee members questioned why you would have rendering plant in a mixed-use area because it will drive out residential, Michael explained that this is why the UDO needs to clarify where districts are appropriate, to ensure that heavy industrial development is not located next to residential neighborhoods.

Question from Committee member – can the Steering Committee recommend that the mixed-use character area be split between mixed-use and maybe light mixed use? Michael said, if Steering Committee has time to make recommendations for changes to the Comprehensive Plan, we can. Reviewing the Comprehensive Plan maps is outside the scope of the project and we probably don't have time. We should use the UDO to identify what is appropriate in the Plan's character areas and can make related recommendations for Plan edits. Michael pointed out development patterns chapter will help define what the character areas will look like.

Question: Should the UDO require consistency with the Comprehensive Plan before rezoning? The Comprehensive Plan is a guide and consistency is not mandated in Georgia. Committee member responded that there is no point of having a Comprehensive Plan if we aren't going to follow it. **The Steering Committee reached consensus that the rezonings should be consistent with the Comprehensive Plan Character Area map, but that the UDO should have a process to amend the Character Area map.**

Zoning Districts

Generally, agricultural activities are exempt from zoning, but the current code suggests that zoning will limit agricultural uses. This needs to be clarified.

AR-1 is a legacy zoning district. The current code prohibits rezoning to this district, which is similar to the R-30 district. Future discussion required to resolve how AR-1 areas will be treated.

Home Occupation Permits allow Home Occupations and Home Offices. This section needs some work to clarify what is allowed. Home Offices are limited to uses that have no impact (no visitors, no outside employees, no special equipment, no outdoor uses, no commercial vehicles and no use of accessory structures). Since these uses are invisible, should we be regulating them? The current ordinance has somewhat different standards for home occupations and home office has different standards in each districts. Current code does address somewhat. Michael explained Home Office says no one visits, no special equipment. Question based on your experience what type of home occupation business have you



experienced that need be addressed? Equipment and storage for Home Occupation example – air condition units sitting outside of home. Members explained depends on size of lot – large lot rural versus suburban setting. Michael will propose standards based on districts for consideration.

Committee member question: If a farmer with large farm operating has a residential subdivision move next to the farm, how can we prevent a nuisance lawsuit? Answer we can't but we can minimize the conflict through the establishment of buffering requirements in the UDO.

R1 and R30 districts are basically same. Committee member brought up that Richmond Hill's smallest lot size is 20,000 square feet. Since the County allows a smaller minimum lot size (15,000 square feet), the County is denser than the City. Committee discussed the relationship between water, sewer and lot size. Where water and sewer are provided large-lot development is expensive and drives costs up, which is the primary incentive to use the PUD – to build smaller lots. The Technical Committee will review the viability of various lot sizes with different combinations of on-site and centralized water and sewer service. Once the Steering Committee has the Technical Committee information, the Steering Committee will need to discuss lot sizes and densities in conventional zoning districts and the PUD. The Technical Committee will discuss sustainability of septic systems on half-acre lots to determine the risks that the County would be forced into uneconomical extensions of public sewer where septic systems fail.

BN and B-1 fairly similar. Not a tremendous difference. Michael to provide a comparison of the two. Also, the code doesn't define what small-scale means in the context of these districts. Staff will look at uses and bring problematic ones back to the Steering Committee.

B-2 is not referenced on Comp Plan and needs to be associated with appropriate character areas.

O - Office district has only one zoned parcel and seems to be targeted more towards institutional uses, so it should probably be renamed if it's still necessary.

WB-1 (simple business on waterfront) is not used and there is only one existing WB-2 (waterfront commercial) district. Michael suggests combining the WB-1 and WB-2 districts.

The PUD doesn't explicitly address residential uses in its purposes and objectives even though being used primarily for residential. Suggest changing the district name to Planned Development (PD) and clarifying the purposes of the district. The Steering Committee will consider appropriate densities, development patterns and required amenities in a subsequent meeting.

Uses Requiring Specific Conditions

Michael asked that the Steering Committee look at the list and provide any additional uses needing specific conditions. Currently don't address Vacation Rental by Owner (VRBO), long-term storage of vehicles, i.e., salvage yards. Should we add bed and breakfast? Staff brought up special event centers, urban farming, winery. Committee members will identify additional uses.

Standards for North versus South Bryan County.



Steering Committee member stated that north and south Bryan County are very different in character. Michael raised issue of development patterns and design guidelines for single family residences, explaining that, while the UDO would likely handle design standards differently than the IDO, there were three distinct perspectives on the standards: 1) Some people didn't want any standards anywhere; 2) Some people thought design standards were appropriate in the south but not north; and 3) Both halves of the County should be treated the same.

While no final decisions were made, the Steering Committee generally felt that design standards should be different for north and south. **Committee member question** - Can design standards be different based on location? Michael said location, north versus south, not as important as the zoning district and density of development in the district. For example, a 15,000-square foot lot subdivision in the same zoning district should have the same standards regardless of location, but the standards could be different for different zoning districts.

Committee member question – which comes first housing design or access? Michael responded access is the first consideration because roads must be adequate to serve a proposed development. While the code currently doesn't adequately address connectivity, the UDO should address this. Committee suggested that the lack of adequate roads in north Bryan means that north and south Bryan should be treated differently – what is good for the south may not be good for north Bryan. Some Steering Committee members want building standards same for north and south. Member said south end wants the same as north end: green space, low density. North end does not want to become Richmond Hill or Pooler. If develops, maintain flavor of rural green space. **[Note: The discussion conflated land use, transportation and design. These are three distinct issues that should be addressed independently in subsequent meetings.]**

Transportation Concern

Roads are always playing catch up to development. Michael explained that the IDO has a Traffic Impact Analysis (TIA) requirement, but did not fully incorporate adequate public facility (APF) requirements. Michael said it's possible to have APF or concurrency, but not sure politically if possible.

Development Patterns

Michael asked the Steering Committee to think about appropriate development patterns prior to the next meeting. Michael highlighted conservation subdivisions, Traditional Neighborhood Development (TND) (how urban do we want these to be? and where should they be located?) Member asked for definition of TND because Buckhead North is considered traditional development in Bryan County. More discussion will occur at the next meeting, which will be held on May 1 5:30 to 7:30 pm in Richmond Hill.

Other Business

A Committee member said she would be willing to come to another meeting if we need to make additional decisions. More discussion to follow at next meeting.

Digital copies of character area and zoning maps will be sent to committee members.