

# Memo

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

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The next Steering Committee will be held:

Date: June 19, 2019

Time: 5:30 p.m. – 7.30 p.m.

Location: 42 N. Courthouse Street (Commissioner’s Hearing Room Pembroke)  
Pembroke, GA 31321

Please review this memo and be prepared to discuss the following issues. Your review prior to the meeting will enable us to be 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 May 1<sup>st</sup> Steering Committee Meeting Notes
- Discussion Items
  - Conservation Subdivision Standards
  - Development Design Standards
  - Short-term Vacation Rentals
  - By-right development of lots smaller than 15,000 sq.ft.
- Next Steps

## **May 1 Steering Committee Meeting Notes**

Please review the attached meeting notes and be prepared to offer corrections and clarifications as applicable.

## **Conservation/Cluster Subdivision Standards**

Conservation subdivisions are typically used in rural and low-density areas where at least half the site is reserved for open space, and often agricultural uses. Cluster subdivisions are typically developed at low-density to suburban densities while retaining 40% or more of the site for open space and recreational uses.

- **Applicable Locations:** Where should the County allow/encourage conservation and/or cluster subdivisions to be developed?

**Recommendations:**

- Allow conservation subdivision in any character area that would support the proposed densities.
- Allow cluster subdivisions in low-density suburban and mixed-use character areas.
- **Approval Process:** Should cluster and conservation subdivisions be allowed by right in applicable zoning districts, through the discretionary planned development process, or through a hybrid approach that would only require planned development approval if the development deviates from UDO standards? If allowed as a by-right development pattern, the standards for cluster and conservation subdivisions will need to be more prescriptive than if allowed through the planned development approval process.
- **Open Space Requirements:** The following table summarizes typical standards for open spaces within conservation and cluster subdivisions:

Design Factor	Conservation Subdivision	Cluster Subdivision
Sensitive Lands (e.g., mandatory open retention areas)	Floodways, wetlands, stream buffers, other?	Floodways, wetlands, stream buffers, other?
Minimum percentage of site to be retained for open space or recreational lands	50%, with not more than half of these lands comprised of Sensitive Lands	40%, with not more than half of these lands comprised of Sensitive Lands
Allowed open space uses	Agriculture (subject to buffering), open lands, buffers, trails, passive recreation, and active recreation (subject to compatibility standards)	Open lands, buffers, trails, passive recreation, and active recreation (subject to compatibility standards)
Open space access	At least 80% of lots must abut open space	At least 60% of lots must abut open space

- **Density:** Should the County provide density-based incentives for using the conservation or cluster development patterns? Some communities provide sliding-scale density bonuses that allow greater densities as the percentage of open space is increased above the minimum requirement.
- **Mix of Unit Types:** Cluster subdivisions offer the opportunity to accommodate a mix of dwelling unit types, including detached single-family homes, patio homes, zero-lot line homes, townhomes and other attached housing options. Should these options be allowed or encouraged?
- **Stormwater Management:** Because of the high percentage of open space within conservation and cluster subdivisions, there is the opportunity to use green infrastructure for stormwater management (also called low impact design or LID). Should this be encouraged or required?

## **Development Design Standards**

The Steering Committee has discussed the need to improve several aspects of development design. At the June 19 workshop, I will present various options for the following design elements:

- Street configuration – widths, block lengths, parking options, connectivity, sidewalks.
- Subdivision access – number of access points and entry designs.
- Subdivision buffers – undisturbed or planted buffers between arterial or collector streets and abutting development.

## **Short-term Vacation Rentals**

Short-term vacation rentals provide options to conventional hotels for visitors to the County. While sometimes limited by deed restrictions, the County has no control over the language or enforcement of deed restrictions. A quick check on Airbnb.com for rooms available in Bryan County in October yielded 118 different units. Other communities have experienced a variety of challenges associated with short-term vacation rentals, including:

- Loss of neighborhood character – this tends to happen when a number of units are concentrated in a neighborhood and the neighborhood takes on a more transient character due to the high percentage of units occupied by transient guests. This change in character can reduce neighborhood security when residents don't know who belongs in a neighborhood.
- Reduced affordability – short-term vacation rental units can displace long-term rentals due to greater revenue potentials. This is particularly problematic in communities that have a shortage of affordable housing and high demands for service sector workers.
- Loss of revenue – increases of unregulated short-term vacation rentals can erode potential motel/hotel tax earnings.

To address these and other concerns, there is a menu of different regulatory approaches used, that includes:

- Types of rentals – allowing whole house versus accessory dwellings or single room rentals
- Duration of rental periods
- Registration of units – requiring operators to register, permit or license rental units
- Density of rental units – limiting the concentration of rental units in any given neighborhood
- Prohibitions – prohibiting rentals in certain zoning districts
- Parking – establishing additional parking requirements based on the size and type of rental unit
- Insurance requirements
- Inspection requirements
- Number of units per operator – limiting the number of units that may be owned by any single individual or entity
- Owner occupancy – requiring homestead exemption for short-term vacation room rental
- Guest registration – records keeping requirements
- Payment of hotel/motel taxes
- Required use of a hosting platform that is required to document guest stays, revenues and taxes

- Prohibitions – prohibiting commercial uses other than the rental of the unit for short-term stays

### **Lots Smaller Than 15,000 sq.ft.**

The Steering Committee has made numerous comments about existing lot size requirements that have ranged from a desire to reduce or increase minimum lot sizes. There currently is committee support for allowing lots smaller than 15,000 sq.ft. through the Planned Development process. There is a pending question of whether the County should allow smaller lots by right. For context, there are several related objectives that have been voiced by the Comprehensive Plan and/or Steering Committee members, including:

- Providing more affordable housing;
- Providing a greater variety of housing units suited to different ages and family configurations;
- Retaining tree canopy and the rural/natural character of the County;
- Reducing reliance on septic systems;
- Coordinating growth with transportation system capacity; and
- Maintaining the affordability of sewer service.

These are not necessarily competing objectives but are often framed that way when neighborhood character and lot size are conflated. This is obvious when citizens who oppose small lots praise Waterways (which has the smallest lots in unincorporated Bryan County) as a good development. The keys to retaining rural/character while approving smaller lot development are:

- Good subdivision buffer standards
- Tree preservation and/or replacement requirements
- Appropriate street design/layout
- Placement and variety of housing units
- Good housing design

Each of these factors can be addressed in the UDO, but it's important to note that state legislation was proposed in the last session that would limit local governments ability to regulate housing design. Similar legislation has been adopted in North Carolina. Please be prepared to discuss this issue on June 19.

### **Next Steps**

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