



## Bryan County Board of Commissioners

### Chairman

Carter Infinger

[carterinfinger@bryan-county.org](mailto:carterinfinger@bryan-county.org)

### District 1

Noah Covington

[noahcovington@bryan-county.org](mailto:noahcovington@bryan-county.org)

### District 2

Wade Price

[wadeprice@bryan-county.org](mailto:wadeprice@bryan-county.org)

### District 3

Steve Myers

[stevemyers@bryan-county.org](mailto:stevemyers@bryan-county.org)

### District 4

Brad Brookshire

[bradbrookshire@bryan-county.org](mailto:bradbrookshire@bryan-county.org)

### District 5

Dr. Gene Wallace

[gwallace@bryan-county.org](mailto:gwallace@bryan-county.org)

### County Administrator

Ben Taylor

[btaylor@bryan-county.org](mailto:btaylor@bryan-county.org)

### County Clerk

Donna Waters

[dwaters@bryan-county.org](mailto:dwaters@bryan-county.org)

## Bryan County Board of Commissioners

### UDO Workshop

October 9, 2019 - 5:30 p.m.

66 Captain Matthew Freeman Drive

Richmond Hill, Georgia 31324

---

5:30 p.m. Call to Order

1. Introductions
2. Opening Remarks - Community Development Director
3. UDO - Discussion Michael Lauer
  - a. Code Administration
  - b. Development Procedures
  - c. Zoning Districts and Uses
  - d. Site Development Standards
  - e. Supplemental Conditions for Specific Uses
  - f. Development Patterns and Design Guidelines

Adjournment

# Memo

To: Bryan County Joint Workshop Participants  
From: Michael Lauer, AICP - Principal  
Date: October 3, 2019  
Re: Joint Workshop UDO Discussion Issues

---

At our October 9<sup>th</sup> workshop, I'd like to focus our discussions on substantive changes being incorporated into the draft unified development ordinance (UDO) in addition to the issues raised in previous meetings. We will allot some time at the end of the workshop to address additional issues that are not included in this memo.

## **Article I: Code Administration:**

1. **Create New Board of Adjustment.** Variances and appeals to staff decisions are currently decided upon by the P&Z Commission. While there are some efficiency gains in having the P&Z wear two hats, there are also risks. The standards for hearings, evidence, testimony, and decision-making are different for variances and appeals than for any of the other decisions made by the P&Z. For this reason, State statutes assign these responsibilities to two distinct boards. For convenience, the IDO assigned both rolls to the P&Z, but the draft UDO currently creates a distinct Board of Adjustment to more closely follow statutory language.
2. **Distinguish Board of Adjustment from Building and Construction Board of Appeals.** Variances from the UDO and appeals to decisions are assigned to a Board of Adjustment that consists of lay citizens. Appeals to technical standards of the building code, engineering design manual, and flood hazard regulations should be handled by a separate board that is referenced in Chapter 103 of the Bryan County Code.
3. **Require Plan Consistency.** The Steering Committee supports the establishment of consistency requirements that would require zoning decisions to be consistent with the Comprehensive Plan. Practically, this means that proposed zoning must correspond with an applicable character area (see Article V below). While the County has the option to treat the Plan as a guide, consistency requirements would make zoning actions more predictable and defensible. Amendments to the Plan map, while requiring a greater burden of justification, could be processed concurrently with a zoning map.

## **Articles I-IV: Development Procedures**

1. **Revise the Planned Development Approval Process.** The proposed PD process includes the following steps:

- a. **Conceptual Development Plan:** This optional review by staff and action by the P&Z. Approval constitutes that the general land use and road network are consistent with the Comprehensive Plan and that the proposed utility service providers are acceptable to the County.
  - b. **Preliminary Development Plan:** Review by staff, recommendation by the P&Z and action by the Board of Commissioners. Approval grants the PD zoning after consideration of the proposed development patterns, land use, density, adequacy of public facilities, phasing and amenities. The preliminary development plan approval is valid for 24 months, with provisions for extensions and phased development. No construction, building, clearing, grading or grubbing would be allowed until final development plan is approved, and other required development approvals are granted. Note that the zoning does not expire, but expiration of the plan would necessitate submittal of a new preliminary development plan.
  - c. **Final Development Plan:** Review and approval by staff unless a development agreement is required to address infrastructure and related issues. Approval authorizes applicant to proceed with preliminary plat review.
2. **Adjust Subdivision Review Process:** Major subdivisions would require the following three steps:
- a. **Sketch Plan:** Review and action on by staff. The purpose of the sketch plan is to identify land use, infrastructure and development issues that should be addressed in the Preliminary Plat submittal.
  - b. **Preliminary Plat:** Review by staff, recommendation by P&Z, action by the Board of Commissioners. Note that the recommendation is that the only public hearing will be provided by the P&Z. The Board will be asked to approve by consent unless one of the Commissioners pulls the application from the consent agenda. Approval authorizes submittal of a final plat that is consistent with the preliminary plat approval, including any of the Board's conditions. Approval expires if final plat is not approved within 24 months of preliminary plat approval, subject to provisions for extensions and phased development.
  - c. **Construction Plans:** Review and action by the Engineering Director. Plan improvements must be completed and accepted by the County prior to final plat approval. Note that the process anticipates that the final paving course will occur after the plat has been recorded and 75% of the lots have been developed.
  - d. **Final Plat:** Review and action by staff. Approval authorizes the sale and development of lots.
  - e. **Acceptance of Dedications and Improvements:** After the final plat has been approved, County Commission will be asked to accept dedications

and improvements for maintenance subject to any conditions of prior approvals.

3. **Confirm Traffic Impact Analysis Triggers:** Depending on the nature of the proposal and whether a prior analysis has been conducted, the County may require a TIA in conjunction with a PD preliminary development plan, preliminary plat, rezoning, conditional use permit or site plan.
4. **Approval Extensions:** The Community Development Director may approve one 12-month extension of any development approval. The Board of Commissioners must approve any subsequent extensions.
5. **Subsequent Minor Subdivisions:** Repeated use of the minor subdivision process (other than lot line adjustments and plat corrections) is currently prohibited to avoid circumventing the major subdivision process. Should there be exceptions?

#### **Article V: Zoning Districts and Uses**

1. **Create New Districts.** The draft UDO proposes the creation of two new districts that are highlighted in Table 1:
  - a. R-8 suburban district that would allow single-family and duplex development of lots as small as 8,000 sq.ft. in mixed-use character areas with centralized water and sewer service.
  - b. R-15 low-density residential district that effectively mirrors the R-30 district by allowing 15,000 sq.ft. lots but assumes that centralized water and sewer service will be provided. Larger lots would be required where one or more centralized services are lacking.
2. **Rename Existing Districts.**
  - a. Agricultural-Residential (AR) lots would become rural residential lots to reflect the fact that most of these lots are too small for and are incompatible with commercial agricultural operations.
  - b. R-3 and R-4 would be renamed R-M and R-MH to reflect that these districts are intended for multifamily and manufactured home parks, respectively.
  - c. Industrial districts would be renamed I-1 and I-2 to provide more consistent naming for light and general industrial districts.
  - d. Office district would be renamed institutional/civic district to reflect that district's current purposes.
3. **Consolidate Existing Districts.**
  - a. The neighborhood business (NB) and neighborhood commercial (B-1) districts are consolidated to a single neighborhood commercial district. Note that this will broaden the range of uses currently allowed in the BN district to include more neighborhood scale businesses.
  - b. The three waterfront districts are consolidated, with all the WB-3 and the more intensive WB-2 district uses becoming conditional uses.
4. **Identify Proposed Changes from Existing to New Zoning.** Table 2 lists the proposed translations from existing to future zoning under the UDO

### Proposed Zoning Districts

District Abbreviation	Zoning District Name	Comprehensive Plan Character Areas
A-5	Agricultural	Any character area
RR-2.5	Rural Residential 2.5	Agriculture/Low Density Residential
RR-1.5	Rural Residential 1.5	Agriculture/Low Density Residential
RR-1	Rural Residential 1	Low Density Residential
R-15	Low-Density Residential 15	Low Density Residential, Low Density Suburban, and Mixed-Use
R-8	Suburban Residential	Mixed-Use
R-M	Multi-family Residential	Mixed-Use
R-MH	Manufactured Housing Park	Mixed-Use
B-1	Neighborhood Commercial	Mixed-Use, Community Crossroads, and Low-Density Suburban
B-2	General Commercial	Mixed-Use
C-1	Interchange Commercial	Mixed-Use
I-1	Light Industrial	Mixed-Use
I-2	General Industrial	Mixed-Use
I/C	Institutional/Civic	Mixed-Use and other areas deemed appropriate by the Board of Commissioners
WB	Waterfront Business	Privately-Owned Coastal and State Owned Commercial
DM-1	Dunes and Marshlands	Conservation Lands an applicable portions of other character areas
PD	Planned Development	Any Category

### Changes to Existing Zoning Districts

Prior Zoning District to be Eliminated	New Zoning District Assignment
AR-2.5 – Agriculture Residential	RR-2.5
AR-1.5 – Agriculture Residential	RR-1.5
AR-1 – Agriculture Residential	RR-1
R-30 – Residential	RR-1 or R-15 <sup>1</sup>
R-1 – Residential	R-15
R-2 – Two-family residential	R-8
R-3 – Multifamily residential	R-M
R-4 – Manufactured housing park	R-MH
BN – Neighborhood business	B-1
I-L – Light industrial	I-1
I-1 – General Industrial	I-2
O – Office	I/C
WB-1 – Waterfront Business	WB
WB-2 – Waterfront Commercial	WB
WB-3 – Waterfront Commercial/Industrial	WB
PUD – Planned development	PD

Note: (1) RR-1 zoning applicable to lots of 1 acre or greater. R-15 zoning applicable to lots smaller than 1 acre

5. **Agricultural Uses.**
  - a. The Steering Committee has not reached consensus on the extent of agricultural activity in the new RR districts. Generally, there is agreement that large farm animals (other than pigs) should be limited to lots 2.5 acres or larger. Pigs should be limited to the A-5 district. There has been some discussion, but no agreement on whether to establish density standards for large farm animals. Existing separation requirements between animal holding areas and property lines would be retained.
  - b. Small farm animals should be allowed in RR districts, subject to limitations on the numbers and the separations between holding areas and property lines.
6. **Mining Activities.** These are currently allowed in the A-5 district as conditional uses.
  - a. Should batch processing plants be allowed as accessory to these uses through the CUP process or limited to the I-2 district?
  - b. Should mining be allowed in an I-2 district through the CUP process?
7. **Group Homes.** Federal law considers some small personal care or group homes to be exempt from zoning regulations, but the County has some leeway to address the locations and approval processes for larger group homes and halfway houses. Staff seeks guidance on where these facilities should be located by right or conditional use permit.
8. **Schools.** While elementary schools are typically compatible with most suburban residential development, middle and high schools have much greater impacts. Should middle and high schools be limited in residential zoning districts?
9. **Religious Institutions.** Like schools, religious institutions have widely varying impacts. The challenges arise when the institutions enjoy growth in locations that were never intended to accommodate the traffic and mix of accessory uses (e.g., schools, shelters, food kitchens, thrift stores and restaurants). Most communities are very lax in regulating religious institutions. Some communities exclude religious institutions from residential districts and others limit the size of the institutions, which inevitably creates challenges when an institution outgrows its site without plans for moving.
10. **Industrial Uses.** The Development Authority has advocated for reducing the number of categories of industrial uses and increasing the number of uses that are allowed by-right. While this works for their property, which does not include all of the County's industrial land, it could create challenges for the County in ensuring that other privately-owned sites are limited to uses that are compatible with abutting properties. While some consolidation is reasonable, it makes more sense to proactively grant conditional use approval to uses that are allowed on Development Authority property and regulated by their deed restrictions.
11. **Accessory Structures.** While the Steering Committee supports requiring a principal structure prior to establishing an accessory structure or use everywhere but the A-5 district, the Committee believes that there should be greater flexibility

on the number of accessory structures in RR districts, provided that they meet minimum setback requirements.

12. **Density in PD Districts.** The County currently assumes that PUDs may be developed at an average density that approximates the density that is allowed by the R-30 zoning district. The Steering Committee is not unanimous, but generally supports the concept that starting densities should be based on the R-30 densities after eliminating the non-developable areas (dunes, marshes, wetlands, floodways).
  - a. **Options for calculating base density include:**
    - i. Using dwelling units per gross acres
    - ii. Using dwelling units per net developable acres
    - iii. Requiring a yield plan based on conventional development standards – this has is generally close to using net acreage
  - b. **Density bonuses:** Should density bonuses be allowed based on:
    - i. The percentage of stormwater that is managed through low-impact design (green infrastructure)?
    - ii. Compliance with various levels of sustainability (e.g., LEED)?
    - iii. Percentage of additional open space retained that exceeds minimum standards?
    - iv. Percentage of civic space provided that exceeds minimum standards?
    - v. Provision of surplus buffers?
    - vi. Tree preservation that exceeds minimum standards?
    - vii. Other?

## **Article VI: Site Development Standards**

1. **Height Transitions.** Establish height transitions between
  - a. Detached single family residential districts and other districts
  - b. Multi-family dwellings and project boundaries
2. **Development Incentives.** Similar to the PD district, should the County establish height or density bonuses for certain amenities, which may include any of those listed above and any of the current design credits? Note that current design credits only allow for the reduction of lot widths. Allowing for reduced lot areas or greater heights for multi-family, mixed-use and non-residential development may increase the use of existing design credit provisions.
3. **Parking.**
  - a. Should the County's parking standards establish maximum parking standards that:
    - i. Set a cap on the amount of parking that may be provided?
    - ii. Increase the percentage of landscaping required as the minimum requirement is exceeded?
    - iii. Require pervious pavement for parking spaces in excess of minimum parking requirements?

- b. Should the County require or incentivize the use of low-impact design that manages significant portions of the site's stormwater?
- 4. **Buffers.** The Steering Committee supports an increase in the opacity of buffers along the boundaries of subdivisions that abut County thoroughfares.
- 5. **Signs.** Should the County place any limitations on electronic message centers and other digital signs other than to address their brightness? Note that some communities limit locations, animations, frequency of message changes and other design factors.

#### **Article VII: Supplemental Conditions for Specified Uses**

- 1. **Accessory dwellings/guest houses.** The Steering Committee supports current provisions that allow for guest houses on lots of no less than 30,000 square feet.
- 2. **Short-term Vacation Rentals.** Staff recommends addressing this issue through a separate process.

#### **Article VIII: Development Patterns and Design Guidelines**

- 1. **Single Family Design Guidelines.** The Steering Committee has not had sufficient discussion of single-family design guidelines to reach a consensus, but some generally changes to the standards in the IDO have generally gotten support from those who do not reject the County's involvement in residential design.
  - a. **Applicability.** Should lots in RR districts be exempt from residential design standards?
  - b. **Building Materials.** The Steering Committee has not reached a consensus on prohibition of vinyl siding. Note that in hurricane prone areas like Miami and Louisiana, the minimum standards for vinyl siding make fiber-cement siding more cost-effective than vinyl.
  - c. **Garage Setbacks.** Consider establishing a minimum setback for garages (e.g., 30 feet) and allow for lesser setbacks of porches and other portions of buildings as long as the garage satisfies the minimum setback. Note that this achieves the safety concerns without mandating that garages be setback behind the front building line. Note that this approach has generally been viewed as not violating prohibitions on residential design standards.
  - d. **Roof Planes.** Note that when the homebuilders challenged this provision, they did not provide an example of a new home that had fewer than 4 visible roof planes. This provision would likely be voided by a prohibition on residential design standards.
- 2. **Conservation Subdivision Development.** The Steering Committee felt that this development pattern should be an option in the A-5 and RR zoning districts. Clustering in higher density districts should be done through the PD process.
- 3. **Traditional Neighborhood Development.** The Steering Committee concurred that this development pattern wasn't needed in the code because it is generally more urban than the County's standards allow, and it can be accomplished through the PD process.