



LUMPKIN COUNTY
Board of Commissioners
Public Hearing Agenda
Commissioners Boardroom

January 24, 2022
6:00 P.M.

- **Call to Order** Chairman Dockery
- **Lumpkin County Land Use Revisions Framework**
Lumpkin County Land Use Revisions Framework (*Planning Director Bruce Georgia*)
- **Discussion**
- **Public Comment**
- **Adjournment**



Lumpkin County, Georgia

Planning Department

Date: January 24, 2022

Agenda Item: Lumpkin County Land Use Revisions Framework

Item Description: Lumpkin County Land Use Revisions Framework

Attachments:
Lumpkin County Land Use Revisions Framework 2022



LUMPKIN COUNTY LAND USE REVISIONS FRAMEWORK

PUBLIC HEARING

6:00 PM

BOARD OF COMMISSIONERS BOARD ROOM, 2ND FLOOR

24 JANUARY 2022

BOC'S INTENT.

Commissioner Moran stated the current land use code has conflicts and ambiguities which result in the code not providing the protection to the public that were intended in certain land use character areas. The character areas of most concern are Agricultural Preservation, Rural Places, and Residential Growth.

Motion: A motion was made by District 4 Commissioner Moran to place a 180-day moratorium on permitting new commercial development in these three character areas to give time to review the land use code and make revisions as appropriate. The motion was seconded by District 3 Commissioner Stringer. The motion was approved and carried.

- REVISE/TAKE OUT “EVERY LAWFUL LAND USE...”
- TAKE OUT AMBIGUOUS LANGUAGE SUCH AS:
 - ENCOURAGED/DISCOURAGED
 - SUGGESTED
- QUANTIFY TERMS LIKE – NOISE, SMELL, LIGHT ETC.
- LOOK AT ALLOWABLE USES
- BE MORE SPECIFIC ON:
 - SETBACKS
 - BUFFERS
 - LANDSCAPE STRIP
- RELOOK/REVISE ADMINISTRATIVE PROCEDURES:
 - SLUA LANGUAGE
 - VARIANCES
 - APPEALS
 - LAND USE APPROVALS VS. PERMITTING
- REVISE/UPDATE DEFINITIONS

TITLE & AUTHORITY.

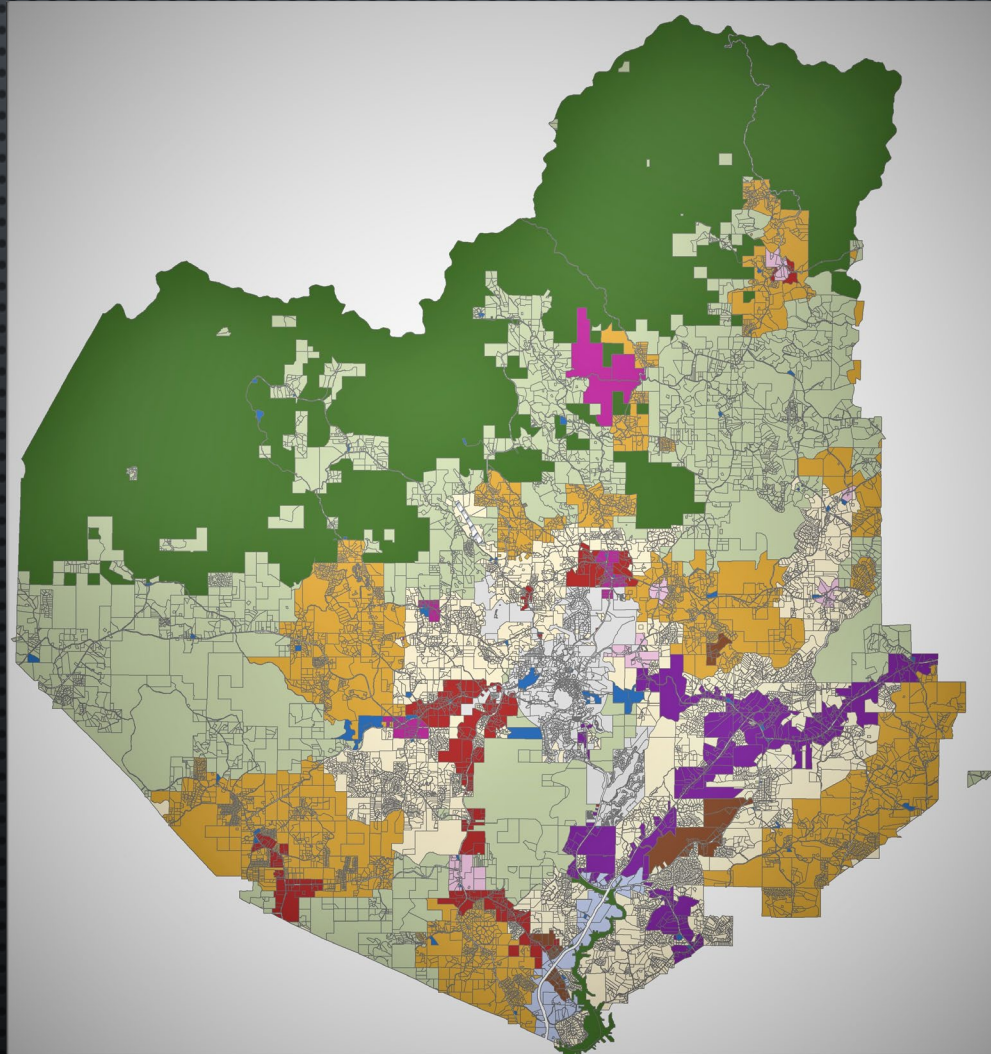
THESE REGULATIONS SHALL BE KNOWN AS “PERFORMANCE ZONING” AND MAY BE CITED AS THE "LAND USE CODE OF LUMPKIN COUNTY, GEORGIA."

- CHAPTER IS ADOPTED UNDER AUTHORITY OF CHAPTER 9, SECTION 2, PARAGRAPHS 3 AND 4 OF THE CONSTITUTION OF THE STATE OF GEORGIA, AND PURSUANT TO THE ZONING PROCEDURES LAW, O.C.G.A. § 36-66-1 ET SEQ., AND OTHER APPLICABLE LAWS OF THE STATE OF GEORGIA.

FRAMEWORK. STEP #1

a

MAINTAIN CURRENT CHARACTER AREA MAP – (REVISE CA DEFINITIONS)



THE CREATION OF A ROAD CLASSIFICATION PLAN WHICH CATEGORIZES ALL ROADS IN THE PROPOSED PLANNING AREA OF LUMPKIN COUNTY AS EITHER AN ARTERIAL ROAD, A COLLECTOR ROAD, OR A LOCAL ROAD. THESE CLASSIFICATIONS ARE BASED UPON A LONG-RANGE LOOK AT THE ULTIMATE ROLE OF THAT ROADWAY BASED ON ITS LOCATION, DESIGN CRITERIA AND CONNECTIVITY.



FRAMEWORK. STEP #3

ESTABLISHMENT OF DEVELOPMENT CATEGORIES

RESTRICTIVE DEVELOPMENT (RD)

- RESTRICTIVE DEVELOPMENT (RD) IS INTENDED TO BE PRIMARILY USED AND PRESERVED FOR AGRICULTURAL AND RESIDENTIAL ACTIVITIES AND DEVELOPMENT. THE PERFORMANCE ZONING ORDINANCE REQUIRES NON-RESIDENTIAL ACTIVITIES THAT LOCATE IN CHARACTER AREAS DESIGNATED RD TO BE “GOOD NEIGHBORS” TO THE EXISTING OR FUTURE RESIDENTIAL DEVELOPMENT, WHICH MEANS THAT THOSE ACTIVITIES MUST MEET THE MORE RESTRICTIVE COMPATIBILITY STANDARDS IN THIS PERFORMANCE ZONING ORDINANCE. IN THIS WAY, LUMPKIN COUNTY PROMOTES GOOD DEVELOPMENT, WITHOUT UNREASONABLY TAKING AWAY A PROPERTY OWNER’S LAND USE OPTIONS.

CHARACTER AREAS: AP, RG, RP

FRAMEWORK. STEP #3 CONT.

ESTABLISHMENT OF DEVELOPMENT CATEGORIES

GENERAL DEVELOPMENT (GD)

- CHARACTER AREAS DESIGNATED AS GENERAL DEVELOPMENT (GD) IS BETTER SUITED FOR NON-RESIDENTIAL ACTIVITIES, AND, THEREFORE, MOST ACTIVITIES ARE ALLOWED TO LOCATE IN THOSE CHARACTER AREAS DESIGNATED GD WITH FEWER RESTRICTIONS. HOWEVER, RESIDENTIAL USES DESIGNATED AS GD PRIOR TO THE EFFECTIVE DATE OF THIS ORDINANCE ARE CONSIDERED “PROTECTED” AND WOULD BE GIVEN COMPATIBILITY PROTECTION IN ACCORDANCE WITH THE RD STANDARDS IN THIS ORDINANCE.

CHARACTER AREAS: INDUSTRIAL, NEIGHBORHOOD VILLAGE CENTER, COMMUNITY VILLAGE CENTER, & COMMERCE CORRIDOR

ESTABLISHMENT OF DEVELOPMENT CATEGORIES

GATEWAY CORRIDOR & OVERLAY DISTRICT (GC)

- CHARACTER AREAS DESIGNATED AS GATEWAY CORRIDOR & OVERLAY DISTRICTS (GC) INCLUDE LAND USE AND DEVELOPMENT REQUIREMENTS DESIGNED TO BE APPLIED OVER, OR IN ADDITION TO, THE REQUIREMENTS OF THE UNDERLYING DEVELOPMENT CATEGORY.

FRAMEWORK. STEP #4

SCHEDULE OF PERMITTED USES

CLASSIFY ALL USES INTO A NUMBER OF SPECIALLY DEFINED ACTIVITIES ON THE BASIS OF COMMON FUNCTIONAL CHARACTERISTICS AND SIMILAR COMPATIBILITY WITH OTHER USES. THIS CLASSIFICATION SYSTEM PROVIDES A BASIS FOR THE REGULATION OF THESE ACTIVITIES AND THEIR ASSIGNMENT TO DEVELOPMENT CATEGORIES.

EXAMPLE OF SCHEDULE OF PERMITTED USES

Crops include the raising of trees, vines, field, forage or other plant crops intended to provide food or fiber.

Day Care includes any facility for the regular care, supervision, or guidance of children, senior citizens, or adults with disabilities, which is subject to registration or licensing by the South Carolina Department of Social Services. Regular care, supervision, or guidance of a limited number of such individuals may qualify as a Home Occupation Day Care

Detention Centers, prisons, or correctional institutions, but not halfway houses.

Essential Services include all facilities which provide power, communications, or personal health protection and emergency services as specified below.

Essential Services (Limited) shall include communication equipment installations and exchanges, natural gas substations, electric substations, and post offices (excluding major mail processing centers).

Essential Services (Extensive) shall include law enforcement stations, fire stations, ambulance substations, and emergency first aid stations.

Flea Market is a term interchangeable with and applicable to “swap meet,” “open air market,” “jockey lot,” or other similar terms at which two or more persons offer personal property for sale or exchange. These activities involve a series of sales sufficient in number, scope, and character to constitute a regular course of business. Such activities that take place in a fully enclosed and secured building shall be treated in this Ordinance as a General Retail use. This term does not include sidewalk sales or other such merchandise owned by shopping centers or individual retail operations, sales conducted by nonprofit organizations, farmers’ markets, or residential yard sales.

Food Services (Limited) include functions performed by restaurants or other establishments wherein prepared food or beverages are sold for take-out, home or function delivery, or on-site consumption in a single building which does not exceed 8,000 square feet in size. A drive-through operation is considered accessory to the performance of the activity. Only entertainment activities that are a minor accessory to the principal activity are allowed.

Food Services (Extensive) include functions performed by restaurants or other establishments wherein prepared food or beverages are sold for take-out, home or function delivery, or on-site consumption. A drive-through operation is considered accessory to the performance of the activity. Entertainment activities as a principal activity are allowed.

Fuel Products Bulk Storage and Distribution includes the bulk storage, blending, transfer, and distribution of fuel products and liquid asphalt. It is not intended to include retail gasoline stations, convenience stores selling gasoline, retail sales of fuel products, or businesses who, due to operational requirements, store fuel products for internal use.

FRAMEWORK. STEP #5

CHART OF PERMITTED ACCESS BY ROAD CLASSIFICATION

DEVELOP CHART DESIGNATING THE ROAD CLASSIFICATIONS NECESSARY TO ACCESS EACH OF THE PRINCIPAL ACTIVITIES. AN ACTIVITY WHICH IS RESTRICTED FROM ACCESS TO A SPECIFIC ROAD CLASSIFICATION MAY NOT LOCATE WHERE THE ACTIVITY IS REACHABLE ONLY THROUGH THE USE OF A ROAD WITH SUCH A RESTRICTED CLASSIFICATION.

EXAMPLE OF PERMITTED ACCESS BY ROAD CLASSIFICATION

A	C	L	LL	ACTIVITIES
◆	◆	◆		Animal Operations
◆	◆			Asphalt Batch Plant
◆	◆	◆		Broadcast Studio, Radio, or Television Station
◆				Bus and Transit Terminals
◆	◆	◆		Business Services
◆				Bulk Storage and Distribution
◆				Bulk Storage and Distribution (Existing)
◆	◆	◆		Call Center
◆	◆			Campgrounds and Recreational Vehicle Parks
◆	◆	◆	◆	Cemeteries
◆	◆	◆	◆	Communication Towers (Monopole)
◆	◆	◆	◆	Communication Towers (Lattice)
◆	◆	◆	◆	Communication Towers (Guyed)
◆	◆	◆	◆	Communication Towers (Broadcast)
◆	◆			Community Education (Pre-School)
◆	◆			Community Education (Elementary School)
◆	◆			Community Education (Middle School)
◆	◆			Community Education (High School)
◆	◆			Community Education (Vocational)
◆	◆			Community Education (University)
◆	◆			Community Education (Arts/Skills Training)
◆	◆			Concentrated Animal Feeding Operation (CAFO)
◆	◆	◆	◆	Construction Services (Limited)
◆	◆	◆		Construction Services (Extensive)
◆	◆	◆	◆	Crops
◆	◆	◆		Day Care
◆	◆			Detention Centers
◆	◆	◆		Essential Services (Limited)
◆	◆			Essential Services (Extensive)
◆	◆			Flea Market

CHART OF COMPATIBILITY PERFORMANCE STANDARDS

DEVELOP CHART OF PERFORMANCE STANDARDS, THAT ARE KEY COMPONENTS OF THIS ORDINANCE WHICH STRIVE TO ACHIEVE COMPATIBILITY OF NEIGHBORING ACTIVITIES. TO ACCOMPLISH THIS GOAL, EACH PRINCIPAL ACTIVITY CLASSIFICATION HAS A SEPARATE SET OF RECOMMENDED MAXIMUM COMPATIBILITY STANDARDS WHICH ADDRESS BUFFERS, SETBACKS, SCREENING, ODOR, NOISE, LIGHT, AND GLARE

EXAMPLE OF COMPATIBILITY PERFORMANCE STANDARDS

ACTIVITIES		ACRES	BUFFER	SETBACKS from		SCREENING	
				Adjoining Property	Road R. O. W.	Total	Partial
Bulk Storage and Distribution (Existing)	RD						
	GD						
Additional standards are found Activities requiring Conditional Use Approval.							
Call Center	RD						
	GD						
Campgrounds and Recreational Vehicle Parks	RD						
	GD						
Additional standards are found in Activities requiring Conditional Use Approval.							
Cemeteries	RD						
	GD						
Communication Towers (monopole)	RD						
	GD						
* Screening requirements apply to the first 20-feet of the tower above the ground. Additional standards are found in Activities requiring Conditional Use Approval.							
Communication Towers (Lattice)	RD						
	GD						
* Screening requirements apply to the first 20-feet of the tower above the ground. Additional standards are found in Activities requiring Conditional Use Approval.							
Communication Towers (Guyed)	RD						
	GD						
* Screening requirements apply to the first 20-feet of the tower above the ground. Additional standards are found in Article Activities requiring Conditional Use Approval.							
Communication Towers (Broadcast)	RD						
	GD						

FRAMEWORK. STEP #7

ACTIVITIES REQUIRING CONDITIONAL USE APPROVAL

DEVELOP CONDITIONAL USES FOR THOSE ACTIVITIES THAT HAVE UNIQUE REQUIREMENTS NOT COVERED BY NORMAL PERFORMANCE ZONING REQUIREMENTS. THE RESTRICTIONS SHALL BE IN ADDITION TO THE STANDARDS ESTABLISHED UNDER THIS ORDINANCE.

- *WEDDING VENUES*
- *EVENT VENUES*
- *ATV/MOTO CROSS PARKS*
- *OUTDOOR RANGES*
- *SHORT-TERM RENTALS*
- *RV PARKS & CAMPGROUNDS*
- *OUTDOOR CONCERT VENUES*

FRAMEWORK. STEP #8

REVISE CURRENT ADMINISTRATIVE PROCEDURES

- DEFINITIONS
- VARIANCE PROCESS
- DECISION APPEALS
- SLUA PROCESS
- AMBIGUOUS LANGUAGE

I.E. ENCOURAGED, DISCOURAGED, SUGGESTED,

“EVERY LAWFUL LAND USE FITS INTO A LAND USE CATEGORY...”

REVISION AND IMPLEMENTATION TIMELINE.

<u>DATE</u>	<u>ITEM</u>
30 DECEMBER 2021	BOC SPECIAL CALLED WORK SESSION TO DISCUSS LAND USE REVISIONS
3 - 9 JANUARY 2022	COMMISSIONERS' INPUT PERIOD TO STAFF
10 JANUARY 2022	PLANNING COMMISSION WORK SESSION TO DISCUSS LAND USE REGULATIONS
24 JANUARY 2022	INITIAL PUBLIC HEARING FOR INPUT TO REVISIONS TO THE LAND USE REGULATIONS
18 FEBRUARY 2022	LEGAL REVIEW OF DRAFT LAND USE REVISION
22 FEBRUARY 2022	FINAL PUBLIC HEARING REGARDING REVISIONS TO LAND USE REGULATIONS
1 MARCH 2022	FINAL DRAFT TO BOC
MARCH 2022	BOC ADOPT REVISIONS TO THE LAND USE REGULATIONS.