

BOARD OF COUNTY COMMISSIONERS

Charles W. Oddo, Chairman
Randy Ognio, Vice Chair
David Barlow
Steve Brown
Charles D. Rousseau



FAYETTE COUNTY, GEORGIA

Steve Rapson, County Administrator
Dennis A. Davenport, County Attorney
Floyd L. Jones, County Clerk
Tameca P. White, Chief Deputy County Clerk

140 Stonewall Avenue West
Public Meeting Room
Fayetteville, GA 30214

AGENDA

May 26, 2016
7:00 p.m.

Welcome to the meeting of your Fayette County Board of Commissioners. Your participation in County government is appreciated. All regularly scheduled Board meetings are open to the public and are held on the 2nd and 4th Thursday of each month at 7:00 p.m.

Call to Order
Invocation by Chairman Charles Oddo
Pledge of Allegiance

Acceptance of Agenda

PROCLAMATION/RECOGNITION:

1. Proclamation of May 26 as "Adrian Romoff Day" in Fayette County.
2. Recognition of Rick and Joanne Minter as the Farm Bureau Georgia Farmer of the Year.
3. Recognition of the Fayette County Water System for receiving the Gold Award for both the Crosstown Water Treatment Plant and the South Fayette Water Treatment Plant, and for receiving the Best Tasting Water Award for District 3 in Georgia from Georgia Association of Water Professionals.

PUBLIC HEARING:

4. Public Hearing of Resolution 2016-06 to amend the Land Use Element Text and Future Land Use Plan Map of the Fayette County Comprehensive Plan for the Starr's Mill Historic Overlay District in the area of the Intersection of State Route 74, State Route 85 and Padgett Road.
5. Public Hearing of Ordinance 2016-07 to amend the Fayette County Code of Ordinances, Chapter 110, Art. I, Sec. 110-3, Art. IV., Sec. 110-145 and Sec. 110-146, Art. V., Sec. 110-169, Sec. 110-173(3), and Sec. 110-174, concerning the proposed Starr's Mill Historic Overlay District and Overlay Zone.
6. Public Hearing of the proposed Color and Brick Palette for the Starr's Mill Historic Overlay District and Overlay Zone.
7. Public Hearing of Ordinance 2016-11 to amend the Fayette County Code of Ordinances, Chapter 110. Article IV.-District Use Requirements Sec. 110-149 – Planned Unit Development- Planned Retreat and Lodge concerning Solar Farms.

CONSENT AGENDA:

8. Approval of staff's recommendation to award Bid #1095-B, Emergency Portable Radios, to Motorola Solutions to purchase 58 radios for a total amount of \$188,815.23 and acceptance of Motorola Solutions' offer to buy back 58 old portable radios for the amount of \$26,100.00.
9. Approval of staff's recommendation to award annual bid #1106-B to Faultless Business Center as the primary vendor and to Concrete Supply Co, Inc. as secondary vendor for dump truck hauling services to begin upon execution and expire June 30, 2017 with the option to renew for two (2) additional one-year terms.
10. Approval of the request to fund the Fayette Chamber of Commerce's "Fayette Visioning" initiative, in the amount of \$25,000.00, for the purpose of developing a county-wide brand and for implementing a marketing strategy for economic development and talent recruitment.
11. Approval of the May 12, 2016 Board of Commissioners Meeting Minutes.

OLD BUSINESS:

NEW BUSINESS:

PUBLIC COMMENT:

ADMINISTRATOR'S REPORTS:

ATTORNEY'S REPORTS:

COMMISSIONERS' REPORTS:

EXECUTIVE SESSION:

ADJOURNMENT:

COUNTY AGENDA REQUEST

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Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Proclamation of May 26 as "Adrian Romoff Day" in Fayette County.

Background/History/Details:

Adrian Romoff, an eleven year old [Born: September 1, 2004] from Peachtree City, Georgia, discovered his love of playing piano at age 4, learning under the careful eye of his mother and teacher, Olga Romoff.

Adrian has had a wide array of experiences in the professional arena, from appearing on national TV programs such as America's Got Talent, The Ellen DeGeneres, and Queen Latifah Shows, as well as the blockbuster Anchorman 2. Alongside his Hollywood appearances, Adrian has also performed three times in Carnegie Hall between the years of 2011 and 2014.

Adrian is on track to graduate high school next year in June 2016. He has been selected to be one of the 12 finalists to compete in a nationally recognized Mensa competition.

What action are you seeking from the Board of Commissioners?

Proclamation of May 26 as "Adrian Romoff Day" in Fayette County.

If this item requires funding, please describe:

Not applicable.

Has this request been considered within the past two years?

If so, when?

Is Audio-Visual Equipment Required for this Request?*

Backup Provided with Request?

**** All audio-visual material must be submitted to the County Clerk's Office no later than 48 hours prior to the meeting. It is also your department's responsibility to ensure all third-party audio-visual material is submitted at least 48 hours in advance.***

Approved by Finance

Reviewed by Legal

Approved by Purchasing

County Clerk's Approval

Administrator's Approval

Staff Notes:

FAYETTE COUNTY BOARD OF COMMISSIONERS

**APPRECIATION OF FAYETTE COUNTY RESIDENT ADRIAN ROMOFF AND
PROCLAMATION MAY 26, 2016 AS "ADRIAN ROMOFF DAY"**

A PROCLAMATION

- WHEREAS,** Eleven year-old Adrian Romoff has a list of accomplishments that would be the envy of any talented adult in any given field; and
- WHEREAS,** At the age of four, Adrian discovered his love of playing piano, learning under the careful eye of his mother and teacher, Olga Romoff; and
- WHEREAS,** Adrian has played concerts around the world in famous venues and appeared on numerous television programs and movies, displaying his musical talents; and
- WHEREAS,** Adrian has competed in and won numerous prestigious competitions in the United States and Europe; and
- WHEREAS,** Adrian has received piano instruction and mentoring from some of the finest virtuoso performers-instructors in the discipline; and
- WHEREAS,** At the age of nine, Adrian was accepted into one of the most prestigious music schools in the world, The Julliard School of Music; and
- WHEREAS,** In addition to his musical endeavors, Adrian has advanced academic accomplishments. In 2015, after skipping seven grades, Adrian finished his junior year in high school with a 4.0 GPA while participating in dual enrollment at Point University; and
- WHEREAS,** Adrian is on track to graduate high school next year in June 2016. He has been selected to be one of the 12 finalists to compete in a nationally recognized Mensa competition; and
- WHEREAS,** Adrian recently won the Child Genius competition on the Lifetime Network, receiving national attention and a \$100,000 college scholarship;

NOW, THEREFORE, WE, THE FAYETTE COUNTY BOARD OF COMMISSIONERS, DO HEREBY PROCLAIM our heartfelt appreciation for our young Fayette County citizen, Adrian Romoff, recognizing his passion and accomplishment in music and his outstanding success in academics. Thus, we proclaim May 26, 2016 as "Adrian Romoff Day" in Fayette County as we look forward to his continued accomplishments and passion for excellence.

So proclaimed this 26th day of May 2016

Charles W. Oddo, Chairman

COUNTY AGENDA REQUEST

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Department: Commissioners

Presenter(s): Vice Chairman Randy Ognio

Meeting Date: Thursday, May 26, 2016

Type of Request: Proclamation/Recognition #2

Wording for the Agenda:

Recognition of Rick and Joanne Minter as the 2016 Farm Bureau Georgia Farmer of the Year.

Background/History/Details:

Minter's Farm is located only 6 miles from downtown Fayetteville, 12 miles from Senoia and 16 miles from Peachtree City and is ran by Rick and Joanne Minter. On May 10, 2016 Farm Bureau of Georgia made its presentation of Farmer of the Year to Mr. and Mrs. Minter at the Fayette County Farm Bureau's Annual Farmer Appreciation Dinner at the Minter's Farm.

The Farm Bureau strives to be the voice of the agricultural community and works on the local, state and national level to enhance and strengthen the lives of those who work in the agricultural industry.

What action are you seeking from the Board of Commissioners?

Recognition of Rick and Joanne Minter as the 2016 Farm Bureau Georgia Farmer of the Year.

If this item requires funding, please describe:

Not applicable.

Has this request been considered within the past two years? ☐

If so, when? ☐

Is Audio-Visual Equipment Required for this Request?* ☐

Backup Provided with Request? ☐

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Approved by Finance ☐ Not Applicable

Reviewed by Legal ☐

Approved by Purchasing ☐ Not Applicable

County Clerk's Approval ☐

Administrator's Approval ☐

Staff Notes:



SHHHH!!!! IT'S A SURPRISE!!!!

Please join us for...

Fayette County Farm Bureau's
9th Annual Farmer
Appreciation Day Celebration!

We will be honoring
Rick & Joanne Minter
As
Farmers of the Year.

Tuesday, May 10th, 2016
6:30 P.M.

Minter Farms
283 Hillsbridge Road
Fayetteville, GA. 30215

**Please bring a covered dish. Meat, Dessert and Drinks will be provided.*

RSVP to Shelby Reese at (770)461-3436 by May 5th

FAYETTE COUNTY BOARD OF COMMISSIONERS

RICK & JOANNE MINTER AS FARMER OF THE YEAR

A RECOGNITION

WHEREAS, Rick and Joanne Minter, along with their daughter Stephanie Minter Adamek, operate Minter's Farm located only six miles from downtown Fayetteville, 12 miles from Senoia and 16 miles from Peachtree City; and

WHEREAS, Minter's Farm was founded by Rick's grandfather, the late Jim Minter Sr. in 1936; and

WHEREAS, Rick began growing vegetables as a young teenager and Joanne began operating the farm full-time when they married in 1982; and

WHEREAS, The Minter's farm is more than 100-acres and is the host for the annual Inman Farm Heritage Days which will hold its 20th annual show in September 2016; and

WHEREAS, Mr. Minter is the long-time president of the Fayette County Farm Bureau, and Mrs. Minter serves as a board member and former Women's Committee Chair for both Fayette County and the 3rd District of the Georgia Farm Bureau; and

WHEREAS, Rick is also a supervisor for the Towaliga Soil and Water Conservation district, where he has served as both Chairman and Vice-Chairman; and

WHEREAS, On May 10, 2016, Rick and Joanne Minter were name "Farmer of the Year by the Fayette County Farm Bureau";

NOW THEREFORE, WE THE FAYETTE COUNTY BOARD OF COMMISSIONERS, recognize Mr. Rick Minter and Mrs. Joanne Minter for sharing their hard work and knowledge about agriculture and for their commitment to excellence in the agriculture industry, farming practices, and community involvement; and do hereby encourage citizens to support local farmers in Fayette County.

So recognized this 26th day of May, 2016

CHARLES W. ODDO, Chairman

COUNTY AGENDA REQUEST

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Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Recognition of the Fayette County Water System for receiving the Gold Award for both the Crosstown Water Treatment Plant and the South Fayette Water Treatment Plant, and for receiving the Best Tasting Water Award for District 3 in Georgia from Georgia Association of Water Professionals.

Background/History/Details:

Every year the Georgia Association of Water Professionals (GAWP) awards the Gold Award to water plants that meet stringent guidelines in the treatment of potable drinking water. The Fayette County Water System won this prestigious award for both the Crosstown and South Fayette Water Treatment plants this year.

Fayette County Water System has also won the Best Tasting Water award for District 3 in Georgia.

What action are you seeking from the Board of Commissioners?

Recognize the Fayette County Water System for receiving the Gold Award for both the Crosstown Water Treatment Plant and the South Fayette Water Treatment Plant, and for receiving the Best Tasting Water Award for District 3 in Georgia from Georgia Association of Water Professionals.

If this item requires funding, please describe:

Not Applicable.

Has this request been considered within the past two years?

If so, when?

Is Audio-Visual Equipment Required for this Request?*

Backup Provided with Request?

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Approved by Finance

Reviewed by Legal

Approved by Purchasing

County Clerk's Approval

Administrator's Approval

Staff Notes:

Gold and Platinum Award Winners

Congratulations to the following Gold or Platinum Award winning facilities!

Gold and Platinum Awards will be announced at the Spring Conference & Expo in Columbus. After the conference all certificates will be mailed to the address provided on the application, along with information on having your award presented locally.

If your facility is missing from this list, or the name is written incorrectly below, or you have any other questions please contact me immediately! Awards will be printed this week based on the information below!

Thank you and congratulations again.

Susana Lanier
Member Services Manager
Georgia Association of Water Professionals
1655 Enterprise Way, Marietta, GA 30067
slanier@gawp.org
678-540-7320

Drinking Water Facility Gold Awards

Carroll County Water Authority, Snake Creek Water Treatment Plant

City of Carrollton, Carrollton Water Treatment Plant

City of Cartersville Water Department, Clarence B. Walker Water Treatment Plant

City of Commerce Water Treatment Plant, ESG Operations, Inc.

City of Cumming, City of Cumming Water Production Division

City of Flowery Branch, City of Flowery Branch Water System

City of Garden City

City of Milledgeville

City of Moultrie Spence Field Airport Water System, ESG Operations, Inc.

City of Moultrie Water System, ESG Operations, Inc.

City of Perry WTP, ESG Operations, Inc.

City of Richmond Hill Water Distribution System, Enviroworx Operations Management

City of Savannah - Georgetown Gateway

City of Savannah - Wilmington Island

City of Savannah - Whitemarsh Island

City of Savannah - Savannah Quarters

City of Savannah - I&D Water Supply

City of Savannah - Dutch Island

City of Savannah - Rockingham Farms Monessori School

City of Stockbridge, City of Stockbridge Water System

City of Thomasville

City of Winder Water Treatment Plant, ESG Operations, Inc.

Columbus Water Works, Tricolor Range well

Columbus Water Works, McKenna Mount #2 Range Well

Columbus Water Works, Malone 17 Range Well

Columbus Water Works, Leyte Range Well

Columbus Water Works, Fort Benning Water Treatment Plant

Columbus Water Works, Good Hope Range Well

DeKalb County Watershed Management, Scott Candler Water Treatment Plant

Etowah Water & Sewer Authority, Hightower Water Treatment Facility

Fayette County Water System, Crosstown Water Treatment Plant

Fayette County Water System, South Fayette Water Treatment Plant

Gwinnett County Department of Water Resources, Lanier Filter Plant

Heard County Water Authority, Steve Lipford Water Treatment Facility

Jekyll Island Authority, Jekyll Island State Park Authority

Macon Water Authority, Frank C. Amerson, Jr. Water Treatment Plant

Roswell Water System, Cecil Wood Water Treatment Plant

Tifton-Tift County Water System, ESG Operations, Inc.

Drinking Water Facility Platinum Awards (# Platinum)

Athens-Clarke County Government, J. G. Beacham Water Treatment Plant - 8

Atlanta Fulton County Water Resources Commission, Atlanta Fulton County Water Treatment Plant, Veolia Water/ Khafra a Joint Venture- 12

Augusta-Richmond County, N. Max Hicks Tobacco Road WTP - 10

Augusta-Richmond County, Groundwater Plants - 11

Augusta-Richmond County, Highland Avenue Filter Plant - 14

Cherokee County Water and Sewerage Authority, Etowah River, Water Treatment Plant - 1

City of Atlanta, Chattahoochee Water Treatment Facility - 9

City of Atlanta, Hemphill Water Treatment Facility - 9

City of Barnesville, City of Barnesville Water Treatment Plant, ESG Operations, Inc. - 9

City of Clarkesville, City of Clarkesville Filtration Plant - 1

City of Cornelia Water Works, City of Cornelia Water Plant - 7

City of Gainesville, Riverside Water Treatment Plant - 12

City of Gainesville Dept. of Water Resources, City of Gainesville Lakeside WTP - 12

City of Griffin, City of Griffin Simmons WTP - 9

City of Griffin, Still Branch WTP - 9

City of Rome, Bruce Hamler Water Treatment Facility – 12

Clayton County Water Authority, Terry R Hicks WPP - 15

Clayton County Water Authority, William J. Hooper WTP - 18

Clayton County Water Authority, J.W. Smith WTP - 7

Cobb County Marietta Water Authority, Hugh A. Wyckoff Water Treatment Plant - 8

Cobb County-Marietta Water Authority, James E. Quarles Water Treatment Plant - 8

Columbia County Water Utility, Clark's Hill Water Treatment Plant - 14

Columbia County Water Utility, Jim Blanchard Water Treatment Plant - 14

Columbus Water Works, Griswold Range Well - 7

Columbus Water Works, Camp Darby Range Well - 7

Columbus Water Works, Carmouchee Range Well - 7

Columbus Water Works, Hastings Range Well - 7

Columbus Water Works, McKenna Mount #1 Range Well - 7

Columbus Water Works, North Columbus Water Resource Facility - 8

Dalton Utilities, Mill Creek Membrane Filtration Plant - 17

Dalton Utilities, VD Parrott Jr Water Treatment Plant - 17

Douglasville-Douglas County Water & Sewer Authority, Bear Creek Water Treatment Plant - 18
Forsyth County Water & Sewer, Forsyth County Water Treatment Facility, ESG Operations, Inc. - 1

Henry County Water Authority, Towilaga Water Treatment Facility - 9

Henry County Water Authority, Tussahaw WTP - 9

Oconee Co. Utility Dept., Watkinsville System - 14

Rockdale Water Resources, Big Haynes Creek Water Treatment Plant - 9

Wastewater Facility Gold Awards

Athens-Clarke County Public Utilities Department, North Oconee Water Reclamation Facility

Athens-Clarke County Public Utilities Department, Cedar Creek Water Reclamation Facility

Athens-Clarke County Public Utilities Department, Middle Oconee Water Reclamation Facility

Butts County, et al. Water & Sewer Authority, Bucksnot Ranch Land Application Facility

Carroll County Water Authority, Fairfield Plantation, LAS

City of Augusta Utilities James B. Messerly WWTP, ESG Operations Inc.

City of Barnesville James A King WWTP, ESG Operations, Inc.

City of Cornelia, City of Cornelia Water Pollution Control Plant

City of Flowery Branch, Flowery Branch WPCP

City of Flowery Branch, Cinnamon Cove Condominiums WPCP

City of Flowery Branch, Flowery Branch WPCP LAS

City of Garden City, Garden City WPCP

City of Hinesville Ft. Stewart Water Pollution Control Plant, CH2M Operations Management Services

City of McDonough, Walker County Wastewater Treatment Plant

City of Milledgeville, City of Milledgeville, W.P.C.P.

City of Perry Water Pollution Control Plant, ESG Operations, Inc.

City of Thomasville, City of Thomasville WWTP

City of Tybee island, City of Tybee Island Wastewater Treatment Plant

City of Villa Rica, Tallapoosa West WPCP

City of Warner Robins - Ocmulgee River WPCP, ESG Operations, Inc.

City of Winder, City of Winder Marburg Creek WWTP, ESG Operations, Inc.

City of Winder, City of Winder Marburg Creek Reuse (LAS), ESG Operations, Inc.

City of Winder, City of Winder Cedar Creek WWTP, ESG Operations, Inc.

Dalton Utilities, Mill Creek Waste Water Treatment Plant

Dalton Utilities, Loopers WWTP and Land Application System

Douglasville-Douglas County Water and Sewer Authority, Rebel Trails WPCP

Douglasville-Douglas County Water and Sewer Authority, Northside WPCP

Forsyth County Dick Creek Water Reclamation Facility, ESG Operations, Inc.

Forsyth County James Creek WRF, ESG Operations, Inc.

Fulton County Johns Creek Environmental Campus LAS, Veolia Water

Gwinnett County Department of Water Resources, F. Wayne Hill WRC

Gwinnett County DWR, Yellow River WRF

MillerCoors LLC

Newton County Water & Sewerage Authority, Yellow River Water Reclamation Facility

Rockdale Water Resources Quigg Branch WPCP, ESG Operations, Inc.

Rockdale Water Resources Snapping Shoals WPCP, ESG Operations, Inc.

Rockdale Water Resources Honey Creek WPCP, ESG Operations, Inc.

Rockdale Water Resources Scott Creek WPCP, ESG Operations, Inc.

Wastewater Facility Platinum Awards (# Platinum)

Cherokee County Water & Sewerage Authority, Fitzgerald Creek Water Pollution Control Facility - 6

Cherokee County Water & Sewerage Authority, Rose Creek Water Pollution Control Facility - 6

City of Carrollton, City of Carrollton Wastewater Treatment Facility - 9

City of Clarkesville Water Pollution Control Plant, City of Clarkesville Water Pollution Control Plant - 1

City of Cumming, Bethelview Road AWRF - 18

City of McDonough, Walnut Creek WPCP - 8

City of Rome, Georgia, Coosa Water Reclamation Facility - 11

City of Rome, Georgia, Rome Water Reclamation Facility - 6

City of Waycross WWTP, ESG Operations, Inc. - 6

Clayton County Water Authority, W.B. Casey Water Reclamation Facility - 11

Clayton County Water Authority, Shoal Creek Water Reclamation Facility - 19

Clayton County Water Authority, Northeast Water Reclamation Facility - 7

Cobb County Water System, Noonday Creek WRF - 11

Cobb County Water System, Northwest Cobb Water Reclamation Facility - 15

Cobb County Water System, RL Sutton Water Reclamation Facility - 6

Cobb County Water System, South Cobb Water Reclamation Facility – 8

Columbia County Water Utility, Kiokee Creek WPCP - 13

Columbia County Water Utility, Little River WPCP - 16

Columbia County Water Utility, Crawford Creek WPCP Columbia County Water Utility - 7

Dalton Utilities, Riverbend WWTP and Land Application System - 7

Dekalb County, Snapfinger Creek AWTF - 9

Etowah Water And Sewer Authority, Dawson Forest Water Reclamation Facility - 14

Forsyth County Manor Water Reuse Facility, ESG Operations, Inc. - 10

Forsyth County Parkstone at the Bridges ESG, Operations, Inc. - 6

Forsyth County Windermere Water Reuse Facility, ESG Operations, Inc. - 9

Fulton County Big Creek Water Reclamation Plant, Veolia Water - 1

Fulton County Little River Water Pollution Control Plant LAS, Veolia Water - 1

Fulton County Little River Water Pollution Control Plant, Veolia Water - 1

Fulton County Johns Creek Environmental Campus, Veolia Water - 6

Fulton County Water Resources Camp Creek Water Reclamation Facility, American Water - 11

Fulton County Water Resources Little Bear Water Reclamation, Facility American Water - 11

Gwinnett County Department of Water Resources, Crooked Creek WRF – 9

Henry County Water Authority, Walnut Creek-LAS Land Application - 7

Macon Water Authority, Rocky Creek Water Reclamation Facility - 17

Rockdale Water Resources, Almand Branch WPCP, ESG Operations, Inc. - 7

COUNTY AGENDA REQUEST

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Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Public Hearing of Resolution 2016-06 to amend the Land Use Element Text and Future Land Use Plan Map of the Fayette County Comprehensive Plan for the Starr's Mill Historic Overlay District in the area of the Intersection of State Route 74, State Route 85 and Padgett Road.

Background/History/Details:

Early in 2016 Staff met with the BOC individually and/or two at a time to brief the Commission on the upcoming amendments due to their scope and complexity. Two suggestions from those meeting were addressed in the amendments. These suggestions were that wood not be allowed for the required fencing as it would require more maintenance and could fall into disrepair and become unsightly, and that the ground mounted sign structure match the façade/appearance of the principal structure on the lot.

The Staff and Planning Commission restarted this project in July of 2015 to review and recommend Land Use Plan amendments and related Zoning Ordinance amendments for the area at the intersection of State Route (SR) 74, SR 85 and Padgett Road. This project was initiated in response to a request from property owners at the intersection and the four lane widening on SR 74.

Both Staff and the Planning Commission recommend approval of the proposed amendments.

The Planning Commission minutes are provided as backup for this request.

What action are you seeking from the Board of Commissioners?

Approval of Resolution 2016-06 to amend the Land Use Element Text and Future Land Use Plan Map of the Fayette County Comprehensive Plan for the Starr's Mill Historic Overlay District in the area of the Intersection of State Route 74, State Route 85 and Padgett Road.

If this item requires funding, please describe:

Has this request been considered within the past two years?

If so, when?

Is Audio-Visual Equipment Required for this Request?*

Backup Provided with Request?

*** All audio-visual material must be submitted to the County Clerk's Office no later than 48 hours prior to the meeting. It is also your department's responsibility to ensure all third-party audio-visual material is submitted at least 48 hours in advance.**

Approved by Finance

Reviewed by Legal

Approved by Purchasing

County Clerk's Approval

Administrator's Approval

Staff Notes:

**STATE OF GEORGIA;
COUNTY OF FAYETTE**

RESOLUTION NO. 2016 - 06

**A RESOLUTION TO AMEND FAYETTE COUNTY COMPREHENSIVE PLAN
LAND USE ELEMENT TEXT AND
FAYETTE COUNTY FUTURE LAND USE PLAN MAP**

WHEREAS, Fayette County has prepared amendments to the Fayette County Comprehensive Plan Land Use Element text concerning the new Starr's Mill Historic Overlay District and the Fayette County Future Land Use Plan Map to designate areas as Limited Commercial One, Limited Commercial Two, Office and Low Density Residential (1 Unit/1 to 2 Acres) in the area State Route 74, State Route 85 and Padgett Road;

WHEREAS, on the 26th day of May, 2016, the Fayette County Board of Commissioners conducted a public hearing; and

BE IT THEREFORE RESOLVED THAT the Fayette County Board of Commissioners, does hereby adopt the prepared amendments to the Fayette County Comprehensive Plan Land Use Element text concerning the new Starr's Mill Historic Overlay District and the Fayette County Future Land Use Plan Map to designate areas as Limited Commercial One, Limited Commercial Two, Office, Transportation/Communication/Utilities, and Low Density Residential (1 Unit/1 to 2 Acres) in the area State Route 74, State Route 85 and Padgett Road;

So resolved this 26th day of May, 2016, by the

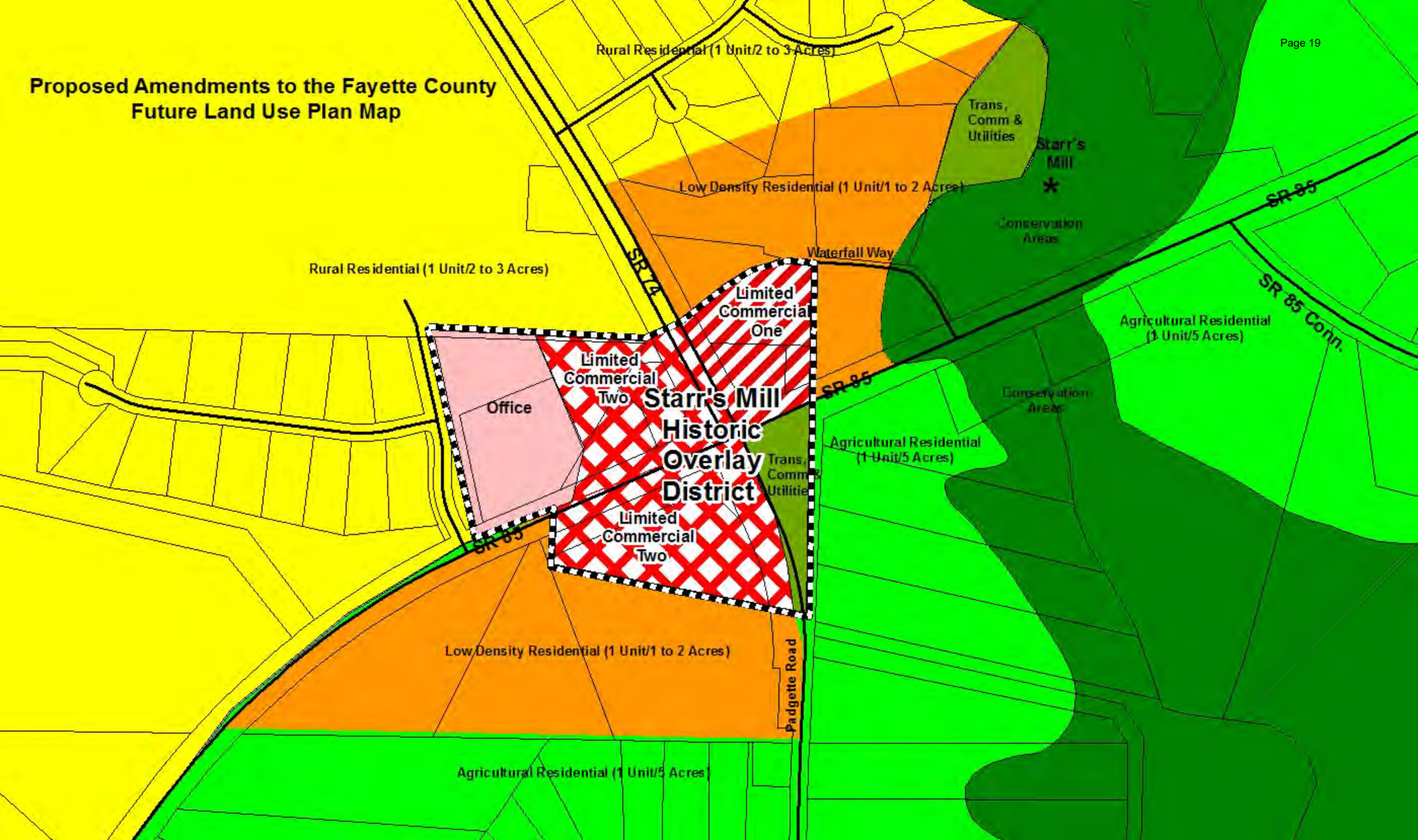
**BOARD OF COMMISSIONERS
FAYETTE COUNTY, GEORGIA**

Charles W. Oddo, Chairman

ATTEST:

County Clerk/Deputy Clerk

Proposed Amendments to the Fayette County Future Land Use Plan Map



THE FOLLOWING WILL BE ADDED IN ITS ENTIRETY TO THE FAYETTE COUNTY COMPREHENSIVE PLAN, LAND USE ELEMENT, FUTURE LAND USE MAP AND NARRATIVE, COMMERCIAL

Limited Commercial (One & Two)

This category designates properties where specifically small scale businesses which do not generate large amounts of traffic, noise or light are to be located. For more descriptive purposes, Limited Commercial land use is subdivided into “Limited Commercial One” and “Limited Commercial Two” categories:

Limited Commercial One: This category identifies properties where the L-C-1 (Limited-Commercial (1) District) is recommended.

Limited Commercial Two: This category identifies property where the L-C-2 (Limited-Commercial (2) District) is recommended.

SR 74, SR 85, & Padgett Road Intersection (Starr’s Mill Historic District): This intersection is in close proximity to historic Starr’s Mill. This area represents a newly developing nonresidential node where the L-C-1 (Limited-Commercial (1) District) and the L-C-2 (Limited-Commercial (2) District) zoning districts are recommended as depicted on the Future Land Use Plan map. The C-C (Community Commercial District) and the C-H (Highway Commercial District) are not designated for this area.

THE FOLLOWING WILL BE ADDED IN ITS ENTIRETY TO THE FAYETTE COUNTY COMPREHENSIVE PLAN, LAND USE ELEMENT, FUTURE LAND USE MAP AND NARRATIVE, FUTURE DEVELOPMENT FACTORS

Historic District

Starr’s Mill Historic Overlay District at the SR 74, SR 85, & Padgett Road Intersection:

Starr’s Mill is a significant historic resource and is identified and discussed in the Natural and Historic Resources Element of this Plan. This Overlay District identifies the county’s goals and recommendations for the Starr’s Mill Historic Overlay District at the SR 74, SR 85, & Padgett Road intersection. Both SR 74 and SR 85 are Major Arterials and serve as commuting routes. SR 74 connects to Peachtree City, Tyrone and Interstate 85 to the north. SR 85 runs through Fayetteville to Clayton County and connections to SR 92, SR 314, and SR 279 can be made along this route. The widening of SR 74 from two to four lanes was completed in early 2012. As a result of this project Padgett Road was realigned to alleviate its offset from SR 74. SR 85 is planned to be widened from two to four lanes in the future.

Historic Resources: Starr's Mill is located to the northeast of this intersection on Whitewater Creek. Starr's Mill is one of the most significant historical structures in Fayette County. The mill and surrounding property containing the mill pond is owned by the Fayette County Water System and serves as a water intake location and passive park. The present mill was built in 1888 and was central to the Starr's Mill Community that also contained a post office, stores, a church, a cotton gin, and a saw mill. These facts are discussed in the Natural and Historic Resources Element of the comprehensive plan.

Also located at the intersection in close proximity to Starr's Mill is the Starr's Mill Baptist Church. It is estimated that the church was constructed in 1887 according to the Natural and Historic Resources Element. The church is owned and utilized by New Hope Baptist Church which is located across SR 74.

Existing Development: Properties at this intersection are residentially zoned and the Future Land Use Plan designates these properties as residential. Most lots contain single-family residences with the exception of a lot of approximately eight acres that contains the aforementioned Starr's Mill Baptist Church. Some of the lots are nonconforming and a few are less than one acre in size. A legal nonconforming commercial structure was removed due to the realignment of Padgett Road.

Several single-family residential subdivisions are located in close proximity to the intersection. These subdivisions include Mill Pond Manor (R-45), Southmill (C-S), Starr's Mill Ridge (R-20), and Starr's Mill Estates (R-20). While Starr's Mill Estates is zoned for one acre lots, the lots range in size from four to eight acres.

Future Development: Due to the improvements to this intersection through the SR 74 widening project and the future widening of SR 85, it is anticipated that property owners at this intersection will pursue nonresidential development. The preferred development pattern is for properties closest to the intersection to contain the more intense uses and land use intensity will generally decrease in intensity as it moves away from the intersection. The maintenance of an efficient flow of traffic at this intersection is essential. The historic character of the area should be taken into consideration in the development of this area.

The goals of the Starr's Mill Historic District Overlay at the SR 74, SR 85, & Padgett Road Intersection are: (1) maintain the historic character of the area, (2) control the intensity and aesthetic quality of development at the intersection as it is the southern gateway into Fayette County, (3) maintain an efficient flow of traffic at the intersection, and (4) protect existing and future residential areas outside of the intersection.

Recommendations: The land use of this area associated with this intersection will be depicted on the Future Land Use Plan and corresponding Overlay Zone requirements for nonresidential development will be added to the Zoning Ordinance. The nonresidential land use designations at this intersection will consist of Limited Commercial One, Limited Commercial Two, and Office. Some fringe areas will have a residential land use designation of Low Density Residential (1 Unit/1 to 2 Acres). The C-C (Community Commercial District) and the C-H (Highway Commercial District) are not designated for this area.

THE FOLLOWING WILL BE ADDED IN ITS ENTIRETY TO THE FAYETTE COUNTY COMPREHENSIVE PLAN, FUTURE LAND USE PLAN MAP

Starr's Mill Historic Overlay District and Overlay Zone

Overlay District (see Fayette County Comprehensive Plan, Land Use Element)

Overlay Zone (see Fayette County Zoning Ordinance, Sec. 110-174 Historic District Overlay Zone)

1. Discussion of the SR 85 and SR 74 intersection.

Pete Frisina said staff and Planning Commission had worked on land use and zoning for this intersection but didn't finish the project. He said both State Routes are covered under an overlay but what we wanted to do was create a different overlay just for the four (4) corners.

Chairman Graw asked Pete Frisina to explain the concept of overlay zoning.

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Pete Frisina said an overlay zoning overlays the base zoning of a property with addition regulations to maintain certain standards over all of the properties for consistency such as a highway corridor which could cover setbacks, architectural character, etc. He added that every State Route has an overlay zone and some are specific and others are covered under the General State Route Overlay. He said our approach was to look at the four (4) corners with an overlay specific to those four (4) corners and remove them from the State Route Overlays.

Chairman Graw said the northwest corner is #1, the northeast corner is #2, the southwest corner is #3 and the Southeast corner is #4. He said if he remembers correctly, there is a triangular piece of property on the corner # 4 that is owned by GDOT.

Pete Frisina said he thinks that is correct and he would ask Phil Mallon if that is still correct. He said the triangle is the area of the old road bed of Padgett Road. He added that there is a power line that runs to the south of corner #3 which creates a good demarcation for a separation between a residential and nonresidential land use. He stated that approximately four (4) acres on corner #1 were discussed as Commercial.

Brian Haren asked if there was some sort of detention pond on corner #3.

Pete Frisina said from the aerials its looks like a small wetland or manmade pond.

Chairman Graw asked were the new subdivision is located in this area.

Pete Frisina said Southmill is to the west of SR 85.

Chairman Graw asked how far back from the road had we discussed commercial zoning going.

Pete Frisina said we discussed the four (4) parcels at the intersection and there are two (2) lots containing houses between this commercial area and Southmill Subdivision where Office could be appropriate.

Chairman Graw if we should continue with commercial all the way to Southmill.

Brain Haren said the office area would be a transition from commercial to residential.

Chairman Graw asked what we had proposed on corner #2.

Pete Frisina said that corner is a special situation as there is an existing church with a parking lot on this corner and it is close to Starrs Mill. He stated that we don't want something there that will detract from the historic character of Starrs Mill. He said it was discussed that an adaptive reuse of the church would help maintain the historic character but he didn't know if the age of the building would preclude it from meeting current building standards.

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Al Gilbert said the church believed that given its proximity to Starrs Mill that if the County purchased the church it could be used in conjunction with Starrs Mill to create a park.

Chairman Graw asked if we had discussed taking the commercial to the large parcel behind the church.

Pete Frisina said he didn't think we had proposed commercial for that parcel and we had discussed limiting the commercial uses on corner #2 because of Starrs Mill.

Brian Haren said there is a conservation area and path being discussed for the Starrs Mill and north along Whitewater Creek and last thing he would want to see is a path and canoeing route terminating into a convenience store and he agrees that we need to protect corner #2 in terms of what goes in there and how it looks.

Chairman Graw said we talked about a turn of the century character for the buildings at this intersection.

Al Gilbert said something similar to the architectural character of downtown Senoia.

Brian Haren said Starrs Mill is one of the most photographed mills in Georgia.

Arnold Martin said the mill dictates the period architectural character we want at the intersection.

Pete Frisina said the discussion was corner #1 and #3 is where the heavier commercial use could be located, corner #2 would have limited commercial uses and we did not come up with a good concept for corner #4.

Chairman Graw asked what has brought this discussion of the SR 74 and SR 8s intersection up again.

Pete Frisina said the real estate representative that brought it up before recently spoke to me and

said they were still trying to market the property. He added that the Planning Commission had met with the property owners in this area a long time ago and they were told after SR 74 was completed the County would look at the land use at this intersection.

Chairman Graw said the reason we are putting so much thought into this intersection is it is the southern entrance into Fayette County and I want the County to be prepared when someone asks for a rezoning at this intersection.

Arnold Martin said with the film industry in our area, if we aid to that based on a plan for period architectural character it could even attract even more of that industry. He added that a new

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building can be covered in a façade that will give this period appearance. He asked how the County will control development to get this appearance.

Al Gilbert said we will use an overlay zone of some type.

Pete Frisina said Chairman Graw asked that the Limited-Commercial (L-C) Zoning District be given out for review as this is the zoning district we were considering for the intersection. He added in terms of a convenience store it limits it to six (6) gas pumps which are 12 fueling stations.

Chairman Graw said the L-C has not been used in the County yet.

Arnold Martin asked how many gas pumps the Quiktrip had.

Al Gilbert said 12 pumps which gives you 24 fueling stations. He added that he thinks corners # 1 and #3 should be allowed to have convenience stores because with four (4) lanes of traffic you want to discourage people from making turning movements across this road.

Pete Frisina said there is a morning side of the road and an evening side of the road.

Chairman Graw said he is not in agreement with a convenience store on these two (2) corners, one on #1 and one on #3. He said he did agree with a convenience store on #1 only. He added a convenience store may take up close to an acre of land and if that is correct, that would leave little available land to develop on #3 for other uses such as restaurant, etc. He said he would like to see something other than convenience stores at this intersection.

Arnold Martin said the closet convenience store is located on SR 16 in Senoia.

Al Gilbert said the market is going to determine if two (2) convenience store are viable at this intersection but I think corners # 1 and #3 should be allowed have them.

Pete Frisina said there are about 8,000 cars a day on SR 74 and 10,000 to 11,000 on SR 85.

Brain Haren asked if the number of cars is reason enough to say there has to be a convenience store on one or both of those corners.

Pete Frisina said when open up these corners for commercial, a convenience store is probably going to be the first thing someone wants to build there. He added that you might only see one convenience store at first but over time a second one may come. He said a convenience store is a typical use at the intersection of major highways.

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Al Gilbert said keep in mind that the L-C will keep the convenience store small compared to the larger companies because of the requirements.

Pete Frisina said this is the overview of some of the ideas we had for this intersection and we basically need to pick up from there to complete the plan.

Chairman Graw asked were we calling this a historic district.

Pete Frisina said we were going to create some kind of special development district for a specific area located on the four corners of this intersection so the four (4) corners are regulated with similar architectural controls.

Brian Haren asked if we need to carry something further up SR 85.

Al Gilbert said he thinks we need to look at the SR 85 Connector intersection.

Pete Frisina said the County has fought commercial zoning at SR 85 connector twice.

Chairman Graw said he agrees that we look at the SR 85 Connector.

Al Gilbert asked the Planning Commission members to drive down in the area to get familiar with the intersection.

Pete Frisina said the uses in L-C are quite limited including Antique shop; Art and/or crafts studio; Bakery; Bank and/or financial institution; Barbershop and/or beauty shop; Book, stationery, and/or card shop; Clothing and accessories; Dance school and/or studio; Florist shop; Gift shop; Home furnishings and accessories; Jewelry shop; Laundry and/or dry clean pickup station; Medical/dental office (human treatment); Music teaching studio; Office (business and/or professional); Photography studio; Restaurant/restaurant takeout (no drive-through or drive-in allowed); and Shoe repair.

Al Gilbert said he thinks a hardware store would be a good use for the intersection.

Peter Frisina said that wouldn't be allowed in L-C

Arnold Martin said remembers coming to a BOC meeting for a rezoning for a convenience store and people brought up the fact that a convenience store draws a certain element that will hang out there and the perception was they were going to cause trouble.

Al Gilbert said we can limit the hours.

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Pete Frisina said that was hard to regulate.

Al Gilbert said a fitness center is a popular use.

Peter Frisina said that wouldn't be allowed in L-C

Chairman Graw said the convenience store at SR 54 and Robinson Road is in character with what we are looking at for the intersection.

Pete Frisina said we will continue to work on the plan for this area and discuss it at a future meeting.

OLD BUSINESS

1. Discussion of the SR 85 and SR 74 intersection.

Pete Frisina said what was sent to the Planning Commission are drafts of text for the land use plan, an Overlay Zone for the intersection, an amended version of the L-C Zoning district and a new proposed commercial zoning district. He said he spoke with the County Attorney about some of the land use approaches Staff and the Planning Commission were considering for the intersection concerning restricting uses on some of the corners. He stated that the County Attorney was more comfortable legally with restricting land uses through different zoning districts as opposed to restricting uses within a zoning district with a Special Development district, so these drafts are geared toward that approach. He added that the land use text draft outlines this approach by listing the land use designations, Limited Commercial, Office, and Low Density Residential, including a new commercial designation that will correspond to a new commercial zoning district that is less intense than L-C. He said Low Density Residential is being considered because there is one acre zoning in place in this area that the land use plan does not reflect and the area around these proposed nonresidential areas are in land use designations of Rural Residential and Agricultural-Residential and Low Density Residential would be a better transition.

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Arnold Martin said the County does not dictate property values but when the County changes land use and zoning there is an implied sense that the value is increased depending on the uses so how do we balance that on different corners.

Pete Frisina said different land uses and/or zonings could have an effect on the value of property.

Chairman Gilbert said the architectural requirements will be same for the entire area.

Pete Frisina said the issue we have been discussing is the location and number of convenience stores on these four corners and whether there will be one, two, or maybe three convenience stores in this area and we have been leaning toward the corners on the west of SR 74 which would have the more intense uses and the other two corners would have less intense uses. He added this is based on the location of Starrs Mill and its historical significance, so we don't want to detract from Starrs Mill; we want to enhance it and the area through the requirement of a period architectural requirement.

John Culbreth asked how much of this area is owned by the County.

Pete Frisina said the County only owns Starrs Mill and it sits on about 17 acres. He added that the proposed Overlay Zone contains the architectural requirements for the turn of the century downtown character and he thinks one of the best examples of what he thinks we are trying to

achieve is the store fronts on the west side of the square in Fayetteville. He said they are mainly one story buildings with brick façade and the brick patterns create the embellishments that are indicative of this architecture and while each building is similar they are not all the same which may be something we also want to consider. He asked the Planning Commission if stacked rock walls, period fencing and/or period lighting fixtures should be required or encouraged.

The consensus of the Planning Commission was they should be required.

Arnold Martin asked what the sequence of this planning process is in terms of when property is sold or developed that is will have to be developed based on the regulations we are discussing.

Pete Frisina said currently none of these corners are land used or zoned for nonresidential development so the first step is to amend the land use plan to reflect nonresidential development but these areas will still be zoned for residential. He stated the land owners will apply to rezone their properties and the application will be evaluated based on the County's Land Use Plan. He added that these regulations we are discussing will be in place to control the development after property is rezoned. He said he is still working on articulating the architectural requirements and it maybe that we will have to use pictures to illustrate the character where the other Overlay Zones are more quantifiably defined in terms of a certain roof pitches and facades.

Arnold Martin asked if the Development Authority is consulted when the County is making Land Use Plan amendments for nonresidential development.

Pete Frisina said the Development Authority has been consulted when the County has amended

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the Land Use Plan in the past but the type of development we are discussing at this intersection is not the type of development the Development Authority usually targets. He added that they usually work with larger manufacturing companies. He said the County is required to do major reviews of its comprehensive plan every five years based on State planning standards and the next major review is due by June of 2017 and the County will seek the input of local stakeholders in this review process. He stated the amendments to the L-C zoning district include the deletion of a sentence in the Intent which states "The L-C zoning district would avoid the development of strip commercial businesses." He said L-C limits the amount of square footage with a Floor to Area Ratio and there was an incentive that allowed more square footage if a developer built two (2) structures as opposed to one (1) strip, but this incentive was taken out sometime back. He stated that he added "(no drive-through or drive-in allowed)" to Bakery as L-C is a low intensity zoning district. He said that he added two (2) new use categories which include Educational/instructional/tutoring facilities and Personal services which allow these related uses to be grouped under "Permitted principal uses." He said he added a statement that said architectural standards in an Overlay Zone will take precedence over the architecture requirements in the L-C zoning district as L-C may someday be used outside of a highway corridor where architectural standards are not required. He stated under the new proposed

commercial district the only real difference with L-C is it does not allow the Convenience commercial business.

Chairman Gilbert said he doesn't think the new zoning district should be named as a historic commercial district but maybe named "old time" in some way.

Arnold Martin said even Disney has a replica of an old town.

Pete Frisina asked if there are any uses that should be taken out.

Arnold Martin said maybe we need to limit resale shops and protect ourselves from too many of these type shops.

Pete Frisina said the "Antique shop" use could allow a resale shop and these districts do not make a distinction between retail and resale. He added that he would review the zoning ordinance to see if it makes this distinction in any other commercial districts.

Chairman Gilbert said during the past recession there was a lot of empty commercial space and building owners wanted to rent the space and resale shops moved in.

Arnold Martin suggested deleting a fitness center from the new zoning district. He suggested that a laundry drop-off/pick-up be deleted since they usually have a drive-through window and they are allowed in L-C.

John Culbreth asked if a spa would be allowed in these zoning districts.

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Pete Frisina said a spa is a specific use in C-H and is related to massage and is not listed in these zoning districts.

Arnold Martin said some beauty salons have spa services.

Pete Frisina said spa services as it is defined in the Zoning Ordinance would not be allowed in these zoning districts.

Chairman Gilbert suggested that a mailbox store or a UPS store may fit in these zoning districts.

Arnold Martin asked if there is any way that someone could use the dance school use to slip in a strip club.

Pete Frisina said it would not be possible as the County's Adult Entertainment ordinance limits that type of use to M-1 zoning.

Chairman Gilbert asked if we are addressing signage for this area.

Pete Frisina said that would have to be addressed through the Sign Ordinance and not the Zoning Ordinance.

Arnold Martin said we should consider regulating signs that are in character with this turn of the century area we are trying to create.

Pete Frisina said we would have to create a special district in the Sign Ordinance. He added that he would review the uses in these zoning districts to determine if they need to be better defined.

Chairman Gilbert suggested looking at including a cellular phone store in these zoning districts.

Arnold asked if a grocery store would be allowed.

Pete Frisina said the closest use to a grocery store would be the Convenience commercial establishment Conditional Use under L-C but size restrictions would not allow a major grocery store.

Arnold Martin said he was thinking of a boutique natural food store.

Pete Frisina said the Convenience commercial establishment is limited to the sale of prepackaged food products, gasoline, household items, newspapers, magazines, sandwiches, and other freshly-prepared foods for off-site consumption.

Arnold Martin said he didn't know if a small grocery store would be allowed under that list of uses.

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Pete Frisina said a major grocery store would not go into these zoning districts because of the size limitation so it would have to be a locally owned or independent store. He said these zoning districts are supposed to be low intensity so we have to be careful and probably the most intense use will be the Convenience commercial establishment.

The Planning Commission took no official action on this item and will continue the discussion at a future meeting.

OLD BUSINESS

6. Discussion of the SR 85 and SR 74 intersection.

Pete Frisina said based on questions from the last meeting he went through the uses in the L-C zoning district to determine if they needed to be more defined. He said the first use is an Antique Shop and he found some definitions but he didn't want to use them because they were based on the percentage of items that were of a certain age and this is too labor intensive to determine. He stated the question raised at the last meeting was does a Vintage store, Thrift store, Consignment store, or Used books/records store qualify as an Antique Shop. He said he doesn't have a problem with including these uses along with an Antique Shop.

Brian Haren said he would like to ~~it~~ limited to for-profit establishments.

Pete Frisina said the next use is an Art and/or crafts studio and he found three (3) definitions that he thinks fit. He said these definition are an Artist's studio where works are created and sold, a Studio where customers purchase then paint or create their own canvas, pottery, glass pieces or sculpture, and a Gallery with pieces by various artists, plus a studio with classes & a supply store.

John Culbreth said those definitions fit well with the use.

Chairman Graw he agrees with the definitions.

Pete Frisina said he would use these three (3) definitions to craft a description of the use. He said a Bakery (no drive-through or drive-in allowed) can be defined as an establishment engaged in the preparation and production of baked goods for consumption and sale both on and off the premises.

John Culbreth said that sounds good for a bakery.

Pete Frisina asked would a Dunkin Donut or Krispy Kreme be a bakery or restaurant.

Brian Haren said there are very few Dunkin Donuts where the donuts are baked in-house.

Al Gilbert said without a drive-through window the odds of either one of those coming are remote.

Chairman Graw said he sees a bakery as a place that makes pastries, cakes, bread, etc.

John Culbreth said the old traditional bakeries really don't exist anymore.

Al Gilbert said most grocery stores now have a bakery.

Pete Frisina said a Bank and/or financial institution would include a bank, savings and loan, credit union, and mortgage office.

Al Gilbert asked if we have said no drive through with a bank.

Pete Frisina said the ordinance does not prohibit drive through windows with a bank.

Al Gilbert said if we are going to prohibit drive through windows for other businesses we should not allow them with a bank.

Pete Frisina said currently only bakeries and restaurants are prohibited from having a drive through window.

Chairman Graw said while we are looking at L-C in context to the SR 74 and SR 85 intersection it can be used in other areas of the County and I don't want to limit it too much.

Pete Frisina said L-C has always prohibited drive through windows with food service establishments because L-C was created as a less intense commercial zoning district.

Al Gilbert said a restaurant can't have a drive through window but the bank next door can have a drive through window and that is not treating the businesses equally.

Brian Haren said but these rules were in place before you started construction of the restaurant.

Chairman Graw said his opinion is if you want the restaurant with a drive through window this is not the zoning for you.

Al Gilbert said we should prohibit all drive through windows in L-C.

Brian Haren asked if a Pay Day Loan and a Title Pawn is a financial institution.

Pete Frisina said he didn't think a pawn shop is a financial institution.

Brian Haren said he would not like to see a Pay Day Loan or a Title Pawn in L-C.

Pete Frisina said the G-B zoning District excludes pawn establishments from the uses of Financial, credit, real estate, and/or insurance establishments.

Chairman Graw said he agrees that we don't want title pawns or pay day loan establishments.

Brain Haren asked how is a pay day loan establishment classified.

Pete Frisina said that would be a financial institution.

Chairman Graw asked if we need to have a separate category for a financial institution.

Brain Haren asked if a Pay Day Loan is not included under Bank and/or financial institution.

Pete Frisina said he didn't feel that he could make a distinction that a Pay Day Loan is not a Financial Institution.

Chairman Graw asked if Brian Haren wanted Pay Day Loans excluded.

Brian Haren said that is correct.

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Chairman Graw said can we say Pay Day Loans and Pawn Shops are excluded.

Brian Haren suggested excluding Pay Day Loans, Pawn Establishments, Short Term Loan establishments, and Check Cashing establishments as well as no drive through windows but walk up ATM will be allowed.

Pete Frisina said a Book, stationery, and/or card shop is the next use. He said Stationary Store is defined as an establishment which sells office-related products to the public at retail and products typically includes paper products, calendars, pens and pencils, and may include small office equipment, such as filing cabinets, brief cases, and calculators. He added a card shop usually includes the sale of greeting cards, wrapping paper, photo albums, picture frames, globes, maps, and other related products.

Chairman Graw said your first sentence describes Office Depot, Office Max and Staples so would we permit those establishments in L-C.

Pete Frisina said given the size of the typical Office Depot, Office Max and Staples, the square footage restrictions of L-C probably won't be big enough for their standard store.

AI Gilbert said these companies will do a market study and that area probably wouldn't support one of those stores.

Pete Frisina said the next use is Clothing and accessories. He said an accessory can be any piece of clothing that you wear or carry as long as it isn't part of the main outfit, traditional carried accessories include purses and handbags, hand fans, parasols and umbrellas, canes, etc, and accessories that are worn may include jackets, boots and shoes, cravats, ties, hats, belts and suspenders, gloves, jewelry, watches, sashes, shawls, scarves, socks, and stockings.

Brian Haren said you mentioned jewelry.

Pete Frisina said a jewelry store is also a separate use in L-C. He said the next use for discussion is a Gift shop. He added a Gift Shop is retail stores where items such as art, antiques, jewelry books, and notions are sold and notions are small useful things (such as pins, thread, buttons, ribbon) that are used for sewing. He stated another definition of a gift shop is a shop that sells souvenirs and small items suitable to be given as presents.

Chairman Graw said a gift shop and a card shop sell a lot of similar items.

Pete Frisina said Home furnishings and accessories is the next use. He said a definition of a Furniture Store is an establishment for the sales for furniture and other domestic articles used in readying an area (as a room or patio) for occupancy or use. He added another definition includes

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furniture, home furnishings, and home appliances and means a business primarily engaged in the retail sale of goods used for furnishing the home, such as furniture, floor coverings, draperies, lighting fixtures, woodstoves, domestic cookstoves, refrigerators, and other household electrical and gas appliances. This category also includes rental of furniture, appliances, and the like, as well as the sale or rental of consumer electronics such as televisions and stereo equipment.

Chairman Graw said that sounds like an HH Greg store.

Brian Haren suggested excluding appliances.

Pete Frisina asked would we also exclude floor covering, window covering, lighting fixtures, and consumer electronics such as televisions and stereo equipment.

Brian Haren said those should also be excluded. He asked if a veterinarian would be allowed under Medical/dental office.

Pete Frisina said they would not because Medical/dental office is limited to human treatment. He said at the last meeting a mailbox/UPS store was suggested for L-C and the other proposed L-C type district. He added that these uses are defined as Mail Services and consist of a commercial business which conducts the retail sale of stationery products, provides packaging and mail services (both U.S. Postal and private service), and provides mailboxes for lease.

Chairman Graw said he thought it was a good use to add to L-C.

Pete Frisina said another suggestion was to add a cellular phone store to L-C.

Brain Haren said it sounds OK.

Pete Frisina said at the last meeting it was suggested that we add a Hardware Store to L-C. He added that a Hardware Store is an establishment engaged in the retail sale of various basic hardware lines, such as tools, builders' hardware, plumbing and electrical supplies, paint and glass, housewares and household appliances, garden supplies and cutlery.

Chairman Graw asked when you say garden supplies do you mean everything a Pikes Nursery has.

Brain Haren said that could include lawn mowers, weed eaters, wheelbarrows, etc. and I think we're referring to an old-tome hardware store not a Home Depot but how do you distinguish between the two.

Al Gilbert said you exclude outside storage.

Brian Haren said size limitations will also help.

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Pete Frisina said currently L-C allows a Floor to Area Ratio (FAR) of .1 with a total of 8,500 square feet.

Chairman Graw said the previous language in L-C provided a bonus of more square footage if the developer built two (2) building as opposed to one (1) building to discourage a strip commercial development. He added it required the buildings to be a minimum of 26 feet apart.

Pete Frisina said in the previous language the maximum square footage was 10,000 square feet and if you built two (2) buildings you got a 15 percent square footage bonus so with 10,000 square feet that would be an additional 1,500 square feet for a total of 11,500 square feet.

Chainman Graw said he would like to consider adding this language back in L-C.

John Culbreth said can we anticipate that each building would have more than one (1) business.

Pete Frisina said that would probably be the norm but it is not required.

Brian Haren asked how big is 10,000 square feet.

Pete Frisina said using the square root that is 100 feet by 100 feet.

Chairman Graw asked on four (4) acres how much square footage could you build.

Pete Frisina said under the current ordinance with a maximum square footage of 8,500 square feet that is all you could build on four (4) acres because with the FAR of .1 you would hit the maximum square footage on a little over two (2) acres.

Chairman Graw asked could you build another two (2) building with four acres.

Brain Haren said you could not on the same parcel. He added that he likes the old language with the bonus square foot for building two (2) buildings and we should consider putting it back in L-C.

Chairman Graw suggested putting the language back in L-C with 10,000 square feet.

Al Gilbert asked if the building square footage should be based on acreage.

Pete Frisina said the L-C concept is to create a small less intense commercial zoning district and not create a big sprawling development.

AI Gilbert said you could start with 8,500 square feet with two acres and with three acre and add more square footage and so on.

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Pete Frisina said with a FAR of .1 you would hit the maximum square footage of 3,500 square feet for about two and a half acres.

Brain Haren asked what restrictions the County has to stop someone from subdividing a lot to get more square footage.

Pete Frisina said nothing but once you subdivide the lot you get more separation between the developments because you would have setbacks landscaping between them.

Chairman Ian Graw asked about the square footage limits for a convenience store.

Pete Frisina said a convenience store is limited to 3,500 square feet. He said the question from last week was does a Convenience commercial establishment in L-C allow a grocery store or natural foods store. He added that he found a definition of a Convenience Store that states a small store that stocks a range of everyday items such as groceries, snack foods, beverages, toiletries, tobacco products, and newspapers, and may also provide the sale of fuel. He said the current definition in L-C for a Convenience commercial establishment is a facility limited to the sale of prepackaged food products, gasoline, household items, newspapers, magazines, sandwiches, and other freshly-prepared foods for off-site consumption. He said he prefers the new definition he read as opposed to the one currently in L-C because it is more general. He added that if he used the Convenience commercial establishment definition currently in L-C a small grocery store or natural food would not be allowed as the term prepackaged food products would not allow the sale of produce for example.

Brain Haren said he liked the new definition of Convenience commercial establishment.

Pete Frisina said he would work it into the ordinance and we would continue the discussion at a future meeting.

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OLD BUSINESS

5. Discussion of the SR 85 and SR 74 intersection.

Pete Frisina stated last week they had a discussion on defining some of the L-C uses. He added that he has crafted some definitions for the uses for review.

Al Gilbert asked what he thought about a quick copy.

Pete Frisina said he would look into it. He stated the uses that he had defined were arts and crafts, bakery, card and stationary shop, check cashing, gift shop, mail shop, pay day loan establishment and pawn shop.

Chairman Graw stated that the definition of gift shop seemed limited. He then read the definition for gift shop and it stated that it was an establishment selling small decorative or amusing items that suitable with gifts or souvenirs. He asked Pete Frisina would that be all they could sell.

Pete Frisina said it depends on what a small decorative item and amusing item is. He added that this was pulled from zoning ordinances and is a standard definition.

Brian Haren said that with a gift shop we're going to see a lot of Hallmarks. He added that this sort of shop is a card, stationary, and gift shop. He stated that there can be standalone gift shops. Brian Haren stated that Warm Springs' main street is half gift shops.

Al Gilbert added that gift shops can sell college memorabilia.

Arnold Martin asked if amusing items can open up to adult novelty shops.

Pete Frisina said that they discussed that at the last meeting. He added that per the County's code there is a special chapter for adult establishments and there are only allowed in the M-1 zoning district.

Arnold Martin stated that he remembered when this was a big issue with the Commission and that they were only allowed in M-1. He added that he took it as adult facilities such as bars, dance clubs, etc. He asked would an adult novelty shop be included in that.

Pete Frisina replied yes they would be included in that.

Pete Frisina stated that gift shop is not new to L-C it's always been in there, but never defined. He asked for suggestions and stated that he pulled definitions from other sources.

Al Gilbert asked would the term novelty work better than amusing.

Brian Haren states that gift shop means an establishment selling small decorative or "novelty" items.

Pete Frisina replied that we then have to define what a novelty item is. He said that novelty is a term used in a lot of zoning ordinances.

Chairman Graw asked what would be wrong with including gift shop with the card and/or stationary shop. He then stated that a card and/or stationary shop means establishments which also sell products

such as small decorative or amusing items that are suitable as gifts or souvenirs.

Pete Frisina said that it is up to them. He stated that as of right now it's a standalone use.

Chairman Graw said you are really limiting this gift shop to only a few items.

Pete Frisina replied that the definition is very broad.

Chairman Graw stated that when you think of a card and or stationary shop he is thinking of a Hallmark. He added that they sell a lot of items. He stated that if you allowed the gift shop to be next door to the stationary shop they would basically be selling the same things. He said that we should drop gift shop added to card and or stationary shop. He asked the board what they thought.

Arnold Martin agreed that it was a good suggestion.

Pete Frisina said that card shop is the first use stated there. He added that the definition used for stationary store will move away from greeting cards and wrapping paper to a more office related supplier. He asked does gift shop fit somewhere in the middle there.

Brian Haren replied in that context no.

Pete Frisina said unless you say card, gift, and/or stationary shop.

Chairman Graw agreed.

Pete Frisina said card, gift, and/or stationary shop and then add in there items that are suitable for gifts or souvenirs.

John Culbreth stated that someone might want a business that's not geared towards cards but specialty souvenir items.

Pete Frisina said will use items that are suitable for gifts and souvenirs.

Brian Haren asked have we forced ourselves to create another category to cover office supplies.

Pete Frisina replied that it's a part of the stationary shop. He then added that office related paper products, calendars, pencils, pens, briefcases, calculators; desktop office supplies.

Chairman Graw asked if someone wanted to start a shop with just a few of these uses they could do that. He added that they don't have to have a shop with all these uses.

Arnold Martin replied yes. He added that he knows of a stationary business right across the street that literally only sells stationary and maybe a couple of pens, but that's it.

Brian Haren said that Pete Frisina made a good suggestion using the phrase desktop office related supplies.

Pete Frisina replied that what those are in his opinion besides from the briefcase.

Brian Haren said that this may open the door for someone to come in and start a wholesale office furniture business.

Al Gilbert agreed and stated or a computer business.

Pete Frisina stated we can say desktop office related products. He added that paper products would be considered a related product.

Brian Haren agreed.

Pete Frisina said that the only thing we have related to furnishing is home furnishings. He emphasized that we are only talking about small retail space. He added that if someone sells a few desk chairs or a computer stand that shouldn't be a problem

Chairman Graw stated home furnishing and accessories could be like a Tuesday Morning.

Pete Frisina said as of right now we will change card, gift, and/or stationary shop. He then asked if the board was good with check cashing, mail services, pay-day loans, and pawn establishments. He then stated for antique shop he added vintage store, thrift/second hand store, or consignment store. He said that was the list we talked about last week. He stated that he found a definition for antique shop that had to do with the percent of products or items that were a certain age. He said using that definition would be a lot of work for staff to administer. He added that in this day in age not everything is antique but people like to buy dated things. He stated that he's okay with antique shop, art and/or craft studio, and bakery. He said the definition for banking and financial institutions includes brokerage firm, credit union, financial planning, or mortgage brokerage (no Pay Day Loan, Check Cashing or Pawn Establishments).

Arnold Martin asked if we wanted to include insurance agency.

Pete Frisina replied he didn't know if they would fit under financial institution or professional.

Arnold Martin stated that a lot of insurance companies do financial planning.

Pete Frisina said he would add insurance company to banking and/or financial institution.

Chairman Graw then asked if insurance company would be considered financial institutions.

Arnold Martin said absolutely that's just what we were discussing. He added that State Farm does banking and financing automobiles.

Pete Frisina asked if the board was good with the cellular phone sales and service and clothing and/or accessories. He listed accessories. He said that someone could open a purse store or shoe store. He said hardware store and home furnishings and accessories were added. He stated that he would list what the accessories are in home furnishings and that he took out appliances and things of that nature. He said that mail services store was also added.

Brian Haren asked why on page seven (7) we took out no drive-thru.

Pete Frisina told him he moved it to page (8) number (4).

Brian replied okay.

Chairman Graw asked for the board to turn back to page six (6) number seven (7) clothing and/or accessories. He asked the board for clarification on the phrase "such as", and whether or not they can

have other things in addition to what is listed.

Brian Haren replied yes. He stated that when we say “such as” that is not all inclusive.

Chairman Graw then said such as but not limited to.

Brian Haren said correct.

Pete Frisina stated that the way the ordinance is now written there are no drive-through facilities allowed in L-C whatsoever. He added that would mean no laundry /dry cleaning pickup, banks, etc. He stated that certain businesses rely on the drive-through. He added that when L-C was created it was to be a limited commercial district. He stated the intent was to limit the intensity of the uses for food services that being fast-food type restaurant that relies heavily on drive-through and drive-in clientele. He said the discussion we had last week was only taking one (1) use out of here and saying that they cannot have drive-through but allowing other uses such as banks and possibly the dry cleaners to have a drive-through and could this be putting the County in a position to have someone challenge us. He added that they may say you’re not allowing the restaurant to have a drive-through but you’re allowing the bank to have a drive-through. He stated that he talked to legal and said that the intent initially was to create a limited and low intensity commercial. He asked legal would this put us in a legal limbo. He stated that legal said as long as you have a justifiable reason for what you are doing he didn’t see it as a liability. He added that legal said that the difference in the amount of traffic for a fast-food restaurant and a dry cleaner are totally different.

Arnold Martin asked what if a dry cleaner that had a drive-through failed and the window is sitting there not being used and a restaurant of some type wants to lease the space; are we saying that they cannot lease it, or they can lease it but cannot use the drive-through.

Pete Frisina said they can lease it but cannot use the drive-through. He added that he doesn’t have a problem leaving it the way it is, but someday we may see some issues when a low intensity use wants to move in and says why can’t I have a drive-through.

Brian Haren stated that banning all drive-throughs goes towards what we’re trying to create here. He added that if we’re going to allow banks to have a drive-through it’s going to look like the Wells Fargo up the road and that’s not what we want in this environment here. He said that he is in favor of banning that type of activity for all businesses and that it would make it more legally defensible.

Al Gilbert asked are we going to allow walk-up to the bank.

Pete Frisina replied yes.

Brian Haren said and we will also allow for carry-out food services, but you can’t have a drive-through.

Brian Haren stated that in the morning on Highway 85 north traffic is bad due to the Dunkin Donuts located near the square. He added that the traffic is so bad that they have to rent a cop to direct traffic.

Chairman Graw agreed.

Al Gilbert said that traffic is also bad near the Chic Fil’A on Saturday nights at midnight.

Brian Haren stated that we’re talking about an area with small retail space, very dense road network and if we start allowing drive-through it’s going to back up into the public space.

Pete Frisina explained floor to area ratio definition for Arnold Martin.

Chairman Graw said it tries to eliminate the strip/shopping center concept. He stated that personally he would not like to see in strip shopping centers instead just individual buildings. He added that he did not want to see them on the northeast corner of the intersection.

Arnold Martin stated that has about four (4) acres or so.

Chairman Graw stated that he is afraid that someone is going to build a strip shopping center and it's going to look horrible.

Pete Frisina said that a minimum of what we will end up with is a strip shopping center with 26 feet between two (2) buildings. He said by taking that one (1) building and splitting it into two (2) you get an extra 1500 square feet.

Chairman Graw said that is going to cost more money for somebody to do that but there going to get more square footage out it.

Al Gilbert said he liked Pete's approach to writing policy and how he rewards the developer instead of punishing them.

Chairman Graw stated that developers are going to want to build in that area because of the growth.

Arnold Martin asked will there be architectural standards.

Pete Frisina replied yes. He stated that on page nine (9) in the new limited commercial zoning district he took out the convenience commercial establishment. He said that he forgot the new definition for convenience commercial but would bring it to the next meeting.

Arnold Martin asked were you talking about a convenience store.

Pete Frisina replied yes. He stated that at the last meeting everyone seemed to like it. He added that based on Arnold's comment it's under the definition for what we have for convenience commercial and allows someone with a small natural food store or something similar to that. He said that the way it's reworded it will allow for a standalone establishment.

Chairman Graw is concerned about lot number two (2) because its less than four (4) acres and the floor to area ratio states that the total maximum square footage for all structures combined on the site shall not exceed 10,000 square feet.

Pete Frisina said that it is more than four (4) acres.

Chairman Graw says that is a site and if you build on that four (4) acres your limited to 10,000 square feet and if you do individual buildings it will be 11,500. He states that an acre is about 44,000 square feet and if you take and divide the 10,000 that's 2500 square feet of building on 47,000 square feet of land. He asked is that a lot of building on an acre.

Pete Frisina replied that an acre is limited to 4,560 square feet.

Chairman Graw stated that the four (4) acres is a site and then asked would that be a site as stated in the

floor to area ratio.

Pete said yes and that it is limited to 10,000 square feet.

Al Gilbert said it might not be one (1) site.

Pete said “site” means the development as a whole.

Al Gilbert asked what if one (1) developer buys one (1) site and another developer buys a site; that’s two (2) sites right.

Pete Frisina replied yes.

Chairman Graw said he bets someone is going to buy that lot and it will be four (4) acres.

Pete Frisina asked would it be better to call it “lot” instead of “site.”

Chairman Graw asked how big a lot is.

Pete Frisina replied its one (1) acre for this district, and that is the minimum size.

Chairman Graw said he thinks 10,000 square feet on one (1) acre is too much.

Pete Frisina replied you can’t have 10,000 square feet on one (1) acre. He then added that Chairman Graw suggestion of changing “site” to “lot” was a good idea. He added that the area was made up of four (4) parcels and some of them are not even an acre. He stated that he would assume that some assembly would be required for that corner.

Chairman Graw stated that they had discussed O-I near the subdivision. He asked will we be requiring the same architectural restrictions that we had for the commercial.

Pete Frisina replied that we would.

Chairman Graw asked would we do the commercial first and then the O-I.

Pete Frisina said we would do it all at the same time. He stated that we would amend the land-use plan and the zoning ordinance to match everything.

Al Gilbert asked will we have a Highway Overlay Zone.

Pete Frisina replied yes, and it will be for the specific areas we want to capture and it will include the O-I. He asked the board if there was anything on page nine (9) they wanted to take out to be more limited than the L-C. He stated that the only thing they took out was the convenience commercial.

Chairman Graw asked what about gift.

Pete Frisina said that he could make that change. He added that this district mimics everything that is in L-C. He asked again if there was anything that they wanted to take out of this district to make it less intense.

Arnold Martin asked what the difference would be between the L-C and the unnamed district.

Pete Frisina said it won't allow the convenience stores.

Chairman Graw said that the unnamed district would be good to use at the 85 Connector and 85. He asked Pete what he thinks the lot at the 85 Connector is going to be.

Pete Frisina replied that he thinks the lot is fine as it is now.

Chairman Graw said but we know that it's not going to stay like that for long.

Pete Frisina stated that property owners on multiple corners feel like they have a commercial location.

Chairman Graw asked could you say that the commercial could only be in our "Historical District" that goes up to the 85 Connector and stops.

Pete Frisina replied that right now no one could have commercial.

Chairman Graw said that it's going to eventually happen.

Pete Frisina said that we are going to get challenged at every corner. He added that it is just going to happen from that corner all the way up to Fayetteville.

Chairman Graw asked why you can't exclude commercial all the way up to Barnard Road.

Pete Frisina replied that you can include and exclude as you see fit. He added that he has had more people come into his office looking at this corridor more towards the other end of SR85. He stated that we have made a special distinction for the corner of SR 74 and SR85 and that it will be very busy. He said that SR74 and SR85 will both be four (4) lane roads.

Chairman Graw said that at one time Rising Star was questioned, but he thinks of that corner as more residential.

Pete Frisina said that everybody that lives on a corner sees a gold mine. He stated that by sticking to this we are recognizing an area that is going to have high traffic in the future and he is not sure on whether or not the other corners will have the same intensity

Planning Commission October 15, 2015

OLD BUSINESS

3. Discussion of the SR 85 and SR 74 intersection.

Chairman Graw asked Pete Frisina to tell the board the unique title he has for the district.

Pete Frisina stated that for lack of a better title he created two (2) zoning districts one was called limited commercial which was the base and the other is called more limited commercial. He said that the original one will be LC-2 because normally in the hierarchy of zoning you give the heavier use the higher number. He added that the new district will be called LC-1.

Al Gilbert said that it was similar to M-1 and M-2.

Pete Frisina replied exactly. He stated that M-1 is associated with light industrial and M-2 is associated with heavy industrial. He added that he had researched other zoning ordinances for names that had similar C-1, C-2, and C-3 with no other title added to it, and found a limited commercial which was an L-C and a Limited Local Commercial which was equivalent to our LC-1. He found another zoning ordinance that had a category called Low Intensity Commercial.

Al Gilbert stated that the local and limited are too close together and can be confusing.

Pete Frisina replied that he knows and he hasn't been able to find any good names out there.

Chairman Graw stated that he liked LC-1 and LC-2.

Pete Frisina said there was no distinction beyond that. He mentioned that in the County's zoning ordinance we have a title after the code.

Chairman Graw stated that the only difference between the two (2) is that LC-1 (light) does not allow the convenience commercial and LC-2 allows it.

Pete Frisina told the board if they come up with any ideas for names to let him know.

John Culbreth stated that he liked LC-1 and LC-2.

Al Gilbert asked what would be the possibility of LC-1 with gas convenience and LC-2 without gas convenience.

Pete Frisina replied that it was too long of a title.

Al Gilbert said we could abbreviate the title.

Pete Frisina replied that he didn't want to roll that out as the title.

Brian Haren asked that when the Overlay Zone is codified that the first sentence in LC-2 is this is how it differentiates from LC-1.

Chairman Graw asked everybody if they were up to date on why they were creating the two (2) zoning districts.

Al Gilbert, Brian Haren, and John Culbreth all replied yes.

Chairman Graw stated that the SR 74 and SR 85 intersection will be the only place in the County where we would use the LC-1, without the gas station.

Pete Frisina replied he didn't know about that. He added that once the district is in place we could put it anywhere we wanted to. He stated that he thinks it's a good idea to have a commercial designation without the convenience use in it.

Chairman Graw replied that he liked it too.

John Culbreth added that it allows us to drive the planning.

Pete Frisina stated that once a sign goes up in a neighborhood, the first question that is asked is if there is going to be a convenience store there. He added that seems to be something that people don't want. He said people want gas they just don't want it next to their house.

Brian Haren stated that you don't need a gas station on every corner.

Pete Frisina stated that he did some work to the definitions on page six (6).

Brian Haren asked if the definitions changed since the last meeting.

Pete Frisina replied that he may have finessed them slightly. He said that he did not do anything to arts and crafts but under cards gifts and/or stationary he added some of the terms they talked about like desktop office products.

Brian Haren stated that he didn't want them to sell office furniture.

Pete Frisina said that we didn't have convenience commercial the last time. He stated that he opened it up for a convenience store, small natural food store, or a gourmet food store. He added that you don't have to sell gas to make it happen. He said that Al Gilbert's term copy and print had been added to the definitions. He stated that mail stores, pay day loans, and pawn establishments have stayed the same. He added that bookstore has been moved and become a term by itself without cards gifts and/or stationary.

Chairman Graw asked if someone could build a store and have all of these uses in them. He added for example a card gift and/or stationary with copy and print.

Pete Frisina replied yes and that he frequents the one (1) on Bank Station by the Cub Foods. He stated that the establishment allows you to ship packages, make copies, sells knickknacks and cards.

Brian Haren asked if an antique shop can sell cell phones.

Pete Frisina replied yes.

Al Gilbert asked if Pete Frisina will discuss the SR 85 and SR 74 intersection with the County Commissioners.

Pete replied that he hadn't quite figured out how he was going to do that just yet.

Al Gilbert stated that he would like the Commissioners feedback to see if they would like for them to expand the overlay zone.

Pete Frisina replied that under our procedures he doesn't have the opportunity to go to a meeting to discuss the overlay zone prior to a public meeting with the board. He stated that he would not like to present the board with this much information for their consideration in a public meeting. He added that in times past he had the opportunity to discuss projects with the board in a one-on-one setting or sometimes two (2) at a time especially when we are proposing to make a large amount of complex amendments to the Land Use Plan and Zoning Ordinance. He said that he would run it through the County Administrator once everything has been finalized.

Chairman Graw said that he had a question regarding page eight (8) D one (1). He asked what if petitioners were to bring in elevation drawings that the board did not like. He stated that the board has the ability to vote no, yes, or table it. He said if we were to vote no we need to have some reasons why we came to that decision. He asked the board what type of criteria should we establish or look at to base our decisions.

Pete Frisina said that was an issue that he and Chairman Graw discussed.

Pete Frisina stated he doesn't know if anything is new within the pages six (6) – 13 other than the convenience commercial he added at the end. He stated that pages one (1) – five (5) discuss what Chairman Graw had a question on. He said that it was on page four (4) number four (4) where they discuss architectural standards that relate to Chairman Graw's question. He read from page four (4) that elevation drawings must be in compliance with the following requirements and shall be submitted and approved as part of the rezoning public hearing procedures. He added that this is similar to a PUD and it's something that we don't do often. He stated that they require elevation drawings for a PUD and we will be following similar procedure here. He said this district we're creating will have architectural standards that aren't in his opinion quantifiable like some of our other architectural standards. He stated that the other architectural standards talked of a pitch peak roof and certain slopes, and they were all quantifiable. He added that doors and windows of a residential character aren't as quantifiable but we know that plate glass windows doesn't meet those standards. He said that it also talked about façades of a residential character (brick wood or stucco) and sidings that simulate the same; and even if they're metal we quantify that by saying horizontal seems as opposed to vertical. He stated that we would tell developers that we have photos/examples that we would like to see and we will open it up to you and see if you can create some design that meets our concept.

Al Gilbert stated that in the Historic District of the City of Fayetteville there are building restrictions. He said about four (4) years ago a developer was trying to build something, but he kept getting turned down. He said the developer finally asked the council, what are you looking for. He said that one of the councilman replied that he didn't know but when he sees it, he would tell him. He stated that "we" don't need to get into that.

Pete Frisina showed them the architectural drawings depicting the architectural character we want for the area.

Chairman Graw stated that we have to be able to define these things and that is the hard part.

Pete Frisina replied that you define them by talking about the characteristic of the architecture. He said that you basically tell developers here is an example of what we like. He stated that we could quantify the movement in elevation on the roofs by a percentage of change in elevation within so many feet. He stated that the Planning Commission wanted to require period lighting and fencing required. He added that we

need to come up with these requirements.

Al Gilbert said that during that era there were no iodized aluminum windows. He added that it takes away from the architecture.

Pete Frisina replied that we could get the overarching architecture to follow that form but he's not going to worry about window treatments.

Chairman Graw asked how you define the characteristics of that building.

Pete Frisina replied that building is indicative of a certain period of time of the turn of the century. He states that brick was predominating during this period but not always.

Brian Haren stated that we may need to emphasize wood materials or wood like treatment along the area surrounding Star's Mill.

Pete Frisina stated that we're looking for buildings that follow this style of architecture and are in character with this period. He said that they're not all going to match Star's Mill. He added that the shopping center behind Arby's is a one (1) strip building with each suite having a slightly different façade. He also mentioned downtown Fayetteville having different facades for its suites which he believes gives character. He stated that he likes both wood and brick for facades.

Chairman Graw asked could we really define what we want to make a decision for approval or disapproval based on picture.

Pete Frisina replied that he thinks we should say based on the pictures these are the elements and architectural styles that we want to see. He added that he could define the architectural terms needed but also reiterated that he cannot quantify it in a sense to say how tall or wide the building must be or the percentage of wood and brick that has to be used. He stated that Fayetteville and Peachtree City architectural standards are reviewed at the site plan stage not a rezoning. He added that board members know what they're looking for once they see it. He said that staff tries to guide them on where they need to be, but council approves site plans. He stated that we want to try and find a good way of getting what we want and not being a total burden on someone.

Pete Frisina asked the board to review a photo of a strip commercial building to see if it meets the requirements.

Al Gilbert, Brian Haren, John Culbreth, and Chairman Graw agreed that the strip commercial building does not meet the requirements that they are looking for.

Pete Frisina said that if we we're to tell the developer of the strip commercial building this doesn't meet the grade; we must also tell him what he can do to embellish it more. He added that the photo shows some characteristics such as the period columns, period lightening, movement of the roofs, and stacked stoned. He stated that the problem is with the materials the stucco finish doesn't look right to him.

Chairman Graw stated that if someone were to bring in the site plan he would tell them they need more accents and ask them to review the pictures that were provided to them to pull ideas.

Brian Haren stated that the site plan looks like an outlet mall. He added that the building was too symmetrical with its façade. He said that he is looking for a more downtown Fayetteville or Senoia feel to it. He added that during the 18th and 19th century no commercial building had that much glass on it.

He stated that more regular windows would need to be displayed and that the stack stone used is not indicative of the era they're trying to encompass. He asked for wood or brick.

Al Gilbert stated that his major issue is with the stucco material.

Pete Frisina agreed that stucco was not indicative of that period.

Chairman Graw asked Brian Haren what made the structure look like an outlet mall.

Brian Haren replied that it was the symmetry, exterior finish, and the ratio of glass to structure level.

Al Gilbert stated that if the windows were divided it would give them a different look.

Pete Frisina agreed and said that during this period there was never glass all the way down to the base. He added that there was always a knee wall.

Chairman Graw asked if we had stipulations for windows in our ordinance.

Pete Frisina replied that we do but there for residential windows.

Pete Frisina stated that we can require that knee walls be a minimum of two (2) or three (3) feet and have division between them.

Brian Haren wanted no metal finish added anywhere except for signage.

Al Gilbert asked Brian Haren what the metal finish was on.

Brian Haren replied for the window frames. He said that he wouldn't mind a treatment being added to it to make it look like wood.

Pete Frisina stated that he didn't want to require wood but wanted it to look period and if it has that metal so be it as long as it doesn't look shiny.

Pete Frisina showed the board a photo of a commercial building in downtown Cartersville. He stated that Cartersville has an old-town feel to it and that this commercial building was built to try and fit into the character that was already there. He added that they have accents and none of the glass goes all the way down. He said that they could quantify these characteristics and he mentioned that they could ask the developers to break the panes up with some sort of separation.

Brian Haren said the structure looks modern because of the projected vestibule in the front of the restaurant. He stated that they should find a way to minimize it to where it can be a flat front façade.

Pete Frisina agreed. He stated that the building is new and was built with some of the characteristics that we are looking for such as the windows, division between the windows, and awnings.

Chairman Graw stated that we could require an awning every once in a while.

Pete Frisina replied that he didn't know if we would require a cloth awning, but if someone wanted to do it would be fine.

Chairman Graw asked what requirements a developer would get turned down for.

John Culbreth stated that if we asked for what we want and they don't comply that's reason to turn them down.

Chairman Graw and John Culbreth asked if an architect could come by to give us some pointers for technical terms.

Pete Frisina said he would get with someone on that.

Pete Frisina stated that number four (4) deals with the architectural standards/style of Starr's Mill and he doesn't want everything to look like the mill. He said that the mill is a building of influence but he doesn't want to be that specific about it.

Brian Haren said that we need to add that whatever the developer comes up with cannot overwhelm the mill in the north corner.

Pete Frisina said that mill sits way back from the corner and no one will be right on top of it.

Pete Frisina stated that number four (4) which deals with stacked rock walls and period fencing should be required along the 50 foot landscaping area in front of a development. He asked do we give the developer a choice of rock wall or period fencing. He also asked do they want period lighting throughout the whole development.

Chairman Graw, Brian Haren, Al Gilbert, and John Culbreth all agreed for period lightening throughout the whole development.

Brian Haren asked if the County prohibits gas lightening/street lightening instead of electric.

Pete Frisina replied he doesn't know. He said that he could get developers to do something similar. He added that most developers want a certain amount of light on the development.

Pete Frisina stated there would be a 50 foot landscaping area along the State Route and somewhere in that 50 foot landscaping area we would want period fencing or stacked rock wall. He asked how they like would to quantify that and what would be the minimum lengthwise.

Brian Haren, John Culbreth, and Chairman Graw all agreed to 25% for the minimum linear footage for a fence.

Al Gilbert stated that the number should increase because people sometime do just the minimum. He asked if a fence was put around a water fountain would that count towards meeting the minimum.

Pete Frisina replied that it had to be linear.

Brian Haren, John Culbreth, and Al Gilbert all agreed to 50% for the minimum linear footage for a fence.

Chairman Graw said he had issues with the 50% for the minimum linear footage for a fence. He stated that it may be too expensive for the developer.

John Culbreth stated that we could have set standards with a minimum and leave it open ended. He added that we could give trade-offs if the total 100% requirement minimum is not done there needs to be something to compliment that.

Pete Frisina stated that landscaping requirements pertaining to development will have landscaping area in the front. He said that the fencing is in addition to your landscaping area to give it some character. He added that this is not being done anywhere else in the County.

John Culbreth stated that the board was being too technical, and that any parameters that are set developers must comply.

Pete Frisina stated that we could encourage developers to do it and give something in return for doing it.

Brian Haren asked does a fence have to be a structure or can it be a row of hedges.

Pete Frisina replied hedges are landscaping. He stated that most of the landscaping along the front is not to obscure the building and hedges would obscure.

John Culbreth stated that any developer that goes into that area will have the understanding that money will need to be spent to make it look unique. He added that if it's not unique looking it won't draw people in there. He said that this area will be the front door to the southern part of the County.

Brian Haren stated that we must dangle a carrot in front of the developers because one of them will do the minimum standards.

Pete Frisina stated that Pinewood Studios has rustic fencing around the area that gives it character and does nothing but give an aesthetic appeal.

Pete Frisina stated that on page four (4) b they're making it a requirement that gasoline canopies be an extension and attached to the building. He said that he would back away from it as a strict requirement. He stated that he talked to the Fire Marshall and the he didn't like that the canopy was attached to the building. He added that it was a fire issue for them.

Chairman Graw asked Pete Frisina to tell ask the Fire Marshall how close can the canopy be to the building.

Pete Frisina said he would find out but knows that he doesn't want it connected.

Planning Commission November 19, 2015

OLD BUSINESS

5. Discussion of the SR 85 and SR 74 intersection.

Pete Frisina said that he is trying to figure out how we're going to control the architecture. He said originally he had it when people came into rezone they would have to bring in elevation drawings, and these drawings would have to be reviewed by Staff, the Planning Commission, and the Board of Commissioners to see if they meet the architecture criteria set by the Zoning Ordinance. He stated he would like to craft the overlay district in such a way that allows the review to be done administratively. He said he would like to know their reaction to that. He then states that the commercial structures in the highway overlays are to look residential. He added that the residential look is to have a pitch roof, certain facades, and doors and windows with a grid pattern. He said that the reviews are all done administratively. He stated that what he is trying to do here is a little bit more specific.

Pete Frisina asked the Planning Commission to turn to page 20. He stated that transom, mullion, muntin, parapet wall, clapboard siding, and cornice are all terms that he will be using and will be a part of the requirements. He said section four (4) *Architectural Forms and Standards* talks about maintaining the historical and aesthetic character of the area. He stated that Starr's Mill is one (1) of the main structures here and it gives a little information about it. He added that he talks about two (2) other architectural styles that are reminiscent of this period, the One-Part Commercial Block and the Two-Part Commercial Block. He said the single story could be found on the square in Fayetteville and is called a One-Part Commercial Block and similar with multi-stories is called a Two-Part Commercial Block; the storefronts being the one (1) part and the upper level being two (2) part regardless to how many floors are on top.

Pete Frisina stated that Starr's Mill will be a building of influence and one of the architectural styles that we would allow for somebody to build. He said that it doesn't have to look like Starr's Mill, but we are going to pick the architectural characteristics of the mill and use them as a guide. He stated that the under Architectural Forms and Standards is a subsection (a) for the Starr's Mill that describes the structure and the materials used to construct it. He added that in the section it says the structure sits on a stacked stone pillar foundation. He then asked the Planning Commission is that something they would like to consider as an option; he also mentioned that no one does stacked stone anymore and that it would be an accent. He said the clapboard siding would have to resemble Starr's Mill. He asked is that something that we could live with for the Starr's Mill area.

Chairman Graw said that it would add to the cost.

Pete Frisina said that it would not be required. He then said we would allow it. He stated that if they put that in as an accent around the building then we want to see it replicated in the support structures of a gas canopy.

Chairman Graw said if someone wants to design a building with that stacked stone as an accent he doesn't have a problem with it.

Pete Frisina said that he would add it not as a requirement but as being allowed.

Pete Frisina stated that he went with 10 inches in one (1) foot pitch roof and clapboard siding. He mentioned that the color red is not a requirement and the two materials listed for the façade are wood and fiber-cement siding. He asked the Planning Commission if they wanted to allow a vinyl or metal siding that looks similar to this.

Arnold Martin asked if the metal material would be metal version of clapboard.

Pete Frisina replied yes and the same for vinyl.

Al Gilbert said that over a period of time the vinyl and aluminum siding starts to fade. He added that it cannot be painting once it fades.

Pete Frisina said he would leave it as is and not to include metal or vinyl.

Arnold Martin asked about roofing styles and does corrugated mean flat.

Pete Frisina replied that the new corrugated roofs and the old-timey roofs meet the intent.

Pete Frisina said at Starr's Mill all the trim and the muntins and the frames around the doors and windows are white and we would like to mandate that as well.

Arnold Martin asked if there would be any requirements for the door and window material.

Pete Frisina replied that he did not set any requirements for the windows and doors. He said that he did require a bulkhead underneath the windows because they did not want the windows going down to the ground.

Brian Haren then asked are we going to allow two (2) story commercial structures.

Pete Frisina replied that they are allowed but he doesn't know if anyone is going to do one.

Pete Frisina said if they want to do a covered porch we would want them to look like the covered porch on Starr's Mill but we're not going to mandate the pitch on it, but we do want it have this support structure, bannister. He added that if they put this on the front of a store we want to see a banister on that whole front and with a minimum opening of three (3) feet which does meet ADA.

Arnold Martin asked if there are any colors that we don't want painted in the area.

Pete Frisina said architecture requirements do not regulate building color.

Arnold Martin mentioned Charleston, South Carolina and the pastel color schemes used there. He stated that he did not know if it was a requirement. He then asked what if a wacky person wants to paint their building purple should we put something in here to protect from that.

Pete said he tried to stay away from that.

Patrick Stough stated that it would be a lot easier to define what colors are allowed than what colors are not allowed.

Chairman Graw stated years ago Peachtree City had something in their sign ordinance that defined the color of their signs as earth tones. He said that it's a very broad term but people know what earth tones are.

Pete Frisina said maybe some do and maybe some don't.

Chairman Graw asked Pete Frisina to put in some language regarding color choices.

Pete Frisina said that we would have to say these are the only colors you can use.

Brian Haren asked if any of the Historical Preservation documents discussed allowable color schemes.

Pete Frisina replied that he wasn't reviewing for that but he would take a look.

Patrick Stough said that a lot of those Historical Preservation areas often have an architectural review committee and it does become a subjective decision at that point.

Pete Frisina said he would try and find some color regulations. He said he would find and describe them.

Pete Frisina read part b *One-Part Commercial Block*:

One-Part Commercial Block: A popular commercial design from the mid-19th to the early 20th century. The one-part commercial block is a simple, one-story box with a flat or shed roof. Common façade materials consist of brick with decorative block, stone, and concrete accents. The focal point of front facade is the entrance and windows, consisting of a recessed doorway and display windows with a transom resting on a bulkhead (the lower panels on which the windows rest) framed by pilasters. Architectural features include a cornice, belt course and parapet wall.

He also read *Façade Material*:

Façade Material: Brick/brick veneer shall be utilized on all walls as the primary facade material comprising a minimum of 65 percent of the wall excluding doors, windows and associated framing. The remaining 35 percent of the wall may have the appearance of rough face decorative block, stone, and/or concrete accents.

Al Gilbert said that we're going to need to be careful with brick. He said that some of the old-timey brick looks good and some of the more modern brick doesn't look good. He added that the brick needs to have that used brick look to it.

Pete Frisina asked Al Gilbert to help him with that.

Pete Frisina showed photos for the entrance doors and windows.

Al Gilbert said that the windows don't have white trim around it.

Pete Frisina said that they're not required for this section only the Starr's Mill area.

Al Gilbert said that the windows look commercial and not residential.

Pete Frisina said that these will not look residential because these traditionally do not look residential. He stated that the windows on the square do not look residential.

Al Gilbert said that most of the windows on the square are made with wood.

Pete Frisina said they might be, but we're going to make this look the best we can. He added that he doesn't know if he wants to require them to have wood windows.

Al Gilbert said that he is not saying they have to be wood windows but the beige and tan

trim looks commercial.

Pete Frisina said that he did put in there that no silver finish would be allowed. He said that it would be anything but anodized silver.

Pete Frisina asked Al Gilbert would we allow the thin brick veneer finish.

Al Gilbert stated that there is a siding available that are sheets. He said if it gives the appearance he doesn't have a problem with it.

Pete Frisina said that we don't know if we're going to get one (1) building or one (1) strip, but we're going to try and maintain a certain characteristics.

Brian Haren asked are we going to allow painted advertising on the side of buildings.

Pete Frisina replied that they are allowed to have whatever the sign ordinance says they can have.

Pete Frisina read part 2 *Entrance Doors and Windows*:

Entrance Doors and Windows: The entrance door and windows component shall consist of entrance door (s), display windows, door and window transoms and bulkhead. Door and window frames may be constructed with wood, metal, or vinyl. An anodized silver finish shall not be allowed for metal door and window frames. Transoms shall be a minimum of two (2) feet high and shall be separated from the windows and door by a mullion with a minimum width of four (4) inches. A minimum two foot high bulkhead consistent with the Façade Materials above shall be required.

Pete Frisina asked Al Gilbert if there were any other window frame materials that he could think of.

Al Gilbert replied that you have vinyl.

Pete Frisina asked if that was structure or cover.

Al Gilbert replied that your brick mold and jams are vinyl now.

Pete Frisina asked should we add wood, metal, or vinyl.

Al Gilbert replied yes. He added that the vinyl will cover any of brick mold or trim.

Pete Frisina read part 3 *Architectural Features*:

Architectural Features: A cornice is required. The cornice shall be a minimum of one (1) foot in height with a minimum projection of four (4) inches from the main façade. The projection may be gradual. A parapet wall is required along the front and side walls of the structure and shall be a minimum of two (2) feet in height.

Pete Frisina stated that he talked to the Building Official and one (1) foot in height can only come back so far with each course of bricks. He added that four (4) inches is about the best you can do in a foot. He asked the Planning Commission if they thought that was too much going gradually to four (4) inches as you're coming out. He stated that four was the max.

Chairman Graw said that something less would be lost in the structure.

The Planning Commission agreed to four (4) inches being the max.

Pete Frisina said parapets are normally not done in the back of buildings because that's where all your water drains to.

Pete Frisina stated that the Two-Part Commercial Block is very similar to the One-Part Commercial Block. He said that the verbiage for number one (1) Façade Material and for number two (2) Entrance Doors and Windows are the same as One-Part. He stated that the only difference is number three (3) Upper Floor Windows and they shall be symmetrically positioned.

Brian Haren asked Pete Frisina you wouldn't allow for three (3) windows a brick face and then a fourth window.

Pete Frisina replied that each section has to be symmetrical.

Pete Frisina stated that number four (4) Architectural Features are pretty much the same as One-Part Commercial Block. He said that he would add a minimum projection of four (4) inches to the cornice. He added that this section adds a minimum projection of one (1) inch for the belt course. He stated that a belt course is that one molding piece of concrete or brick that creates a line between the first and second floor.

Chairman Graw asked if any of the projections were going to cause an issue with construction cost of the building.

Pete Frisina replied said he would hope not and that he talked to the Building Official and a Builder and they did not raise that concern. He added that the builder did have an issue with the roof pitch of 10 inches in one (1) foot. He said the builder told him to be cognizant if something ends up being fairly large that's going to be a big roof.

Pete Frisina showed the Planning Commission various period lighting styles.

Pete Frisina stated that the Planning Commission talked about requiring fencing in the 50 foot front landscape area. He said that 40 percent of the frontage has to have accent fencing. He stated that it could be a minimum three (3) foot high stacked rock wall or a minimum four (4) foot high fence with the appearance of wrought iron, split rail, picket, or rail horse fence. He asked if the Planning Commission if they were alright with those.

Arnold Martin asked if we are going to allow one section to do wrought iron, the other split rail, and the other picket.

Pete Frisina replied that he would assume a developer would do his own parcel and would do them all the same, but the one across the street may do something different. He said he would add that the fencing must stay consistent through the development.

Chairman Graw asked if Pete was sure he wanted a minimum of three (3) feet.

Pete Frisina replied that usually your rock walls fit into the ground more.

Arnold Martin agreed with Pete that they are usually three (3) foot in height when running down a property.

Pete Frisina showed the board photographs of fencing.

Chairman Graw asked if they need to put a maximum height.

Pete Frisina replied that if we set a minimum that usually what we are going to get. He added that developers are not going to spend more than they have to; nor are they going to take away from the appearance of the store by blocking the view.

Chairman Graw said that with stacked stone you are only going to get three (3) feet because it's so expensive, but the other fences can be higher than three (3) feet. He added that the other fences they could make higher than three (3) feet.

Brian Haren said that the fencing is only visual and that horses will not be kept in it. He added that they're going to go the minimum and keep everything proportion with everything going on in that area.

Al Gilbert said that you will see split rail fencing because it is the least expensive style.

Pete Frisina said that the PVC style fencing is less expensive too. He added that it's easy to replace and there is no painting required.

Pete Frisina stated that the language in the Gas Canopy section is similar to the other ones but it's different because we have three (3) different categories of buildings. He added that we want each of those to reflect that building. He read part f section 1 and 2 *Gasoline Canopy*:

1. Gasoline canopies may be attached to the principal structure as an extension of the structure/roof.
2. The vertical clearance under the gasoline canopy shall not exceed a maximum of 18 feet in height. The height of the gasoline canopy shall not be more than five (5) feet above the height of the principal structure.

Pete Frisina said that he looked at the height of a building with a 12 foot interior and 10 inches in one (1) foot pitch with a 30 foot length. He added that puts that structure height at 24 ½ feet. He added that if we go to a pitch of 10 inches in one (1) foot on the gas canopy it would be 30 feet high which would be six (6) feet higher than the store. He said he didn't want the canopy to overshadow the building. He stated that he lowered the pitch to four (4) inches in one (1) foot which brings the height of the gas canopy down to 23 feet. He said on the one part block commercial he used a 12 foot interior and a two (2) foot parapet wall which is a building height of 14 feet. A gas canopy will have an 18 foot vertical clearance and maybe a two (2) foot structure at the top which will equal a 20 foot height; which is a six (6) feet higher than the building. He suggested requiring a four (4) foot parapet wall on the building in this case so the difference is four (4) feet instead of six (6) feet

Chairman Graw asked what we did for the RaceTrac station down at Ramah.

Pete Frisina replied that we allowed the canopy roof pitch to be less than the building's roof pitch.

Chairman Graw asked why we reduced the canopy there.

Pete Frisina replied that it would have overshadowed the building. He added that the canopy height cannot be more than five (5) feet higher than the building.

Brian Haren asked why the minimum height for the interior is 18 feet.

Pete Frisina replied that we spoke to some of the RaceTrac people and they told him that contractors use large trucks with stacked material on the top. He said they were really pushing for an 18 foot clearance for this particular clientele.

Brian Haren asked if we expecting that level of activity down here.

Pete Frisina replied yes we're talking about a four (4) lane highway real soon.

Pete Frisina reads part (f) *Gasoline Canopy subsection three (3)*:

3. The gasoline canopy and support structure shall match the architectural character, materials, color and roof of the principal structure. Gasoline canopies, in conjunction with a convenience commercial establishment built in the architectural form of Starr's Mill, shall have a minimum roof pitch of four (4) inches in one (1) foot.

Pete Frisina stated he looked at the same pitch on larger structures. He said if you have a 40 foot building with 10 inches in one (1) foot roof pitch, the building would 28 feet six (6) inches high. He added if he went to 50 feet he would be at 32 feet eight (8) inches in height. He said he was told by a contractor that a lot of space is wasted when doing buildings that size. He mentioned the alternative of a mansard roof that would mimic the appearance of a pitch roof. He said they would look at the canopy characteristics for the one and two part commercial buildings.

Chairman Graw asked if the Fire Marshall wanted the canopy to not be attached the building.

Pete Frisina replied that at first he made that a requirement but has now worded it to say "may be attached". He said that the convenience store people don't want it attached and the Fire Marshall would prefer it not be attached.

Chairman Graw asked what if you put a parapet and slight sloping roof behind it.

Pete Frisina said he wouldn't have a problem with that.

Pete Frisina asked if they like this approach of an administrative review instead of the board reviewing architectural plans.

Chairman Graw said he would like to take a look at the first few architectural plans that come in and that he hopes things come out the way he envisions it.

Pete Frisina added that there will be language that says photos are on file at the Planning and Zoning Department to give people direction so they won't have to guess.

Arnold Martin asked for a time line.

Pete Frisina replied that he would like to get it to Board of Commissioners early next year. He said that this is the most intense overlay he has done. He added that this will consist of land use plan amendments, zoning amendments, and maps

Planning Commission December 3, 2015

OLD BUSINESS

3. Discussion of the SR 85 and SR 74 intersection.

Pete Frisina introduced Melissa Harris. He told the Planning Commission that she has some concerns about the drive-thru window aspect being eliminated from the zoning districts.

Melissa Harris asked the Planning Commission why they are not allowed.

Al Gilbert stated that we're trying to keep fast food restaurants from the area.

Melissa Harris replied that she understood that point, but why this intersection cannot have a drive-thru.

Chairman Graw stated that Planning Commission is envisioning a historical district with 1900's type of structures. He said that this period did not have any drive-thru structures. He added that the Planning Commission wanted to be fair to the restaurants and they did not think drive-thru windows kept with type of environment they want down there.

Melissa Harris asked if the Planning Commission was trying to mirror downtown Fayetteville or Senoia.

Chairman Graw said that we could show you some pictures of what we envision.

Pete Frisina said that architecturally we want it to look like an old time downtown.

Arnold Martin stated the structures will be architecturally in keeping with the style of Starr's Mill. He said the mill is essentially driving the standards.

Melissa Harris asked how we are going to design a gas station.

Chairman Graw said that we have drawings of structures that we would like to have a gas station look like in keeping with the environment down there.

Al Gilbert stated that the district will also limit the amount of pumps.

Pete Frisina replied architecturally we like the look of the Flash Foods on Gingercake and Highway 54 and the other gas station on South Jeff Davis and SR 54.

Al Gilbert mentioned the gas station on Robinson Road and Highway 54 in Peachtree City.

Pete Frisina said that those convenience stores architecturally are what we're looking for.

Chairman Graw stated that the gas station will be small and according to the zoning ordinance gas station are limited to six (6) pumps. He said they will not be huge RaceTrac's and if they don't want to have six (6) pumps they don't have to locate there.

Melissa Harris stated that she lives in South Fayette County and the community wants gas stations, banks, and a Starbucks.

Chairman Graw said they can have all that, but no drive-thru windows. He said that everything Melissa Harris stated will be permitted down there.

Melissa Harris said that she doesn't see how the end user is going to be happy. She added that this will not be an easy task, the materials will be more expensive, and people want convenience down there. She asked why can't we use the same architectural standards and have a drive-through down there.

Al Gilbert stated part of the reason why we don't want the drive-through windows down there is because we don't want the fast food look. He stated that fast food establishments are welcomed down there but they will have to meet architectural standards. He added that if fast food establishments can't have a drive-thru window, how can we tell a bank they can have a drive-thru window.

Melissa Harris said she understood because that was the problem they had three (3) years ago.

Chairman Graw stated that the zoning category L-C Limited Commercial has been in existence for 18 years. He added that the category has not allowed drive-through windows since it was implemented.

Pete Frisina said is has not allowed drive-thru windows for restaurants.

Chairman Graw said that we felt that if restaurants can't have those then other facilities shouldn't have them either.

Arnold Martin said that the Starbucks in Peachtree City by the Avenue does not have a drive-thru window and is packed and is not hurting for business. He added that as years are progressing banks are doing less walk-in traffic and drive-thru because people are doing online banking. He mentioned that banks are removing brick and mortar buildings because traffic counts have gone down. He said that we want to keep the character of the area and attract business such as Starbucks but in the style we're envisioning. He added that we want to protect the area and if you open the door for one (1) then you have to open it up to the cleaners and then where does it stop. He concluded by keeping it in the period the period did not have a drive-thru window.

Al Gilbert stated that he has been on the Planning Commission for twenty-seven years and this is the first time we have been in an area that is pristine there is nothing there. He said that it gives the Planning Commission the opportunity to put in what they want. He added they are limited to what they can do in a lot of areas in the county because it is already developed. He said that once things are already established you must go with the flow. He stated that this is the Planning Commission's opportunity for an entry way into Fayette County to set a standard that is above anywhere else we have in the county.

Melissa Harris said that she loves the feel of Star's Mill and understands what the Planning Commission is trying to accomplish, and will take the information she has gathered to express it to her clients.

Chairman Graw said that he doesn't think prohibiting a drive-thru will be a deal breaker for Melissa Harris' client. He added that if the Planning Commission accomplishes what they envision the area will be very attractive to business.

Melissa Harris said that by coming to the meeting tonight she has gathered the knowledge needed to express the vision and sell that.

Arnold Martin stated based upon the per capita income of that area is going to have more personal banking needs where people will have to come inside instead of using the drive-thru to do quick

transactions. He added that bank based upon the area could see an opportunity in the lending and mortgage division and could be the gateway to Fayette County.

Melissa Harris stated that she has been working on the area for 10 years and has built the Starr's Mill Professional Center. She said that she is very protective of the South Gateway of Peachtree City and Fayette County and does not want to be argumentative. She mentioned that she does love going through the drive-thru, but she thinks people will be respectful of the aesthetic vision the Planning Commission is trying to create.

Chairman Graw stated that the Planning Commission is trying to discourage strip-shopping centers down there and encourage individual structures. He added that we have some incentives in the proposed ordinance to help do that. He said that the lots weren't that big; one (1) lot is four (4) acres and the other two (2) lots that are buildable are three (3) and a half acres. He added that the southeast corner of the intersection that property belongs to the State, and there is nothing we can do about that.

Melissa Harris asked if that was the one with the four (4) houses on it.

Chairman Graw replied yes. He said that we really only have three (3) lots and the one (1) that we are really going to watch is the northeast near Starr's Mill because of Starr's Mill. He asked if that lot had four (4) acres.

Pete Frisina replied that he didn't know, but he thinks Melissa Harris is looking at the northwest corner and it's about four (4) acres and will need to be assembled.

Chairman Graw stated that the lots are numbered northwest one (1), northeast two (2), southwest three (3) and southeast four (4). He asked if two was the four (4) acre lot.

Pete Frisina replied that it may be four (4) plus acres.

Chairman Graw said that one (1) is about four (4) acres and lot two is three (3) plus or minus.

Melissa Harris said that lot one (1) has 1.99 acres plus the triangle lot behind it; so it's about three (3) acres.

Pete Frisina said that he thought it was four (4) acres.

Melissa Harris said that the reason Pete thought it was more acres was because Fayette County Maps had it as four (4) acres.

Chairman Graw stated that there is not a lot of land on those three (3) corners to develop structures and uses we would like to see down there.

Melissa Harris stated that the traffic counts are not there yet. She said that there are not a million people knocking down the door because the traffic count is not at 10,000.

Chairman Graw asked what the acreage was for Lot 3 southwest corner.

Melissa Harris said she did not have that information because she doesn't control that lot. She added that it is similar to what you have four (4) acres.

Pete Frisina stated that they we're not looking at the whole lot anyway and wanted to stop it where the powerline was.

Melissa asked for the pictures that will be used to help guide the architectural style the Planning Commission wants.

Pete Frisina said he would send them to her.

Arnold Martin asked for her feedback on the plan.

Melissa Harris replied that she loves the concept and feel. She added that it will be accepted and is community friendly.

Arnold Martin said that we're trying to limit the amount of convenience stores because certain stores attract other stores. He added that those stores may attract loitering something we don't want. He said he wanted it to have a boutique feel.

Pete Frisina showed a picture of the architectural style the Planning Commission is trying to implement in the district.

Melissa said that she thought it was a little modern and asked if that building would be acceptable in the district.

Pete Frisina stated that it's a newer building and the Planning Commission hasn't finalized 100 percent of everything what they want but it's a good portion of what we want. He stated that the photograph displays the cornices at the top of the building; it's got the old time lighting and lamppost. He added that the windows on the picture are not what they want.

Melissa Harris asked if the end-user's architect would come in and staff would proof them.

Pete Frisina replied yes.

Chairman Graw said that Juliet, Georgia has the architectural style that the County is looking for. He added that it is a perfect place to show developers for them to get ideas.

Melissa Harris said that she is trying to get Dunkin Donuts or Starbucks to come in off of 74 North corner. She added that neither one of these establishments needs a drive-thru, but they need to be larger. She mentioned a Caribou Coffee on one (1) of the corners.

Chairman Graw said that South Fayette County will be the next area that will be building quickly. He added that it may not be as populous because a lot of land down there has a lot of water. He said that when it eventually takes off it's going to really go fast.

Melissa Harris mentioned that the area boarder's three counties: Spalding, Coweta, and Fayette.

Arnold Martin said that people are now looking for convenience even when it comes to their neighborhood grocery store. He added that small boutique grocery store would be appropriate for the style and period of the area and convenient to the shopper.

Melissa Harris mentioned that there are 10,000 students within a 10 mile radius in the area. She said that she thinks about what they would like and a lot have said a Starbucks. She added that there is an industrial park off of 74 North that could be tapped into by the development on the four (4) corners.

Arnold Martin mentioned that whoever develops the four (4) corners they need to add a small meeting place for students, civic organizations, churches, etc. He said the Starbucks meeting room near Stein Mart is always packed.

Melissa Harris said Senoia is thriving with mom and pop shops. She added that right now the traffic counts are not where they need to be and it will take a unique developer and buyer to embrace that vision and execute that vision.

Arnold Martin said that people are attracted to our County because of the architectural style we have. He added that the film industry is here and will be attracted to that area.

Chairman Graw asked Melissa Harris does she like the concept.

Melissa Harris replied yes but it will be a little difficult to sell.

Pete Frisina said that we're trying to articulate the architectural standards. He mentioned originally we were trying to take it through a process where the Planning Commission and the Board of Commissioners review it and make a final decision similar to Fayetteville and Peachtree City. He added that we're trying to write this so that it is standardized in such a way that we wouldn't have to have a review board. He said if you want to do a roof it has to have a pitch of x that's it; if you want to have a wall it's going to be brick with a certain percentage; staff can look at a building as long as it has strict standards and quantifiably say that it meets standards. He read email's that he sent/received to Bill Foley:

Bill,

If you could please review the attached standards and provide some feedback, I would appreciate it. Our goal is to develop architectural standards that can be reviewed and approved by staff as opposed to going before the Planning Commission and Board of Commissioner for approval because that can delay a project. Thanks and I am meeting with Planning Commission next Thursday to continue the discussion.

Bill,

Did you get a chance to review the standards? I am discussing with the PC tomorrow night. Thanks.

I did look them over. For a small area they would stand but I would label the overlay as the "intent" so if a developer came in you could allow a creative interpretation.

Pete Frisina said that staff can't do creative interpretation because it goes back to having a board review it. He told the Planning Commission to have it in their minds that we may not be able to standardize it. He said that this is becoming difficult because of the details. He mentioned that he looked at a Historical Ordinance for Montgomery, Alabama to get ideas for historical colors. He stated that they used Benjamin Moore and Sherwin Williams historical paint collection.

Arnold Martin stated that we included colors to protect the area and its standards.

Pete Frisina showed brick suggestions to the Planning Commission. He said that different companies have different colors and styles of brick; and they don't name them same even though it's the same brick.

Chairman Graw stated that we can't tell developers what companies to use when purchasing their paint colors.

Pete Frisina said that we need to get a couple of the Planning Commissioners to pair with staff to get some of the colors down.

Chairman Graw asked the Planning Commissioner's if they would like to volunteer for the historical color committee.

Pete Frisina stated that the Planning Commissioner members could email him back their feedback.

Arnold Martin volunteered for the historical color committee.

Pete Frisina stated that the Planning Commission and staff need to come up with a way to define bricks.

Melissa Harris asked if they could approve the bricks as they come forward.

Pete Frisina said that staff can't really use that type of discretion. He stated that a lot of communities have an architectural review board that is separate from the Board of Commissioner's that review plans, but we're not creating an architectural review board.

Arnold Martin asked if re-used brick from the 1900's is in any of our language for the area.

Pete Frisina stated it's hard to articulate that for staff to make a decision. He said that he has seen websites for companies that house stockpiles of recycled bricks from historical buildings.

Al Gilbert said we cannot make a true recommendation on colors for bricks unless we look at it in the sunlight.

Pete Frisina reiterated that staff needs to have something more definitive if it is going to be a staff function. He said that we must find some way to define the brick.

Al Gilbert said there is nothing better than a used brick to get that old look.

Pete Frisina stated that there are companies that tumble bricks, so the bricks won't have a smooth look.

Melissa Harris agreed that tumble bricks give the area the look that the Planning Commissioners are looking for.

Pete said that they now have different colors for mortar.

Melissa said that she wonders if the total cost spent on the project will effect the return ratio in such a way that increases the prices of goods in the area. She said that if the costs to construct the buildings are too high it may kill the deal.

Pete Frisina said that a lot of the brick that is being purchased is not brick, but a veneer and can be bought by the sheet.

Chairman Graw asked if any of the members would like take a look at colors in the Planning and Zoning office.

Arnold Martin said sure.

Pete Frisina said that he should look at the websites of Sherwin Williams and Benjamin Moore and email him the ones he likes.

Melissa Harris said that she does not like the historical yellow colors represented in the Benjamin Moore catalogue.

Pete Frisina said that he doesn't like the historical aqua colors represented in the Benjamin Moore catalogue.

Al Gilbert stated that we don't have to specify name brand so much just give people the paint chips and have them match it at Lowes or Home Depot.

Chairman Graw said that we can give the paint chips out as examples.

Pete Frisina said that we must give the people something standard that they can recognize.

Melissa Harris asked about a shade of blue used in a photograph during the colors presentation. She also asked will that be acceptable.

The Planning Commission Members all stated that they wanted earth tone colors in the area.

Pete Frisina said that they wanted mainly brick, but if they wanted to paint the buildings they could.

Arnold Martin said that he would review the colors first on his own and then convene with staff at a later date.

Chairman Graw agreed to the idea of reviewing first on his own and convening with staff later.

Al Gilbert asked about the brick colors.

Pete Frisina said he would try to find a way to narrow it down. He added that he has seen buildings where the majority of the structure was red brick and they would use white bricks as the accent.

Pete Frisina said that the one thing he wanted to point out was the roof pitch. He said that he looked at some of existing buildings in the County right now. He added that they need to reduce the pitch from a 10 in 12 to four (4) and a half and in 12.

Arnold Martin asked within the pitch would we allow different styles.

Pete Frisina replied no, the structures will look like Starr's Mill.

Pete Frisina referred to page two (2) (b) *One-Part Commercial Block 1. Façade Material:*

Facade Material: Brick/brick veneer shall be utilized on all walls as the primary facade material comprising a minimum of 65 percent of the wall, excluding doors, windows and associated framing. The remaining 35 percent of the wall may have the appearance of rough face decorative block, stone, and/or concrete accents.

Pete Frisina referred to page four (4) (f) *Gasoline Canopy*:

Gasoline Canopy. Gasoline canopies shall comply with the following requirements:

1. Gasoline canopies may be attached to the principal structure as an extension of the structure/roof.
2. The vertical clearance under the gasoline canopy shall not exceed a maximum of 18 feet in height. The height of the gasoline canopy shall not be more than four (4) feet above the height of the principal structure.
3. The gasoline canopy and support structure shall match the architectural character, materials, color and roof of the principal structure. Gasoline canopies, in conjunction with a convenience commercial establishment built in the architectural form of Starr's Mill, shall have a minimum roof pitch of four (4) inches in one (1) foot.

Arnold Martin said the BP gas station off of S.R 54 and Veterans Parkway is a good example of what we're looking for.

Arnold Martin asked if we had a brick ordinance.

Pete Frisina replied that what we have done in the past is that we list the materials that can be used; we don't specify what kind or what color of brick can be used.

Arnold Martin said that he assumed that it was an ordinance because of the many commercial brick buildings in the County.

Pete Frisina said that it may be in the ordinance that says it's one of the materials we want on certain buildings but it's not required. He said that it's not a Fayette County but a Fayetteville ordinance.

Pete Frisina showed various pictures of structures using brick as the main material.

Pete Frisina said that they need to set something in the ordinance that makes the developer match the colors with your building so there won't be any issues 10 years down the road when they want to repaint.

Pete Frisina asked if they were still comfortable with trying to do this in such a way that is quantifiable so staff can review it.

Arnold Martin said yes, because it's a time saver instead of going back and forth; it will go directly to staff and a decision will be made. He asked is this something that the Board of Commissioners will make a final decision on.

Pete Frisina replied yes, our recommendation will be given with land use maps, ordinance, and overlay zone standards. He said that he will try and explain it to them individually before going to the board meetings. He added that he would ask for their feedback.

Chairman Graw asked what the pitch was on the RaceTrac canopy.

Pete Frisina replied that it's a three (3) in 12. He said you reduce the height of the canopy so it doesn't overshadow the building.

Chairman Graw asked what's wrong with keeping the canopy at a three (3).

Pete Frisina replied that he has a canopy pitch in there, and if he is going to reduce the pitch with the other ones he will reduce that one (1) too. He pointed out in the ordinance that the height of the gasoline canopy shall not be more than four (4) feet above the height of the principal structure.

Melissa Harris thanked Planning Commission Members for allowing her to speak.

Pete Frisina thanked her for sharing with them the actual lot size for one (1) of the corners.

OLD BUSINESS

5. Discussion of the SR 85 and SR 74 intersection.

Pete Frisina stated that the following designation will be added in its entirety to the Fayette County Comprehensive Plan, Land Use Element, Future Land Use Map and Narrative, under the Commercial section. Pete Frisina said that Limited Commercial One (1) & Two (2) will be added as two (2) new land use designations. He then read the designation section:

This category designates properties where specifically small scale businesses which do not generate large amounts of traffic, noise or light are to be located. For more descriptive purposes, Limited Commercial land use is subdivided into "Limited Commercial One" and "Limited Commercial Two" categories:

Limited Commercial One: This category identifies properties where the L-C-1 (Limited-Commercial (1) District) is recommended.

Limited Commercial Two: This category identifies property where the L-C-2 (Limited-Commercial (2) District) is recommended.

Pete Frisina added that Limited Commercial One (1) land use category will be tied to the Limited Commercial One (1) zoning district.

Chairman Graw asked if Limited Commercial One (1) was the less intense district.

Pete Frisina replied yes.

Chairman Graw stated that the Limited Commercial One (1) district will not have the convenience commercial in it. He added that it will have everything else except the gas station.

Pete Frisina stated that in the hierarchy of zoning your lower number has the less intensity and intensity increases as the numbers go up. He added that's how the document is formatted.

Pete Frisina stated that the Limited Commercial Two (2) land use category will be tied to the Limited Commercial Two (2) zoning district. He named the area the "Starr's Mill Historic District" and wrote a synopsis about the area. He asked the Planning Commission if they were okay with name.

By consensus, the Planning Commission agreed with the name.

John Culbreth asked how Historic District was defined in the code.

Pete Frisina replied that we don't have a definition for it in the code. He added that this was just an overlay that he is calling a historic district. He stated that we do not have any historic regulations.

Brian Haren asked if we had anything in the County that we called a historic district.

Pete Frisina replied no.

Arnold Martin asked if we could create one (1).

Pete Frisina replied that's what we're doing right now.

Dennis Dutton stated that this will be on the land use plan.

Pete Frisina read the next section and stated the following will be added in its entirety to the Fayette County Comprehensive Plan, Land Use Element, Future Land Use Map and Narrative, under the section titled Future Development Factors. Pete stated that section labeled Starr's Mill Historic Overlay District at the SR 74, SR 85, & Padgett Road Intersection goes over all the existing factors of the district.

Chairman Graw asked had anything change since the last time they looked over it.

Pete Frisina replied that on page two (2) he changed the order of the "goals of Starr's Mill" and put the Historic District first. He then read the section:

The goals of the Starr's Mill Historic District Overlay at the SR 74, SR 85, & Padgett Road Intersection are: (1) maintain the historic character of the area, (2) control the intensity and aesthetic quality of development at the intersection as it is the southern gateway into Fayette County, (3) maintain an efficient flow of traffic at the intersection, and (4) protect existing and future residential areas outside of the intersection.

Pete Frisina stated the recommendations of the non-residential land use will consist of Limited Commercial One (1) and Limited Commercial Two (2). He added the fringe areas will have a residential land use designation of Low Density Residential (1 Unit/1 to 2 Acres). He said that this section was also new.

Pete Frisina stated the following will be added in its entirety to the Fayette County Comprehensive Plan, Future Land Use Plan Map. He then read the section:

Starr's Mill Historic Overlay District and Overlay Zone
Overlay District (see Fayette County Comprehensive Plan, Land Use Element)
Overlay Zone (see Fayette County Zoning Ordinance, Sec. 110-174 Historic District Overlay Zone)

He added that the Starr's Mill Historic Overlay District and Overlay Zone will be added to the list of districts that are in the Comprehensive Plan and Zoning Ordinance.

Arnold Martin asked if this area can be created as a mixed-use development.

Pete Frisina replied no. He added that the reason is because the County does not have a sewer system. He said that once you add the infrastructure (i.e. detention pond, septic systems) it would overload the site. He stated that it is one of the reasons why the County has not allowed highly intense development because it can't service it.

Arnold Martin stated that he asked the question because of the word "historic" and was wondering if this designation would be given to residential property.

Pete Frisina replied that all of these regulations are geared to the non-residential portions of the property. He added that we are not going to control a residential area with architectural control of residences.

Al Gilbert stated that many years ago the planning commission presented the concept of a merchant living above his store. He stated that the merchant would buy his property in a condominium fashion and would have his business on the ground level and his residence above.

Arnold Martin stated that on Edgewood Avenue downtown this concept has taken off with the lofts. He added that the business owner lives above his business in a loft.

Pete Frisina stated that none of the zoning districts allow for that type of mix. He added that the County is saying that particular use needs to be in the incorporated areas.

Brian Haren asked when is a Future Land Use Plan become a Current Land Use Plan.

Pete Frisina replied it is always in the future. He added that a Current Land Use Plan is something that is in the Comprehensive Plan but it's only there to give you a snap shot in time. He said that it's usually there to tell you the zoning and the way that you depict current land use is zoning.

Chairman Graw asked Pete what he meant by some areas will have a residential land use designation.

Pete Frisina pointed to those residential land use designations of Low Density Residential (1 Unit/1 to 2 acres) on the map. He added that they are changing it based on the zoning surrounding the area. He stated that we're changing the corners of the intersection to a non-residential land use which we never had before. He said that there will an area sandwiched between commercial and existing one (1) acre zoning.

Chairman Graw asked where the power lines were.

Pete Frisina pointed to them on the map.

Chairman Graw stated that we're only looking up to the powerlines for property number three (3).

Pete Frisina said yes we're only looking up to the powerlines for commercial. He stated that the powerline creates a very small area that is sandwiched between commercial and one (1) acre zoning. He said that he believes it is appropriate to allow that to be one acre zoning as opposed to holding it to A-R.

Al Gilbert stated that it strengthens the line on Limited Commercial.

Chairman Graw asked if the buildings the church owns can be incorporated into the L-C.

Pete Frisina showed the church on the map and said that it will be incorporated into the Limited-Commercial 1 (L-C-1).

Chairman Graw asked how many houses does the Limited Commercial two (L-C-2) incorporate.

Pete Frisina replied four (4).

Brian Haren asked if L-C-1 was more restrictive than LC-2.

Pete Frisina replied that one (1) has less uses than (2). He added that L-C-2 will allow the convenience commercial and L-C-1 would not.

Pete Frisina stated you put higher density residential near commercial areas. He said that there is a land use designation called Transportation, Communication, and Utilities. He added that the area was bought by DOT for a future use because the highway is going to be widened. He said that there is a 12 to 15 inch high pressure natural gas line going through that property and the Transportation, Communications and Utilities designation goes well in that area.

Brian Haren asked if we were going to do anything with the A-R district to the southeast.

Pete Frisina replied no. He added that the subdivision over there had been platted years ago.

Brian Haren asked who owns the low density residential property east of the L-C-1.

Pete Frisina said he thinks the church owns that.

Brian Haren asked why we don't include that.

Pete Frisina replied that there is a road which is a good dividing line. He pointed at another property and said that it has a spring coming out of it and would be limited for development.

Pete Frisina stated that the following will be added in its entirety to the Fayette County Zoning Ordinance, Section 110-3.-Definitions. He added that nothing had changed.

Pete Frisina stated that on page four (4) the following will be added in its entirety to the Fayette County Zoning Ordinance the L-C-1 District.

Chairman Graw asked had it been changed at all since the last time they reviewed it.

Pete Frisina replied that there were no substantial changes. He stated that L-C-1 and L-C-2 were based on L-C. He said L-C was written back in a period of time when we didn't have many overlays. He added that they made sure to add architectural requirements within the zoning districts, and leaving them in there because we have overlay requirements on all of the state routes. He said the reasoning behind that was because if L-C was ever put somewhere outside the overlay districts it would have architectural requirements tied to it. He added that there is a note in there that states the overlay takes precedence over the zoning district.

Arnold Martin asked if there was ever a time when overlay districts are updated or altered.

Pete Frisina replied yes. He added that it's all part of the zoning requirements. He reiterated that every state highway in the county has an overlay.

Brian Haren read page five (5) section (d) Regulations subsection (1): These structures shall maintain a residential character.

Pete Frisina said that there is a note under subsection one (1) that states: properties within an Overlay Zone shall comply with the applicable Architectural Standards of the Overlay Zone.

Pete Frisina stated that there is nothing new on page six (6). He said that on page seven (7) the Limited-Commercial District will be amended as follows in the Fayette County Zoning Ordinance to become L-C-2 now. He said that the red lines depict the L-C becoming L-C-2.

Al Gilbert asked if walk-up ATM's and kiosk are okay.

Pete Frisina replied yes walk-up is okay.

Arnold Martin asked if it were possible for a bank to put a walkable ATM on the side of their building that could be used for drivers as well.

Pete Frisina replied that the intent is to have no drive-through.

Arnold Martin said that banks could argue that a teller is not assisting any drivers.

Brian Haren said that normally you can't walk up to an ATM that is situated that you can drive up to.

Chairman Graw said that he thinks the way it's worded would prohibit even a drive-up to an ATM.

Pete Frisina replied that we can always put no drive-up, drive-through, or drive-in.

Al Gilbert said that on page nine (9) it says no drive-through or drive-in facilities allowed.

Arnold Martin asked if we had a definition for drive-through or drive-in.

Chairman Graw asked Patrick if the wording we have now would stop someone from driving up to an ATM.

Patrick Stough replied that he wasn't sure. He said there could be potential for someone to say that it is not a drive-through. He added that it's not your normal drive through because you are not dealing with a person. He asked Pete if we had a definition.

Chairman Graw stated the only way to stop a drive-in access to an ATM would be to specifically state that there will be no drive-in ATM access allowed.

Patrick Stough said it could be as simple as adding drive-up, drive-through, and drive-in to the definitions.

Pete Frisina said he would add drive-up as a definition. He said he believes drive-through means a service is provided to you through a window.

Chairman Graw stated that the drive-through definition would take care of an ATM.

Pete Frisina read the definition for drive-through:

Drive-through: Means an opening in the wall of a building or structure designed and intended to be used to provide service to customers who remain in their vehicles.

Pete Frisina said that a drive-up / drive-through ATM would be designed and intended to be used to provide a service to customers who remain in their vehicles.

Patrick Stough said that he doesn't believe it's strong enough. He said when he hears provides service to customers he is seeing employee's providing service to customers. He added that he does not see customers interacting with a machine. He said that someone could argue this in court.

Pete Frisina replied that he could come up with a drive-up definition.

Patrick Stough said with the drive-up definition that it should emphasize situational whether a person is interacting with a machine not just an employee.

Pete Frisina said that the definition would be added to the list. He added that he would send it out to the Planning Commission for review.

Pete Frisina said that on page 10 Section 110-169 goes over the Conditional Use section of the convenience commercial establishment. He stated that we took the heading portion out of the convenience commercial establishment to create a definition.

Arnold Martin asked about the Conditional Uses on page eight (8) that addresses Single-Family residences.

Pete Frisina replied we have that in all of our non-residential zoning districts. He said the reasoning behind that was because you may have a single-family home on a one (1) acre lot that you have zoned to C-C to potentially sell to someone. He stated that we have people on C-C property for 20 years or more; it allows the residential use to stay. He added that the conditional use also says you can't subdivide to make a residential subdivision.

Dennis Dutton said we don't allow you to do business and residential together.

Pete Frisina said in the Zoning Ordinance under General Provisions it states that once you're zoned non-residential it allows you to do residential but you can't do both residential and non-residential.

Pete Frisina stated Section 110-174 Historic district overlay zone is the companion piece to the overlay district. He said that these are regulations that outline the architectural controls and introduce two (2) new terms the brick palette and the color palette. He added that Patrick Stough advised him not to put the color palette and brick palette on Municode because different screens will display different colors than the initial color we imported on the site. He stated that the idea is to laminate the color palette and brick palette and have them in the planning and zoning department. He then added the contractor would bring in their color chips and staff will see if the color matches up.

Al Gilbert asked how a color gets added to the color palette.

Pete Frisina replied that this will be approved as part the ordinance.

Al Gilbert then stated that we need to develop a process. He then asked who makes the determination on the colors and where does he go if he doesn't agree.

Pete Frisina replied that they would have to make an amendment to the zoning ordinance. He said it would have to go back through Planning Commission and then the Board of Commissioners.

Al Gilbert stated that he doesn't want one (1) person determining whether a color is good or not. He added he would like a committee be it Planning Commission or some other entity. He said that he fears someone will be turned down and would go to the Board of Commissioners about the matter. He then asked Patrick Stough if he agreed with him.

Patrick Stough stated that he does believe there is an issue there that needs to be addressed, and he doesn't know necessarily how.

Chairman Graw asked Al Gilbert if he wants the approval of colors to come through the Planning Commission.

Pete Frisina stated if there is a disagreement we could bring it before the Planning Commission.

Al Gilbert stated that it will happen at some point.

Pete Frisina said that if someone comes in wanting pink it's not on the list therefore not allowed.

Al Gilbert said we could allow them to go before the Zoning Board of Appeals if they don't agree with colors.

Pete Frisina said that he would add the color palette and brick palette after architectural intent on page 11.

John Culbreth asked if another area wanted to create a Historic District could they use these regulations as a standard.

Pete Frisina replied this Historic District designation is only for this particular area. He added that all historic districts aren't the same, and that he doesn't think there are that many other historic areas in the county. He said that if someone does want to create another historic district he would write something similar but specific to that area.

Al Gilbert asked if the Hopewell Church on S.R. 92 could be considered as a Historic District.

Pete Frisina replied yes and we could look at that area for a Historic District in the future.

Brian Haren suggested that they have three (3) people make an independent judgement on a submittal meets the color palette and that one (1) of the decision makers need to be a female. He said his reason behind the statement was that some males have some degree of colorblindness and most females do not. He added that they should also look at it outside in sunlight.

Pete Frisina presented the color palette and brick palette to the Planning Commission.

By consensus, Planning Commission agreed with the color choices.

Pete Frisina asked Patrick Stough if we should make the color palette and brick palette a part of the vote.

Patrick Stough replied that he thinks the original palette should be approved by the board. He added that he doesn't know if he would make it an exhibit, amendment, or addendum to the ordinance because you will have to put it online.

Pete Frisina said that he would make reference to them and make sure they are approved as a part of the overlay and will be on file.

Patrick Stough mentioned that maybe it should be in a separate book.

Al Gilbert asked when this will be taken before the Board of Commissioners.

Pete Frisina replied that he would like to get together with each Commissioner on an individual basis to brief them and ask for their input. He added that he would ask the Commissioner's if they would like to expand the area or have suggestions for other sites. He said he would bring their suggestions back before the Planning Commission to discuss to see if those are changes they would like to make. He stated that they might be able to make the Public Hearings in March.

Arnold Martin asked if we know of any Board opposition to this concept.

Pete Frisina replied no because they don't really know that we're doing it. Chairman Graw asked why they had Limited Commercial two (2) (i.e. gas stations) on sites one (1) and three (3). Pete Frisina replied that most of these corners operate on a morning and evening basis, and if you only put one (1) gas station on a corner it would cause traffic congestion for people trying to enter and leave the gas station and for people drive to and from their destinations.

Arnold Martin stated that he goes to two (2) separate gas stations on his way to and from work.

Chairman Graw stated that he doesn't like two (2) gas stations on opposite sides of the street because of the aesthetics. He added that he thinks the gas stations will detract from the area. He said that he understood where Arnold was coming from about the access, but he added that there are gas stations on Bernhard Road, S.R. 16 and S.R. 85, and S.R. 74 at Crosstown. He stated that you have three (3) gas stations within four (4) miles and none of those areas have two (2) gas stations on a corner. He added that he could see one (1) but two (2) he has a problem with.

John Culbreth stated that he believes that the gas station would slow down the traffic and attract customers to the other amenities. He added that sometimes people won't stop unless they have a direct need to stop.

Arnold Martin stated that the Dunkin Donuts on S.R 85 is a traffic nightmare because there is only one (1), but if there was another donut shop across the street it would relieve a lot of the traffic in the area. He added that he was leaning toward having the two (2) gas stations on opposite sides of the street because they are not your typical gas station. He said that he believes the way in which we are designing the corner will make it aesthetically appealing.

Chairman Graw stated that the property is not that big and a gas station will take up a lot of area that could be used for retail space.

Pete Frisina replied that the gas stations have been limited in size to 3000 square feet. He added that amount of pumps have been limited.

Arnold Martin said that a lot of the residents in that area have complained about the lack of gas stations in the area. He added that later on down the road the population is going to increase and these gas stations will be warranted.

Chairman Graw reiterated that he doesn't understand why they need to have two (2) stations in the area when there are so many gas stations around the area.

Brian Haren asked how we would restrict gas stations in one (1) of the two (2) the areas.

Chairman Graw suggested that we look at the traffic flow for one (1) station.

Brian Haren asked how we can say to a developer you can have one (1) gas station on this corner and not on the other.

Pete Frisina replied you would change the zoning designation.

Brian Haren said that we discussed this earlier and decided to use restrictions in the amount of pumps and square footage to detract the QuikTrip's and RaceTrac's. He added that it's a risk we're going have to take.

Arnold Martin said that there is a possibility that a gas station won't develop in the area.

Chairman Graw asked when S.R. 85 becomes four (4) lanes will it be easier to access tracts (1) and (3).

Pete Frisina replied it depends on whether or not a median is put in. He said that we have made a demarcation of the more intense land uses and the less intense land uses. He added that the land uses will get less intense as it moves toward Starr's Mill. He stated that the market will dictate whether or not you get one (1) or two (2) gas stations.

Chairman Graw stated that he just wanted to voice his concerns and that he will carry his concerns all the way to the vote.

Pete Frisina said that he will make the changes that they discussed tonight and will send them out. He added that he will talk with the Board of Commissioners as soon as he can. He said it will give them a few more times to discuss it if the Board of Commissioners has any issues with it. He told them to look for March for it to go before a Public Hearing.

Al Gilbert asked if there will be a workshop.

Pete Frisina said we will see depending on whether or not he gets some feedback between now and then.

Planning Commission February 18, 2015

OLD BUSINESS

4. Discussion of the SR 74 and SR 85 intersection.

Pete Frisina told Jay Knight that the Planning Commission and staff are looking at the intersection corners of S.R 74 and S.R. 85 for non-residential development. He said that staff and the Planning Commission have developed two (2) zoning districts, one (1) is existing but is being morphed into two (2) calling it Limited Commercial one (1) and Limited Commercial two (2). He stated that the Limited Commercial (2) district does allow for a convenience commercial establishment but it's limited in size and the number of pumps. He added that the architectural standards will be reminiscent of turn of the century because the Planning Commission and staff are creating a Starrs Mill Historical District. He said this was because of Starrs Mill's close proximity to the intersection, and it being a major focal point of the County. He stated that there are three (3) styles of architecture that they're looking at: the characteristics of Starrs Mill to build into a commercial building, one (1) part commercial block, or a two (2) part commercial block. He said that downtown Fayetteville has characteristics of both one (1) part commercial block and two (2)-part commercial block. He added that South on S.R 85 and Grady there is a shopping center that is fairly new with a more modern aspect that is similar to what we're looking at doing. He mentioned that the districts will not allow for any heavy use.

Al Gilbert said it is reminiscent of downtown Senoia.

Pete Frisina stated that the Planning Commission and staff were going to control the color of the brick and it will be the prominent material used. He mentioned that there will be a color palate administered for any other painted surfaces. The Planning Commission and staff will control the color, bricks, landscaping, and lightening.

Pete Frisina stated that he has talked to all five (5) members of the Board of Commissioners. He said of the five (5), two (2) Commissioners did not give him an indication on whether they like the idea or not. He added that he assumed they are probably agreeable to it because they did not ask a lot of questions. He stated that three (3) of them displayed some apprehension in one form or another about the work that is being done by the Planning Commission and staff at the intersection. He said the array of reaction to the project was: why are we doing anything at all, wanting even more limited commercial and no commercial at all. He added that two (2) would probably go along with it and he couldn't say whether the other three (3) would go for it or send it back. He received suggestions for the district and one (1) was that any sign structures associated with the business shall also have the same architectural characteristics as the principle structure.

Chairman Graw asked will any changes need to be made to the Sign Ordinance.

Pete Frisina replied no it is only the sign structure. The other suggestion is to not allow wood fencing. He said they would allow fencing that look like wood because of the durability of the other materials were so much greater than wood. He stated we will not get the old-timey look

from a vinyl, aluminum or PVC.

Chairman Graw asked if their issue with the fencing is geared toward the durability of the fence.

Al Gilbert replied yes it's about the maintenance and upkeep of the fence.

Pete Frisina stated that you don't have to paint it and it holds its appearance longer.

Arnold Martin asked if the PVC was like a chain-link fence.

Pete Frisina replied no, it's like a white picket fence. He said that the fence could be any color but it wouldn't have the split rail look to it. He added that only wood can give you that look. He asked the Planning Commission if they wanted to stick with wood or exclude it.

Brian Haren asked if the Commissioner who has the problem with the wood fencing be more inclined to vote for approval of the district if it is excluded.

Pete Frisina replied that it's one (1) out of five (5) chance.

Brian Haren said that it's a small concession to make for a vote for the district.

Arnold Martin agreed saying if that gets us to where we want to be without changing the integrity of the project then let's do it.

Chairman Graw asked the Planning Commission if they wanted to wipe out the wood. The Planning Commission agreed to wipe out the wood from the district.

Pete Frisina said that he would re-write that portion. He stated that he has done some wordsmithing to the overlay district. He asked the Planning Commission if they want to hear this on the 3rd of March if so, staff would need to advertise by tomorrow. He said there was some suggestion from a Commissioner if we sought public input. He stated that we have never had a procedure to do that for land use changes or for zoning ordinance amendments. He added that there is not really a good way to seek input unless you put a sign up. He asked where you would put the sign up at, and would it be on all four (4) corners of the intersection. He then asked if he contacted subdivisions would he also have to contact individuals. He added that we don't have a procedure for that and they never have.

Al Gilbert suggested contacting the local newspapers to see if they would like to put an article in the paper.

Pete Frisina said we can do that.

Brian Haren asked what the alternatives were from the Commissioners who were against the project.

Pete Frisina replied nothing and possibly O-I.

Chairman Graw stated that we have been working on this for three (3) years. He stated that there are plenty of signs in the area that say potential commercial property for sale. He added one of the concerns from the public is us being reactive. He said he doesn't want us to be in a defensive mode if multiple residents in the area decide to sell their property near the intersection and ask for it to be rezoned as C-H (Commercial Highway) our most intense commercial zoning district. He added you don't know what can happen if you deny someone C-C, or C-H zoning. He said we want to have something in place before someone demands that we do something with it.

Chairman Graw stated that one (1) of the Chairman's tried to keep Lot two (2) natural/undeveloped, but it didn't fly. He added that they tried to make County property, but at that time the County didn't have the money to buy it.

Bill Beckwith said that Al Gilbert suggested contacted the neighbors east of Starrs Mill when a gas station wanted to come in at the intersection.

Pete Frisina said that he would get in contact with the newspaper.

Brian Haren asked if we should give it over to the Board of Commissioners so they can decide on the project.

Arnold Martin asked will we have a vote on it that evening.

Pete Frisina said they will have the opportunity to act on. He said they can approve, deny, or table.

Chairman Graw asked when we have the Public Hearing on this.

Pete Frisina replied March 3, 2016.

Chairman Graw asked if we could delay it till the 17th of March.

Pete Frisina told him it wouldn't be on the Agenda until April.

Brian Haren said he wouldn't be here on that week.

Pete Frisina said he wouldn't be here that week.

Chairman asked for the Public Hearing to be held the first of April.

Al Gilbert suggested a joint workshop for the project since there was apprehension from a few Commissioners.

Pete Frisina said that we really shouldn't have a joint workshop because staff couldn't turn it around to the Board of Commissioners within a week.

Chairman Graw stated that the Board of Commissioners may say get rid of it or add a few tweaks to it.

Arnold Martin stated that he really wants the residence of that area to voice their opinion of what they want or need in that area.

Al Gilbert said that they needed to be careful because the first meeting they had on this project the residents wanted the property to be zoned C-H so they could get the highest dollar amount for their property.

Pete Frisina said he would send a press release to the paper saying that we were working on land use changes in the area and will be having a Public Hearing Meeting in April. He added that if the public wanted to look at the plan they could contact the Planning & Zoning Department.

Al Gilbert suggested that he add a picture to the article depicting the turn of the century style structures they would like for the area.

OLD BUSINESS

5. Discussion of the SR 74 and SR 85 intersection.

Pete Frisina passed out to the Planning Commission a map showing the land-use and a press release of the proposed Starrs Mill Historic Overlay District. He said the press release will go over the basics and talk about the Starrs Mill Overlay District Zone and goals. He added that he would produce a link on their website where people can go and view the map, verbiage, color palate, and our phone number so they can call the department for more information. He asked the Planning Commission if they were okay with it. He also asked if the Planning Commission if they received the verbiage sent to them via email regarding the fencing portion of the overlay district. He passed out pictures of plastic fences to the Planning Commission.

Vice-Chairman Martin asked if we would tell the public that calls for more information to come to a meeting that will be more in-depth about the Historic District.

Pete Frisina replied yes that is what we intend to do. He stated that we will not have a public hearing on this until May due to some scheduling conflicts. He said that it gives us an opportunity to have a few workshops to listen to some comments from the public.

Vice-Chairman Martin said he thinks that's a great way of getting the message out there.

Brian Haren asked if staff received guidance from the Board of Commissioners.

Pete Frisina replied no and that the guidance he received previously was enough. He stated that the guidance he got was good and has made those changes. He said he changed the fencing section and added the verbiage about signs having the same characteristics architecturally as the building.

Pete Frisina asked the Planning Commission to look at the map's northeast corner where it is labeled low density residential. He said there is an area up there that he labeled Transportation, Communication, and Utilities that is owned by the Water System. He asked the Planning Commission if they would like to label it Parks.

Vice-Chairman Martin asked if the labeling (Transportation, Communication, and Utilities or Parks) would affect how the land is used.

Pete Frisina replied no because it's owned by the County.

Al Gilbert stated he would be concerned that if they labeled it as a park, and some people may think that it is a park.

Pete Frisina replied that it is a passive park.

Al Gilbert said that it is something that the Board of Commissioners should decide. He asked if the area was recognized as a park already.

Pete Frisina replied that it is not a part of the Parks and Recreation Department but it is owned by the Water System and there is an intake at Starr's Mill. He asked the Planning Commission if they were good with the Transportation, Communication, and Utilities designation.

Planning Commission replied that they were good with the designation being Transportation, Commercial, and Utilities.

Brian Haren asked about using the label Conservation Areas.

Pete Frisina replied Conservation is only used for floodplain areas.

Vice-Chairman asked if we wanted to schedule a meeting for the public to respond to the press release.

Pete Frisina replied that you will have three (3) meetings between now and May. He said that the people can come in between those times to voice their opinion.

Brian Haren asked who owns the piece of property east of Waterfall Way.

Pete Frisina replied the church owns that piece of property. He said that there was a gravel road that goes down that line but he doesn't think it is maintained by the County. He added that it creates a good dividing line for what they're trying to create.

Al Gilbert asked if the property south of Waterfall Way and North of S.R. 85 is owned by the County.

Pete Frisina stated that the church owns that property and some of the property north of Waterfall Way. He added that some of the land is owned by other individuals.

Al Gilbert asked if we were going to have a workshop this month.

Pete Frisina replied you will have a workshop in March, a public hearing in April, and another workshop at the end of April.

Vice-Chairman Martin asked if there were any other business that needed to be taken care of tonight. Hearing none he asked for a motion.

THE FAYETTE COUNTY PLANNING COMMISSION met on May 5, 2016 at 7:00 P.M. in the Fayette County Administrative Complex, 140 Stonewall Avenue West, Fayetteville, Georgia.

MEMBERS PRESENT: Jim Graw, Chairman
Arnold L. Martin, III, Vice-Chairman
Al Gilbert
Brian Haren
John H. Culbreth Sr.

STAFF PRESENT: Pete Frisina, Director Community Services
Dennis Dutton, Zoning Administrator
Chanelle Blaine, Planning and Zoning Coordinator
Patrick Stough, County Attorney

Welcome and Call to Order:

Chairman Jim Graw called the Planning Commission Meeting to order. Chairman Graw introduced the Commission Members and Staff.

* * * * *

1. Consideration of the Minutes of the Meeting held on April 21, 2016.

Al Gilbert made a motion to approve the minutes. John Culbreth seconded the motion. The motion passed 5-0.

2. Consideration of amendments to the Land Use Element Text And Future Land Use Plan Map of the Fayette County Comprehensive Plan for the Starr's Mill Historic Overlay District in the area of the Intersection of State Route 74, State Route 85 And Padgett Road

Chairman Graw stated that we have spent three (3) years on this project. He said that staff has done a great job and that we have created a darn good plan.

Pete Frisina stated that we actually started in July 2015 in preparing these documents. He said that what we have done is look at the intersection in close proximity to Starrs Mill (S.R. 85, S.R. 74, and Padgett Road) and come up with basic land use changes. He stated the two (2) prominent changes are the limited commercial one (1) and a limited commercial (2) land use districts and they are also tied back to two (2) zoning districts of the same names. He added the only major difference is the convenience store with gasoline sales; L-C-1 does not allow it and L-C-2 does allow it. He stated the land use is identified as corner one (1), two (2), three (3), and four (4). He said that corner one (1) is the northwest corner, corner two (2) is the northeast corner, corner three (3) is the southwest corner and corner four (4) is the southeast corner. He added that they're recommending Limited Commercial two (2) for corners one (1) and three (3), corner two (2) Limited Commercial one (1), and corner four (4) is the portion of the property that is still owned by the DOT. He stated that corner four (4) is bounded by the old road bed of

Padgett Road which has been realigned, and has a gas line running through it; it has been land used as Transportation, Communication, and Utilities. He said that the property west of corner one (1) has been land used Office Institution, and will act as a buffer for the residents to the north and south of it. He added that areas north on corner two (2) and south of corner three (3) will be land used for Low Density Residential as they border areas currently zoned for one (1) acre residential. He stated that there is a small portion of property where Starrs Mill is that will be land used as Transportation Communication and Utilities as it is owned by the Fayette County Water System. He said that there is verbiage in the text that supports everything we talked about.

Chairman Graw asked if anyone from the public would like to speak to the land use plan that they are proposing for that intersection.

Hearing none Chairman Graw asked if we were going to be considering the Office section in this land use also.

Pete Frisina replied yes.

Chairman Graw said that we have not talked about the zoning of that parcel like we have the others.

Pete Frisina replied that it will be straight Office Institutional. He said that it would follow under this Historic District.

Chairman Graw asked if it was going to have the same architectural standards as the L-C.

Pete Frisina replied yes. He added that the architectural standards are not contained within the zoning districts but within the overlay.

Brian Haren asked for clarification that the dashed line represented the overlay district.

Pete Frisina replied yes.

Arnold Martin asked if there was a general district area for the mill and church.

Pete Frisina said that only district that we are talking about controlling is the area within that dotted line. He added that the historic overlay will only control those properties.

Arnold Martin will there be any overflow from the Starrs Mill area and will there be any challenge from archeological groups based upon the history of the area.

Pete Frisina replied not that I am aware of. He said that we are not creating a district for preservation purposes; we are creating a historic district for development purposes and we are saying that the mill has that historic character we are trying to maintain.

Chairman Graw stated that this was just a title that we used for land use and zoning purposes.

Pete Frisina said the whole idea of this is to preserve that area, because of the influence of that structure. He added that it is a very important icon for the County. He stated that this is also the gateway into the southern portion of the County, and we want to make sure that the front door looks good.

Al Gilbert stated that Starrs Mill is the most photographic spot in the County. He said that it is the last pristine entry way into our County. He added that we have to protect it. He stated that we could leave it be and end up with things we wouldn't like to see. He said by being proactive we will be able to control what goes into that area and preserve the beauty of Starrs Mill. He added that the plan isn't perfect and they will be tweaking it over the years. He stated that staff and the Planning Commission have done a great job of putting this together.

Chairman Graw stated that he is somewhat concerned about Limited Commercial on lot one (1) and three (3). He said that he personally feels we don't need two (2) gas stations on opposite corners, because there are gas stations in Senoia about four (4) miles west, Peachtree City's gas station is four (4) miles north, and there is a gas station east on McBride. He stated that his second concern is safety because SR 74 has been widened and SR 85 will be widened soon. He stated that the gas stations will cause a lot of traffic especially on lot one (1). He added that the gas station on lot three (3) will be easier to get in and out of because it can enter and exit on Padgett Road. He stated that he doesn't feel that it is severe enough right now for him to vote no. He said that he thinks we have a fantastic development and he reiterated that he doesn't want to vote no because of his personal opinion about a gas station on one (1) lot.

Arnold Martin stated the he understood his concern, but doesn't feel the same way. He said that the gas stations on opposite sides of the street will help ease the traffic with one gas station getting customers in the morning and the other getting customers at night. He added that he finds it safer on the driver for them to pull into a gas station on their side of the road as oppose to using a turning lane for a gas station on the opposite side of the road.

Brian Haren made a motion to recommend approval of the proposed amendments. Al Gilbert seconded the motion. The motion passed 5-0.

3. Consideration of amendments to the Fayette County Code of Ordinances, Chapter 110., Article I – In General. Sec. 110-3. –Definitions, Article IV. - District Use Requirements, Sec. 110-145. and Sec. 110-146., Article V. - Conditional Uses, Nonconformances, Transportation Corridor Overlay Zone, and Commercial Development Standards, Sec. 110-169. Conditional Use Approval., Sec. 110-173. - Transportation Corridor Overlay Zone. (3) General State Route Overlay Zone, and Sec. 110-174. – Commercial Development Standards., concerning the proposed Starr's Mill Historic Overlay District and Overlay Zone.

Pete Frisina stated that this is the follow up to the land use changes we just looked at. He said that this is all of the backing ordinances we created with the zoning ordinance. He added that we have beefed up the definitions that we had to create for these new zoning districts. He stated that we have created a new L-C-1 (Limited Commercial 1) and have taken the L-C district and

amended it to now be Limited Commercial Two (2). He said that under the conditional use we went to the convenience commercial establishment and amended it to match what we're doing in the L-C-2. He added that under the Transportation Corridor Overlay State Route areas we have put it in as a new overlay so it was pulled out of the General State Route Overlay. He stated that we have created the new Historic District Overlay with architectural standards. He said that there is a section under the Corridor Non-Conformance chapter which was called Commercial Development Standards that was written some time ago that was specific to the area north of State Route 54, west of Sandy Creek Road, and East of Tyrone that was a hospital overlay area. He added that this particular area is no longer in the County, and is in the City of Fayetteville. He said that section will be taken out and using the section number to create the new Historic District.

Chairman Graw asked the public if they had any comments or suggestions regarding the zoning of the 74/85 intersection. Hearing none he brought it back before the Planning Commission.

Brian Haren asked if the visual representation of the standards will be provided.

Pete Frisina replied yes and that we don't want to put them in the ordinance, because the County Attorney has advised us not to. He stated that we have representations and that are well known. He said that we have set the standards within there even though we say it's a one (1) part commercial block or a two (2) part commercial block. He added that the visual representation shows people the general look of it.

Arnold Martin asked if there were any policies and or procedures that relate to potential developers that want to come forth with a rendering.

Pete Frisina replied that we already review architectural standards because we have them on all the highways. He said that it would follow that same procedure. He added that when someone comes in to develop a piece of property and submits a site plan to us we would then review those renderings based on these standards. He said we did set up something in here that allows them if they don't want to follow the standards to present something and go through a public hearing process. He added that it would come to us, to you, and then the board. He stated that it would be called the architectural option. He said they can go administratively and submit it through the site plan option (normal procedure) or they can go the other route.

Dennis Dutton stated that we are just recommending the amendments and not changing the zoning of any property.

Chairman Graw asked if there were any questions or comments.

Arnold Martin made a motion to recommend approval of the proposed amendments. Brian Haren seconded the motion. The motion passed 5-0.

4. Consideration of the proposed Color Palette for the Starr's Mill Historic Overlay District and Overlay Zone.

Chairman Graw stated that we have a book with specific colors that will be allowed in the Historic Overlay District.

Arnold Martin stated that in the original discussions of the palates we had a few renditions of the palate based on the copier that was used. He asked if we are using a standard and therefore being consistent with what we're showing people and what they may print off at home.

Pete Frisina replied that the color palate in the book is the only one and the pages were printed out on the same copier and then laminated. He said that this is what we will be using when everybody comes in. He added that the colors being used will be matched up to those in the book.

Marcus Pollard stated that he was a new resident of Fayette County and went over his background. He suggested using a color code for the color palate book, because light changes color over time.

Chairman Graw stated that we have addressed that particular issue already. He said that the book does not have color codes because they didn't want to show favor towards a particular company (i.e. Sherwin Williams, Glidden, and Benjamin Moore). He added that if anyone wants to develop in that area they will have to bring in their particular color and match it up against those colors in the book. He stated that staff will then make that determination on whether or not the color they submitted matches those in the book.

Brian Haren stated that we had that very same argument in past meetings; we have come to find out that there is no standard industry code number for particular colors. He said hot pink in Home Depot's computer may be 1234 but hot pink in Lowe's computer may be 6724. He added that we even tried embedding the CMYK values or the RGB values and that doesn't work either.

Mark Pollard stated that he and his girlfriend see colors differently and asked who would be the deciding authority on the colors.

Al Gilbert said if you look at the wood around the television set and desk; if someone were to come in and that color was in the book, they would more than likely get approved. He added that we are not trying to get an exact identical match, but we certainly don't want someone to come in with yellow when it's supposed to be orange.

Mark Pollard said that it just came to mind when he saw the different variations of the blue and brown colors.

Chairman Graw stated that the same has been done for the brick palate.

Arnold Martin recommended printing the color palates on acid free paper, because it helps to preserve the paper over time.

Brian Haren made a motion to recommend approval of the proposed Color Palette. John Culbreth seconded the motion. The motion passed 5-0.

5. Consideration of the proposed Brick Palette for the Starr's Mill Historic Overlay District and Overlay Zone.

Chairman Graw asked if there were any comments from the public. Hearing none he brought it back before the Planning Commission.

Al Gilbert made a motion to recommend approval of the proposed Brick Palette. Arnold Martin seconded the motion. The motion passed 5-0.

COUNTY AGENDA REQUEST

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Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Public Hearing of Ordinance 2016-07 to amend the Fayette County Code of Ordinances, Chapter 110., Art. I, Sec. 110-3, Art. IV., Sec. 110-145 and Sec. 110-146., Art. V., Sec. 110-169, Sec. 110-173(3), and Sec. 110-174., concerning the proposed Starr's Mill Historic Overlay District and Overlay Zone.

Background/History/Details:

This request is for the public hearing of Ordinance 2016-07 to amend the Fayette County Code of Ordinances, Chapter 110., Art. I – In General. Sec. 110-3. –Definitions, Art. IV. - District Use Requirements, Sec. 110-145. and Sec. 110-146., Art. V. - Conditional Uses, Non-conformances, Transportation Corridor Overlay Zone, and Commercial Development Standards, Sec. 110-169. Conditional Use Approval., Sec. 110-173. - Transportation Corridor Overlay Zone. (3) General State Route Overlay, concerning the proposed Starr's Mill Historic Overlay District and Overlay Zone.

The Staff and Planning Commission restarted this project in July of 2015 to review and recommend Land Use Plan amendments and related Zoning Ordinance amendments for the area at the intersection of State Route (SR) 74, SR 85 and Padgett Road. This project was initiated in response to a request from property owners at the intersection and the four lane widening on SR 74.

Both Staff and the Planning Commission recommend approval of the proposed amendments.

Please note: Planning Commission minutes provided for Resolution 2016-06 also serve as backup for this request.

What action are you seeking from the Board of Commissioners?

Approval of Ordinance 2016-07 to amend the Fayette County Code of Ordinances, Chapter 110., Art. I, Sec. 110-3, Art. IV., Sec. 110-145 and Sec. 110-146., Art. V., Sec. 110-169, Sec. 110-173(3), and Sec. 110-174., concerning the proposed Starr's Mill Historic Overlay District and Overlay Zone.

If this item requires funding, please describe:

Has this request been considered within the past two years?

If so, when?

Is Audio-Visual Equipment Required for this Request?*

Backup Provided with Request?

**** All audio-visual material must be submitted to the County Clerk's Office no later than 48 hours prior to the meeting. It is also your department's responsibility to ensure all third-party audio-visual material is submitted at least 48 hours in advance.***

Approved by Finance

Reviewed by Legal

Approved by Purchasing

County Clerk's Approval

Administrator's Approval

Staff Notes:

**STATE OF GEORGIA
COUNTY OF FAYETTE**

ORDINANCE NO. 2016 - 07

AN ORDINANCE TO AMEND THE FAYETTE COUNTY CODE OF ORDINANCES, CHAPTER 110. ZONING ORDINANCE, AS AMENDED, SPECIFICALLY, ARTICLE I – IN GENERAL. SEC. 110-3. –DEFINITIONS, ARTICLE IV. - DISTRICT USE REQUIREMENTS, SEC. 110-145. AND SEC. 110-146., ARTICLE V. - CONDITIONAL USES, NONCONFORMANCES, TRANSPORTATION CORRIDOR OVERLAY ZONE, AND COMMERCIAL DEVELOPMENT STANDARDS, SEC. 110-169. CONDITIONAL USE APPROVAL., SEC. 110-173. - TRANSPORTATION CORRIDOR OVERLAY ZONE. (3) GENERAL STATE ROUTE OVERLAY ZONE, AND SEC. 110-174. – COMMERCIAL DEVELOPMENT STANDARDS.

WHEREAS, the duly elected governing authority of Fayette County is the Board of Commissioners thereof;

WHEREAS, the governing authority desires to amend the provision that provides for the regulation of land development as allowed by the State of Georgia;

WHEREAS, the health, safety, and welfare of the citizens of Fayette County, Georgia shall be improved and protected by adoption and implementation of this Ordinance.

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF FAYETTE COUNTY AND IT IS HEREBY ORDAINED BY AUTHORITY THEREOF:

Section 1. The Fayette County Code of Ordinances, Chapter 110. Zoning Ordinance, as amended, is hereby further amended by adding in its entirety the following to Section 110-3 Definitions:

Art and/or crafts studio means an establishment where an artist's works are created and sold, where pieces by various artists are displayed for sale in a gallery, where customers purchase then create their own works (canvas, pottery, glass pieces, sculpture, etc.), a studio with classes and/or an art supply store.

Bakery means an establishment engaged in the preparation and production of baked goods for sale and consumption both on and off the premises.

Card, gift, and/or stationery shop means an establishment which sells products such as greeting cards, wrapping paper, photo albums, picture frames, items that are suitable as gifts or souvenirs, desktop office products, paper, calendars, pencils, pens, brief cases, and art/graphic supplies.

Check cashing means an establishment that for compensation engages, in whole or in part, in the business of cashing checks, warrants, drafts, money orders, or other commercial paper serving the same purpose.

Clapboard siding means a siding with horizontal boards or the appearance of horizontal boards.

Convenience commercial establishment means an establishment that primarily stocks a range of groceries, snack foods, freshly-prepared foods for on and off-site consumption,

and beverages, and may also provide household items, toiletries, tobacco products, newspapers, and the sale of fuel.

Copy and/or print shop means an establishment engaged in duplicating and printing services to individuals and businesses.

Cornice means a projecting feature surrounding the upper portion of a structure, dividing it horizontally for compositional purposes.

Drive-up facility means a structure or device designed and intended to provide service to customers who remain in their vehicles.

Mail services store means an establishment that provides packaging and mail services (both U.S. Postal and private service), provides mailboxes for lease and retail sale of office and stationery products.

Mullion means a heavy vertical or horizontal divider between windows and/or doors.

Muntin means a narrow strip that divides or gives the appearance of individual panes of glass in a traditional sash.

Parapet wall means a wall at the edge of a roof.

Pay-day loan agency means an establishment providing loans to individuals in exchange for personal checks as collateral.

Pawn establishment means any business that loans money on deposit of personal property and /or a title of ownership.

Transom means a horizontal opening over a door or window.

Section 2. The Fayette County Code of Ordinances, Chapter 110. Zoning Ordinance, as amended, is hereby further amended by deleting in its entirety Sec. 110-145. - L-C, Limited-Commercial District and adding in its entirety Sec. 110-145. - L-C-1, Limited-Commercial (1) District to Article IV. - District Use Requirements:

Sec. 110-145. - L-C-1, Limited-Commercial (1) District.

- (a) *Intent.* The intent of the L-C-1 zoning district is to establish small scale business areas which do not generate large amounts of traffic, noise or light. The L-C-1 zoning district includes small retail establishments, personal services, and business and professional offices. The L-C-1 zoning district will control architectural character and scale. The adaptive use of existing structures is encouraged when possible.
- (b) *Permitted principal uses.* The following permitted principal uses shall be allowed in the L-C-1 zoning district:
 - (1) Antique shop, vintage store, thrift/second hand store, consignment store;
 - (2) Art and/or crafts studio;
 - (3) Bakery;

- (4) Bank and/or financial institutions such as a brokerage firm, credit union, financial planning, or mortgage brokerage (no Pay Day Loan, Check Cashing or Pawn Establishments);
 - (6) Book store,
 - (7) Card, gift, and/or stationery shop;
 - (8) Cellular phone sales and service;
 - (8) Clothing and/or accessories such as belts and suspenders, boots and shoes, gloves, hats, jewelry, purses and handbags, ties, sashes, scarves, shawls, socks, and stockings, umbrellas, or watches.
 - (9) Educational/instructional/tutoring facilities, including, but not limited to: academic; art; computer; dance; driving and/or DUI; music; professional/business/trade; martial arts; and similar facilities;
 - (10) Florist shop;
 - (11) Gift shop;
 - (12) Hardware store;
 - (13) Home furnishings and accessories such as area rugs, decorative items, cutlery, dishware, glassware, lamps, pictures, pillows and tablecloths;
 - (14) Jewelry shop;
 - (15) Mail services store;
 - (16) Medical/dental office (human treatment);
 - (17) Office (business and/or professional);
 - (18) Personal services, including, but not limited to: alterations; barber shop; beauty salon; clothing/costume rentals; counseling services; electrolysis and/or hair removal; fitness center; laundry drop-off/pick-up; locksmith; nail salon; photography studio; shoe repair; and tanning salon; and
 - (19) Restaurant/restaurant takeout and catering.
- (c) *Conditional uses.* The following conditional uses shall be allowed in the L-C-1 zoning district provided that all conditions specified in article V of this chapter are met:
- (1) Single-family residence and accessory structures and uses (see article III of this chapter); and
 - (2) Home occupation.
- (d) *Regulations.* The following regulations shall apply to the L-C-1 zoning district in addition to any other applicable regulations.
- (1) These structures shall maintain a residential character. Elevation drawings denoting compliance with the following requirements shall be submitted as part of the site plan. Properties within an Overlay Zone shall comply with the applicable Architectural Standards of the Overlay Zone in lieu of the architectural requirements below:
 - a. A pitched peaked (gable or hip) roof with a minimum pitch of 4½ inches in one foot and shall be of a type and construction complementary to the facade. A pitched mansard roof facade with a minimum pitch of 4½ inches in one foot and a minimum height of eight feet around the entire perimeter of the structure can be used if the structure is two stories or more or the use of a pitched peaked roof would cause the structure to not meet the applicable height limit requirements. The mansard roof facade shall be of a residential character with the appearance of shingles, slate or terra cotta;

- b. All buildings shall be constructed in a residential character of fiber-cement siding (i.e., Hardiplank), wood siding, wood textured vinyl siding, brick/brick veneer, rock, stone, cast-stone, or stucco (including synthetic stucco);
 - c. Framed doors and windows of a residential character. To maintain a residential character, large display windows shall give the appearance of smaller individual panes and framing consistent with the standard residential grid pattern for doors and windows;
 - d. Accessory structures shall maintain the same architectural character of the principal structure, including the pitched peaked (gable or hip) roof with a minimum pitch of 4½ inches in one foot, and shall be constructed of the same materials or materials which simulate same. An elevation drawing denoting compliance with this requirement shall be submitted as part of the site plan.
- (2) No outside storage will be permitted.
 - (3) The lot shall have direct access to an arterial street.
 - (4) No drive-through, drive-in, or drive-up facilities allowed.
- (e) *Dimensional requirements.* The minimum dimensional requirements in the L-C-1 zoning district shall be as follows:
- (1) Lot area:
 - a. Where public water is available: 43,560 square feet (one acre).
 - b. Where public water is not available: 65,340 square feet (1½ acres).
 - (2) Lot width: 125 feet.
 - (3) Front yard setback:
 - a. Major thoroughfare:
 - 1. Arterial: 75 feet.
 - 2. Collector: 60 feet.
 - b. Minor thoroughfare: 55 feet.
 - (4) Rear yard setback: 15 feet.
 - (5) Side yard setback: 15 feet.
 - (6) Height limit: 35 feet.
 - (7) Floor to area ratio: (gross square footage of site times 0.1 equals square footage of structure). The total maximum square footage for all structures combined on the lot shall not exceed 10,000 square feet. However, to discourage the development of one linear building and to encourage the development of separate clustered buildings on the site, the square footage for the structures may be increased by fifteen (15) percent when more than one (1) building is developed. The distance between structures shall be a minimum of twenty-six (26) feet. In addition to the area required to facilitate vehicular access, each building wall bordering the space between structures shall have a five (5) foot landscaped area consisting of five (5) shrubs, two (2) feet tall at planting, per twenty-five (25) linear feet of building wall. (8) Buffer. If the rear or side yard abuts a residential or A-R zoning district, a minimum buffer of 50 feet adjacent to such lot line shall be provided in addition to the required setback (the setback shall be measured from the buffer).
 - (9) Lot coverage limit, including structure and parking area: 60 percent of total lot area.

Section 3. The Fayette County Code of Ordinances, Chapter 110. Zoning Ordinance, as

amended, is hereby further amended by renumbering Sec. 110-146. – M-1, Light Industrial District as Sec. 110-147. – M-1, Light Industrial District and renumbering all subsequent sections as applicable and adding in its entirety Sec. 110-146. - L-C-2, Limited-Commercial (2) District to Article IV. - District Use Requirements:

Sec. 110-146. L-C-2, Limited-Commercial (2) District.

- (a) *Intent.* The intent of the L-C-2 zoning district is to establish small scale business areas which do not generate large amounts of traffic, noise or light. The L-C-2 zoning district includes small retail and convenience commercial establishments, personal services and business and professional offices. The L-C-2 zoning district will control architectural character and scale. The adaptive use of existing structures is encouraged when possible. The L-C-2 zoning district would discourage the development of a strip commercial building.
- (b) *Permitted principal uses.* The following permitted principal uses shall be allowed in the L-C-2 zoning district:
 - (1) Antique shop, vintage store, thrift/second hand store, or consignment store;
 - (2) Art and/or crafts studio;
 - (3) Bakery;
 - (4) Bank and/or financial institutions such as a brokerage firm, credit union, financial planning, insurance company, or mortgage brokerage (no Pay Day Loan, Check Cashing or Pawn Establishments);
 - (5) Book store,
 - (6) Card, gift, and/or stationery shop;
 - (7) Cellular phone sales and service;
 - (8) Clothing and/or accessories such as belts and suspenders, boots and shoes, gloves, hats, jewelry, purses and handbags, ties, sashes, scarves, shawls, socks, stockings, umbrellas, or watches.
 - (9) Copy and/or print shop;
 - (10) Educational/instructional/tutoring facilities, including, but not limited to: academic; art; computer; dance; driving and/or DUI; music; professional/business/trade; martial arts; and similar facilities;
 - (11) Florist shop;
 - (12) Hardware store;
 - (13) Home furnishings and accessories such as area rugs, decorative items, cutlery, dishware, glassware, lamps, pictures, pillows and tablecloths;
 - (14) Jewelry shop;
 - (15); Mail services store;
 - (16) Medical/dental office (human treatment); and
 - (17) Office (business and/or professional);
 - (18) Personal services, including, but not limited to: alterations; barber shop; beauty salon; clothing/costume rentals; counseling services; electrolysis and/or hair removal; fitness center; laundry drop-off/pick-up; locksmith; nail salon; photography studio; shoe repair; and tanning salon; and

- (19) Restaurant/restaurant takeout and catering.
- (c) *Conditional uses.* The following conditional uses shall be allowed in the L-C-2 zoning district provided that all conditions specified in article V of this chapter are met:
- (1) Convenience commercial establishment;
 - (2) Single-family residence and accessory structures and uses (see article III of this chapter); and
 - (3) Home occupation.
- (d) *Regulations.* The following regulations shall apply to the L-C-2 zoning district in addition to any other applicable regulations.
- (1) These structures shall maintain a residential character. Elevation drawings denoting compliance with the following requirements shall be submitted as part of the site plan. Properties within an Overlay Zone shall comply with the applicable Architectural Standards of the Overlay Zone in lieu of the architectural requirements below:
 - a. A pitched peaked (gable or hip) roof with a minimum pitch of 4½ inches in one foot and shall be of a type and construction complementary to the facade. A pitched mansard roof facade with a minimum pitch of 4½ inches in one foot and a minimum height of eight feet around the entire perimeter of the structure can be used if the structure is two stories or more or the use of a pitched peaked roof would cause the structure to not meet the applicable height limit requirements. The mansard roof facade shall be of a residential character with the appearance of shingles, slate or terra cotta;
 - b. All buildings shall be constructed in a residential character of fiber-cement siding (i.e., Hardiplank), wood siding, wood textured vinyl siding, brick/brick veneer, rock, stone, cast-stone, or stucco (including synthetic stucco);
 - c. Framed doors and windows of a residential character. To maintain a residential character, large display windows shall give the appearance of smaller individual panes and framing consistent with the standard residential grid pattern for doors and windows;
 - d. Accessory structures shall maintain the same architectural character of the principal structure, including the pitched peaked (gable or hip) roof with a minimum pitch of 4½ inches in one foot, and shall be constructed of the same materials or materials which simulate same. An elevation drawing denoting compliance with this requirement shall be submitted as part of the site plan.
 - (2) No outside storage will be permitted.
 - (3) The lot shall have direct access to an arterial street.
 - (4) No drive-through, drive-in, or drive-up facilities allowed.
- (e) *Dimensional requirements.* The minimum dimensional requirements in the L-C-2 zoning district shall be as follows:
- (1) Lot area:
 - a. Where public water is available: 43,560 square feet (one acre).
 - b. Where public water is not available: 65,340 square feet (1½ acres).
 - (2) Lot width: 125 feet.
 - (3) Front yard setback:
 - a. Major thoroughfare:
 1. Arterial: 75 feet.
 2. Collector: 60 feet.

- b. Minor thoroughfare: 55 feet.
- (4) Rear yard setback: 15 feet.
- (5) Side yard setback: 15 feet.
- (6) Height limit: 35 feet.
- (7) Floor to area ratio: (gross square footage of site times 0.1 equals square footage of structure). The total maximum square footage for all structures combined on the lot shall not exceed 10,000 square feet. However, to discourage the development of one linear building and to encourage the development of separate clustered buildings on the site, the square footage for the structures may be increased by fifteen (15) percent when more than one (1) building is developed. The distance between structures shall be a minimum of twenty-six (26) feet. In addition to the area required to facilitate vehicular access, each building wall bordering the space between structures shall have a five (5) foot landscaped area consisting of five (5) shrubs, two (2) feet tall at planting, per twenty-five (25) linear feet of building wall.
- (8) Buffer. If the rear or side yard abuts a residential or A-R zoning district, a minimum buffer of 50 feet adjacent to such lot line shall be provided in addition to the required setback (the setback shall be measured from the buffer).
- (9) Lot coverage limit, including structure and parking area: 60 percent of total lot area.

Section 4. The Fayette County Code of Ordinances, Chapter 110. Zoning Ordinance, as amended, is hereby further amended by amending Section. 110-169. Conditional Use Approval., q., as follows:

- q. Convenience commercial establishment. Allowed in the L-C-2 zoning district.
 - 1. Maximum floor area: 3,500 square feet.
 - 2. Accessory structures, including service area canopies used in conjunction with the sale of gasoline, shall maintain the same architectural character of the principal structure including the pitched roof, and shall be constructed of the same materials or materials which simulate same. An elevation drawing denoting compliance with this requirement shall be submitted as part of the site plan. Properties within an Overlay Zone shall comply with the applicable Architectural Standards of the Overlay Zone.
 - 3. Motor vehicle vacuum cleaners shall be located to the side or rear of the principal structure.
 - 4. Underground storage tanks shall be set back at least 20 feet from all property lines.
 - 5. The number of gasoline pumps shall be limited to no more than six ~~or~~ with a total of 12 pumping stations.

Section 5. The Fayette County Code of Ordinances, Chapter 110. Zoning Ordinance, as amended, is hereby further amended by amending Section. 110-173. Transportation Corridor Overlay Zone.

(3) General State Route Overlay Zone as follows:

(3) *General state route overlay zone.* All property and/or development which have road frontage and/or access on State routes with nonresidential use or zoning shall be subject to the following regulations, in addition to the zoning district requirements and other development regulations which apply. This overlay zone specifically excludes SR 54 West, SR 85 North, SR 138 and SR 314 North, Starr's Mill Historic District Overlay Zone at the SR 74, SR 85, & Padgett Road Intersection and SR 74 North for which other overlay zones have been established herein.

Section 6. The Fayette County Code of Ordinances, Chapter 110. Zoning Ordinance, as amended, is hereby further amended by deleting in its entirety Sec. 110-174. – Commercial development Standards and adding in its entirety Sec. 110-174. - Historic district overlay zone:

Sec. 110-174. – Historic district overlay zone

Starr’s Mill Historic District Overlay Zone at the SR 74, SR 85, & Padgett Road Intersection. All property and/or development located at this intersection with nonresidential use or zoning as depicted on the Future Land Use map shall be subject to the following regulations, in addition to the zoning district requirements, and other development regulations as applicable. The General State Route Overlay Zone shall not apply to this area.

- (1) The purpose of the Starr’s Mill Historic Overlay Zone at the SR 74, SR 85, and Padgett Road Intersection is to achieve the following:
 - a. To maintain the historic character of the area;
 - b. To control the intensity and aesthetic quality of development at the intersection as it is the southern gateway into Fayette County;
 - c. To promote and maintain orderly development for an efficient traffic flow in highway corridors; and
 - d. To protect existing and future residential areas outside of the intersection.
- (2) Access.
Access to each nonresidential property and/or development shall be from SR 74, SR 85, or Padgett Road. All access points shall be required to comply with Georgia Department of Transportation regulations and/or Fayette County Development Regulations, as applicable.
- (3) Dimensional Requirements.
 - a. All parking areas shall be located at least 50 feet from SR 74, SR 85, and Padgett Road right-of-way.
 - b. Front yard setbacks on SR 74, SR 85, and Padgett Road for all structures, including gasoline canopies, shall be 100 feet.
 - c. Berms for nonresidential zoning districts: Berms when required as a condition of zoning, shall be a minimum of four (4) feet in height, and shall be placed to the inside of the applicable buffer.
 - d. If the side yard abuts a nonresidential zoning district, all non-structural improvements, other than approved access, shall be located a minimum of 10 feet from the side property line.
- (4) Architectural Forms and Standards. All new structures shall maintain the historical and aesthetic character of the area. Starr’s Mill was built in the late 1800’s and is a significant historic resource in Fayette County. Starr’s Mill is indicative of turn of the century architectural character common in rural areas and is a building of influence in this area. Other architectural styles such as One-Part Commercial Block and Two-Part Commercial Block associated with this period are acceptable for this overlay. Architectural examples are on file in the Planning and Zoning Department

Architectural Review. An owner/developer may obtain an administrative staff approval for structures by submitting elevation drawings denoting compliance with these architectural forms and standards. Staff review and approval will take

place as part of the site plan approval process.

An owner/developer may exercise an architectural option for structures within the overlay zone. The purpose of this option is to allow the owner/developer to present a creative interpretation of the architectural intent of the overlay. Elevation drawings, submitted as part of the site plan approval process, shall be reviewed and approved by the Board of Commissioners in a public meeting with a recommendation from the Planning Commission and Staff.

- a. Starr's Mill: Starr's Mill is a two story structure with a gable roof. The roof is corrugated metal. The façade is wood clapboard siding and runs in a horizontal pattern. The structure sits on a stacked stone foundation and stacked stone pillars. Windows are wood framed with a grid muntin pattern. Doors are also wood framed. The structure has a covered porch with stairs and a wood picket rail banister. The building is red, the window and door frames are white, the doors are red, the stairs, porch framing and banisters are white, the stair landings and porch decking are grey and the roof and porch covering is a grey corrugated metal.
 1. Roof: Gable roof with a minimum pitch of 4.5 inches in one (1) foot. Roofing material shall be grey corrugated metal.
 2. Façade Material: Clapboard siding running in a horizontal pattern on all walls. Acceptable sidings include wood and fiber-cement siding (i.e., Hardiplank). The foundation shall have the appearance of stacked stone. Façade colors shall match with the color palette on file in the Planning and Zoning Department.
 3. Doors and Windows: Doors and windows shall have a frame and grid muntin pattern as established by Starr's Mill. Door and window frames shall be white with a minimum width of four (4) inches. Large display windows and glass doors shall give the appearance of grid pattern muntins and framing consistent with Starr's Mill. Grid pattern muntins shall be white. Large display or storefront windows shall have a minimum two foot high bulkhead consistent with the Façade Materials above.
 4. Covered Entrance: Covered entrances shall be in character with the Starr's Mill porch consisting of a gray corrugated metal matching the roof of the main structure. A white wood picket rail banister with a minimum height of three (3) feet shall extend the full length of the covered entrance with a maximum entrance space of three (3) feet. All support structures shall be white.
- b. One-Part Commercial Block: A popular commercial design from the mid-19th to the early 20th century. The one-part commercial block is a simple, one-story box with a flat or shed roof. Common façade materials consist of brick with decorative block, stone, and concrete accents. The focal point of front facade is the entrance and windows, consisting of a recessed doorway and display windows with a transom resting on a bulkhead (the lower panels on which the windows rest) framed by pilasters. Architectural features include a cornice, belt course and parapet wall.
 1. Façade Material: Brick/brick veneer shall be utilized on all walls as the primary facade material comprising a minimum of 65 percent of the wall, excluding doors, windows and associated framing. The brick color shall match with one of the colors in the brick palette on file in the Planning and Zoning Department.

- Painted brick shall not be allowed. The remaining 35 percent of the wall may have the appearance of a contrasting brick color, rough face decorative block, stone, and/or concrete accents and the colors shall match with the color palette on file in the Planning and Zoning Department.
2. Entrance Doors and Windows: The entrance door and window component shall consist of entrance door(s), display windows, door and window transoms, and bulkhead. Door and window frames may be constructed with wood, metal, or vinyl. An anodized silver finish shall not be allowed for door and window frames and all colors shall match with the color palette on file in the Planning and Zoning Department. Transoms shall be a minimum of two (2) feet high and shall be separated from the windows and door by a mullion with a minimum width of four (4) inches. A minimum two (2) foot high bulkhead consistent with the Façade Materials above shall be required.
 3. Architectural Features: A cornice is required. The cornice shall be a minimum of one (1) foot in height with a minimum projection of four (4) inches from the main façade. The projection may be gradual. A parapet wall is required along the front and side walls of the structure and shall be a minimum of two (2) feet in height. Colors shall match with the color palette on file in the Planning and Zoning Department.
- c. Two-Part Commercial Block: A popular commercial design from the mid-19th to the early - 20th century. These buildings have two primary components – first floor storefronts (similar in design to a One-Part Commercial Block) and upper floors which historically were used for residential or office space. The focal point of the first floor is the entrance and windows, consisting of a recessed doorway and display windows with a transom resting on a bulkhead (the lower panels on which the windows rest) framed by pilasters. Upper floors have one or more floors of smaller symmetrically positioned windows. Architectural features include a cornice, belt course and parapet wall. Common façade materials consist of brick with decorative block, stone, and concrete accents.
1. Façade Material: Brick/brick veneer shall be utilized on all walls as the primary facade material comprising a minimum of 65 percent of the wall, excluding doors, windows and associated framing. The brick color shall match with one of the colors in the brick palette on file in the Planning and Zoning Department. Painted brick shall not be allowed. The remaining 35 percent of the wall may have the appearance of a contrasting brick color, rough face decorative block, stone, and/or concrete accents and the colors shall match with the color palette on file in the Planning and Zoning Department.
 2. Entrance Doors and Windows (first floor storefronts): The entrance door and window component shall consist of entrance door(s), display windows, door and window transoms, and bulkhead. Door and window frames may be constructed with wood, metal, or vinyl. An anodized silver finish shall not be allowed for door and window frames and all colors shall match with the color palette on file in the Planning and Zoning Department. Transoms shall be a minimum of two (2) feet high

- and shall be separated from the windows and door by a mullion with a minimum width of four (4) inches. A minimum two (2) foot high bulkhead consistent with the Façade Materials above shall be required.
3. Upper Floor Windows: Upper floor windows shall be symmetrically positioned. All window frames shall match with the color palette on file in the Planning and Zoning Department.
 4. Architectural Features: A cornice is required. The cornice shall be a minimum of one (1) foot in height with a minimum projection of four (4) inches from the main façade. The projection may be gradual. A belt course with a minimum projection of one (1) inch from the main façade shall be required between the first floor and the second floor. A parapet wall is required and shall be a minimum of two (2) feet in height. Colors shall match with the color palette on file in the Planning and Zoning Department.
- d. Lighting:
 1. All wall lighting shall consist of period lantern or goose neck pendant lighting. These restrictions shall not apply to wall lighting required by the Fire Marshal.
 2. All pole lighting shall consist of period post top globe, lantern, or pendant luminaries with rapid-ship posts.
 - e. Within the 50 foot front landscape area, a wall or fence is required to run along a minimum of 40 percent of the frontage. The wall or fence shall be a minimum three (3) foot high wall with the appearance of stacked stone or a minimum four (4) foot high fence with the appearance of wrought iron, picket, split rail or horse rail fence. Fence materials are limited to metal, vinyl/plastic, pre-cast concrete and masonry for columns.
 - f. *Gasoline Canopy.* Gasoline canopies shall comply with the following requirements:
 1. Gasoline canopies may be attached to the principal structure as an extension of the structure/roof.
 2. The vertical clearance under the gasoline canopy shall not exceed a maximum of 18 feet in height. The height of the gasoline canopy shall not be more than four (4) feet above the height of the principal structure.
 3. The gasoline canopy and support structure shall match the architectural character, materials, color and roof of the principal structure. Gasoline canopies, in conjunction with a convenience commercial establishment built in the architectural form of Starr's Mill, shall have a minimum roof pitch of three (3) inches in one (1) foot.
 - g. *Color Palette.* Only those colors indicated on the color palette on file in the Planning and Zoning Department shall be allowed for structures. Any changes to the color of structures in this overlay must be submitted to Staff for approval.
 - h. The design of ancillary buildings and sign structures shall be consistent with the architectural style and color inherent in the principal structure on the property.
- (5) *Landscape Requirements.* In addition to the standard requirements of the landscape ordinance, the following landscape requirements shall apply to the Overlay Zone:

- a. *Street Frontage.* Landscape area: 50 feet along the right-of-way of SR 74, SR 85, and Padgett Road. The first 25 feet as measured from the right-of-way is for required landscape planting only. The remaining 25 feet may be used for septic system placement; underground stormwater detention systems; and the following stormwater management facilities/structures if designed in full accordance with the specifications provided in the most current edition of the Georgia Stormwater Management Manual; vegetated channels, overland flow filtration/groundwater recharge zone, enhanced swales, filter strips, and grass channels. Septic systems and stormwater structures shall be exclusive of each other and the minimum distance of separation between wastewater and stormwater structures shall be established by the Environmental Health Department and the Environmental Management Department. Utilities (including underground stormwater piping) and multi-use path connections may be located anywhere within the landscape area.
 - b. *Side Yard Landscape Area:* 10 feet in depth along the side property lines unless adjacent to a residential district where buffer requirements will apply.
- (6) *Use of Existing Structure:* When property containing legal conforming or legal nonconforming structures, under the current zoning, is rezoned to a nonresidential zoning district the dimensional requirements shall be reduced to the extent of, but only at the location of, any encroachment by the structures and said structures shall be considered legal nonconforming structures.
- (7) *Lighting and shielding standards.* Lighting shall be placed in a manner to direct light away from any adjacent roadways or nearby residential areas.
- (8) *Special Locational and Spatial Requirements.*
- a. No more than 50 percent of the required parking can be located in the front yard along a State Route as established by the front building line of any structure located on the site. Sites with existing parking are exempt.
 - b. No outside storage allowed.
 - c. All roof-top heating, ventilation, and air conditioning equipment and satellite/communications equipment shall be visually screened from adjacent roads and property zoned residential or A-R. The screen shall extend to the full height of the objects being screened.

Section 7. That the preamble of this Ordinance shall be considered to be and is hereby incorporated by reference as if fully set out herein.

Section 8. a. It is hereby declared to be the intention of the Board of Commissioners that all Sections, paragraphs, sentences, clauses and phrases of this Article are and were, upon their enactment, believed by the Board of Commissioners to be fully valid, enforceable and constitutional.

b. It is hereby declared to be the intention of the Board of Commissioners that, to the greatest extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this Ordinance is severable from every other section, paragraph, sentence, clause or phrase of this Ordinance. It is hereby further declared to be the intention of the Board of Commissioners that, to the greatest extent allowed by law, no Section, paragraph, sentence, clause or phrase of this Article is mutually dependent upon any other Section, paragraph, sentence, clause or phrase of this Article.

c. In the event that any phrase, clause, sentence, paragraph or section of this Article shall, for any

reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the Board of Commissioners that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or Sections of the Article and that, to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs and Sections of the Article shall remain valid, constitutional, enforceable, and of full force and effect.

Section 9. All ordinances or resolutions and parts of ordinances or resolutions in conflict herewith are hereby expressly repealed except those provided for herein.

Section 10. The effective date of this Ordinance shall be the date of adoption unless otherwise specified herein.

So ordained this 26th day of May, 2016, by the

**BOARD OF COMMISSIONERS
FAYETTE COUNTY, GEORGIA**

CHARLES W. ODDO, CHAIRMAN

ATTEST:

CLERK/DEPUTY CLERK

THE FOLLOWING WILL BE ADDED IN ITS ENTIRETY TO THE FAYETTE COUNTY ZONING ORDINANCE, SEC. 110-3. –DEFINITIONS.

Art and/or crafts studio means an establishment where an artist's works are created and sold, where pieces by various artists are displayed for sale in a gallery, where customers purchase then create their own works (canvas, pottery, glass pieces, sculpture, etc.), a studio with classes and/or an art supply store.

Bakery means an establishment engaged in the preparation and production of baked goods for sale and consumption both on and off the premises.

Card, gift, and/or stationery shop means an establishment which sells products such as greeting cards, wrapping paper, photo albums, picture frames, items that are suitable as gifts or souvenirs, desktop office products, paper, calendars, pencils, pens, brief cases, and art/graphic supplies.

Check cashing means an establishment that for compensation engages, in whole or in part, in the business of cashing checks, warrants, drafts, money orders, or other commercial paper serving the same purpose.

Clapboard siding means a siding with horizontal boards or the appearance of horizontal boards.

Convenience commercial establishment means an establishment that primarily stocks a range of groceries, snack foods, freshly-prepared foods for on and off-site consumption, and beverages, and may also provide household items, toiletries, tobacco products, newspapers, and the sale of fuel.

Copy and/or print shop means an establishment engaged in duplicating and printing services to individuals and businesses.

Cornice means a projecting feature surrounding the upper portion of a structure, dividing it horizontally for compositional purposes.

Drive-up facility means a structure or device designed and intended to provide service to customers who remain in their vehicles.

Mail services store means an establishment that provides packaging and mail services (both U.S. Postal and private service), provides mailboxes for lease and retail sale of office and stationery products.

Mullion means a heavy vertical or horizontal divider between windows and/or doors.

Muntin means a narrow strip that divides or gives the appearance of individual panes of glass in a traditional sash.

Parapet wall means a wall at the edge of a roof.

Pay-day loan agency means an establishment providing loans to individuals in exchange for personal checks as collateral.

Pawn establishment means any business that loans money on deposit of personal property and /or a title of ownership.

Transom means a horizontal opening over a door or window.

THE FOLLOWING WILL BE ADDED IN ITS ENTIRETY TO THE FAYETTE COUNTY ZONING ORDINANCE.

Sec. 110-145. - L-C-1, Limited-Commercial (1) District.

- (a) *Intent.* The intent of the L-C-1 zoning district is to establish small scale business areas which do not generate large amounts of traffic, noise or light. The L-C-1 zoning district includes small retail establishments, personal services, and business and professional offices. The L-C-1 zoning district will control architectural character and scale. The adaptive use of existing structures is encouraged when possible.
- (b) *Permitted principal uses.* The following permitted principal uses shall be allowed in the L-C-1 zoning district:
 - (1) Antique shop, vintage store, thrift/second hand store, consignment store;
 - (2) Art and/or crafts studio;
 - (3) Bakery;
 - (4) Bank and/or financial institutions such as a brokerage firm, credit union, financial planning, or mortgage brokerage (no Pay Day Loan, Check Cashing or Pawn Establishments);
 - (6) Book store,
 - (7) Card, gift, and/or stationery shop;
 - (8) Cellular phone sales and service;
 - (8) Clothing and/or accessories such as belts and suspenders, boots and shoes, gloves, hats, jewelry, purses and handbags, ties, sashes, scarves, shawls, socks, and stockings, umbrellas, or watches.
 - (9) Educational/instructional/tutoring facilities, including, but not limited to: academic; art; computer; dance; driving and/or DUI; music; professional/business/trade; martial arts; and similar facilities;
 - (10) Florist shop;
 - (11) Gift shop;

- (12) Hardware store;
 - (13) Home furnishings and accessories such as area rugs, decorative items, cutlery, dishware, glassware, lamps, pictures, pillows and tablecloths;
 - (14) Jewelry shop;
 - (15) Mail services store;
 - (16) Medical/dental office (human treatment);
 - (17) Office (business and/or professional);
 - (18) Personal services, including, but not limited to: alterations; barber shop; beauty salon; clothing/costume rentals; counseling services; electrolysis and/or hair removal; fitness center; laundry drop-off/pick-up; locksmith; nail salon; photography studio; shoe repair; and tanning salon; and
 - (19) Restaurant/restaurant takeout and catering.
- (c) *Conditional uses.* The following conditional uses shall be allowed in the L-C-1 zoning district provided that all conditions specified in article V of this chapter are met:
- (1) Single-family residence and accessory structures and uses (see article III of this chapter); and
 - (2) Home occupation.
- (d) *Regulations.* The following regulations shall apply to the L-C-1 zoning district in addition to any other applicable regulations.
- (1) These structures shall maintain a residential character. Elevation drawings denoting compliance with the following requirements shall be submitted as part of the site plan. Properties within an Overlay Zone shall comply with the applicable Architectural Standards of the Overlay Zone in lieu of the architectural requirements below:
 - a. A pitched peaked (gable or hip) roof with a minimum pitch of 4½ inches in one foot and shall be of a type and construction complementary to the facade. A pitched mansard roof facade with a minimum pitch of 4½ inches in one foot and a minimum height of eight feet around the entire perimeter of the structure can be used if the structure is two stories or more or the use of a pitched peaked roof would cause the structure to not meet the applicable height limit requirements. The mansard roof facade shall be of a residential character with the appearance of shingles, slate or terra cotta;
 - b. All buildings shall be constructed in a residential character of fiber-cement siding (i.e., Hardiplank), wood siding, wood textured vinyl siding, brick/brick veneer, rock, stone, cast-stone, or stucco (including synthetic stucco);
 - c. Framed doors and windows of a residential character. To maintain a residential character, large display windows shall give the appearance of smaller individual panes and framing consistent with the standard residential grid pattern for doors and windows;
 - d. Accessory structures shall maintain the same architectural character of the principal structure, including the pitched peaked (gable or hip) roof with a minimum pitch of

4½ inches in one foot, and shall be constructed of the same materials or materials which simulate same. An elevation drawing denoting compliance with this requirement shall be submitted as part of the site plan.

- (2) No outside storage will be permitted.
- (3) The lot shall have direct access to an arterial street.
- (4) No drive-through, drive-in, or drive-up facilities allowed.
- (e) *Dimensional requirements.* The minimum dimensional requirements in the L-C-1 zoning district shall be as follows:
 - (1) Lot area:
 - a. Where public water is available: 43,560 square feet (one acre).
 - b. Where public water is not available: 65,340 square feet (1½ acres).
 - (2) Lot width: 125 feet.
 - (3) Front yard setback:
 - a. Major thoroughfare:
 - 1. Arterial: 75 feet.
 - 2. Collector: 60 feet.
 - b. Minor thoroughfare: 55 feet.
 - (4) Rear yard setback: 15 feet.
 - (5) Side yard setback: 15 feet.
 - (6) Height limit: 35 feet.
 - (7) Floor to area ratio: (gross square footage of site times 0.1 equals square footage of structure). The total maximum square footage for all structures combined on the lot shall not exceed 10,000 square feet. However, to discourage the development of one linear building and to encourage the development of separate clustered buildings on the site, the square footage for the structures may be increased by fifteen (15) percent when more than one (1) building is developed. The distance between structures shall be a minimum of twenty-six (26) feet. In addition to the area required to facilitate vehicular access, each building wall bordering the space between structures shall have a five (5) foot landscaped area consisting of five (5) shrubs, two (2) feet tall at planting, per twenty-five (25) linear feet of building wall. (8) Buffer. If the rear or side yard abuts a residential or A-R zoning district, a minimum buffer of 50 feet adjacent to such lot line shall be provided in addition to the required setback (the setback shall be measured from the buffer).
 - (9) Lot coverage limit, including structure and parking area: 60 percent of total lot area.

SEC. 110-145. – LIMITED-COMMERCIAL DISTRICT WILL BE AMENDED AS FOLLOWS IN THE FAYETTE COUNTY ZONING ORDINANCE:

Sec. 110-14~~65~~. L-C-~~2~~, Limited-Commercial (2) District.

- (a) *Intent.* The intent of the L-C-~~2~~ zoning district is to establish small scale business areas which do not generate large amounts of traffic, noise or light. The L-C-~~2~~ zoning district includes small retail and convenience commercial establishments, personal services and business and professional offices. The L-C-~~2~~ zoning district will control architectural character and scale. The adaptive use of existing structures is encouraged when possible. The L-C-~~2~~ zoning district would discourage the development of a strip commercial building.
- (b) *Permitted principal uses.* The following permitted principal uses shall be allowed in the L-C-~~2~~ zoning district:
- (1) Antique shop, ~~vintage store, thrift/second hand store, or consignment store;~~
 - (2) Art and/or crafts studio;
 - (3) Bakery;
 - (4) Bank and/or financial institutions ~~such as a brokerage firm, credit union, financial planning, insurance company, or mortgage brokerage (no Pay Day Loan, Check Cashing or Pawn Establishments);~~
 - ~~(5) Barbershop and/or beauty shop;~~
 - (5) Book store,
 - (6) ~~Book~~ Card, gift, and/or stationery shop;
 - (7) Cellular phone sales and service;
 - (8) Clothing and/or accessories ~~such as belts and suspenders, boots and shoes, gloves, hats, jewelry, purses and handbags, ties, sashes, scarves, shawls, socks, stockings, umbrellas, or watches.~~
 - (9) Copy and/or print shop;
 - (10) Educational/instructional/tutoring facilities, including, but not limited to: academic; art; computer; dance; driving and/or DUI; music; professional/business/trade; martial arts; and similar facilities;
 - ~~(8) Dance school and/or studio;~~
 - (11) Florist shop;
 - ~~(10) Gift shop;~~
 - (12) Hardware store;
 - (13) Home furnishings and accessories ~~such as area rugs, decorative items, cutlery, dishware, glassware, lamps, pictures, pillows and tablecloths;~~
 - (14) Jewelry shop;
 - (15) ~~Laundry and/or dry clean pickup station;~~ Mail services store;

- (16) Medical/dental office (human treatment); and
- ~~(15) Music teaching studio;~~
- (17) Office (business and/or professional);
- (18) Personal services, including, but not limited to: alterations; barber shop; beauty salon; clothing/costume rentals; counseling services; electrolysis and/or hair removal; fitness center; laundry drop-off/pick-up; locksmith; nail salon; photography studio; shoe repair; and tanning salon; and
- ~~(17) Photography studio;~~
- (19) Restaurant/restaurant takeout and catering ~~(no drive-through or drive-in allowed).~~
- ~~(20) Shoe repair.~~
- (c) *Conditional uses.* The following conditional uses shall be allowed in the L-C-2 zoning district provided that all conditions specified in article V of this chapter are met:
 - (1) Convenience commercial establishment;
 - (2) Single-family residence and accessory structures and uses (see article III of this chapter); and
 - (3) Home occupation.
- (d) *Regulations.* The following regulations shall apply to the L-C-2 zoning district in addition to any other applicable regulations.
 - (1) These structures shall maintain a residential character. Elevation drawings denoting compliance with the following requirements shall be submitted as part of the site plan. **Properties within an Overlay Zone shall comply with the applicable Architectural Standards of the Overlay Zone in lieu of the architectural requirements below:**
 - a. A pitched peaked (gable or hip) roof with a minimum pitch of 4½ inches in one foot and shall be of a type and construction complementary to the facade. A pitched mansard roof facade with a minimum pitch of 4½ inches in one foot and a minimum height of eight feet around the entire perimeter of the structure can be used if the structure is two stories or more or the use of a pitched peaked roof would cause the structure to not meet the applicable height limit requirements. The mansard roof facade shall be of a residential character with the appearance of shingles, slate or terra cotta;
 - b. All buildings shall be constructed in a residential character of fiber-cement siding (i.e., Hardiplank), wood siding, wood textured vinyl siding, brick/brick veneer, rock, stone, cast-stone, or stucco (including synthetic stucco);
 - c. Framed doors and windows of a residential character. To maintain a residential character, large display windows shall give the appearance of smaller individual panes and framing consistent with the standard residential grid pattern for doors and windows;
 - d. Accessory structures shall maintain the same architectural character of the principal structure, including the pitched peaked (gable or hip) roof with a minimum pitch of 4½ inches in one foot, and shall be constructed of the same materials or materials

which simulate same. An elevation drawing denoting compliance with this requirement shall be submitted as part of the site plan.

- (2) No outside storage will be permitted.
- (3) The lot shall have direct access to an arterial street.
- (4) **No drive-through, drive-in, or drive-up facilities allowed.**
- (e) *Dimensional requirements.* The minimum dimensional requirements in the L-C-2 zoning district shall be as follows:
 - (1) Lot area:
 - a. Where public water is available: 43,560 square feet (one acre).
 - b. Where public water is not available: 65,340 square feet (1½ acres).
 - (2) Lot width: 125 feet.
 - (3) Front yard setback:
 - a. Major thoroughfare:
 1. Arterial: 75 feet.
 2. Collector: 60 feet.
 - b. Minor thoroughfare: 55 feet.
 - (4) Rear yard setback: 15 feet.
 - (5) Side yard setback: 15 feet.
 - (6) Height limit: 35 feet.
 - (7) Floor to area ratio: (gross square footage of site times 0.1 equals square footage of structure). **The total maximum square footage for all structures combined on the lot shall not exceed 10,000 square feet. However, to discourage the development of one linear building and to encourage the development of separate clustered buildings on the site, the square footage for the structures may be increased by fifteen (15) percent when more than one (1) building is developed. The distance between structures shall be a minimum of twenty-six (26) feet. In addition to the area required to facilitate vehicular access, each building wall bordering the space between structures shall have a five (5) foot landscaped area consisting of five (5) shrubs, two (2) feet tall at planting, per twenty-five (25) linear feet of building wall. ~~The total maximum square footage for all structures combined on the site shall not exceed 8,500 square feet.~~**
 - (8) Buffer. If the rear or side yard abuts a residential or A-R zoning district, a minimum buffer of 50 feet adjacent to such lot line shall be provided in addition to the required setback (the setback shall be measured from the buffer).
 - (9) Lot coverage limit, including structure and parking area: 60 percent of total lot area.

(NOTE: all subsequent sections shall be renumbered as applicable.)

SEC. 110-169. CONDITIONAL USE APPROVAL., Q., WILL BE AMENDED AS FOLLOWS IN THE FAYETTE COUNTY ZONING ORDINANCE:

- q. Convenience commercial establishment. ~~Facility is limited to the sale of prepackaged food products, gasoline, household items, newspapers, magazines, sandwiches, and other freshly prepared foods for off-site consumption.~~ Allowed in the L-C-2 zoning district.
1. Maximum floor area: 3,500 square feet.
 2. Accessory structures, including service area canopies used in conjunction with the sale of gasoline, shall maintain the same architectural character of the principal structure including the pitched roof, and shall be constructed of the same materials or materials which simulate same. An elevation drawing denoting compliance with this requirement shall be submitted as part of the site plan ~~Properties within an Overlay Zone shall comply with the applicable Architectural Standards of the Overlay Zone.~~
 3. Motor vehicle vacuum cleaners shall be located to the side or rear of the principal structure.
 4. Underground storage tanks shall be set back at least 20 feet from all property lines.
 5. The number of gasoline pumps shall be limited to no more than six ~~or~~ with a total of 12 pumping stations.

SEC. 110-173. - TRANSPORTATION CORRIDOR OVERLAY ZONE. (3) GENERAL STATE ROUTE OVERLAY ZONE WILL BE AMENDED AS FOLLOWS IN THE FAYETTE COUNTY ZONING ORDINANCE:

(3) *General state route overlay zone.* All property and/or development which have road frontage and/or access on State routes with nonresidential use or zoning shall be subject to the following regulations, in addition to the zoning district requirements and other development regulations which apply. This overlay zone specifically excludes SR 54 West, SR 85 North, ~~SR 138 and SR 314 North, Starr's Mill Historic District Overlay Zone at the SR 74, SR 85, & Padgett Road Intersection~~ and SR 74 North for which other overlay zones have been established herein. ~~The architectural standards of this overlay zone specifically excludes the L-C zoning district, for which other architectural standards have been established.~~

SEC. 110-174. – COMMERCIAL DEVELOPMENT STANDARDS. WILL BE DELETED IN ITS ENTIRETY AND THE FOLLOWING WILL BE ADDED IN ITS ENTIRETY TO THE FAYETTE COUNTY ZONING ORDINANCE

Sec. 110-174. – Historic district overlay zone

Starr's Mill Historic District Overlay Zone at the SR 74, SR 85, & Padgett Road Intersection.

All property and/or development located at this intersection with nonresidential use or zoning as depicted on the Future Land Use map shall be subject to the following regulations, in addition to

the zoning district requirements, and other development regulations as applicable. The General State Route Overlay Zone shall not apply to this area.

- (1) The purpose of the Starr's Mill Historic Overlay Zone at the SR 74, SR 85, and Padgett Road Intersection is to achieve the following:
 - a. To maintain the historic character of the area;
 - b. To control the intensity and aesthetic quality of development at the intersection as it is the southern gateway into Fayette County;
 - c. To promote and maintain orderly development for an efficient traffic flow in highway corridors; and
 - d. To protect existing and future residential areas outside of the intersection.
- (2) Access.
Access to each nonresidential property and/or development shall be from SR 74, SR 85, or Padgett Road. All access points shall be required to comply with Georgia Department of Transportation regulations and/or Fayette County Development Regulations, as applicable.
- (3) Dimensional Requirements.
 - a. All parking areas shall be located at least 50 feet from SR 74, SR 85, and Padgett Road right-of-way.
 - b. Front yard setbacks on SR 74, SR 85, and Padgett Road for all structures, including gasoline canopies, shall be 100 feet.
 - c. Berms for nonresidential zoning districts: Berms when required as a condition of zoning, shall be a minimum of four (4) feet in height, and shall be placed to the inside of the applicable buffer.
 - d. If the side yard abuts a nonresidential zoning district, all non-structural improvements, other than approved access, shall be located a minimum of 10 feet from the side property line.
- (4) Architectural Forms and Standards. All new structures shall maintain the historical and aesthetic character of the area. Starr's Mill was built in the late 1800's and is a significant historic resource in Fayette County. Starr's Mill is indicative of turn of the century architectural character common in rural areas and is a building of influence in this area. Other architectural styles such as One-Part Commercial Block and Two-Part Commercial Block associated with this period are acceptable for this overlay. Architectural examples are on file in the Planning and Zoning Department

Architectural Review. An owner/developer may obtain an administrative staff approval for structures by submitting elevation drawings denoting compliance with these architectural forms and standards. Staff review and approval will take place as part of the site plan approval process.

An owner/developer may exercise an architectural option for structures within the overlay zone. The purpose of this option is to allow the owner/developer to present a creative interpretation of the architectural intent of the overlay. Elevation drawings, submitted as part of the site

plan approval process, shall be reviewed and approved by the Board of Commissioners in a public meeting with a recommendation from the Planning Commission and Staff.

- a. **Starr's Mill:** Starr's Mill is a two story structure with a gable roof. The roof is corrugated metal. The façade is wood clapboard siding and runs in a horizontal pattern. The structure sits on a stacked stone foundation and stacked stone pillars. Windows are wood framed with a grid muntin pattern. Doors are also wood framed. The structure has a covered porch with stairs and a wood picket rail banister. The building is red, the window and door frames are white, the doors are red, the stairs, porch framing and banisters are white, the stair landings and porch decking are grey and the roof and porch covering is a grey corrugated metal.
 1. **Roof:** Gable roof with a minimum pitch of 4.5 inches in one (1) foot. Roofing material shall be grey corrugated metal.
 2. **Façade Material:** Clapboard siding running in a horizontal pattern on all walls. Acceptable sidings include wood and fiber-cement siding (i.e., Hardiplank). The foundation shall have the appearance of stacked stone. Façade colors shall match with the color palette on file in the Planning and Zoning Department.
 3. **Doors and Windows:** Doors and windows shall have a frame and grid muntin pattern as established by Starr's Mill. Door and window frames shall be white with a minimum width of four (4) inches. Large display windows and glass doors shall give the appearance of grid pattern muntins and framing consistent with Starr's Mill. Grid pattern muntins shall be white. Large display or storefront windows shall have a minimum two foot high bulkhead consistent with the Façade Materials above.
 4. **Covered Entrance:** Covered entrances shall be in character with the Starr's Mill porch consisting of a gray corrugated metal matching the roof of the main structure. A white wood picket rail banister with a minimum height of three (3) feet shall extend the full length of the covered entrance with a maximum entrance space of three (3) feet. All support structures shall be white.
- b. **One-Part Commercial Block:** A popular commercial design from the mid-19th to the early 20th century. The one-part commercial block is a simple, one-story box with a flat or shed roof. Common façade materials consist of brick with decorative block, stone, and concrete accents. The focal point of front facade is the entrance and windows, consisting of a recessed doorway and display windows with a transom resting on a bulkhead (the lower panels

on which the windows rest) framed by pilasters. Architectural features include a cornice, belt course and parapet wall.

1. Façade Material: Brick/brick veneer shall be utilized on all walls as the primary facade material comprising a minimum of 65 percent of the wall, excluding doors, windows and associated framing. The brick color shall match with one of the colors in the brick palette on file in the Planning and Zoning Department. Painted brick shall not be allowed. The remaining 35 percent of the wall may have the appearance of a contrasting brick color, rough face decorative block, stone, and/or concrete accents and the colors shall match with the color palette on file in the Planning and Zoning Department.
 2. Entrance Doors and Windows: The entrance door and window component shall consist of entrance door(s), display windows, door and window transoms, and bulkhead. Door and window frames may be constructed with wood, metal, or vinyl. An anodized silver finish shall not be allowed for door and window frames and all colors shall match with the color palette on file in the Planning and Zoning Department. Transoms shall be a minimum of two (2) feet high and shall be separated from the windows and door by a mullion with a minimum width of four (4) inches. A minimum two (2) foot high bulkhead consistent with the Façade Materials above shall be required.
 3. Architectural Features: A cornice is required. The cornice shall be a minimum of one (1) foot in height with a minimum projection of four (4) inches from the main façade. The projection may be gradual. A parapet wall is required along the front and side walls of the structure and shall be a minimum of two (2) feet in height. Colors shall match with the color palette on file in the Planning and Zoning Department.
- c. Two-Part Commercial Block: A popular commercial design from the mid-19th to the early - 20th century. These buildings have two primary components – first floor storefronts (similar in design to a One-Part Commercial Block) and upper floors which historically were used for residential or office space. The focal point of the first floor is the entrance and windows, consisting of a recessed doorway and display windows with a transom resting on a bulkhead (the lower panels on which the windows rest) framed by pilasters. Upper floors have one or more floors of smaller symmetrically positioned windows. Architectural features include a cornice, belt course and parapet wall. Common façade materials consist of brick with decorative block, stone, and concrete accents.
1. Façade Material: Brick/brick veneer shall be utilized on all

walls as the primary facade material comprising a minimum of 65 percent of the wall, excluding doors, windows and associated framing. The brick color shall match with one of the colors in the brick palette on file in the Planning and Zoning Department. Painted brick shall not be allowed. The remaining 35 percent of the wall may have the appearance of a contrasting brick color, rough face decorative block, stone, and/or concrete accents and the colors shall match with the color palette on file in the Planning and Zoning Department.

2. Entrance Doors and Windows (first floor storefronts): The entrance door and window component shall consist of entrance door(s), display windows, door and window transoms, and bulkhead. Door and window frames may be constructed with wood, metal, or vinyl. An anodized silver finish shall not be allowed for door and window frames and all colors shall match with the color palette on file in the Planning and Zoning Department. Transoms shall be a minimum of two (2) feet high and shall be separated from the windows and door by a mullion with a minimum width of four (4) inches. A minimum two (2) foot high bulkhead consistent with the Façade Materials above shall be required.
 3. Upper Floor Windows: Upper floor windows shall be symmetrically positioned. All window frames shall match with the color palette on file in the Planning and Zoning Department.
 4. Architectural Features: A cornice is required. The cornice shall be a minimum of one (1) foot in height with a minimum projection of four (4) inches from the main façade. The projection may be gradual. A belt course with a minimum projection of one (1) inch from the main façade shall be required between the first floor and the second floor. A parapet wall is required and shall be a minimum of two (2) feet in height. Colors shall match with the color palette on file in the Planning and Zoning Department.
- d. Lighting:
1. All wall lighting shall consist of period lantern or goose neck pendant lighting. These restrictions shall not apply to wall lighting required by the Fire Marshal.
 2. All pole lighting shall consist of period post top globe, lantern, or pendant luminaries with rapid-ship posts.
- e. Within the 50 foot front landscape area, a wall or fence is required to run along a minimum of 40 percent of the frontage. The wall or fence shall be a minimum three (3) foot high wall with the appearance of stacked stone or a minimum four (4) foot high fence

with the appearance of wrought iron, picket, split rail or horse rail fence. Fence materials are limited to metal, vinyl/plastic, pre-cast concrete and masonry for columns.

- f. *Gasoline Canopy.* Gasoline canopies shall comply with the following requirements:
 - 1. Gasoline canopies may be attached to the principal structure as an extension of the structure/roof.
 - 2. The vertical clearance under the gasoline canopy shall not exceed a maximum of 18 feet in height. The height of the gasoline canopy shall not be more than four (4) feet above the height of the principal structure.
 - 3. The gasoline canopy and support structure shall match the architectural character, materials, color and roof of the principal structure. Gasoline canopies, in conjunction with a convenience commercial establishment built in the architectural form of Starr's Mill, shall have a minimum roof pitch of three (3) inches in one (1) foot.
 - g. *Color Palette.* Only those colors indicated on the color palette on file in the Planning and Zoning Department shall be allowed for structures. Any changes to the color of structures in this overlay must be submitted to Staff for approval.
 - h. The design of ancillary buildings and sign structures shall be consistent with the architectural style and color inherent in the principal structure on the property.
- (5) *Landscape Requirements.* In addition to the standard requirements of the landscape ordinance, the following landscape requirements shall apply to the Overlay Zone:
- a. *Street Frontage.* Landscape area: 50 feet along the right-of-way of SR 74, SR 85, and Padgett Road. The first 25 feet as measured from the right-of-way is for required landscape planting only. The remaining 25 feet may be used for septic system placement; underground stormwater detention systems; and the following stormwater management facilities/structures if designed in full accordance with the specifications provided in the most current edition of the Georgia Stormwater Management Manual; vegetated channels, overland flow filtration/groundwater recharge zone, enhanced swales, filter strips, and grass channels. Septic systems and stormwater structures shall be exclusive of each other and the minimum distance of separation between wastewater and stormwater structures shall be established by the Environmental Health Department and the Environmental Management Department. Utilities (including underground stormwater piping) and multi-use path connections may be located anywhere within the landscape area.
 - b. *Side Yard Landscape Area:* 10 feet in depth along the side property lines unless adjacent to a residential district where buffer

requirements will apply.

- (6) *Use of Existing Structure:* When property containing legal conforming or legal nonconforming structures, under the current zoning, is rezoned to a nonresidential zoning district the dimensional requirements shall be reduced to the extent of, but only at the location of, any encroachment by the structures and said structures shall be considered legal nonconforming structures.
- (7) *Lighting and shielding standards.* Lighting shall be placed in a manner to direct light away from any adjacent roadways or nearby residential areas.
- (8) *Special Locational and Spatial Requirements.*
 - a. No more than 50 percent of the required parking can be located in the front yard along a State Route as established by the front building line of any structure located on the site. Sites with existing parking are exempt.
 - b. No outside storage allowed.
 - c. All roof-top heating, ventilation, and air conditioning equipment and satellite/communications equipment shall be visually screened from adjacent roads and property zoned residential or A-R. The screen shall extend to the full height of the objects being screened.

COUNTY AGENDA REQUEST

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Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Public Hearing of the proposed Color and Brick Palette for the Starr's Mill Historic Overlay District and Overlay Zone.

Background/History/Details:

Both Staff and the Planning Commission recommend approval of the proposed Color and Brick Palette for the Starr's Mill Historic Overlay District and Overlay Zone.

PLEASE NOTE: Planning Commission Minutes in the backup for Resolution 2016-06 apply to this Item as well.

What action are you seeking from the Board of Commissioners?

Approval of the proposed Color and Brick Palette for the Starr's Mill Historic Overlay District and Overlay Zone.

If this item requires funding, please describe:

Has this request been considered within the past two years?

If so, when?

Is Audio-Visual Equipment Required for this Request?*

Backup Provided with Request?

**** All audio-visual material must be submitted to the County Clerk's Office no later than 48 hours prior to the meeting. It is also your department's responsibility to ensure all third-party audio-visual material is submitted at least 48 hours in advance.***

Approved by Finance

Reviewed by Legal

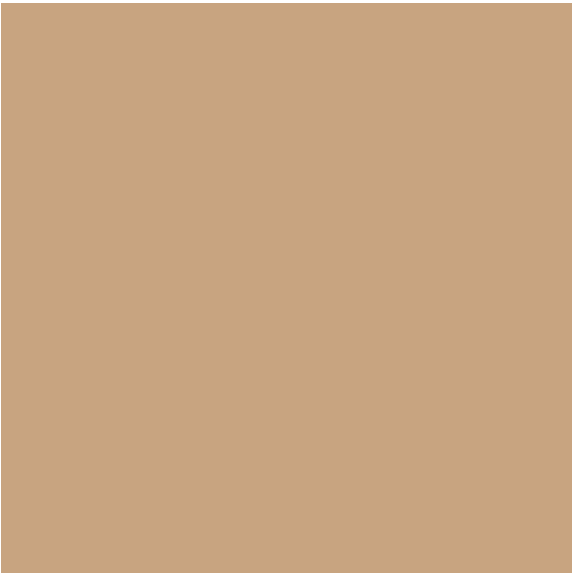
Approved by Purchasing

County Clerk's Approval

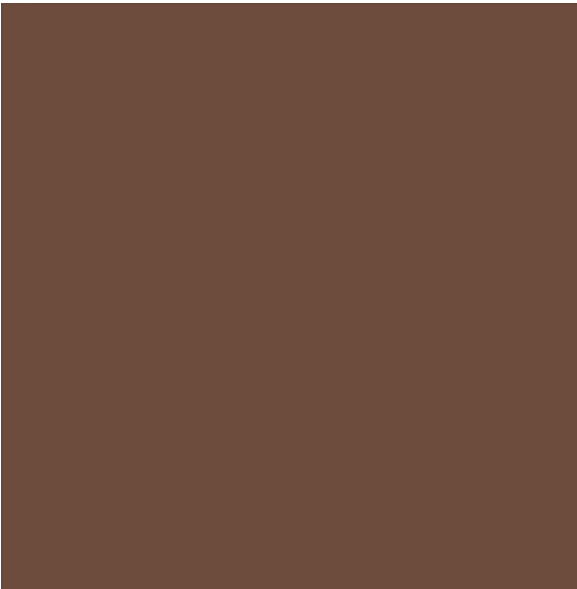
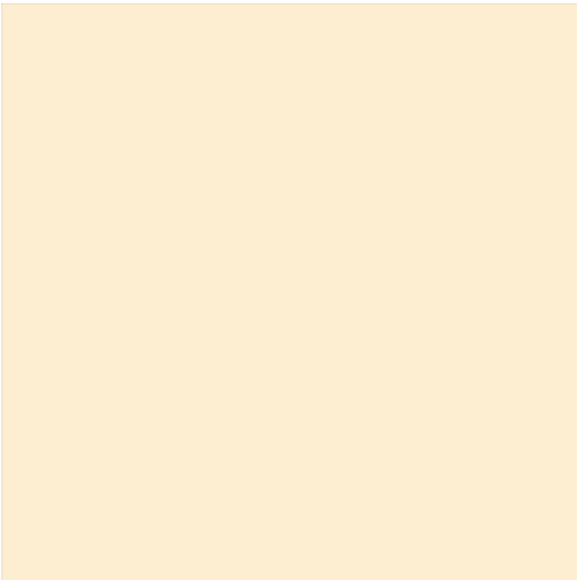
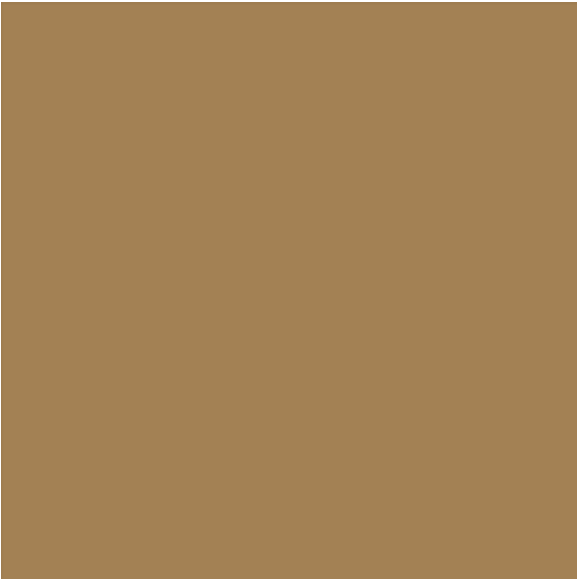
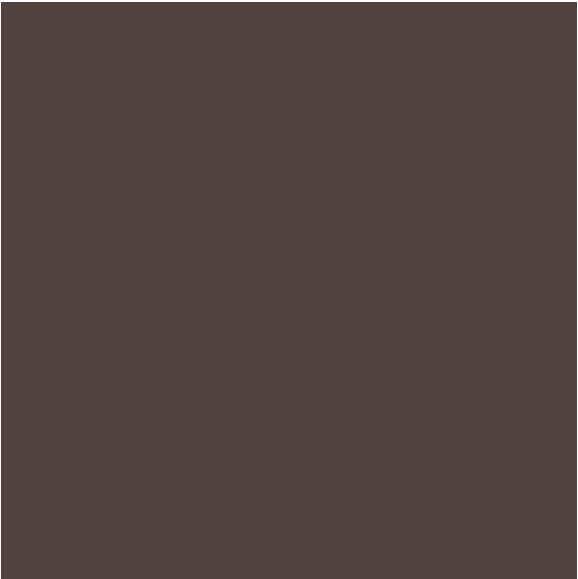
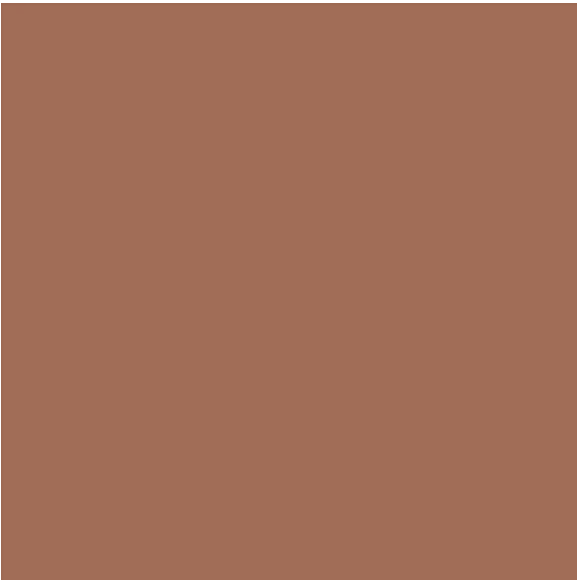
Administrator's Approval

Staff Notes:

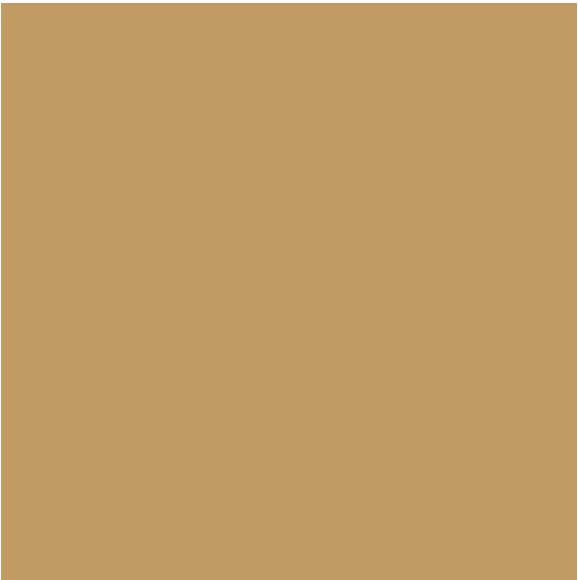
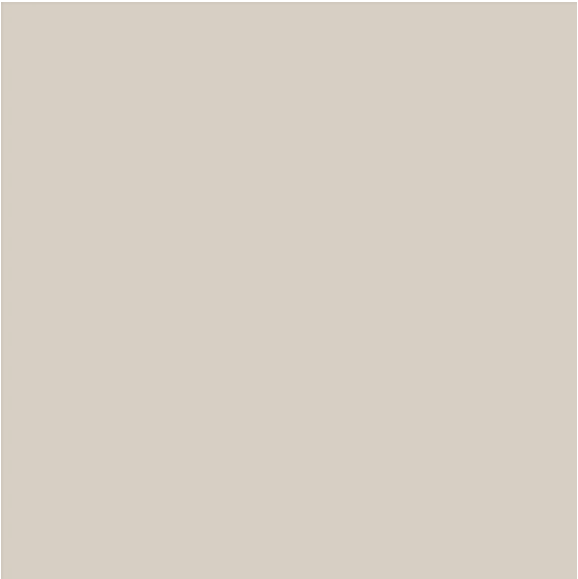
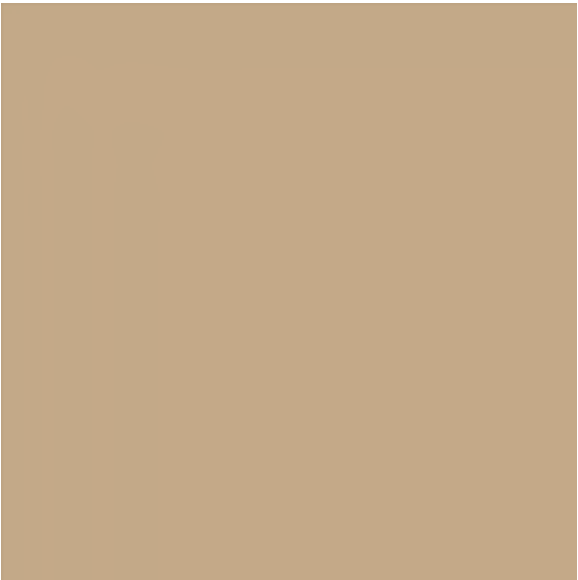
Starr’s Mill Historic Overlay Color Palette



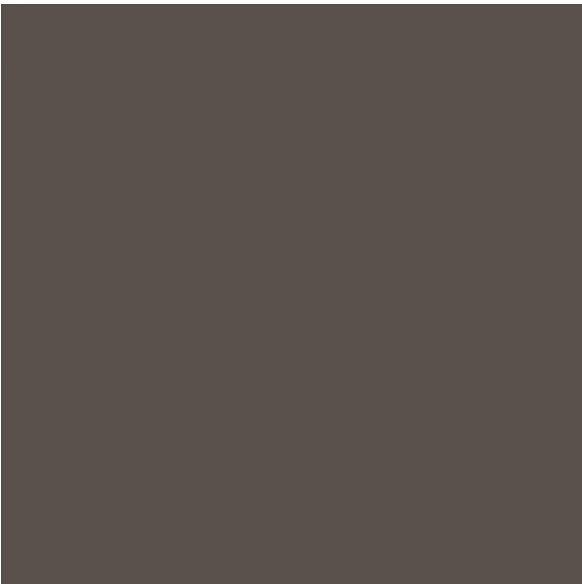
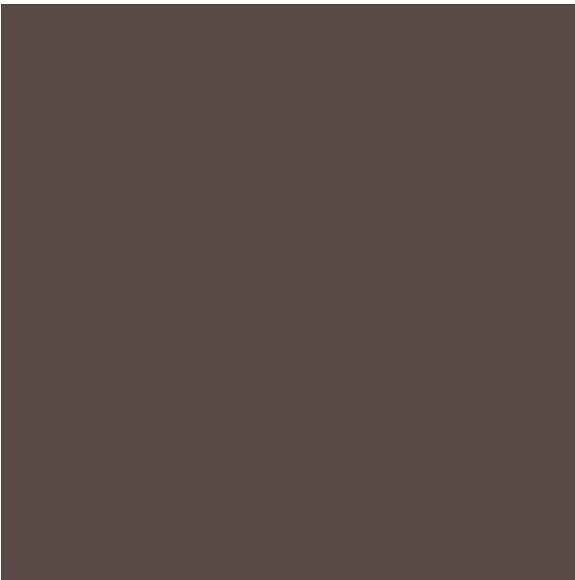
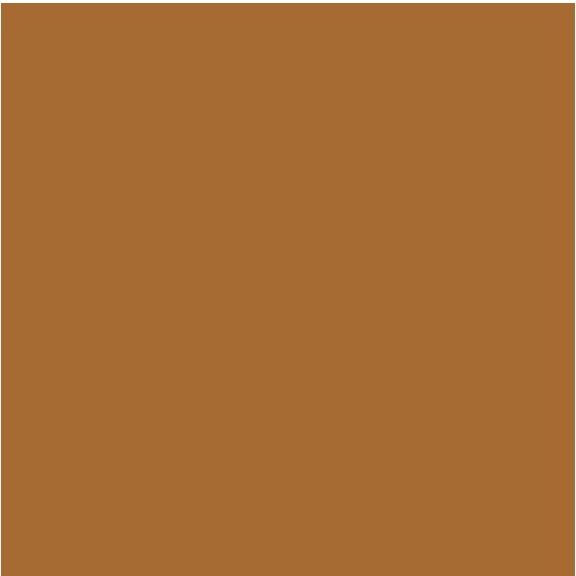
Starr’s Mill Historic Overlay Color Palette



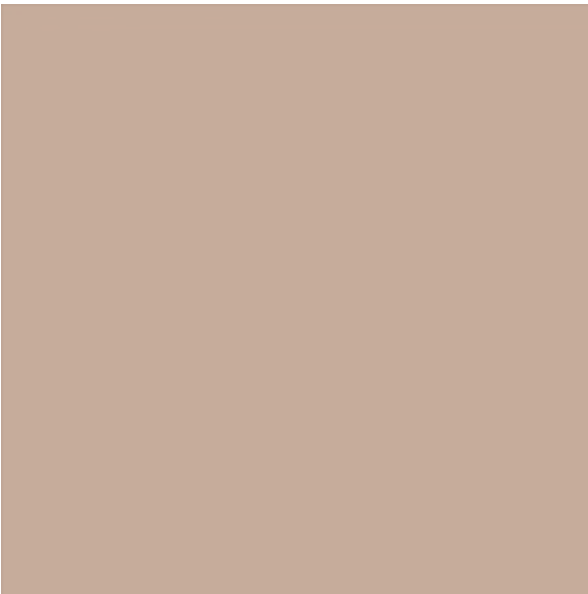
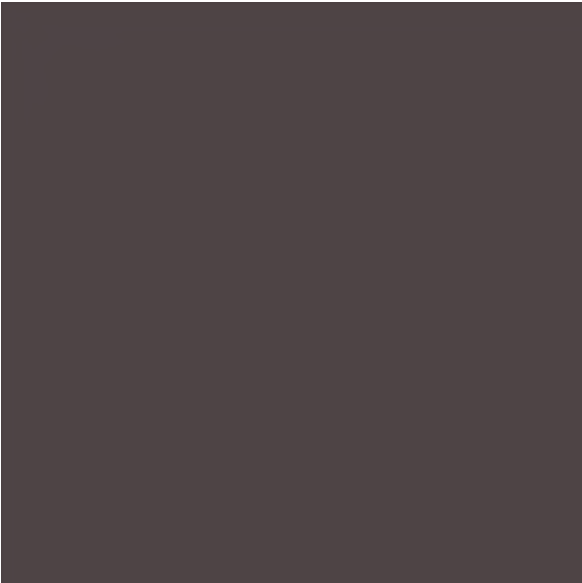
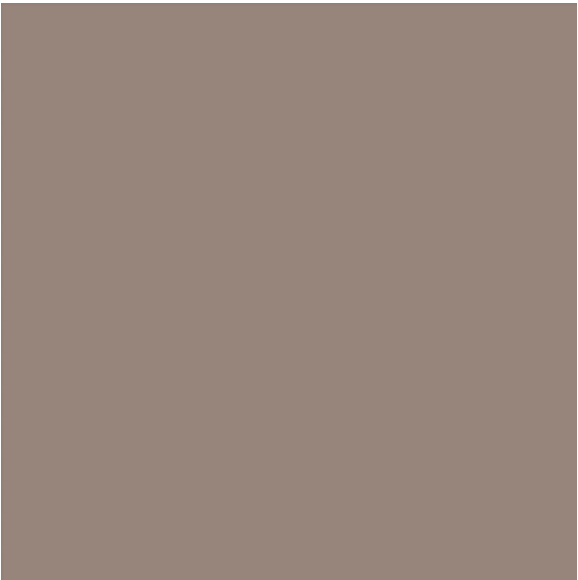
Starr’s Mill Historic Overlay Color Palette



Starr’s Mill Historic Overlay Color Palette



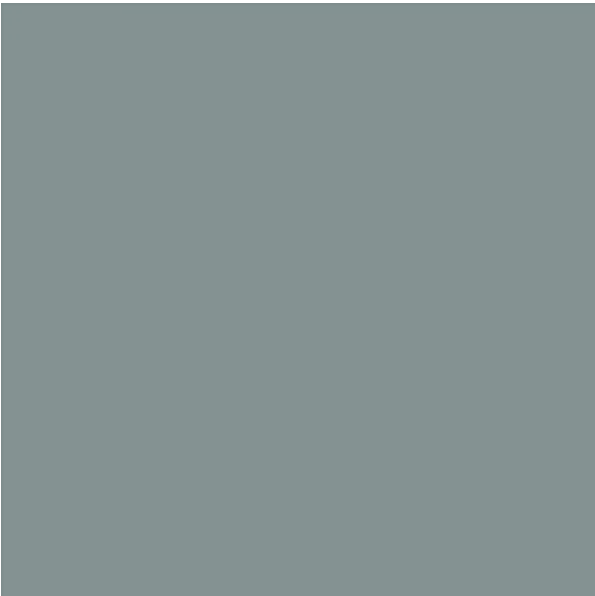
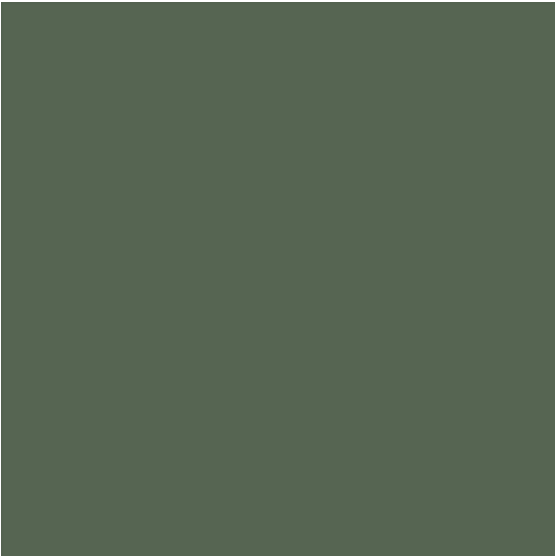
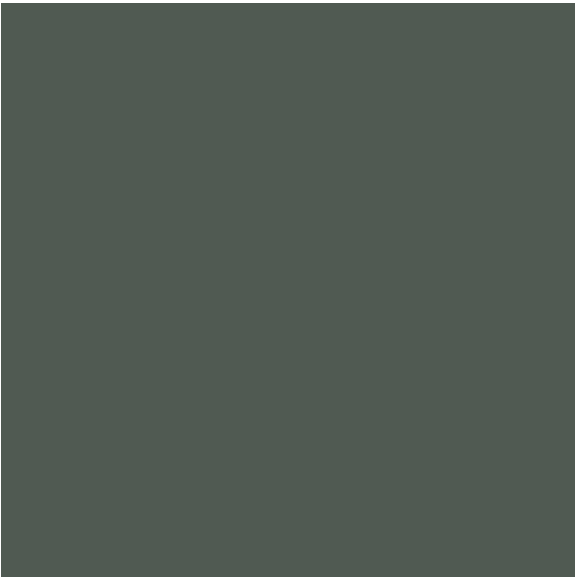
Starr’s Mill Historic Overlay Color Palette



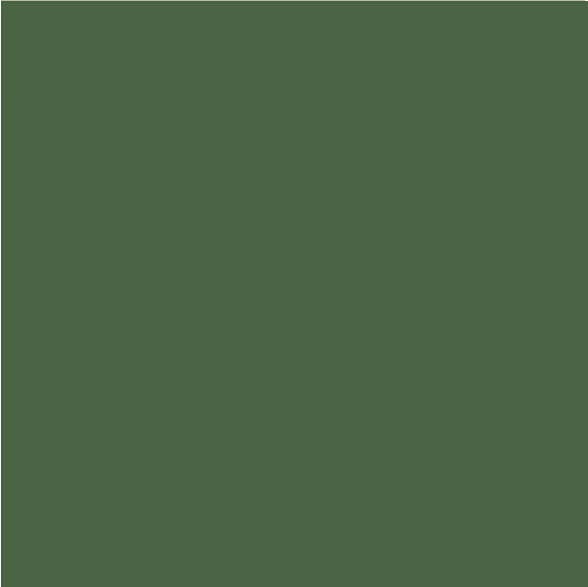
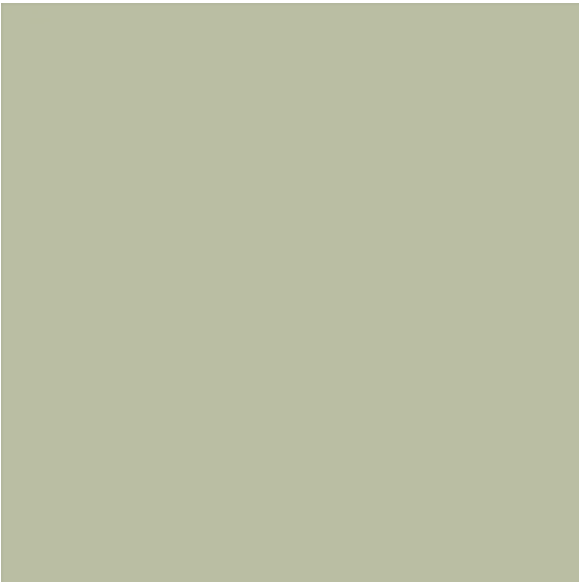
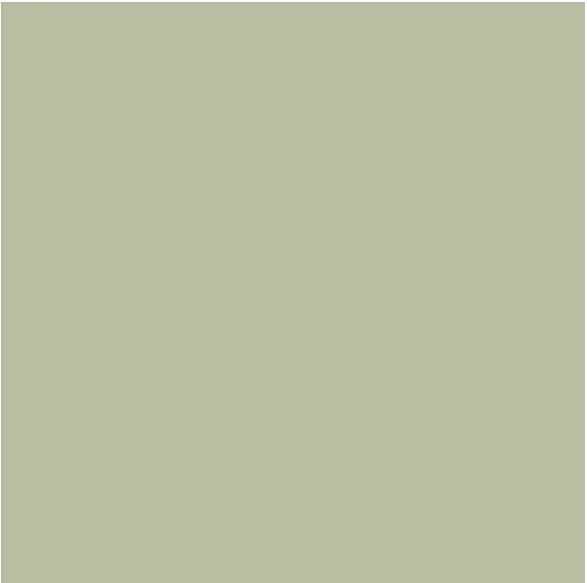
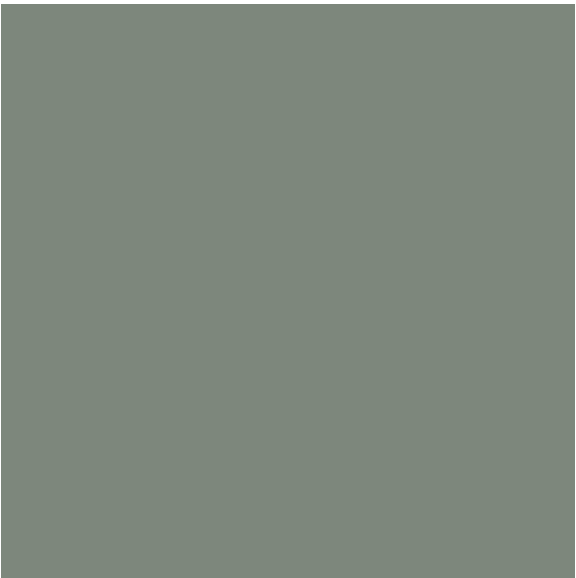
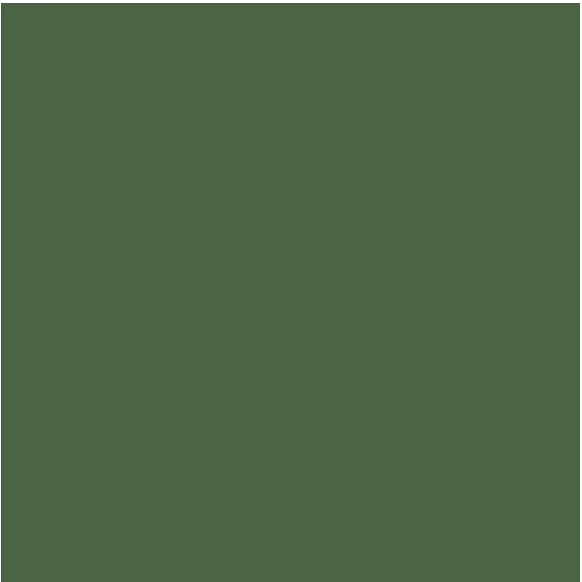
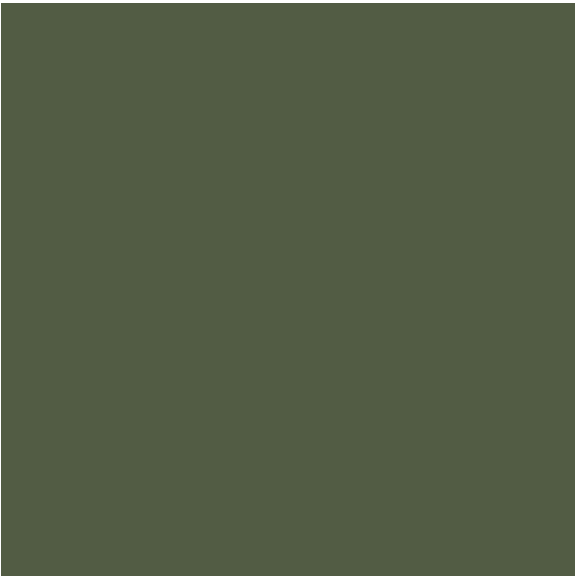
Starr’s Mill Historic Overlay Color Palette



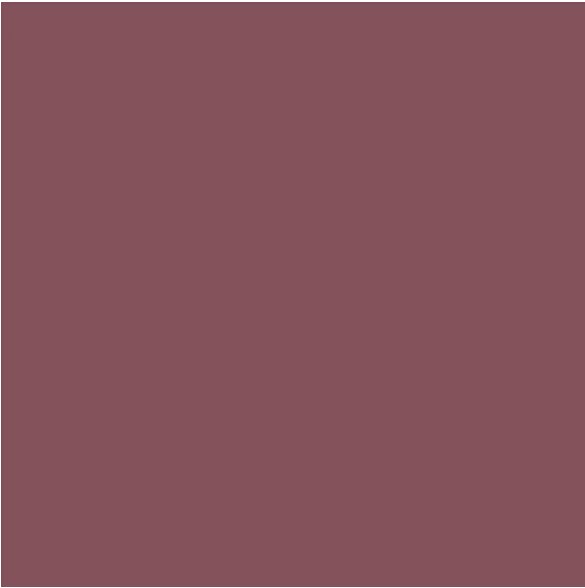
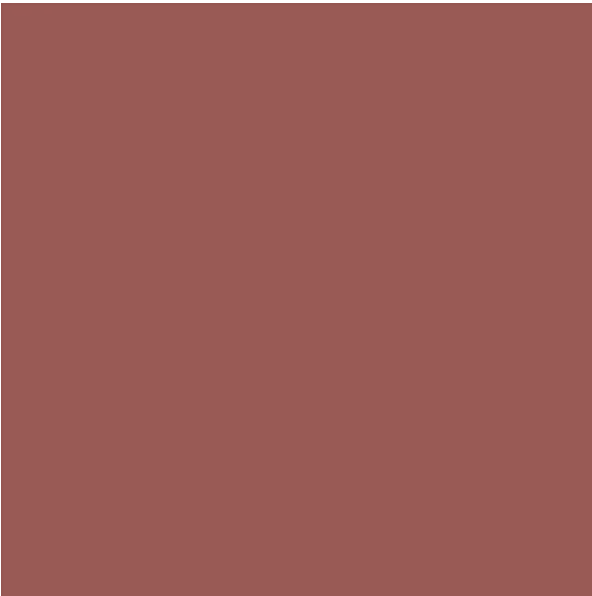
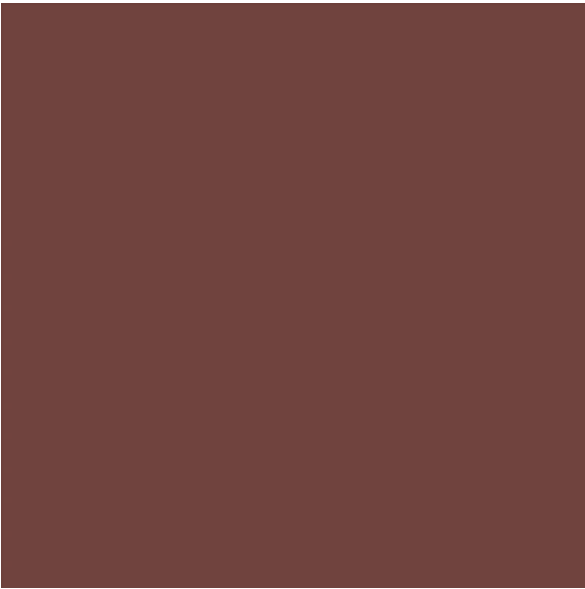
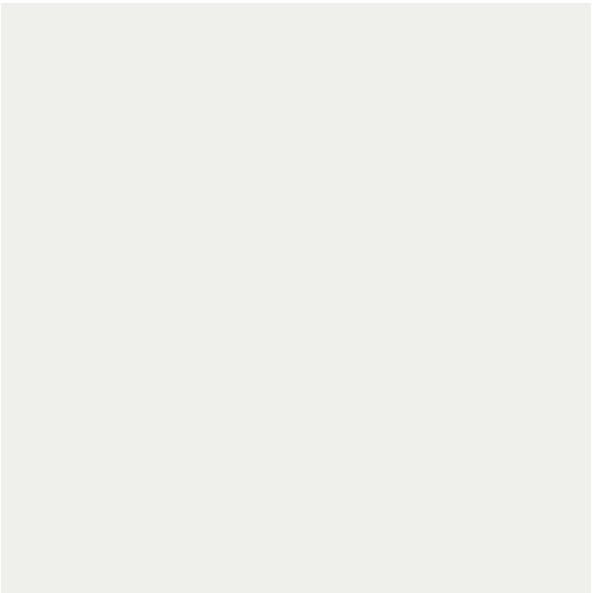
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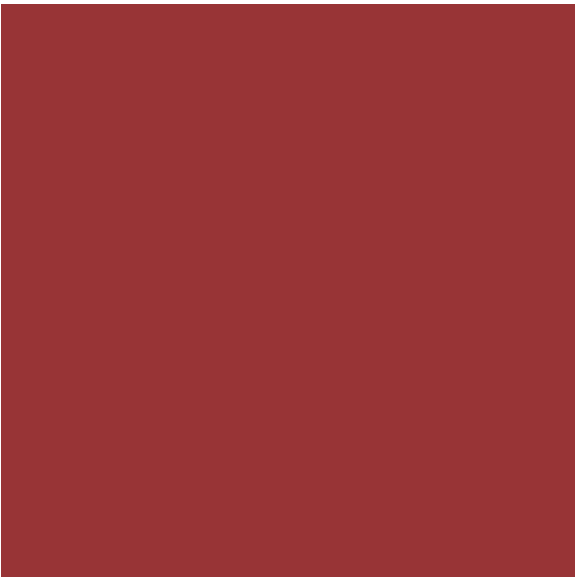
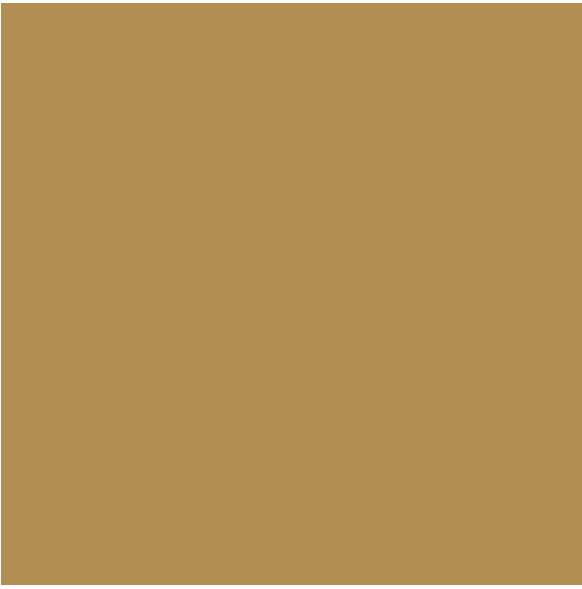
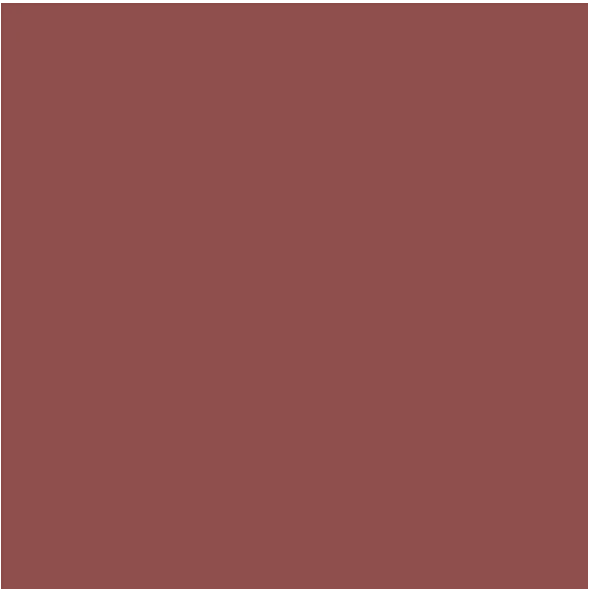
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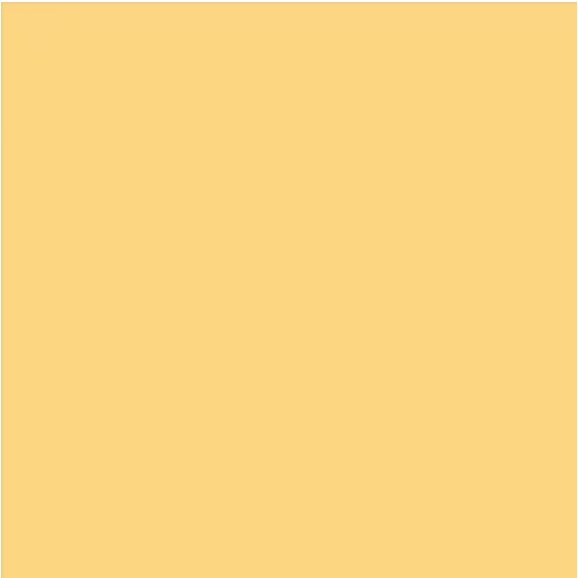
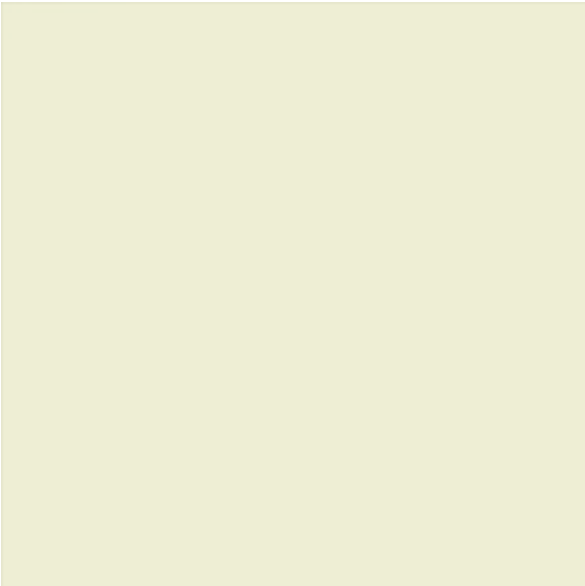
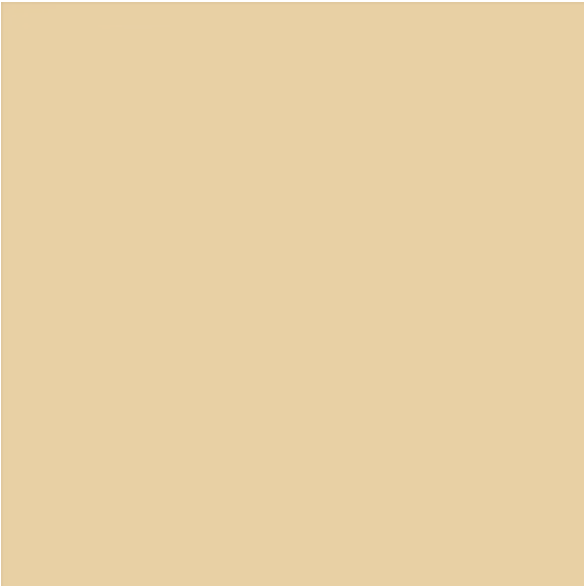
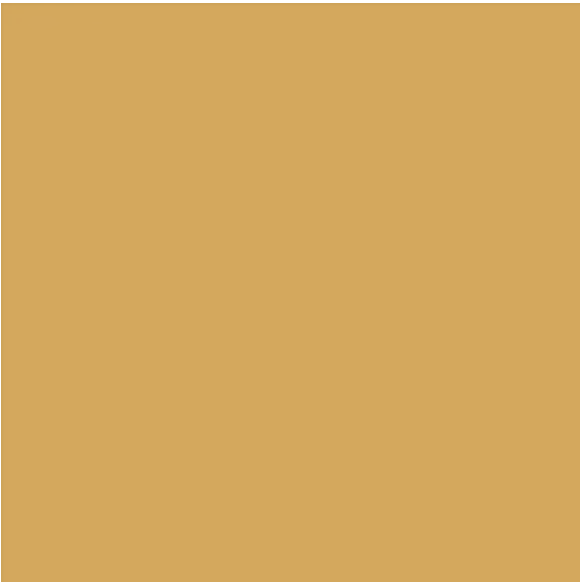
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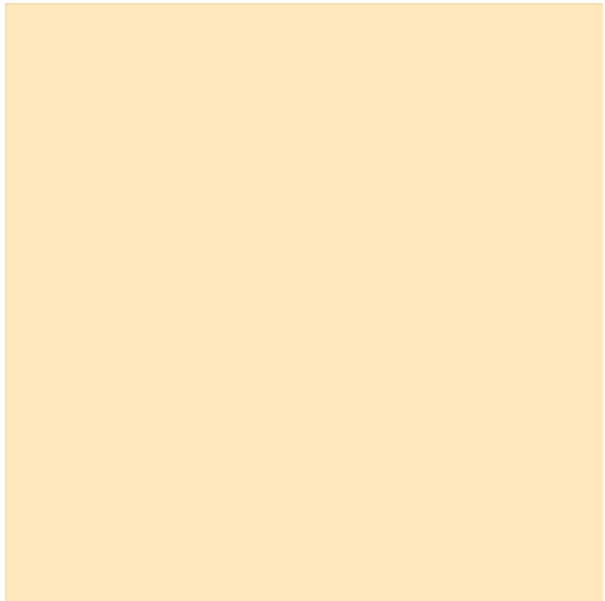
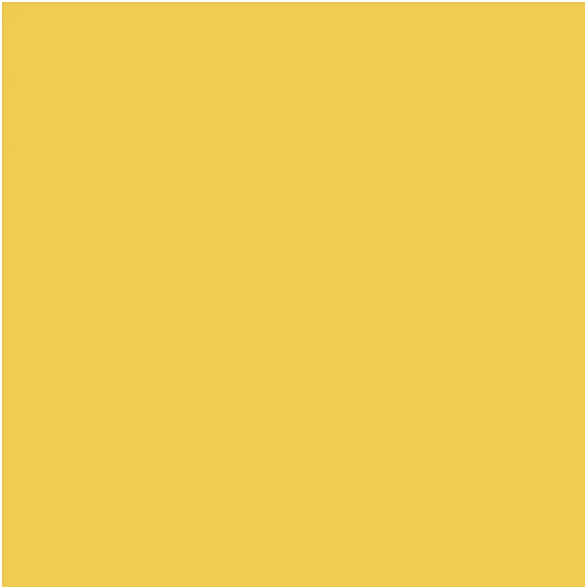
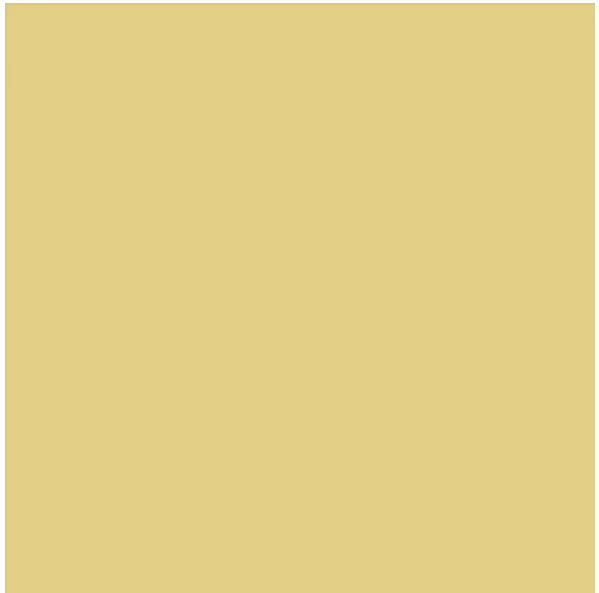
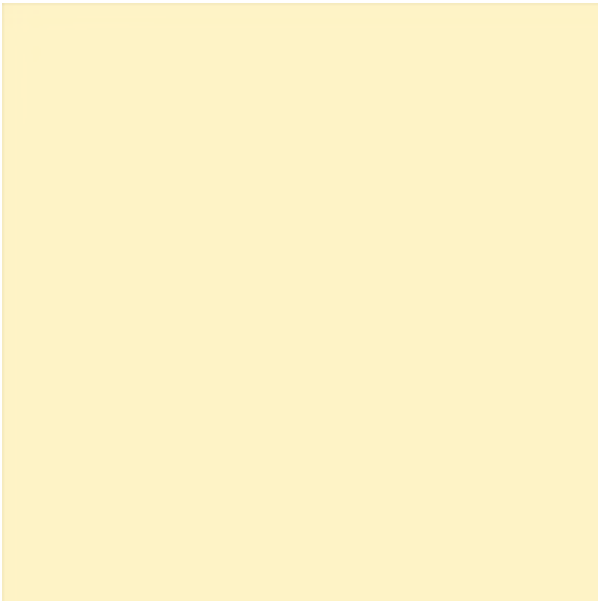
Starr’s Mill Historic Overlay Color Palette



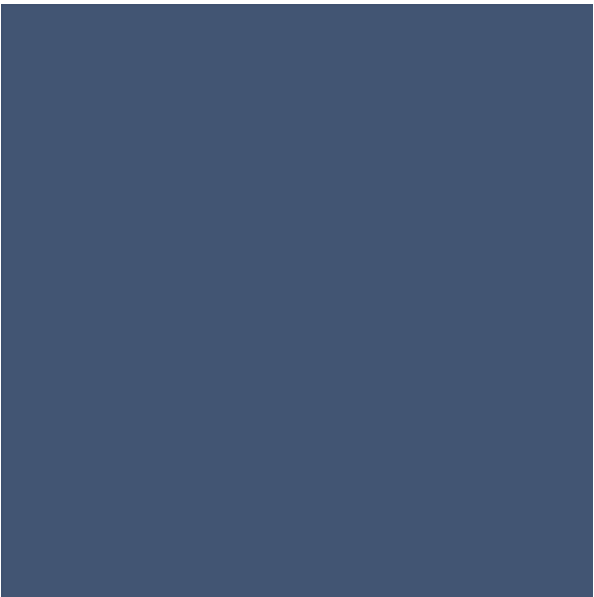
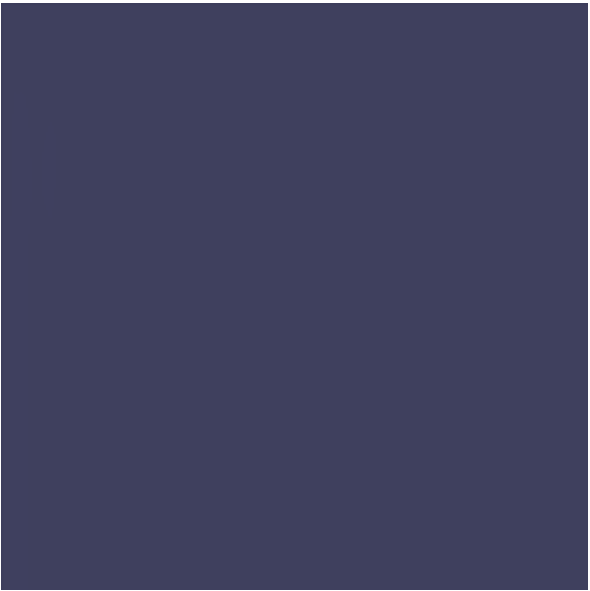
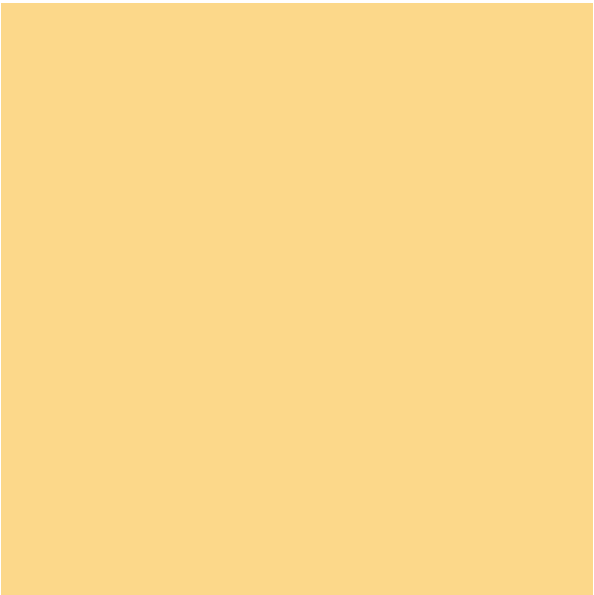
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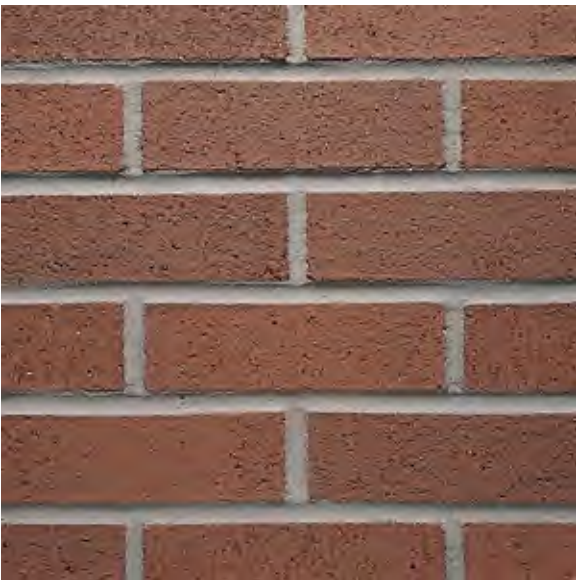
Starr's Mill Historic Overlay Color Palette



Starr’s Mill Historic Overlay Color Palette



Starr's Mill Historic Overlay Brick Palette



Starr's Mill Historic Overlay Brick Palette





Starr's Mill Historic Overlay Brick Palette



COUNTY AGENDA REQUEST

Page 137

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Public Hearing of Ordinance 2016-11 to amend the Fayette County Code of Ordinances, Chapter 110. Article IV.-District Use Requirements Sec. 110-149 – Planned Unit Development- Planned Retreat and Lodge concerning Solar Farms.

Background/History/Details:

Currently there are two PUD-PRLs in Fayette County that would be affected by this amendment. In addition to Camp Southern Ground, a Christian retreat on McBride Road west of Old Greenville Road is also zoned PUD-PRL. This development was initiated in the middle 1980's. To date, only the residential portion of the development has been developed.

Camp Southern Ground approached staff concerning an eight (8) acre solar farm to power the camp. Currently, a *Solar Farm, as defined in the Zoning Ordinance (see below), is only allowed in the M-1 zoning district. This amendment will allow a Solar Farm in the PUD-PRL zoning district.

*Solar farm means any lot where more than three ground-mounted solar panels exceeding 200 cumulative square feet, or where more than 900 cumulative square feet of ground-mounted solar panels are located.

Both Staff and the Planning Commission recommend approval of the proposed amendment.

What action are you seeking from the Board of Commissioners?

Approval of Ordinance 2016-11 to amend the Fayette County Code of Ordinances, Chapter 110. Article IV.-District Use Requirements Sec. 110-149 – Planned Unit Development- Planned Retreat and Lodge concerning Solar Farms.

If this item requires funding, please describe:

Has this request been considered within the past two years?

If so, when?

Is Audio-Visual Equipment Required for this Request?*

Backup Provided with Request?

**** All audio-visual material must be submitted to the County Clerk's Office no later than 48 hours prior to the meeting. It is also your department's responsibility to ensure all third-party audio-visual material is submitted at least 48 hours in advance.***

Approved by Finance

Reviewed by Legal

Approved by Purchasing

County Clerk's Approval

Administrator's Approval

Staff Notes:

**STATE OF GEORGIA
COUNTY OF FAYETTE**

ORDINANCE NO. 2016-11

AN ORDINANCE TO AMEND THE FAYETTE COUNTY CODE OF ORDINANCES, CHAPTER 110. ZONING ORDINANCE, AS AMENDED, SPECIFICALLY ARTICLE VII. – ZONING BOARD OF APPEALS

WHEREAS, the duly elected governing authority of Fayette County is the Board of Commissioners thereof;

WHEREAS, the governing authority desires to amend the provision that provides for the regulation of land development as allowed by the State of Georgia;

WHEREAS, the health, safety, and welfare of the citizens of Fayette County, Georgia shall be improved and protected by adoption and implementation of this Ordinance.

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF FAYETTE COUNTY AND IT IS HEREBY ORDAINED BY AUTHORITY THEREOF:

Section 1. The Fayette County Code of Ordinances, Chapter 110. Zoning Ordinance, as amended, is hereby further amended by adding the following in its entirety to Sec. 110-149 – (f) Planned retreat and/or lodge - (2) Permitted uses:

f. Solar farm (limited to a net metered facility only).

Section 2. That the preamble of this Ordinance shall be considered to be and is hereby incorporated by reference as if fully set out herein.

Section 3. a. It is hereby declared to be the intention of the Board of Commissioners that all Sections, paragraphs, sentences, clauses and phrases of this Article are and were, upon their enactment, believed by the Board of Commissioners to be fully valid, enforceable and constitutional.

b. It is hereby declared to be the intention of the Board of Commissioners that, to the greatest extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this Ordinance is severable from every other section, paragraph, sentence, clause or phrase of this Ordinance. It is hereby further declared to be the intention of the Board of Commissioners that, to the greatest extent allowed by law, no Section, paragraph, sentence, clause or phrase of this Article is mutually dependent upon any other Section, paragraph, sentence, clause or phrase of this Article.

c. In the event that any phrase, clause, sentence, paragraph or section of this Article shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the Board of Commissioners that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or Sections of the Article and that, to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs and Sections of the Article shall remain valid, constitutional, enforceable, and of full force and effect.

Section 5. All ordinances or resolutions and parts of ordinances or resolutions in conflict herewith are hereby expressly repealed except those provided for herein.

Section 6. The effective date of this Ordinance shall be the date of adoption unless otherwise specified herein.

So ordained this 26th day of May, 2016, by the

**BOARD OF COMMISSIONERS
FAYETTE COUNTY, GEORGIA**

CHARLES W. ODDO, CHAIRMAN

ATTEST:

CLERK/DEPUTY CLERK

(f) *Planned retreat and/or lodge.*

- (1) *Purpose.* The intent of a planned retreat and/or lodge (PRL) is to provide a development exclusively designed to accommodate the assembly of groups or organizations for the purpose of association, education, therapy, or instruction through conferences, seminars, and/or camps. Food and lodging may be furnished for a definite and temporary period.
- (2) *Permitted uses.* The following uses may be proposed in a PRL:
 - a. Assembly/meeting facilities (indoor and outdoor);
 - b. Dining facilities;
 - c. Lodges, dormitories, cabins, and/or tent campsites for temporary occupancy;
 - d. Recreational facilities, including, but not limited to: recreational courts/fields, playgrounds, picnic pavilions, swimming pools;
 - e. Caretaker and/or staff housing: and
 - f. **Solar farm (limited to a net metered facility only).**

In addition, only those uses (permitted and conditional) allowed in the A-R zoning district may be proposed for a PRL. Only those uses approved through the rezoning procedure will be allowed in the PRL.

THE FAYETTE COUNTY PLANNING COMMISSION met on April 21, 2016 at 7:00 P.M. in the Fayette County Administrative Complex, 140 Stonewall Avenue West, Fayetteville, Georgia.

MEMBERS PRESENT: Jim Graw, Chairman
Arnold L. Martin, III, Vice-Chairman
Al Gilbert
Brian Haren
John H. Culbreth Sr.

STAFF PRESENT: Pete Frisina, Director Community Services
Dennis Dutton, Zoning Administrator
Chanelle Blaine, Planning and Zoning Coordinator
Patrick Stough, County Attorney
Phil Mallon, County Engineer

Welcome and Call to Order:

Chairman Jim Graw called the Planning Commission Meeting to order. Chairman Graw introduced the Commission Members and Staff.

* * * * *

1. Consideration of the Minutes of the Meeting held on April 7, 2016.

Brian Haren made a motion to approve the minutes. Al Gilbert seconded the motion. The motion passed 5-0.

Chairman Graw stated that the order of the agenda will be changed starting with the discussion of Solar Farm in PUD-PRL

2. Discussion of Solar Farm in PUD-PRL.

Alice Nerad with SunEnergy1 stated the solar farm is proposed for Camp Southern Ground to net meter their facility. She stated that SunEnergy1 is a full service solar company and most of their projects are utility grade. She said that SunEnergy1 built the largest solar farm east of the Mississippi an 80 megawatt in Edgecombe, North Carolina. She stated that the benefit of having the solar farm at Camp Southern Ground is that it makes having power a non-issue. She said that the size of Camp Southern Ground in its ultimate use and drain on the grid is huge. She added that this would offset the power that they use, and when they are not using it the power will feed back into the grid.

Arnold Martin asked would Camp Southern Ground be selling the power back to the utility company.

Alice Nerad replied that the Camp Southern Ground area is serviced by a utility co-opt and there are limits on how much they would buy. She said if it's over that limit it would be given to them for free. She added that there is still a balancing act because the utility company won't deal with an inner-connect unless it is signed off by the County.

Pete Frisina showed on the map where the solar farm will be placed on the Camp Southern Ground property.

Al Gilbert asked if the solar farm will be in area to itself not infringing on any camp activities.

Pete Frisina replied no.

Al Gilbert asked how much space the panels will take.

Alice Nerad replied that the solar farm will be 8.25 acres. She said that the area will be fenced.

Pete Frisina showed pictures of a solar farm at the Biltmore Estates in North Carolina.

Alice Nerad said that the system shown is the same as Camp Southern Ground. She said that it's a fix-tilt so the panels do not rotate. She added that the panels are taller than 5'4" and they will be a six (6) foot fence around it. She said that solar farm on the Biltmore property is unable to be seen because of the fence and buffers surrounding it. She stated that the solar panels are quiet and they do not move.

Arnold Martin asked how much wattage Camp Southern Ground will be using.

Alice Nerad replied they're planning to use 500 kilowatts and if more is needed they will then turn on the rest. She said the goal is not to flood the grid but to offset the camp's power needs. She added that owner of SunEnergy1 and Zach both have a passion for children and giving back to the community.

Pete Frisina stated that the way the Ordinance reads solar farms are only allowed in the M-1 district. He said that solar farms are defined as any place with more than three (3) panels. He said that the ordinance was mainly written for residential use, and they thought if anyone was going to do an energy project to specifically generate power it was going to go in an industrial area. He added that the purpose of this is not to generate power to sell but to generate power to be used by this facility. He stated to do that we would have to add a solar farm under the uses of the PUD-PRL.

Chairman Graw asked if this would make the facility energy independent.

Alice Nerad replied yes. She added that the complete buildout of Camp Southern Grounds would be a considerable drain on the Ebenezer Church area. She said the benefit to residents in the area is that they won't have to worry about power outages.

Brian Haren asked what neighbors would see when they looked out their back porch.

Alice Nerad replied they would see only the trees planted in his backyard. She added that even in the dead of winter they will only see the evergreens planted as a buffer around the solar farm. She said the goal is for it to become a very neutral area that is not seen, heard, smelt, or tasted.

Chairman Graw asked Pete Frisina if homes were expected on the left side.

Pete Frisina replied yes, and said we have to make the decision on whether or not solar farms are a good idea in a PUD-PRL. He said that he doesn't have a problem with it.

Chairman Graw asked Pete Frisina to show where the expected houses will be in relation to Camp Southern Ground for the newer Commissioners.

Pete Frisina showed them the area on the map. He said that original plan was to make two (2) lots flag lots and they later decided to come back and square off the lots. He stated that in his opinion when we make the decision to change the ordinance there are a couple of things that have to happen: one (1) they need to bring their development plan back through and we need to look at it, and it has to go before the Planning Commission and the Board of Commissioners. He added that this is a new use we're adding to this site and it's not a small thing its 8.3 acres.

Chairman Graw asked how many lots are planned.

Pete Frisina replied two (2).

Chairman Graw asked if the two (2) homes would be using power from the solar farm.

Alice Nerad replied no. She said that the solar power is only for Camp Southern Ground.

Arnold Martin asked about the construction trucks entrance access and storage area, and whether or not that will impede on the neighbors.

Pete Frisina replied that construction is already happening down Ebenezer Church Road and there are areas designated for it.

Alice Nerad added that most of the property coming down Arnold Road is owned by Zach. She said that they have paved the road and installed a security gate.

Chairman Graw stated that Camp Southern Ground initially planned on having an equestrian facility and the solar farm is replacing it. He said that since they are making major changes from the original plan the Planning Commission must review it. He asked if it would impact the property lines of the residential lots.

Pete Frisina replied that they will have to revise them.

Al Gilbert stated that he doesn't have any issues with the solar farm being a part of the PUD-PRL.

Brian Haren agreed with Al Gilbert that he had no issues with the solar farm and that other issues on the property can be handled at a later date. He suggested that limits to be put on the capacity of the system to make sure that it balances the farm's impact on the grid. He added that if a system is built 50% over capacity it implies that a profit is trying to be gained. He said that they need to figure out a mechanism that ensures what you build actually does balance (+/-) impact on the grid, and not doing it to make a few bucks which would then make it a commercial activity.

Alice Nerad stated that you would either apply with the utility company as a net meter or a utility scale. She said that in Georgia when you make a certain percentage over the net meter you are giving it to the power company for free. She suggested wording it in the ordinance as a net meter facility only.

Arnold Martin asked if the net meter were just for the utility co-opt or was it a Georgia statute.

Alice Nerad said that utility companies usually pay for unused power back on the grid with a credit and not cash. She said these credits come into play in the winter months. She stated that Georgia utility companies are very lean in what they give out (credit) to a non-utility scale system.

Brian Haren asked how you manage glare.

Alice Nerad said that these panels are meant to absorb the sun and are less reflective than regular pavement and are straight silicone glass and are in a frame that is 4X6. She added that there very flat.

Al Gilbert asked about the life expectancy of the solar panel.

Alice Nerad replied that it is about 25 years. She said that as the system age you update the panel and it will reduce the carbon footprint. She added that the panels are completely recyclable.

Al Gilbert stated that a few years ago you couldn't get that amount of life expectancy for solar panels.

Alice Nerad said that the solar panels are engineered to make sure that hurricanes and winter storms do not affect them.

Chairman Graw asked if solar farms are allowed in the Zoning Ordinance and if there were stipulations on the size of its panels.

Pete Frisina replied that solar farms are allowed in the Zoning Ordinance and there are stipulations on the size of panels in residential districts. He said that he doesn't think there are stipulations on panels outside of residential districts.

Chairman Graw said that the panels look a lot bigger than previously discussed.

Dennis Dutton said that in residential districts solar panels are limited to only three (3) per lot.

He said that solar farms are allowed but it's only in the M-1 district as an industrial type use. He added that this was new to staff because they never anticipated a facility running with this type of power.

Alice Nerad stated that the way the panel is projected in the picture actually shows two (2) back to back. She said that each panel is 4X6 and weighs 50 pounds.

Arnold Martin asked if there is any light needed at night time for the solar panels.

Alice Nerad replied none is needed. She said that they were quiet and non-intrusive and do not need a light on at night. She added that if there were a thunderstorm the panels would automatically shut down so it won't over power the grid.

Chairman Graw asked what danger could these solar panels present to animals and children.

Alice Nerad replied that the solar farm will have a six (6) foot high security fence around it with an access gate that only the utility company and her O&M people can use. She said that once the solar farm is constructed they would only need to visit it every quarter. She added that the only problem they've had with animals on their larger sites was deer coming in before the fence was constructed, but the fence here will already be put up.

Brian Haren asked if Camp Southern Ground was leasing the panels from SunEnergy1.

Alice Nerad said that the company is donating the equipment, engineering, and construction to Camp Southern Ground. She stated that this site is worth about five (5) million dollars.

John Culbreth asked why her company is donating the solar panels to Camp Southern Ground.

Alice Nerad said that president of SunEnergy1 is a big country music fan and likes what Zach is doing and wanted to be a part of it. She added that the president is also involved in a lot of charity work for children in North Carolina.

John Culbreth asked if there were any Federal rebates or incentives for the donation.

Alice Nerad replied no not in Georgia. She stated that SunEnergy1 is a self-funded company. She said that SunEnergy1 is still building and acquiring sites even though there are no tax incentives allowed in North Carolina.

Chairman Graw asked if there were any other questions. Hearing none they moved to the next item on the agenda.

Pete Frisina asked if he could advertise for the Solar Farm in PUD-PRL in May.

Planning Commission replied yes.

Planning Commission Meeting May 5, 2016

6. Consideration of amendments to the Fayette County Code of Ordinances, Chapter 110. Article IV.-District Use Requirements Sec. 110-149 – Planned Unit Development- Planned Retreat and Lodge concerning Solar Farms.

Pete Frisina stated that we did meet with the representative from the solar company that will supply the solar panels to Camp Southern Ground at the last meeting. He said that this is a change to allow a solar farm in a PUD-PRL district. He mentioned that we did add the verbiage that said it will be a net meter facility only, which was the term that she used for a system that will supply power to that site. He added that the net meter means that some of the excess power can go into the grid, and when they pull power off the grid they will receive a credit. He stated that its purpose is not to produce power as a utility.

Chairman Graw asked if the public had any comments. Hearing none he brought it back before the Planning Commission. He stated that this is a solar farm for Camp Southern Ground and they will be totally independent of any other power source with the solar farm.

Pete Frisina stated that it will supplement their power; they will still be hooked up to a utility company pulling power.

Chairman Graw said that he asked her if they were going to be energy independent and she said yes.

Pete Frisina replied theoretically yes, but on days when it is not sunny they will still pull on power from the utility company.

Chairman Graw said when available they will still be energy independent. He stated that there was only one (1) item added and that was section (f) solar farm (limited to a net meter facility only). He asked if anyone had any questions or comments.

Arnold Martin asked if a solar farm was define as any entity that had more than three (3) panels.

Pete Frisina replied yes that it is the definition and it is still there.

John Culbreth made a motion to recommend approval of the proposed amendments. Al Gilbert seconded the motion. The motion passed 5-0.

COUNTY AGENDA REQUEST

Page 147

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Approval of staff's recommendation to award Bid #1095-B, Emergency Portable Radios, to Motorola Solutions to purchase 58 radios for a total amount of \$188,815.23 and acceptance of Motorola Solutions' offer to buy back 58 old portable radios for the amount of \$26,100.00.

Background/History/Details:

Fire / EMS applied for, and received, a federal grant of funds from the FEMA Assistance to Firefighters Program to assist with purchase of emergency portable radios. The Board of Commissioners approved acceptance of the grant at the August 13, 2015 Board of Commissioners meeting.

The Purchasing Department issued Invitation to Bid #1095-B for the purchases, following the federal requirements that pertain to such a procurement. The radios acquired must be compatible with the Motorola Astro 4.1 trunked simulcast system, and they must meet Project 25 standards established by the Association of Public Safety Communications Officials. Notice of the opportunity was emailed to 19 companies, of which five were small, disadvantage, minority-owned, or women-owned businesses located on the federal System for Award Management. Another 41 were contacted through the web-based Georgia Procurement Registry. The offer was advertised through the Georgia Local Government Access Marketplace. In addition, invitations were extended via the Fayette News, the county website, Georgia Local Government Access. Two vendors submitted bids, which meets the procurement requirements of the Federal Common Rule at 2 CFR 200320 (c)(1)(ii) for full and open competition.

Fire / EMS staff conducted a full review of the offers and the products offered, including a field test.

What action are you seeking from the Board of Commissioners?

Approval of staff's recommendation to award Bid #1095-B, Emergency Portable Radios, to Motorola Solutions to purchase 58 radios for a total amount of \$188,815.23 and acceptance of Motorola Solutions' offer to buy back 58 old portable radios for the amount of \$26,100.00.

If this item requires funding, please describe:

Of the \$188,815.23 purchase price, \$136,355 is provided by federal grant award #EMW-2014-FO-01083. The remaining \$52,460.23 is available in the Capital CIP for the Fire Services fund (6270G) and the EMS fund (6272D).

Has this request been considered within the past two years?

If so, when?

Is Audio-Visual Equipment Required for this Request?*

Backup Provided with Request?

*** All audio-visual material must be submitted to the County Clerk's Office no later than 48 hours prior to the meeting. It is also your department's responsibility to ensure all third-party audio-visual material is submitted at least 48 hours in advance.**

Approved by Finance

Reviewed by Legal

Approved by Purchasing

County Clerk's Approval

Administrator's Approval

Staff Notes:



"WHERE QUALITY
IS A LIFESTYLE"

To: Steve Rapson

From: Ted L. Burgess

Date: May 26, 2016

Subject: Invitation to Bid #1095-B: Emergency Portable Radios

The Department of Fire & Emergency Services (Fire / EMS) operates the Fayette County public Safety Radio system which is housed at the 911 center. The existing system is a Motorola Astro 4.1 trunked simulcast system. The system consolidates 911 dispatching for all law enforcement, fire and emergency medical services for the cities and county government.

Fire / EMS needs to replace aging, worn portable radios that are part of the system. The new radios must be compatible with the Motorola Astro system. They must also meet the Association of Public Safety Communications Officials' Project 25 standards. This is a suite of standards for digital radio communications for use by federal, state and local public safety organizations to enable them to communicate with other agencies and response teams in emergencies.

At its meeting of August 13, 2015 the Board of Commissioners approved acceptance of the federal 2014 Assistance to Firefighters Grant of \$136,355.00 and authorized use of up to \$13,635.00 for the required 10% local match to buy new radios.

The Purchasing Department issued Invitation to Bid #1095-B for the purchase of 58 portable radios. Notice of the opportunity was emailed to 19 companies, of which five were small, disadvantage, minority-owned, or women-owned businesses located on the federal System for Award Management. Another 41 were contacted through the web-based Georgia Procurement Registry. The offer was advertised through the Georgia Local Government Access Marketplace. In addition, invitations were extended via the Fayette News, the county website, Georgia Local Government Access Marketplace (www.glga.org) and channel 23.

Two companies whose product meets the requirements submitted bids (Attachment). The low bidder was Motorola Solutions, Inc. The base price they offered included trade-in of 58 old radios for a credit of \$26,100.00. Since trade-ins were not mentioned in the Invitation to Bid, the county cannot consider them in selecting the lowest bid, while maintaining a level playing field for vendors. However, even excluding the trade-in, Motorola Solutions was the lowest bid.

Fire / EMS recommend awarding the purchase to Motorola Solutions for \$188,815.23.

Fire / EMS also recommend an additional, separate transaction. This is to accept Motorola Solutions' offer to buy back 58 radios for a total of \$26,100.00.

Specifics of the radio purchase are as follows:

Contract Name	1095-B: Emergency Portable Radios
Contractor	Motorola Solutions, Inc.
Not-to-exceed amount	\$188,815.23

Budget:

	Available <u>Budget</u>	Amount <u>To Expense</u>
Federal Grant	\$136,355.00	\$136,355.00
Fire Services	187,434.00	39,345.17
EMS Fund	<u>84,166.00</u>	<u>13,115.06</u>
Total Budget	\$407,955.00	\$188,815.23

Invitation to Bid #1095-A: Emergency Portable Radios

DESCRIPTIONS	No. of Units	Motorola Solutions, Inc		Radio One, Inc.	
		Unit Price	Extended Price	Unit Price	Extended Price
<i>Radio Offered in the bid response</i>		<i>Motorola APX 4000 M2</i>		<i>EFJ VP600 Model II</i>	
Radio, including programming, software, initial setup, and all other requirements included in the Specifications	58	\$2,599.56	\$150,774.48	\$2,515.00	\$145,870.00
Carry case, leather, detachable D-swivel	58	42.00	2,436.00	51.00	2,958.00
Remote speaker microphone with emergency button & 18-inch coiled cord, volume control, immersion-rated	58	74.90	4,344.20	162.00	9,396.00
Spare battery	58	70.00	4,060.00	112.00	6,496.00
Multiple unit charger	10	346.50	3,465.00	468.00	4,680.00
Single unit charger	25	48.48	1,212.00	90.00	2,250.00
Integrated GPS hardware capable	58	Included	0.00	Included	0.00
Apparent Base Bid			166,291.68 *		171,650.00
Adjustments:					
Add back - Radio trade-in (not in Invitation to Bid)	58	450.00	26,100.00 **	NA	NA
Key Variable Loader: KVL4000 with AES	1	2,223.55	2,223.55	NA	NA
AES encryption algorithm	58	(100.00)	(5,800.00)	NA	NA
Three-year warranty plan(a)	1	Included	0.00	Included	0.00
AES Multi-Key: to use more than one encryption code	58	NA	NA	342.00	19,836.00
Total - Base, Adjustments, & Chosen Alternates			188,815.23		191,486.00

* Requires Purchase of Key Variable Loader KVL4000 to obtain Motorola's bid base price.

**In addition to the proposed award of \$188,815.23 staff recommends, as a separate transaction, selling 58 old Motorola radios to Motorola Solutions, Inc., for the offered total of \$26,100.00.

COUNTY AGENDA REQUEST

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Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Approval of staff's recommendation to award annual Bid #1106-B to Faultless Business Center as the primary vendor and to Concrete Supply Co, Inc. as secondary vendor for dump truck hauling services to begin upon execution for 13 months and expire June 30, 2017 with the option to renew for two (2) additional one-year terms.

Background/History/Details:

The intent of this annual contract is to identify a vendor to provide on-call dump truck hauling services. These services are intended to be used only when additional services over and above the capabilities of the Road Department are needed. Typically the materials hauled would be gravel, soil or asphalt on various projects undertaken by the Department.

For this service bidders quoted an hourly rate that is indexed in accordance with the Diesel Fuel Price Index as published monthly by the Georgia Department of Transportation. To determine which vendor submitted the lowest bid, the bids were reviewed for all price ranges in the bid with particular attention to the range that has been experienced over the past two years. Of the four (4) bids received, Faultless Business Center provided the lowest price within the expected fuel index range. Concrete Supply Co, Inc. provided the second lowest price within the expected fuel index range.

Based on estimates of anticipated work, a not to exceed contract of \$281,218 is recommended through the end of the 2017 fiscal year. If approved, this contract will be for 13 months expiring on June 30, 2017 and may be renewed by the County for two (2) additional one-year terms.

What action are you seeking from the Board of Commissioners?

Approval of staff's recommendation to award annual bid #1106-B to Faultless Business Center as the primary vendor and to Concrete Supply Co, Inc. as secondary vendor for dump truck hauling services to begin upon execution for 13 months and expire June 30, 2017 with the option to renew for two (2) additional one-year terms.

If this item requires funding, please describe:

Funding for this contract is Road Department FY16 & FY17 10040220-522111, LMIG accounts and CIP accounts.

Has this request been considered within the past two years?

If so, when?

Is Audio-Visual Equipment Required for this Request?*

Backup Provided with Request?

*** All audio-visual material must be submitted to the County Clerk's Office no later than 48 hours prior to the meeting. It is also your department's responsibility to ensure all third-party audio-visual material is submitted at least 48 hours in advance.**

Approved by Finance

Reviewed by Legal

Approved by Purchasing

County Clerk's Approval

Administrator's Approval

Staff Notes:



Fayette
COUNTY

"WHERE QUALITY
IS A LIFESTYLE"

PURCHASING DEPARTMENT
140 STONEWALL AVENUE WEST, STE 204
FAYETTEVILLE, GEORGIA 30214
PHONE: 770-305-5420
www.fayettecountyga.gov

To: Steve Rapson

From: Ted L. Burgess

Date: May 26, 2016

Subject: Invitation to Bid #1106-B: Hauling Services

At times, the Road Department needs to haul more materials – such as asphalt, stone, soil, or gravel – that they can haul with their existing trucks. To meet the excess demand, they contract each year with companies for occasional hauling services. The contracts call for tandem axle dump trucks, because of the weight of the loads. Due to fluctuations in need, the county has historically entered into a primary contract and a secondary contract.

The Purchasing Department issued Invitation to Bid #1106-B to secure hauling services. It will begin upon execution, and end on June 30, 2017 with two more options to renew. Notice of the opportunity was emailed to 17 companies. Another 231 were contacted through the web-based Georgia Procurement Registry. The offer was also advertised through Fayette News, Georgia Local Government Access Marketplace, the county website, and Channel 23. Two companies submitted bids (*Attachment 1*). This compares to one bid received for 2016 and four received for 2015.

To align the contract with the county's Fiscal Year, it will be effective upon execution, and expire June 30, 2017 (with two options to renew for 12 months). This means that planned expenditures will occur in both Fiscal Years 2016 and 2017 (*Attachment 2*).

Two contracts are traditionally awarded for this service, because the need for hauling can exceed the capacity of any one company. The Road Department recommends award of a primary contract to Faultless Business Center, Inc., and a secondary contract to Concrete Supply Company, Inc. I support the recommendation.

Specifics are as follows:

Contract Name	1106-B: Hauling Services
Primary Contractor	Faultless Business Center, Inc.
Secondary Contractor	Concrete Supply Co., Inc.
Not-to-exceed amount	\$281,218.00 combined for two contracts
Budget	Road Dept. M&O, LMIG & CIP projects

Invitation to Bid #1106-B
Hauling Services

GDOT Index	FAULTLESS BUSINESS CENTER INC. <i>Bid Hourly Rate</i>	CONCRETE SUPPLY CO., INC. <i>Bid Hourly Rate</i>
\$1.00 to \$1.49	\$69.98	\$80.00
\$1.50 to \$1.99	\$69.98	\$80.00
\$2.00 to \$2.49	\$69.98	\$80.00
\$2.50 to \$2.99	\$69.98	\$80.00
\$3.00 to \$3.49	\$69.98	\$80.00
\$3.50 to \$3.99	\$69.98	\$85.00
\$4.00 to \$4.49	\$69.98	\$90.00
\$4.50 to \$4.99	\$69.98	\$90.00
\$5.00 to \$5.49	\$69.98	\$90.00
\$5.50 to \$5.99	\$69.98	\$95.00

Invitation to Bid #1106-B
Hauling Services
Details of Not-To-Exceed Amount

	<i>Primary Vendor</i>		<i>Secondary Vendor</i>	
	<u>Faultless Business Center, Inc.</u>		<u>Concrete Supply Co., Inc.</u>	
	<u>Hours</u>	<u>Amount</u>	<u>Hours</u>	<u>Amount</u>
Fiscal Year 2016: 10040220-522111 + LMIG Accounts	400	\$27,992.00	100	\$8,000.00
Fiscal Year 2017: 10040220-522111 + LMIG Accounts	2,723	\$190,583.00	596	\$47,645.00
Misc County-Wide CIP Projects	80	<u>\$5,598.00</u>	17.5	<u>\$1,400.00</u>
		\$224,173.00		\$57,045.00
				\$224,173.00
				<u>\$57,045.00</u>
		Total Not-To-Exceed Amount		<u><u>\$281,218.00</u></u>

COUNTY AGENDA REQUEST

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Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Approval of the request to fund the Fayette Chamber of Commerce's "Fayette Visioning" initiative, in the amount of \$25,000.00, for the purpose of developing a county-wide brand and for implementing a marketing strategy for economic development and talent recruitment.

Background/History/Details:

In 2014, Fayette Visioning included a county-wide brand as one of its strategies in the five-year implementation plan. Fayette Visioning, in partnership with the Fayette Chamber of Commerce and the Fayette County Development Authority, has been identified as the best organization to create and house the branding for Fayette County. This brand new effort is a break from the traditional methodologies of placing an advertisement in a Site Selection magazine or resting on school rankings listed in national magazine as a primary way to attract commercial investment.

Currently, Fayette Visioning is in the process of assembling a committee to oversee the branding process. Volunteers active with Fayette Visioning have stepped forward and currently include representatives from the Fayette Chamber of Commerce, Fayette Economic Development Authority, the Metro Atlanta Chamber of Commerce, the Fayette County Commission, and the consultant that has drafted the City of Fayetteville's economic development plan. The next step is to reach out to the municipalities and the school board for representation as well as Peachtree City's Convention & Visitor's Bureau.

Fayette Visioning is requesting all local governments and the private sector to invest in this endeavor. Since the county is responsible for the county's economic development authority, Fayette Visioning seeks \$25,000.00 from Fayette County.

What action are you seeking from the Board of Commissioners?

Approval of the request to fund the Fayette Chamber of Commerce's "Fayette Visioning" initiative, in the amount of \$25,000.00, for the purpose of developing a county-wide brand and for implementing a marketing strategy for economic development and talent recruitment.

If this item requires funding, please describe:

Funding is available in the Board of Commissioners Fiscal Year 2016 Budget 100-10110-521316 Technical Services - Visioning Project.

Has this request been considered within the past two years?

If so, when?

Is Audio-Visual Equipment Required for this Request?*

Backup Provided with Request?

*** All audio-visual material must be submitted to the County Clerk's Office no later than 48 hours prior to the meeting. It is also your department's responsibility to ensure all third-party audio-visual material is submitted at least 48 hours in advance.**

Approved by Finance

Reviewed by Legal

Approved by Purchasing

County Clerk's Approval

Administrator's Approval

Staff Notes:

It is expected that this effort will bring greater visibility to Fayette County and its municipalities and in doing so will create greater commercial growth within the community.



Request

Funding to develop a countywide brand and marketing plan for economic development and talent recruitment. Funding will also be used to implement the marketing strategy.

Purpose

Counties successful in economic and community development often implement a cohesive branding strategy that local marketing organizations like chambers, economic development organizations, and convention and visitors bureaus, as well as county and municipal governments can leverage.

Objectives

To create a brand and marketing strategy that positions Fayette County in a positive light and is memorable so that the County stands out among the competition. The branding strategy has three primary objectives:

- Economic Development – To increase awareness of Fayette County and increase the number of requests for information and, in turn, the number of successful relocations and expansions in targeted industries.
- Talent Recruitment – To position Fayette County as the choice for young adults starting families, particularly those who place a high value on education.
- Community cohesiveness – To help foster community and sense of place by creating a brand that can be used across many sectors and target audiences.

Brief Statement of Relevant Facts

Traditional Economic Development Marketing

Media and communications fragmentation has made it increasingly difficult for any product or service to reach a market or stand out. The days are gone when an ad in *Site Selection* magazine or the school rankings in U.S. News and World Report were all a community needed to attract jobs and investment.

Nationwide marketing campaigns are cost-prohibitive for a small county like Fayette. For traditional economic development and business recruitment, Fayette County has relied on a reactive marketing strategy relying on statewide and regional marketing programs to funnel leads to Fayette County.

The Fayette County Development Authority (FCDA) is in the process of creating a proactive marketing strategy. The first step is identifying target industries. FCDA has identified the following:

- | | |
|--------------------------|------------------|
| • Aviation/Aerospace | • Film/New Media |
| • Advanced Manufacturing | • Headquarters |
| • Data Processing | • IT |

The new branding campaign's message will be crafted to appeal to these industries. The marketing strategy will also look for cost-effective ways to proactively market Fayette County and leverage state and regional marketing efforts.

Talent Recruitment Marketing

Now more than ever, companies in the process of relocating and expanding put a premium value on the community having the right workforce in place. Companies in Fayette County's target clusters demand a workforce pipeline that is trained and up-to-date in the fields of engineering and technology. Fayette County's existing industry are increasingly expressing concern that the community is no longer attracting the right workforce to address their needs. This concern grows as their existing workforce begins to age out and retire. A community brand and marketing strategy can assist our existing businesses in their efforts to attract young talent to their businesses and to Fayette County.

Talent recruitment is a new economic development strategy that many regions are now employing. The Research Triangle, Greenville, SC, Austin and Nashville have all launched talent recruitment campaigns. Last summer, the Metro Atlanta Chamber launched its talent recruitment campaign called ChooseATL. The campaign targets ten metro areas outside of Georgia for recruitment. The Fayette Chamber is currently working with the Metro Atlanta Chamber on how to best leverage a partnership so that the smaller communities are more visible and are consistent with the overall messaging. The Atlanta Chamber does the heavy lifting and our role is to make sure Fayette County has the right look and appeal for our target market when people find our info on the ChooseATL site. We currently have no appealing message to connect with this campaign.

Community Cohesiveness

In 2014, Fayette Visioning included a countywide brand as one of its strategies in the five-year implementation plan. Fayette Visioning, has been identified as the best organization to create and house the branding for Fayette County. The Fayette Chamber and FCDA will also play a key role in the branding campaign. The branding campaign should appeal to Fayette Countians creating a sense of cohesiveness and civic pride. Coweta County has executed a successful communitywide branding campaign using the tag line, "Prosperity's Front Door" and their local partners include the Development Authority, the school system, their board of realtors and other groups.

Fayette Visioning is in the process of assembling a committee to oversee the process. As this project has been discussed at Fayette Visioning and Leadership Fayette, several have stepped forward. Others were asked to serve because of their roles with economic development programs in Fayette County. The task force members and how they got involved in this project is listed below.

Steve Brown	Fayette Visioning Place Committee, Fayette County Commission, ChooseATL advisory board
Tanya Dunne	Fayette Visioning Economy Committee, Metro Atlanta Chamber of Commerce Communications team that worked on the launch of ChooseATL
Jay Garner	Site selection and economic development consultant, consultant for Fayetteville's new economic development plan
Derrick Jackson	Fayette Visioning Economy Committee
Jill Mitchell	Leadership Fayette
Carlotta Ungaro	Fayette Chamber of Commerce, Fayette Visioning
Joan Young	FCDA

The next step is to reach out to the municipalities and school board for representation as well as Peachtree City's CVB, Main Street Fayetteville, the Board of Realtors and others to join the branding task force.

The committee will determine what components are needed for the branding campaign and oversee the bid process and selection of the service provider to develop the brand and campaign. The committee will stay in place to oversee the program execution.

Specific Conclusion and Request

The expected cost to develop a brand and a marketing campaign and initial plan execution is estimated to be \$90,000. Until the bid process and selection occurs, the cost is speculative.

Fayette Visioning will be making a request to all local governments as well as the private sector to invest in this endeavor. Since the County is responsible for the budget for the County's economic development authority and the primary purpose of the program is economic development and talent recruitment, Fayette Visioning asks for \$25,000 from Fayette County.

The funds will be used to pay for a logo and branding design and for professional recommendations on a marketing strategy including, but not limited to, social media, website and collateral. All of the funds provided by the County will go to design and implementation. We anticipate the branding launch to occur no later than the fourth quarter of 2016. Marketing implementation will begin at that time and remaining funds will be used to implement the marketing strategy. In 2017, funds needed to maintain the economic development objective of the branding process will be part of that organization's funding request. The talent recruitment objective will be handled by the Fayette Chamber and is expected to be supported with private funds. The community cohesiveness objective is not expected to incur costs for ongoing implementation.

Fayette Visioning asks for the opportunity to provide the Fayette County Commission a report on the status of the branding process and campaign on a regular basis throughout the duration of the plan execution.

BOARD OF COUNTY COMMISSIONERS

Charles W. Oddo, Chairman
Randy Ognio, Vice Chair
David Barlow
Steve Brown
Charles D. Rousseau

FAYETTE COUNTY, GEORGIA

Steve Rapson, County Administrator
Dennis A. Davenport, County Attorney
Floyd L. Jones, County Clerk
Tameca P. White, Chief Deputy County Clerk



140 Stonewall Avenue West
Public Meeting Room
Fayetteville, GA 30214

MINUTES

May 12, 2016
7:00 p.m.

Call to Order

Chairman Oddo called the May 12, 2016 Board of Commissioners meeting to order at 7:00 p.m.

Invocation by Commissioner David Barlow

Commissioner Barlow asked County Clerk Floyd Jones to give the Invocation. Mr. Jones offered the Invocation.

Pledge of Allegiance

Commissioner Barlow led the Board and the audience in the Pledge of Allegiance.

Acceptance of Agenda

Commissioner Ognio moved to accept the Agenda as published. Commissioner Rousseau seconded the motion. The motion passed 4-0 with Commissioner Brown being absent.

Chairman Oddo stated that Commissioner Brown would not be in attendance for the meeting.

PROCLAMATION/RECOGNITION:

1. Proclamation of May 2016 as "American Stroke Month."

Commissioner Rousseau and the Board proclaimed May 2016 as "American Stroke Month." Several citizens joined the Board in order to accept the proclamation. Copies of the request and proclamation, identified as "Attachment 1," follow these minutes and are made an official part hereof.

2. Proclamation of May 2016 as "Mental Health Month in Fayette County."

Commissioner Barlow and the Board proclaimed May 2016 as "Mental Health Month in Fayette County." Copies of the request and proclamation, identified as "Attachment 2," follow these minutes and are made an official part hereof.

3. Recognition of the Fayette County Water System for receiving the Gold Award for both the Crosstown Water Treatment Plant and the South Fayette Water Treatment Plant, and for receiving the Best Tasting Water Award for District 3 in Georgia from Georgia Association of Water Professionals.

County Administrator Steve Rapson spoke in recognition of the Fayette County Water System who received the Gold Award for both the Crosstown Water Treatment Plan and the South Fayette Water Treatment Plant and who received the Best Tasting Water Award for District 3 in Georgia from the Georgia Association of Water Professionals. Mr. Rapson stated that a representative from the Georgia Association of Water Professionals would come to a future meeting in recognition of these awards. A copy of the request, identified as "Attachment 3," follows these minutes and is made an official part hereof.

4. Recognition of Information Systems Director Phil Frieder, Human Resources Director Lewis Patterson, and County Administrator Steve Rapson for completing "Core Certification" courses through the Association of County Commissioners Georgia and for being designated as "Certified County Officials."

Chairman Oddo recognized Mr. Patterson, Mr. Frieder, and Mr. Rapson for being designated as "Certified County Officials," and he asked each to give a few thoughts on their certifications. Chairman Oddo spoke about the work involved with obtaining the certification and stated that the Board was proud of the accomplishments. It was further noted that Chief Financial Officer Mary Parrott was the first county staff member to be designated as a "Certified County Official." A copy of the request, identified as "Attachment 4," follows these minutes and is made an official part hereof.

5. Recognition of Chairman Charles W. Oddo for completing his Association of County Commissioners Georgia Specialty Track Certification with special emphasis on Economic and Community Development.

County Administrator Steve Rapson recognized Chairman Oddo's work in completing his Association of County Commissioners Georgia Specialty Track Certification with special emphasis on Economic and Community Development. Chairman Oddo commented on his classes. A copy of the request, identified as "Attachment 5," follows these minutes and is made an official part hereof.

Chairman Oddo reminded everyone that the candidates for office seating in the audience and at the dais are welcome to introduce themselves and the position for which they are running. He asked that the candidates do no campaigning while at the Public Comment podium but he reminded everyone that all are welcome to speak about any Agenda item.

PUBLIC HEARING:

Community Development Director Pete Frisina read the *Introduction to Public Hearings for the Rezoning of Property* into the records. A copy of the *Introduction to Public Hearings for the Rezoning of Property*, identified as "Attachment 6," follows these minutes and is made an official part hereof.

6. Public Hearing of Petition No. 1253-16, Trademark Quality Homes, Owner, and Moore Bass Consulting, Inc., Agent, request to rezone 26.9 acres from A-R to R-50 to develop a Single-Family Residential Subdivision consisting of 20 lots with said property being located in Land Lot 59 of the 7th District and fronting on Ebenezer Road with two (2) recommended conditions.

Community Development Director Pete Frisina introduced Petition 1253-16 to the Board. Commissioner Rousseau stated that additional information had been provided to the Board prior to the meeting and he asked Mr. Frisina if the information was materially different than what had been provided in the Agenda packet. Mr. Frisina replied that he too had just received the information from the applicant and he did not know if the new information was materially different.

Chairman Oddo informed the applicant that there were only four commissioners present at the meeting meaning the applicant could have the Public Hearing tabled to a later date if so desired. The applicant replied there was no desire to table the Public Hearing to a later date.

Sean Shanks: Mr. Shanks, representing Moore Bass Consulting, spoke in favor of Petition 1253-16. He requested that the property be rezoned to R-50 based on the Land Use Plan and staff recommendation. He stated that the intention was to create a 20-lot, single-family subdivision with new streets. He pointed out that there are adjacent properties with similar zoning.

Rod Wright: Mr. Wright spoke over five minutes in favor of Petition 1253-16, and he too requested the property be rezoned to R-50. He stated that he has resided and done business for over thirty years in Fayette County, and he spoke about the different people and Boards of Commissioners he has worked with during his history in Fayette County. Mr. Wright spoke about the different subdivisions that he had built throughout the county and he stated that he cared for Fayette County. He stated that the proposal would not impact the Land Use Plan but would rather be an asset to the county. He stated that he had spoken to adjoining land owners and residents in the area and he found that the biggest concern they have is not the property size but the house value. He stated that he has partnered with Trademark Quality Homes who will build the homes and the price ranges for the homes would range from mid- \$400,000 to \$600,000. He mentioned that there were petitions that had been signed with over sixty names supporting the request to rezone the property to R-50. He also asked those in attendance who supported rezoning the property to R-50 to raise their hands. Many people in the room raised their hands in support.

Kent Clouse: Mr. Clouse spoke for over thirteen minutes in favor of Petition 1253-16 and for rezoning the property to R-50. He added that he would support some compromises with the neighbors. Mr. Clouse then briefed the Board on the additional information that the applicant gave to the Board prior to the start of the meeting.

Larry Dove: Mr. Dove spoke in opposition to Petition 1253-16 if it were to be rezoned to R-50 but stated he could support the petition if it were approved for larger two-acre lots. He stated that Fayette County never accepts the minimum and that the citizens always demand the best from all aspects of the county. He agreed that the property could be zoned to R-50 but that would be zoning to the absolute minimal requirements. He said that was not the intention of the Land Use Plan even though it is allowed by the Land Use Plan.

Dennis Chase: Mr. Chase spoke in opposition to Petition 1253-16 based on the environmental impact its approval could have. He stated that there was a dry wash on the property that was actively eroding every time it rains. He said the property is very subjective to stormwater runoff issues so if twenty lots are added then it would be very problematic to control the runoff from the property. He spoke about how Fayette County already has similar problems that are costly to repair. He suggested that the property could support, at best, about twelve lots.

Mark Shames: Mr. Shames spoke in opposition to Petition 1253-16. He stated that he did not feel it was an accident that Arlington Trace, Hamilton Glen, and Laurel Ridge subdivisions all have two-acre lots. He stated that the Land Use Plan was designed to protect existing neighborhoods before he pointed out that there is not a one-acre lot anywhere on Ebenezer Church Road until the very edge of the City of Peachtree City. He stated that he did not care how large the houses were but he did care that whatever is allowed is compatible with what is already in the area. He closed his comments by asking the Board to protect his neighborhood and to consider the Planning Commission's recommendation.

Tom Waller: Mr. Waller spoke in opposition to Petition 1253-16. He said Fayette County has guidance for the development of property that allows for Conservation-Use subdivisions where lots can be reduced to one acre so long as the developer sets aside a part of the property as greenspace. He said he liked greenspace since it would help keep the density low. He said he was afraid that if the county goes to a one-acre lot and a person has a 4,000 square-foot house on the lot that they would want to put a swimming pool on the lot, then it would create a monstrosity. He recommended that the Board maintain the two-acre lot.

Sean Shanks: Mr. Shanks returned to the podium to rebut those who spoke in opposition. He stated that every stormwater regulation would be met in an effort to alleviate the concerns raised by Mr. Chase.

Commissioner Barlow stated that he went on-line and reviewed Trademark Quality Homes. He said that it appeared that Trademark had built over 600 quality homes. He said he could not find any complaints on the homes and that the homeowners seemed to be satisfied. He asked what the square footage of the proposed homes was. Mr. Wright replied the homes would be between 2,500 and 4,000 square feet. Commissioner Barlow stated that was a big home for a one-acre lot. It was noted that the Planning Commission recommended rezoning to R-70 instead of the requested R-50. Commissioner Barlow stated that R-70 zoning would increase the size of the lots and he asked Mr. Wright if it would be economically viable for him if the property was R-70. Mr. Wright replied it would not be economically viable. Commissioner Barlow stated that it appeared to be twenty-five hands that raised in support of the petition to be rezoned to R-50. He asked those in support if they lived on Ebenezer Road. Mr. Wright replied they would not be neighbors but rather were county citizens in support of the R-50 zoning.

The applicant asked for additional time to speak. Commissioner Rousseau asked if new material was going to be provided and the applicant replied that he did have more information. The Board allowed additional time for the applicant to speak. Mr. Shanks stated there is an additional zoning regulation, namely, R-55. He explained that it maintains one-acre lots but it increases the square footage of a house by 2,500 as well as changing the setbacks. He suggested that the applicant would be acceptable with rezoning the property to R-55. Mr. Dove stated it was not the role of government to make sure someone can make money with their request.

Chairman Oddo closed Public Hearing.

Mr. Frisina read the two recommended conditions to the Board and applicant. The applicant agreed to the two conditions as read by Mr. Frisina.

Commissioner Ognio moved to approve Petition No. 1253-16, Trademark Quality Homes, Owner, and Moore Bass Consulting, Inc., Agent, request to rezone 26.9 acres from A-R to R-70 to develop a Single-Family Residential Subdivision consisting of 20 lots with said property being located in Land Lot 59 of the 7th District and fronting on Ebenezer Road with two (2) recommended conditions. Commissioner Rousseau seconded the motion.

Commissioner Ognio agreed that the property backed up to R-40 property but that there was no other R-50 property along Ebenezer Road. He stated that once R-50 is permitted then it would open the door for one-acre lots along Ebenezer Road which is not designed for high-density traffic. He stated that the Board represents the citizens and not consumers. He said he had received many emails from the citizens on this matter and that Commissioner Brown had issued a memorandum in agreement to the R-70 rezoning.

Chairman Oddo stated that this situation was one where either decision was not wrong. He said the decision would not necessarily set precedent but it was as close to precedent-setting as possible. He agreed that once the property was rezoned then it would set the decision for how the area would grow. He stated that the area looked to be best suited for lower density in the county with higher density in the cities. He stated that there was a split decision between staff and the Planning Commission and that he agreed with the R-70 zoning. Chairman Oddo then read Commissioner Brown's memo into the record.

Commissioner Brown's memo read:

I concur with the majority opinion from the Planning Commission on R-70 as the appropriate zoning. It is vitally important to consider the zoning of each individual parcel as part of a much larger system.

When the applicant says their particular development will have minimal impact on traffic, etc., that statement may be true, but it must be measured for validity assuming the surrounding acreage would carry the same rezoned classification.

One of our quality of life components in Fayette County that makes us uniquely strong is a notably smaller level of traffic volume, meaning less congestion, compared to other metro Atlanta counties.

If the adjoining acreage also goes R-50, we would be constraining our ability to move traffic with our existing infrastructure. There is no funding mechanism in place to make the necessary road improvements to our network.

Commissioner Rousseau said his issue was that the Board would continue to have these issues. He said if the intention was to keep the density level low then the Board needed to look at long-term issues that keep cropping up that causes the Board to be stuck on how to proceed. He stated that he was not opposed to the either recommendation and he emphasized that the Board needed to start looking at the long-term goals. He closed saying that if the Board did not look at the matter from a long-term perspective then the Board would continue to face these issues when everyone is right.

Commissioner Barlow stated that the conundrum is there is a quality builder with a quality plan who has people lined up that would support the plan. He said the builder has a successful business in the county. He said he had never voted against the Planning Commission and, given its recommendation to approve R-70 rather than R-50, he would support the R-70 recommendation.

The motion to approve Petition No. 1253-16, Trademark Quality Homes, Owner, and Moore Bass Consulting, Inc., Agent, request to rezone 26.9 acres from A-R to R-70 to develop a Single-Family Residential Subdivision consisting of 20 lots with said property being located in Land Lot 59 of the 7th District and fronting on Ebenezer Road with two (2) recommended conditions passed 3-1-1 with Commissioner Rousseau voting in opposition and Commissioner Brown being absent. Copies of the request, Rezoning Ordinance 1253-16, Rezoning Resolution 1253-16, the additional information provided by the applicant, and Commissioner Brown's memo, identified as "Attachment 7," follow these minutes and are made an official part hereof.

7. Public Hearing of Petition No. RP-059-16, Revision of the Recorded Plat of Jenkins Cove Phase Two to add two (2) acres to Lot 5 with said property being located in Land Lots 42 and 55 of the 7th District and fronting on Adams Road.

Chairman Oddo informed the applicant, Julie Yokum, that one commissioner was absent so she could request to table the Public Hearing if she choose. Ms. Yokum replied she did not want to table the request.

Julia Yokum: Ms. Yokum stated she has lived at her residence in Fayette County for 24 years. She explained that 21 years ago she purchased two additional acres of property that adjoin her 2.5 acres. She stated that for the past 21 years she has been paying two tax bills. She asked for her two properties to be put together so she has one property and one tax bill.

No one spoke in favor of or in opposition to Petition RP-059-16.

Commissioner Ognio moved to approve Petition No. RP-059-16, Revision of the Recorded Plat of Jenkins Cove Phase Two to add two (2) acres to Lot 5 with said property being located in Land Lots 42 and 55 of the 7th District and fronting on Adams Road. Commissioner Barlow seconded the motion. The motion passed 4-0 with Commissioner Brown being absent. A copy of the request, identified as "Attachment 8," follows these minutes and is made an official part hereof.

8. Public Hearing of Ordinance 2016-08 amending the Fayette County Code of Ordinances, Chapter 110., Article VII. - Zoning Board of Appeals, Sec. 110-242. - Powers and Duties.

Community Development Director Pete Frisina stated this request was a housekeeping amendment. He explained that the current County Code gives the Zoning Board of Appeals the right to oppose conditions under a request for variance. He said the Zoning Board of Appeals does other duties such as the continuance of non-conforming use, starting up a non-conforming use, and re-establishing a use. He stated that the request was moving the paragraph out from the section dealing with

Request for Variance and placing it in an ordinance so that the Zoning Board of Appeals will be able to make conditions on any of the decisions it makes. He added that this ordinance would also place limitations on reapplying for rezoning requests meaning an applicant will not be able to make the same rezoning petition within six months of being turned down.

Commissioner Barlow moved to adopt Ordinance 2016-08 amending the Fayette County Code of Ordinances, Chapter 110., Article VII. - Zoning Board of Appeals, Sec. 110-242. - Powers and Duties. Commissioner Ognio seconded the motion. The motion passed 4-0 with Commissioner Brown being absent. Copies of the request and Ordinance 2016-08, identified as "Attachment 9," follow these minutes and are made an official part hereof.

CONSENT AGENDA:

Commissioner Barlow moved to approve the Consent Agenda. Commissioner Ognio seconded the motion. The motion passed 4-0 with Commissioner Brown being absent.

9. **Approval of staff's request for the Board of Commissioners to revise the annual Budget Calendar for Fiscal Year 2017 which begins July 1, 2016 and ends June 30, 2017. A copy of the request, identified as "Attachment 10," follows these minutes and is made an official part hereof.**

10. **Approval of the April 22, 2016 Board of Commissioners Retreat Minutes.**

11. **Approval of the April 26, 2016 Board of Commissioners Meeting Minutes.**

OLD BUSINESS:

There were no Old Business items on the Agenda.

NEW BUSINESS:

12. **Consideration of a recommendation from the Selection Committee, comprised of Commissioners David Barlow and Charles Rousseau, to appoint Niki Knox Vanderslice to the Fayette County Development Authority to fulfill a four-year term beginning April 10, 2016 and expiring April 9, 2020.**

Commissioner Barlow stated that he and Commissioner Rousseau interviewed seven applicants of whom Ms. Vanderslice and Dr. Matta were extremely qualified. He said he was looking forward to great things from Ms. Vanderslice based on her knowledge and he said he could not wait for her to get involved with the Development Authority.

Commissioner Barlow then introduced Dr. Luis Matta stating Mr. Matta has his Ph.D. in Business Administration. He stated that Dr. Matta is a "data engineer" who can take data and make something out of it. Dr. Matta then briefly spoke about his employment as an independent contractor with Metro Atlanta Rapid Transit Authority.

Commissioner Barlow stated that both individuals exude energy, enthusiasm, and integrity. Commissioner Rousseau agreed with the comments given by Commissioner Barlow and encouraged the Board to support the recommendations from the Selection Committee. Ms. Vanderslice and Dr. Matta thanked the Board for considering them for appointment.

Commissioner Barlow moved to approve the recommendation from the Selection Committee, comprised of Commissioners David Barlow and Charles Rousseau, to appoint Niki Knox Vanderslice to the Fayette County Development Authority to fulfill a four-year term beginning April 10, 2016 and expiring April 9, 2020. Commissioner Rousseau seconded the motion. The motion passed 4-0 with Commissioner Brown being absent. A copy of the request, identified as "Attachment 11," follows these minutes and is made an official part hereof.

13. Consideration of a recommendation from the Selection Committee, comprised of Commissioners David Barlow and Charles Rousseau, to appoint Dr. Luis Matta to the Fayette County Development Authority to fulfill an unexpired term beginning immediately and expiring April 9, 2018.

Commissioner Barlow moved to approve the recommendation from the Selection Committee, comprised of Commissioners David Barlow and Charles Rousseau, to appoint Dr. Luis Matta to the Fayette County Development Authority to fulfill an unexpired term beginning immediately and expiring April 9, 2018. Commissioner Rousseau seconded the motion. The motion passed 4-0 with Commissioner Brown being absent. A copy of the request, identified as "Attachment 12," follows these minutes and is made an official part hereof.

14. Consideration of staff's recommendation to enter into a three-year contract with Tyler Technologies as the Application Service Provider for support of Munis and other software in an aggregate amount of \$422,511.00.

Chief Information Officer Phil Frieder briefed the Board on staff's recommendation. He stated that he had met earlier with Commissioner Rousseau and had addressed the concerns raised by the commissioner. He closed by emphasizing the importance of approving the contract. County Administrator Steve Rapson added that this request is for a three-year contract in the amount of \$422,511.00. He specified that the annual cost for the contract is \$140,837.00. Mr. Rapson stated that this contract dealt with the backbone of the entire infrastructure that makes up Fayette County touching virtually every department and concerns with how the county does its business day-to-day.

Commissioner Barlow moved to approve staff's recommendation to enter into a three-year contract with Tyler Technologies as the Application Service Provider for support of Munis and other software in an aggregate amount of \$422,511.00. Commissioner Ognio seconded the motion.

Commissioner Ognio stated that these computer issues are similar to Microsoft where if a company runs on Microsoft it has to have Microsoft support. He stated that to change software would be very expensive. He understood this was a proprietary matter, but apart from changing software that would cost over \$500,000.00, so it would have to be approved.

Commissioner Rousseau agreed with Commissioner Ognio. He stated that staff should not be fearful to put these types of requests out for bid so that service providers are not just "automatically stamped." He understood this request was vital to the county, but he thought a system could be put into practice to track vendor-performance related matters. Chairman Oddo added that the intention was to make sure the County was getting the best for the citizens.

The motion to approve staff's recommendation to enter into a three-year contract with Tyler Technologies as the Application Service Provider for support of Munis and other software in an aggregate amount of \$422,511.00 passed 4-0 with Commissioner Brown being absent. Copies of the request and contract, identified as "Attachment 13," follow these minutes and are made an official part hereof.

PUBLIC COMMENT:

Tom Waller: Mr. Waller asked for Fayette County to address the Zika virus by clearing a culvert along Flat Creek Trail where the beavers have dammed it up for about two months. He then asked why the County cannot maintain grass cutting along Sandy Creek Road. He mentioned that the Road Department stated they could not get new lawnmowers until July, and he asked that the County Administrator start working on getting the grass cut. Mr. Waller then thanked the County Administrator for updating him on the West Fayetteville Bypass and for stating that it would be completed in September 2017. He commented that the road was started around 2004 but has not been able to be completely used since it is not completed.

Sheila Louder: Ms. Louder said she had a concern about Code Enforcement in Fayette County. She stated that she called the county and was informed that Code Enforcement did not have a specified office. She stated that she was also informed that the Sheriff's Office handles code enforcement for her area in north Fayette County. She stated that several residents have a problem with Code Enforcement having no specified office. She explained that there are problems with people in her

neighborhood parking junk cars on their grass and not cutting the grass. She told the Board that her neighborhood does not have a homeowners' association. She asked if there was a booklet that provided Code Enforcement regulations and the process for bringing about a complaint.

Frank Gardner: Mr. Gardner stated he did not want to think about the traffic running in front of his house due to the West Fayetteville Bypass. He asked for a roundabout at Lester Road in order to slow the traffic down before the traffic hit a school zone. He mentioned that the West Fayetteville Bypass has been going on since 2004, but about three years ago he made a request for a dock at Lake McIntosh. He stated that the money was approved about three or four months ago and he asked for a progress report on when the docks would be available to be utilized by people with disabilities.

Greg Clifton: Mr. Clifton commended the Board for making two excellent appointments to the Fayette County Development Authority and he looked forward to seeing them at work on the Authority. He announced that he is a candidate for the Commission District 5 At-Large position.

Allen McCarty: Mr. McCarty stated the West Fayetteville Bypass had done wonders for Lee's Mill Road, and he suggested that Lee's Mill Road needed a roundabout. Mr. McCarty stated that the intersection of State Route 92 and the West Fayetteville Bypass should have a traffic signal instead of a stop sign, and he mentioned that there are many traffic lights on State Route 92. Mr. McCarty also reminded everyone that he is a candidate for the Commission District 5 At-Large position.

ADMINISTRATOR'S REPORTS:

Selection Committee for the McIntosh Trail Community Service Board: County Administrator Steve Rapson stated there was one vacancy on the McIntosh Trail Community Service Board and he asked for a Section Committee to be established. Commissioner Ognio and Commissioner Barlow were appointed to the Selection Committee.

Renewal of the Intergovernmental Agreement for the Use of County Owned Property: County Administrator Steve Rapson informed the Board that the county had received notification from the City of Fayetteville for renewing the Intergovernmental Agreement for the Use of County Owned Property.

Senator Valencia Seay to have a Commentary Service for Vietnam War Veterans: County Administrator Steve Rapson reported that State Senator Valencia Seay would have a Commentary Service for Vietnam War Veterans on Sunday, May 22 at Liberty Baptist Church. The event is to be held at 2:30 p.m.

Taste of Fayette and Chalk Art Festival: County Administrator Steve Rapson stated that the "Taste of Fayette" event would begin on Sunday, May 15, 2016. He added that the Chalk Art Festival would be held on Saturday, May 14, 2016 beginning at 10:00 a.m. He encouraged everyone to attend the events.

"Stamping Out Hunger" in Fayette County: County Administrator Steve Rapson nine-year old Andrew Fleming is hosting a "Stamping Out Hunger" food drive on Sunday, May 15, 2016 at 12:00 p.m. He stated that for every four non-perishable items brought to the Taste of Fayette event, a person would receive a token good for one Taste purchase. Mr. Rapson reminded the Board that it had honored Mr. Fleming in the past for his earlier food drives.

Update on the County's Hiring Freeze: County Administrator Steve Rapson reported that the hiring freeze had been lifted on Tuesday, May 10. He commended Chief Financial Officer Mary Parrott and Assistant Chief Financial Officer Sheryl Weinmann for going through the general fund with a fine-toothed comb to reduce the budget. He added that the Department Heads had been notified of its lifting on Tuesday, May 10, 2016.

Comments on Deficit Budgeting: County Administrator Steve Rapson stated he had heard “a lot of chatter” with regards to deficit budgeting. He stated that when the county balances the budget it looks at new revenues coming to the county with the operational expenditures that the county has to make sure they are in balance so there is no deficit. He thought that the deficit that some are referring to is the component that is pulled out of one-time fund balance for the Capital Improvement Program to fund the five-year plan. He stated that component is a rolling contribution that is made each year.

Revised Budget Calendar: County Administrator Steve Rapson stated that earlier in the meeting the Board had approved a revised budget calendar. He explained the changes to the meeting dates and he pointed out that a Special Called Meeting would be held on June 30, 2016 for adoption of the budget.

Response to Public Comments: County Administrator Steve Rapson replied to Mr. Waller’s comments saying he spoke to Mr. Waller for about one hour and gave him the same information that had been provided to the Board. He stated that Chief Marshal Harold Myers would contact Ms. Louder to provide information to her about Code Enforcement. He mentioned that the county’s ordinances are on the website. Mr. Rapson stated that he would turn the issue of roundabouts over to the Transportation Committee and let the committee decide how to handle the question. He replied to Mr. Gardner saying the docks are delayed until a Watershed Management Plan is approved by the Environmental Protection Division.

(Clerk’s Note: County Ordinances can be obtained at the following link:

https://www2.municode.com/library/ga/fayette_county/codes/code_of_ordinances).

Direction on the Art Intern Process: County Administrator Steve Rapson asked the Board for direction on how to handle the art interns. He stated there are applicants but there needs to be direction on how they are interviewed, who interviews them, and how the process works. He clarified that the County had applied and received a grant for an Art Intern and staff needed direction on how to proceed. The Board directed that staff handle the hiring of the interns.

ATTORNEY’S REPORTS:

Notification of Executive Session: County Attorney Dennis Davenport reported that he had two items of Pending Litigation and review of the April 26, 2016 Executive Session Minutes for review in Executive Session.

COMMISSIONERS’ REPORTS:

Commissioner Ognio:

Remembrance of Commissioner Ognio’s Sister: Commissioner Ognio hoped all the mothers had a Happy Mother’s Day. He stated that this was a tough time of the year for his sister’s daughters and sons because she passed away seven years ago on Sunday. He said he felt bad for them, especially one who had a birthday a week ago. He said she was forty-four years old when she passed and it is a difficult experience to get over.

Request for a Letter of Approval for a Behavioral Hospital: Commissioner Ognio stated he received an email from Commissioner Bob Blackburn of Coweta County. He stated that Commissioner Blackburn wanted a letter of approval for a Behavior Hospital in Newnan. He asked why a letter was needed from Fayette County and he asked for staff to look into the request. County Administrator Steve Rapson recommended that the request be provided to Commissioner Brown and to have Commissioner Brown address the request with the McIntosh Trail Community Service Board. The Board consented to Mr. Rapson’s recommendation.

Zika Virus: Commissioner Ognio stated that it is important for citizens to discard standing water but not to poison standing water. He stated that water that is poisoned eventually makes its way into the drinking water. He added that dams that are poisoned water could also hurt fish that eat mosquito larva. He asked the citizens to be careful with how they handle the water.

Commissioner Rousseau:

Commissioner Rousseau did not provide a report.

Commissioner Barlow:

Response to Mr. Waller's Public Comments: Commissioner Barlow thanked everyone for coming to the meeting. He commended Mr. Tom Waller for bringing up the Zika virus. He stated that the Board of Health had met earlier in the week where it was reported there are thirteen confirmed cases in Georgia although none are in the immediate area. He stated that some information has been provided by the District 4 Board of Health and posted to the county's website. He stated that Mr. Waller had struck on the very issue that has to be addressed, namely, the removal of all standing water. He said a mosquito has a two-month lifespan so it has two months to infect people with viruses, including Zika.

Wellness Walk: Commissioner Barlow stated that the Wellness Walk would take place on Friday, May 13, 2016 at Sandy Creek High School. He said the event would begin between 6:30 and 7:00 p.m. and the walk would be around the stadium. He said the purpose was to raise awareness and funds for the abolishment of cancer.

Chairman Oddo:

Annual Rose Show: Chairman Oddo stated that the Annual Rose Show was going on this weekend and that it would last both for Saturday and Sunday. He recommended that people may want to attend if they have the opportunity.

Balancing the Budget: Chairman Oddo stated that he was a witness to how the County Administrator and the Finance staff worked to bring the budget into balance so that the hiring freeze could be lifted. He looked forward to seeing the final project but was appreciative of all the hard work they put in over the past days.

Early Voting: Chairman Oddo stated there is an election going on and voting is currently taking place. He stated that early voting would be available on Saturday, May 14, 2016 and that the last day to vote is Tuesday, May 24, 2016. He asked everyone to get up to speed on the candidates and go vote.

EXECUTIVE SESSION:

Two Items of Pending Litigation and Review of the April 26, 2016 Executive Session Minutes: Commissioner Ognio moved to enter into Executive Session. Commissioner Rousseau seconded the motion. The motion passed 4-0 with Commissioner Brown being absent.

The Board recessed into Executive Session at 8:59 p.m. and returned to Official Session at 9:25 p.m.

Return to Official Session and Approval of the Executive Session Affidavit: Commissioner Ognio moved to return to Official Session and to approve the Executive Session Affidavit. Commissioner Rousseau seconded the motion. The motion passed 4-0 with Commissioner Brown being absent. A copy of the Executive Session Affidavit, identified as "Attachment 14," follows these minutes and is made an official part hereof.

Approval of the April 26, 2016 Executive Session Minutes: Commissioner Ognio moved to approve the April 26, 2016 Executive Session Minutes. Commissioner Barlow seconded the motion. The motion passed 4-0 with Commissioner Brown being absent.

ADJOURNMENT:

Commissioner Ognio moved to adjourn the May 12, 2016 Board of Commissioners meeting. Commissioners Barlow seconded the motion. The motion passed 5-0.

The May 12, 2016 Board of Commissioners meeting was adjourned at 9:25 p.m.

Floyd L. Jones, County Clerk

Charles W. Oddo, Chairman

The foregoing minutes were duly approved at an official meeting of the Board of Commissioners of Fayette County, Georgia, held on the 26th day of May 2016. Referenced attachments are available upon request at the County Clerk's Office.

Floyd L. Jones, County Clerk