

**THE FAYETTE COUNTY PLANNING COMMISSION** held a **Workshop** on January 15, 2004 at 7:00 P.M. in the Fayette County Administrative Complex, 140 Stonewall Avenue West, Board of Commissioners Conference Room, Suite 100, Fayetteville, Georgia.

**MEMBERS PRESENT:** Jim Graw, Chairman  
Douglas Powell, Vice-Chairman  
Bob Harbison  
Bill Beckwith  
Al Gilbert

**MEMBERS ABSENT:** None

**STAFF PRESENT:** Chris Venice, Acting Zoning Administrator/Director of Planning/Community Development Division Director  
Ron Salmons, Director of Engineering/County Engineer  
Phil Mallon, Assistant Director of Engineering  
Dennis Davenport, Assistant County Attorney  
Robyn S. Wilson, P.C. Secretary/Zoning Coordinator

**Welcome and Call to Order:**

Chairman Graw called the meeting to order and introduced the Board Members and Staff.

\* \* \* \* \*

**1. Discussion of proposed amendments to the Fayette County Development Regulations regarding Article IX. Soil Erosion and Sedimentation Control.**

Ron Salmons explained that the proposed amendments were required by the State. He added that the State was requiring the revisions to be adopted by July 1, 2004. He said that the State had produced a Model Ordinance for compliance with the State law. He advised that the Engineering Department is a local issuing authority meaning they can issue Land Disturbance Permits and inspect the work. He advised that the Engineering Department would also be presenting an amendment to address storm water in the near future. He pointed out that the strike out means the verbiage that was deleted and the underline means the verbiage that was added. He stated that he would review the proposed amendments and explain the changes.

*Page 1*

Mr. Salmons explained that a definition for “Best Management Practices BMP’s) was amended to include not only a subdivision but a larger common plan such as five (5) acre tracts on a public road even though the County does not classify this as a subdivision.

*Page 2 - No comments.*

*Page 3*

Mr. Salmons advised that a definition for an “Operator” had been added in its entirety and includes the developer or the person authorized to direct workers and has day to day operational responsibility. The “operator” may or may not be the property owner.

Mr. Salmons pointed out that a definition for “State General Permit”, the National Pollutant Discharge Elimination System (N.P.D.E.S.) had been added in its entirety and addressed permits for storm water runoff from construction activities.

Attorney Davenport asked what was a temporary structure as referenced under “Stabilization”.

Mr. Salmons replied temporary grassing, stabilization mats, or any practices allowed per the Manual for Erosion and Sediment Control in Georgia.

Mr. Salmons suggested adding “or measures” after “temporary or permanent structures”.

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*Page 4* - No comments.

*Page 5*

Attorney Davenport suggested deleting the verbiage “including harvesting” on item 5. since forestry land management practices are discussed under item 11.

Mr. Salmons referenced item 7. which indicates a fairly significant change in concept from going from property size to amount of disturbed acreage. He explained that single homes that have a disturbed area of less than 1 acre are exempt from the land disturbing activity requirements, however if they are a part of a larger common development then they are not exempt, but everyone still has to put up the B.M.P.s as far as controlling sediment going off of their property onto someone else’s property.

*Pages 6 and 7* - No comments.

*Page 8*

Doug Powell suggested deleting the word “regarding” and replace it with the word “regrading” under Section 8-247., (1).

*Page 9*

Mr. Salmons referenced item 17. which deleted land disturbance requirements for Trout Streams since there are none in Fayette County.

*Page 10*

Mr. Salmons pointed out that restriction for a brush barrier had been added in its entirety. He explained that a brush barrier was where a lot has been cleared and the brush has been pushed to one side which the developer wants to use to catch the runoff instead of utilizing a silt fence.

*Page 11*

Doug Powell asked who sets the fee of \$80.00 per acre of land disturbing activity as discussed in item (d).

Mr. Salmons replied that the fee is established by the State. He added that for the permits that the County issues and controls, the fee is split in half between the State and the County, however for the sites that the State administers totally by itself then the State keeps the fee entirely.

Attorney Davenport suggested deleting the verbiage “Engineering Department” and replace with the verbiage “issuing authority or its designee” to item (f) (1) and also in the definition for “Local Issuing Authority”.

Mr. Powell asked under what circumstances could the Engineering Department require the permit applicant to post a bond as discussed in item (f) (2).

Mr. Salmons replied that he was unaware that the Engineering Department could require a bond.

Attorney Davenport suggested that if the Engineering Department has a developer with a history of violating the ordinance then a bond should be required.

*Pages 12, 13, and 14* - No comments.

*Page 15*

Bill Beckwith asked why the item (g) was deleted which requires the Fayette County Tax Commissioner to certify that all ad valorem taxes had been paid.

Mr. Salmons noted that the State had deleted this item from their Model Ordinance.

*Page 16*

Mr. Powell suggested deleting the verbiage "he or she may reasonably deem" and replace it with the verbiage "as deemed" under Section 8-254.

Mr. Beckwith asked for clarification regarding the verbiage "on or before December 31, 2003" on Section 8-257. was utilized.

Attorney Davenport suggested deleting the verbiage "on or before December 31, 2003" and replace with the verbiage "has promulgated" because the date has already occurred.

*Page 17*

Mr. Salmons referenced Section 8-261. Monetary Penalties. He advised that the minimum penalties were proposed to be deleted because judges have been establishing their own monetary penalties and not utilizing the amount indicated in the ordinance.

*Page 18*

Mr. Salmons advised that Section 8-262. Education and Certification had been added in its entirety.

*Page 19*

Mr. Salmons advised that (c) had been added in its entirety.

Chairman Graw instructed Robyn Wilson to advertise the proposed amendments for the February Public Hearings.

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**2. Discussion of proposed amendments to the Fayette County Zoning Ordinance regarding Article VII. Conditional Uses, Exceptions, and Modifications, Section 7-6. Transportation Corridor Overlay Zone, A. S.R. 54 West and S.R. 74 South Overlay Zones, 6. Landscape Requirements; B. S.R. 85 North Overlay Zone, 5. Landscape Requirements; and C. General State Route Overlay Zone, 9. Landscape Requirements.**

Chris Venice advised that she had some concerns about the proposed amendments and discussed them with Phil Mallon who also had some concerns especially about how they would be implemented, how it would work, and what we were really trying to accomplish. She confirmed that she requested that the proposed amendments be removed from the B.O.C. Agenda and sent back to the P.C. to workshop further. She added that everyone is still in favor of allowing detention uses within the 50 foot landscape area. She reported that at a minimum such items as type of grassing which does not grow over a certain height and detention ponds which do not require a fence and which are also mowable be considered. She advised that Staff had spoken with a member of the building community who expressed concerns about requiring berms. She proposed to either revise the proposed amendments and mail them out before the February Public Hearing or discuss them further at the February Workshop. She added that the Development Regulations may also have to be revised to meet the requirements of the Zoning Ordinance. She added that there were developers

waiting on these amendments.

Robyn Wilson advised the P.C. that one of the sites discussed which seems to achieve the desired look is the bank located at the corner of S.R. 74 North and Tyrone Road. She suggested that the P.C. ride by this location.

Chairman Graw instructed Robyn Wilson to place this item on the February Workshop Agenda for discussion.

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**3. Discussion of Objectives and Policies for Educational Facilities in the Community Facilities Element of the Fayette County Comprehensive Plan, 2004-2005.**

Chris Venice advised that Staff had received comments back from the A.R.C. and the only item required was Objectives and Policies for Educational Facilities. She stated that she and Pete Frisina had discussed this item but decided not to include this section since the County has no control over educational facilities. She presented the proposed objectives and policies. She added that once the P.C. and B.O.C. had approved the objectives and policies that they would then be forwarded to the A.R.C. for their review and approval.

Chairman Graw instructed Robyn Wilson to advertise the proposed amendments for the February Public Hearings.

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Chairman Graw asked if there was any further business. Hearing none, Bob Harbison made a motion to adjourn the workshop. Al Gilbert seconded the motion. The motion unanimously passed 5-0. The workshop adjourned at 8:05 P.M.

**PLANNING COMMISSION**  
**OF**  
**FAYETTE COUNTY**

**ATTEST:**

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**JIM GRAW**  
**CHAIRMAN**

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**ROBYN S. WILSON**  
**P.C. SECRETARY**

