

THE FAYETTE COUNTY PLANNING COMMISSION held a **Workshop** on November 17, 2005 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
Bill Beckwith
Al Gilbert
Tim Thoms (Arrived 7:15 P.M.)

MEMBERS ABSENT: None

STAFF PRESENT: Aaron Wheeler, Zoning Administrator
Pete Frisina, Director of Planning & Zoning
Bill McNally, County Attorney
Delores Harrison, Zoning Technician
Phil Mallon, County Engineer
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.

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1. Discussion of proposed amendments to the Fayette County Subdivision Regulations regarding Section 6. Minimum Design Standards, 6-5.3 Street Length as presented by the Engineering Department.

Phil Mallon advised that the proposed amendment was a “housekeeping item.” He pointed out that Section 6-5.3 referenced Section 11-5.,B. and it should reference Section 9-5.,B.

Chairman Graw advised Robyn Wilson to advertise the proposed amendments for the December Public Hearing.

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2. Discussion of proposed amendments to the Fayette County Development Regulations regarding Division 4. Flood Hazard Reduction, Section 8-154. Standards for subdivision proposals, (e) Development adjacent to flood fringe areas as presented by the Engineering Department.

Phil Mallon stated this regulation would have a big impact and he read the existing language to say that in all zoning districts the minimum of 1.0 acre or fifty (50) percent of the lot area as established by the applicable zoning district, whichever is greater, shall be above the 100-year flood elevation. He said that he was adding the following: This area shall be contiguous and free of jurisdictional wetlands, impoundments and any other feature that would restrict the construction of structures or installation of septic systems. The building area for the site must be within the minimum required area.

Mr. Mallon explained the reason for the change was because we are finding people going into older subdivisions and trying to develop lots that had not been previously developed. He stated that over time people try to build on these lots, which results in failed septic systems, impact to the wetlands, or restricted areas with not enough land to build what they want. He said the Engineering Department is looking for ways to protect citizens from these problems in the future. He confirmed the existing language requires a minimum of 1.0 acre or fifty (50) percent of the property out of the floodplain. He reported that there may be land in the County that is undesirable, but not in the floodplain.

Chairman Graw asked why these lots in older subdivisions had remained undeveloped.

Attorney Bill McNally said they were not good lots because of poor soils, the shape of the lot, or the existence of lakes or wetlands on the property. He commented that people at times bring in fill dirt and better soils to remedy the problem. He stated an adjoining county had similar problems with people trying to develop marginal properties and creating septic problems.

The P.C. questioned the possible use of new technology systems on marginal lots.

Attorney McNally said at times the new systems only work for a short time and then must be replaced. He added that, in at least one instance, the homeowner is now on his third system. He stated we did not want the homeowner to invest greatly in a property that may not work, even with the new technology system. When questioned about bringing in dirt to fill a wetland area, he commented the request goes through the Army Corps of Engineers and if the request is for a substantial size of property the applicant will be asked to create wetlands to replace those lost.

Mr. Mallon said the new regulation would guarantee that every lot has at least one (1) acre of contiguous area and the contiguous part is very important. He displayed a preliminary plat that would meet the old regulations, but under the proposed regulation, lots would have to be combined and some lots lost.

Mr. Mallon stated that a hypothetical one (1) acre subdivision with a stream along the boundary of the development would probably require that the lots be larger than one (1) acre in order to maintain the one (1) acre out of floodplain or wetlands.

Peter Frisina requested the ordinance read jurisdictional wetlands and impoundments/streams and associated watershed protection areas. He said whether it is an impoundment or a stream there will be watershed protection regulations that apply.

Doug Powell asked if the County would be leaving in the verbiage that would restrict the construction of structures or installation of septic systems.

Mr. Mallon said he thought the listing he had read would be adequate.

The P.C. discussed the merit of leaving the additional information in the regulation as explanation for the regulation.

Mr. Mallon suggested adding language stating that the purpose of the new restrictions is to help ensure each lot has adequate area for the construction of structures and installation of septic systems.

The P.C. stated the members of their board are in agreement with staff on this issue and would let staff work out the exact verbiage and bring the new wording back for review.

Chairman Graw advised Robyn Wilson to advertise the proposed amendments for the December Public Hearing.

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3. Discussion of proposed amendments to the Fayette County Zoning Ordinance regarding Article VII. Conditional Uses, Exceptions, and Modifications, B. Conditional Uses Allowed, 13. Day Care Facility (Nursery School or Kindergarten) as presented by the Planning & Zoning Department.

Peter Frisina stated that a daycare facility was being proposed in Fayette County. Mr. Frisina said the regulations for a daycare center requires the daycare facility to be 150 feet from any A-R or residential zoning district. He commented that property adjacent to this site is zoned residential, but is owned by the County and will not be used for residential development.

Mr. Frisina stated the 150-foot setback requirement, when measured from the County owned property, makes the existing structure on the subject property unusable as a daycare. He said that a remedy would be to reduce the setback along publically owned property; however, this would apply countywide and not just to this property. He commented that he is waiting on information from the person proposing the daycare facility. He added that he didn't want to make a change until he knew for sure that it is needed; therefore, this may be discussed again at a future workshop.

OPEN DISCUSSION:

Peter Frisina discussed the C-S and EST Zoning Districts and suggested that the County make a requirement that a certain portion of the open space in these zoning districts be along the road and possibly even around the whole perimeter of the property.

Bill Beckwith asked what would be planted in this area, if anything.

Mr. Frisina replied that if it was a large area, plantings might not be required, but the County would allow the area, if there was nothing there, to grow up naturally. He said the County could require plantings along the roadway to soften the view. He continued that also with the EST Zoning, the staff would be looking at the lot width requirement, because the lot width is set at 160 feet. He confirmed that when checking the three (3) acre district, the lot width was 175 feet, and staff may be looking into making the lot width in EST 175 feet.

Phil Mallon noted that Fayette County's new Stormwater Ordinance prohibits stormwater management structures on individual lots and they have to be located on commonly owned property.

The P.C. asked if these new requirements would reduce recreational greenspace.

Mr. Frisina replied that the recreational space would simply need to be spread out more. He stated that stormwater facilities have to be on private property. He continued that staff would like to institute a new policy to allow an existing pond to be used for stormwater detention and count as open space. He said, however, if the pond is newly constructed it could not be counted as open space.

Doug Powell asked if the C-S zoning was developed to help accommodate the state's greenspace requirements.

Mr. Frisina stated that this was correct, it was to help meet the goal of twenty percent (20%) greenspace, which the State required at that time, however there is no State requirement for twenty percent (20%) greenspace at this time. He added that the County still needs to work toward more greenspace.

Attorney Bill McNally added it also works toward watershed protection.

Mr. Beckwith asked for an update on the B.O.C.'s ruling on the Sign Ordinance.

Mr. Frisina stated the B.O.C. approved the ordinance with some new amendments staff made to it.

Mr. Frisina advised that he would review the proposed amendments for further discussion at an upcoming Workshop.

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Chairman Graw asked if there was any further business.

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Aaron Wheeler advised that the December Workshop had been rescheduled from Thursday, December 15, 2005 to Monday, December 12, 2005.

Hearing no further comments, Doug Powell made a motion to adjourn the workshop. Al Gilbert seconded the motion. The motion unanimously passed 5-0. The Workshop adjourned at 8:08 P.M.

PLANNING COMMISSION

OF

FAYETTE COUNTY

ATTEST:

JIM GRAW
CHAIRMAN

ROBYN S. WILSON
P.C. SECRETARY