

THE FAYETTE COUNTY PLANNING COMMISSION met on August 4, 2011, at 7:00 P.M. in the Fayette County Administrative Complex, 140 Stonewall Avenue West, Public Meeting Room, First Floor, Fayetteville, Georgia.

MEMBERS PRESENT: Tim Thoms, Chairman
Al Gilbert, Vice-Chairman
Bill Beckwith
Jim Graw
Douglas Powell

MEMBERS ABSENT: None

STAFF PRESENT: Pete Frisina, Director of Community Development
Dennis Dutton, Zoning Administrator
Robyn S. Wilson, P.C. Secretary/Zoning Coordinator
Sgt. Earl Williams

Welcome and Call to Order:

Chairman Thoms called the Public Meeting to order and led the Pledge of Allegiance. Doug Powell gave the Invocation. He introduced the Board Members and Staff and confirmed there was a quorum present.

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1. Consideration of the Planning Commission Public Hearing Minutes dated July 7, 2011.

Chairman Thoms asked the Board Members if they had any comments or changes to the Minutes. Al Gilbert made the motion to approve the Minutes. Jim Graw seconded the motion. The motion unanimously passed 5-0. Members voting in favor of approval were: Chairman Thoms, Al Gilbert, Bill Beckwith, Jim Graw, and Doug Powell.

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2. Consideration of the Planning Commission Public Meeting/Workshop Minutes dated July 21, 2011.

Chairman Thoms asked the Board Members if they had any comments or changes to the Public Meeting/Workshop Minutes. Doug Powell made the motion to approve the Public Meeting/Workshop Minutes. Jim Graw seconded the motion. The motion unanimously passed 5-0. Members voting in favor of approval were: Chairman Thoms, Al Gilbert, Bill Beckwith, Jim Graw, and Doug Powell.

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THE FOLLOWING ITEMS WILL BE CONSIDERED BY THE PLANNING COMMISSION
ON AUGUST 4, 2011, AND BY THE BOARD OF COMMISSIONERS ON AUGUST 25, 2011.

3. Consideration of the proposed amendments to the Fayette County Code of Ordinances, Chapter 20. Zoning Ordinance, Article VI. District Use Requirements, Sec. 6-25. Planned Unit Development, F. Planned Retreat or Lodge and Article V. General Provisions, Sec. 5-8 Street Frontage for Access.

Pete Frisina advised the proposed amendments had been revised as discussed at the previous Workshop. He pointed out telecommunication antennas and towers had been added as a use. He presented the proposed amendments as follows:

07/07/11 – PC Wkshop
07/14/11 – BOC Discussion
07/21/11 – PC Wkshop
08/04/11 – PC Public Hearing

**PROPOSED AMENDMENTS TO THE FAYETTE COUNTY
CODE OF ORDINANCES, CHAPTER 20. ZONING ORDINANCE**

- 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 a group or organizations for the purpose of association, education, or instruction through conferences, seminars, and/or camps. ~~whereby~~ 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; and
 - e. Caretaker and/or staff housing.

In addition, only those uses (Permitted and Conditional) allowed in the A-R Zoning District, including Telecommunications Antennas and Towers as regulated under Article V., shall may be proposed for a PRL. Only those uses approved through the rezoning process procedure will be allowed in the PRL.
 3. *Conditional Uses.* ~~The following Conditional Uses shall be allowed in the PUD-PRL Zoning District provided that all conditions specified in Article VII. Conditional~~

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~~Uses, Nonconformances, Transportation Corridor Overlay Zone, and Commercial Development Standards are met:~~

- ~~a. Home Occupation; and~~
- ~~b. Telephone, Electric or Gas Sub Station or other Public Utility Facilities.~~
- 3. *Minimum Dimensional and Other Requirements.* The minimum requirements for a PRL shall be as follows:
 - a. *Location:* A-R Zoning District
 - b. *Development size:* 50 contiguous acres
 - c. *Maximum density:* One (1) single-family unit for each 10 net acres of the development.
 - d. *The proposed site shall be permitted only on a lot which fronts on and accesses a Major Thoroughfare, as specified by the Fayette County Thoroughfare Plan.*
 - e. *A Site Plan will be required prior to the construction of structures and/or recreational facilities, as applicable, per the Development Regulations (see County Code.)*
 - f. Each structure whose principal purpose is to provide housing lodging shall have paved access to a public street maintained by the County. Said paved access shall meet the requirements of the Development Regulations (see County Code.) have a minimum width of 60 feet.
 - g. No structure shall be permitted within 150 feet of the right-of-way (existing or required) of any existing street abutting or bisecting the development maintained by the County.
 - h. A minimum buffer zone of 150 75 feet shall be provided around the periphery of the development. To provide sufficient separation from proposed uses to alleviate any adverse effect on the use or usability of abutting or nearby properties, said buffer may be increased through the rezoning procedure by the Board of Commissioners as a condition of approval and shall be indicated on the Development Plan. Any vehicular or multi-use path access proposed within the buffer shall be approved through the rezoning procedure and indicated on the Development Plan; conditions of approval may be incorporated by the Board of Commissioners.
 - i. *Height limit:* 35 feet

ARTICLE V. GENERAL PROVISIONS

Sec. 5-8. Street Frontage for Access.

- A. For access purposes, all residential or non-residential lots shall have frontage on a street and/or a cul-de-sac that is either:
 - 1. A public street; or

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2. A private street built to County standards and deeded to the property owners' association and/or the homeowners' association through a recorded warranty deed which the owner of any lot within the subdivision is required to join.

While the proposed amendments are a public hearing item, there was no public present.

Doug Powell made the motion to approve the proposed amendments. Al Gilbert seconded the motion. The motion for approval unanimously passed 5-0. Members voting in favor were: Chairman Thoms, Al Gilbert, Bill Beckwith, Jim Graw, and Doug Powell.

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**THE FOLLOWING ITEMS WILL BE CONSIDERED BY THE PLANNING COMMISSION
ON AUGUST 4, 2011.**

4. Discussion/Consideration of the Planning Commission Rules of Procedure.

Pete Frisina advised he had made the changes as requested at the previous Workshop. He informed the PC the Rules of Procedure could be adopted tonight as they were not a public hearing item and they would become effective upon adoption by the PC. He presented the Rules of Procedure as follows:

07/21/11 – PC Wkshop
08/04/11 – PC Public Hearing

Fayette County Planning Commission Rules of Procedure

Sec. 1. - Call to Order

If, at the time of a meeting, the chairman, or vice-chairman who has the authority to act in the chairman's absence, determines that all Planning Commission members have been notified or an attempt has been made to notify all members and that a quorum of the members is present, he shall have the authority to call the meeting to order. A quorum is required for the commission to take official action and shall consist of at least three (3) of the five (5) members of the commission. The call to order shall not require any preceding action but may be issued solely by the authority of the chairman. Prior to the public hearings, the chairman shall cause the public hearing procedures to be read. In the absence of both the chairman and vice-chairman, the members present shall determine if a quorum is present and shall call for the election of a temporary chairman to preside over the meeting.

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Sec. 2. – Conduct of Public Hearings for Amendments to the Official Zoning Map (rezoning), Amendments to the Zoning Ordinance Text, and Revision to a Preliminary Plat

The chairman shall cause the petition to be read prior to the public hearing. Once the petition is read the chairman shall call for the petitioner or the petitioner's representative to make their presentation at the podium. A cumulative total of 15 minutes will be granted for the presentation ~~by the Petitioner, those speaking in favor of the petition,~~ and for the rebuttal by the petitioner or the petitioner's representative. At the conclusion of the presentation, the chairman shall ask for public input at the podium, first from anyone who wishes to speak in favor of the petition and second from anyone who wishes to speak in opposition of the petition. Those in favor will be granted a cumulative total of 15 minutes; however, no person shall speak longer than three (3) minutes to allow others an opportunity to speak and, in turn, ~~Those in opposition will be granted a cumulative total of 15 minutes; however, no person shall speak longer than three (3) minutes to allow others an opportunity to speak.~~ If a group wishes to speak, a spokesperson should represent the group. The petitioner shall have an opportunity to rebut those issues raised by those in opposition to the petition. The timer located on the podium will reflect the time remaining. After the aforementioned groups have spoken, the commission will close the floor to further public comment on the petition. No comments or questions can be raised by the petitioner, their representative, or members of the audience unless recognized by a commissioner. The commission may ask questions or make comments prior to or after a motion is made and seconded.

Sec. 3. – Conduct of Public Hearings for Amendments to the Comprehensive Plan

The chairman shall cause the petition to be read prior to the public hearing. At the conclusion of the presentation, the chairman shall ask for public input at the podium, first from anyone who wishes to speak in favor of the amendment and second from anyone who wishes to speak in opposition of the amendment. Those in opposition will be granted a cumulative total of 15 minutes; however, no person shall speak longer than three (3) minutes to allow others an opportunity to speak. If a group wishes to speak, a spokesperson should represent the group. The timer located on the podium will reflect the time remaining. After the aforementioned groups have spoken, the commission will close the floor to further public comment on the amendment. No comments or questions can be raised by the members of the audience unless recognized by a commissioner. The commission may ask questions or make comments prior to or after a motion is made and seconded.

Sec. 4. - Motions—General Requirement.

The Planning Commission can take action only when a motion to take such action is made and passed by the commission.

Sec. 5. - Procedure.

- (a) Before a motion an item can be discussed or voted upon by the Planning Commission, it must be presented to the commission by a member of the commission in the form of a motion. ~~The presentation is made by merely stating the motion.~~
- (b) Immediately after the motion is presented to the commission, the chairman shall ask for a member to second the motion. If the motion is not seconded, it shall fail for lack of a second.
- (c) If the motion is seconded, the chairman shall immediately ask for discussion of the motion. Discussion of the motion shall be limited to the commission and shall relate solely to the motion on hand; however, any member may question the petitioner, their representative, a member of the audience, or staff.
- (d) Upon the conclusion of discussion, the chairman shall restate the motion and call the question.

Sec. 6. - Amendment.

- (a) An amendment may be suggested by any member of the commission. The amendment shall be suggested only during the discussion of the original motion.
- (b) A motion can be amended only with the consent of the member making the motion. If the member who seconded the original motion disagrees with the amendment, he shall be allowed to withdraw his second. When a second is withdrawn, the chairman shall immediately request a new second.
- (c) After a motion is amended, the chairman shall call for discussion and proceed with the consideration of the motion in the manner provided above in Sec. 5. (c).

Sec. 7. - Withdrawal.

- ~~(a)~~ Any motion may be withdrawn at the discretion of the member making the motion.
- ~~(b)~~ ~~Motions may be withdrawn at any time prior to the calling of the question by the chairman.~~

Sec. 8. - Reconsideration.

- (a) A motion, which has been passed, defeated, or which fails for lack of a second, may be reconsidered by the commission during the same meeting provided the commission passes a motion for reconsideration. Otherwise, the original motion may not be presented to the commission again during the same meeting.

- (b) ~~A motion for reconsideration can only be made by a member who voted against the original motion, if defeated, or in favor of the original motion, if passed. Otherwise, Any member,~~ *other than the member who made the original motion,* may make a motion for reconsideration.

Sec. 9. - Vote.

- (a) A member in favor of a motion shall say "aye" while holding up his/her right hand.
- (b) A member against a motion shall say "nay" while holding up his/her right hand.
- (c) A member present but refusing to vote shall be recorded as abstaining.
- (d) All votes shall be by simple majority.
- (e) Three (3) affirmative votes in favor of the motion are needed to pass a motion. A motion for the approval or denial of a petition or appeal which fails to receive three (3) affirmative votes shall be considered a denial.
- (f) A[n] unanimous passing vote shall mean a vote in which all members of the commission present vote in favor of the motion.

Sec. 10. - Special Motions—Call the Question.

- (a) During the discussion of any motion, any member may move to call the question in order to end discussion and have the vote on the pending motion.
- (b) When a member has moved to call the question, discussion of the original motion shall cease and the chairman shall immediately restate the motion and then proceed with a vote on whether to call the question. A second of a motion to call the question shall not be necessary.
- (c) If the vote is in favor of the motion to call the question, the chairman shall immediately call the question on the original motion.
- (d) If the vote is against the motion to call the question, discussion of the original motion shall continue.

Sec. 11. - Point of Order.

- (a) Whenever a member has a question as to the procedure being followed by the chairman, he may raise a point of order. A point of order requires no second.
- (b) Upon the raising of a point of order, the chairman shall stop the meeting and the member shall state his question. The meeting shall continue after a determination of the question has been rendered by the chairman.

Sec. 12. - Out of Order.

- (a) The chairman shall have the authority to cite any individual out of order when that individual, in the opinion of the chairman, violates these rules of procedure.
- (b) No other action shall be required in citing an individual out of order.
- (c) When an individual has been cited as out of order, the chairman shall state the reasons therefore and shall give the individual directions regarding compliance with these rules.

Sec. 13. - Adjournment.

- (a) Adjournment of the meeting must be by motion.
- (b) A motion to adjourn does not require a second.
- (c) When a motion to adjourn is passed, the commission may no longer act until another meeting is called to order.

Doug Powell made the motion to approve the Rules of Procedure. Jim Graw seconded the motion. The motion unanimously passed 5-0. Members voting in favor were: Chairman Thoms, Al Gilbert, Bill Beckwith, Jim Graw, and Doug Powell.

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Chairman Thoms asked if there was any further business.

Pete Frisina advised the PC he would not be present at the Public Meeting/Workshop scheduled for Thursday, August 18, 2011. He added the Pre-Recommendation Meeting to discuss a rezoning for a PUD-PRL may be held on September 1, 2011.

Dennis Dutton advised the first alternative tower, a 100 foot slick stick for the use of the pipeline company only, may be discussed at the August Public Meeting/Workshop.

Robyn Wilson advised she did not receive any public hearing applications for the September Public Hearing; however, she would keep the PC informed if there would be an August Public Meeting/Workshop held.

There being no further business, Doug Powell made the motion to adjourn the Public Hearing. The motion for adjournment unanimously passed 5-0. Members voting in favor of adjournment were: Chairman Thoms, Al Gilbert, Bill Beckwith, Jim Graw, and Doug Powell. The Public Hearing adjourned at 7:10 P.M.

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PLANNING COMMISSION

OF
FAYETTE COUNTY

ATTEST:

TIM THOMS
CHAIRMAN

ROBYN S. WILSON
SECRETARY