

THE FAYETTE COUNTY PLANNING COMMISSION met on March 19, 2020 at 7:00 P.M. in the Fayette County Administrative Complex, 140 Stonewall Avenue West, Fayetteville, Georgia.

MEMBERS PRESENT: John H. Culbreth, Chairman
Danny England, Vice-Chairman
Arnold Martin

MEMBERS ABSENT: Al Gilbert
Brian Haren

STAFF PRESENT: Pete A. Frisina, Director of Community Services
Chanelle Blaine, Zoning Administrator
Howard Johnson, Planning and Zoning Coordinator

Welcome and Call to Order:

Chairman Culbreth called the Planning Commission Meeting to order.

1. Consideration of Minutes of the Planning Commission meeting held on February 20, 2020.

Arnold Martin made a motion to approve the minutes of the meeting held February 20, 2020. Danny England seconded the motion. The motion passed 3-0. Al Gilbert and Brian Haren were absent.

2. Consideration of Minutes of the Planning Commission meeting held on March 5, 2020.

Arnold Martin made a motion to approve the minutes of the meeting held March 5, 2020. Danny England seconded the motion. The motion passed 3-0. Al Gilbert and Brian Haren were absent.

NEW BUSINESS

3. Consideration of a Minor Subdivision Plat of Ballard Place. The property will consist of two (2) lots zoned A-R, is located in Land Lot 183 of the 4th District and fronts on Fletcher Ford Road.

Chanelle Blaine stated that the owner could not be here today. She added basically it is an A-R lot, they are wanting to subdivide and create another lot. She noted it meets all County requirements and everybody has signed off on it.

Chairman Culbreth asked are there any questions from the members of the Commissioners.

Arnold Martin replied that it seems pretty straight forward to me.

Chairman Culbreth asked if there was a motion.

Danny England made a motion to approve the Minor Subdivision Plat of Ballard Place. Arnold Martin seconded the motion. The motion passed 3-0. Al Gilbert and Brian Haren were absent.

OLD BUSINESS

4. Discussion of the Zoning Ordinance and Subdivision Regulations.

Pete Frisina began by saying now we move onto the Zoning Ordinance starting with Section 110-60. He added this is the companion language that we are putting into the Zoning Ordinance that we had at beginning of the subdivision regs that talks about the hierarchy of ordinances. He explained this is basically saying that once you got into the subdivision portion of development that when you are under the subdivision regs and development regs then those items will control over the zoning.

Pete Frisina said that on Page 2 under paragraph (e), the 2nd paragraph that should be all in red. He added that was a paragraph that we added back in 2018, for some reason the ordinance did not contain it when the Board signed it. He explained it was corrected and re-signed and for some reason Municode has not picked it up even though it has been sent in two (2) or three (3) times, so I am going to make an amendment that it go back in. He noted that we have been using it as it has been there. He concluded I don't see any reason to go through every little thing. If you see something or want to make a change or want to give me information, please do so.

Chairman Culbreth asked when do you plan to take this to the Board of Commissioners.

Pete Frisina replied I was told in a meeting on Monday trying to scope out what we doing and I mentioned to the County administrator, that I have amendments I want to put through in April. So I have to advertise for the Planning Commission on April 2nd and for the Board on April 21st. He said since the meeting was on a Tuesday, he told me to go ahead and advertise. He noted if we can make it happen, we will make it happen.

Arnold Martin asked what about the public not being able to attend, based on the new normalcy.

Pete Frisina replied they can attend. He said I can tell you right now, I know there is one person that will want to be at the meeting to say that she is in favor of the amendment that helps her. He added there is possibly a 2nd person that will say I am in favor of an amendment that helps me, so I anticipate only two (2) people being there. He said I have

thought about this and if we really have an issue, you guys can sit at the podium and people can stand in the doorway via a wireless microphone if anyone wants to speak.

Chairman Culbreth replied they can also send a note.

Pete Frisina stated that on Section 110-128, R-85 there was a mistake in the Ordinance that the side yard setback was set at 50 feet, I am making a recommendation that it go to 30. He added so I talked to the County Clerk and she said that she already had it changed to 25 feet. He explained in our Zoning Ordinance you have R-85 and then the one below it is R-80, now R-80 has a 30 foot side yard, so should the R-85 be at least 30 feet, if the one below it is more.

Danny England asked what the other differences are.

Pete Frisina said I think the only other difference is that under R-80, you have a front yard setback of 75 feet on a major road and 50 feet on a minor, 50 foot rear and a 30 foot side. He explained in R-85 you have a 100, 75 or 50 foot setback on the front and 25 on the side and a 50 on the rear but the minimum house is bigger. He added we are also changing that lot width from 125 to 175. He concluded so you do so I think we should make that 30.

Danny England replied I think so.

Peter Frisina stated now looking under the C-H section, number six (6), I noticed that when I looked back in the Ordinance, it says that all service repairs and diagnostics shall be conducted within an enclosed building. He explained but if you go back to under the Conditional Uses, but if you have a convenience store, you can have an emissions test location not in a building. He added so I am going to put here something to the effect either saying except as otherwise provided herein and put emissions or something so there is not a conflict or at least it is acknowledged.

Pete Frisina stated if you look at 110-149, this something that we discussed but I know don't if I ever made these changes for you to see. He said we have a zoning district called the Planned Entertainment Farming, another rural preservation district that we drew up many years ago. He noted one person actually did it, didn't like it and went back to A-R. He explained one of their complaints at that time was that the minimum 100 acre requirement was too high. He said the verbiage about an active farm is not even used anymore, which was taken from the old Census of Agriculture, so I taken all of that out. He also noted the other thing was they could have a restaurant but they complained that without being able to serve alcohol it wasn't viable for them. He farther explained now I don't like the Zoning Ordinance dictating where alcohol can be, we have an alcohol ordinance. He noted a sit-down restaurant will allow the service of alcohol but the ordinance says it has to be served when you are sitting at a table, it's not a bar setting or anything like that.

Pete Frisina stated this zoning category requires 50 acres first, so it a 50-acre PUD. He

explained the whole idea is you are creating another entertainment category but at a much larger scale. He further explained this was patterned after the Thames Farms out on McDonough Road where they were still moving in this direction to some degree under the in A-R, under the event thing. He added at that time, they were doing a lot of tours, they had bus load of schools kids coming out there, that's how they were making their money. He came to us and said we want to be some kind of entertainment kind of venue. He explained so we put this together with them in mind and that they were going to have all of these things: greenhouses, shrubbery sales, a farmers market, pick your own produce, horse stables and hours back riding, petting zoo, picnic area and fishing. He concluded but again, they said if we had a restaurant, bakery and/ or catering, we would be able to sell alcohol. I am saying lets the alcohol ordinance deal with it.

Arnold Martin stated I never read the alcohol ordinance is there no overlap.

Pete Frisina replied with this the Zoning Ordinance said you could do not it, period. He explained that's why I say let's take it out. He added I think the setbacks need to be reduced, they are too great. He said I think the parking should be established through the zoning process under the standards of the letter of intent because whether or not you need paved or gravel in a situation like this, we need to make a determination at that time. He added all parking and service area shall be in the rear of restaurant, I think we should just work with site, since it a PUD. He concluded because if it supposed to be a farm, why not make it look like one, in my opinion. He added this is what I am putting through, if you guys have any issues, just let me know.

Arnold Martin asked is this the first time that something like this has been requested.

Pete Frisina replied again, I had discussions with them after the fact, they got out of that business a long time ago.

Arnold Martin replied my kids went there about 18 years ago.

Pete Frisina responded but hey never fully utilized this stuff, they decided it was too much hassle, so they went back to A-R, but those are the two (2) thing they spoke about. He added they had a banquet facility and a wedding.

Chanelle Blaine said and they wanted to be able to have alcohol.

Pete Frisina said they thought the 100 acres was too much. He added well, maybe 50 acres is too much, I don't know.

Pete Frisina asked do you think if 50 is too great.

Danny England replied well, 50 is a lot of land.

Arnold Martin replied that is a lot, my thought is based on everything that is moving in

here, all of the different venues that want to want to do things, 25 acres is still a very a very large parcel. He added personally, I would be okay with 25, that's a lot of land.

Chairman Culbreath replied I agree.

Danny England replied remember you can only do as much as the site will allow. He explained if you have 25 and I have 50, you might be able to get more out of your 25 acres if it carefully planned. He added so we need to set some kind of minimum, so that we don't have someone trying to build a ferris wheel on five acres.

Pete Frisina responded if you have 25 acres, that still is a fairly good amount. He added I f someone came in and said all I am doing is a restaurant, we would say what is the Planned Entertainment Farming aspect, you got to have more than just that. He said the other thing is the setbacks are too great. He explained that the 75 and the 50 are A-R setbacks, the 100 is along an arterial street in A-R, and they are very similar. He further explained those are A-R setbacks, are we comfortable with living with those for the Planned Entertainment Farming. He concluded I guess the other thing to think about is to probably add some language that says you have to have x number of these things.

Arnold Martin asked if someone didn't have the things, what would be the advantage of them wanting this designation.

Pete Frisina replied to get the restaurant.

Danny England replied farm to table.

Pete Frisina replied I will give this one more thought, this one is not pressing, if you feel that you want to keep working on it, we can always pull it.

Arnold Martin stated that was my only question on it, just to have an understanding.

Pete Frisina replied well you get the gift shop and the restaurant, most of these other things are all A-R uses. He added now the question is farmers' markets, but it only for crops grown on the premises.

Danny England replied I saw that, but it that really that important.

Pete Frisina replied it was at the time. He said I tell you what, why don't we work on this a little more and pull it and let's give that some thought. He added to me, people want to have farmers markets, if people are growing in the area.

Chanelle Blaine replied they do want to come just like the lady with the sprouts that she grows out of her garage.

Pete Frisina relied let's just pull this one.

Pete Frisina stated that under the M-1, the only thing that I was adding in that section is both of our concrete plants are in M-1, but they have never been listed so I put those under light manufacturing and I added gravel and/or mulch production and/or distribution, because we are dealing with someone that wants to do that with the old plants. He noted that I also added self-storage facility under conditional use. He added as you remember, we created that category for the internal storage facility which we did for the Highway 54 West Overlay. He then explained the internal thing was not put in for the other districts. M-1 and C-H allows for the external type of mini-warehouse, so I took that same concept and put it into both M-1 and C-H and designated them both self-storage (external access) and self-storage (internal access) using the same requirements for this one, so that puts it into three (3) different categories. He concluded the only place you can to that in O-I is on Highway 54 West.

Pete Frisina stated under Section 110-169, I added this sentence to the paragraph under the A-R weeding / event facility. *A business office and/or structure for event preparation and sanitation shall be allowed in conjunction with the A-R wedding and event facility.* He explained that when I say business office, I envision a stand-alone building but if they want to use a part of their home, I think that will be fine. He added so I think the one (1) that we dealt with Daisy Hill out on Highway 54, what they really wanted to do and why it was prudent for them to go to O-I which (1) they could and (2) they could get actually get a pouring license was they didn't want to use the house as residential at all.

Pete Frisina said so the question is, if someone now came and bought an A-R piece of property, and they didn't really want to actually live there and they want to use the house for a business office or they wanted to live there and use it, I think either one (1) would be fine. He explained it is just that anything that is used as the business portion of it, would have to meet any kind of fire and building codes. He said for example, if they were living in a portion of it and part of it was where somebody got dressed for an event, and that would have to meet those standards.

Pete Frisina stated that under Section 110-169, in the section about farm outbuildings we made up a new category. He explained if you are A-R and you have less than five (5) acres we are going to allow you to have a smaller AG building. He added we are going to allow in both the accessory structure and the farm outbuilding, between the two, still allow one (1) guesthouse. He concluded you can't use both, you still get one (1).

Arnold Martin asked will it be the same square footage.

Pete Frisina replied yes, everything still is 700 square feet.

Pete Frisina stated the thing I added for all self-storage facilities since we have two (2) facilities in the County that already have them is they can have one (1) on-site single-family dwelling unit within the storage facility, whether it is stand-alone or whether is part of the office, I don't care, given the fact that two (2) already have it.

Pete Frisina then I think we talked about the mailboxes, (CBUs) that is a new thing we are doing.

Pete Frisina referred to Section 110-170 Non-Conformances, Page 3, under paragraph (1). He said I am going to take out *county-initiated* because that is not always the case. He explained now when someone comes in for rezoning that has some kind of non-conforming structure on it there are certain aspects in the ordinance which allows you have that, under O-I for instance some of the overlays say if you have an existing structure it can stay. He said in others we make people get variance when it get rezoned, if there is not a provision for something to stay. He added there was a policy many years ago, we let people rezone and we didn't care if something was conforming on it, we just said it was already there, not an issue. He concluded so anyway I think I am going to take *county-initiated* out of there and leave it as rezoning.

Peter Frisina stated under the conservation portion of the C-S zoning district, it says you have to a conservation easement for a C-S zoning district. He added EST is the companion district and it says a conversation easement or a deed restriction. He said I don't think a deed restriction is appropriate, so I am taking deed restriction out, it will be conservation easement only.

Pete Frisina stated I didn't go through everything, because you have seen it all a hundred times. He added I want to let you know the changes that I have made or looked at. I am going to pull the Planned Entertainment Farm out and I am going to work on that later. He explained I am going to advertise and hopefully we will be able to have a meeting on April 2nd, unless something changes, and then it will go to the Board on the April 21st. He concluded my understanding is the Board intends on meeting on the 21st because there are a lot of things that have to done and they cancelled maybe two (2) meetings.

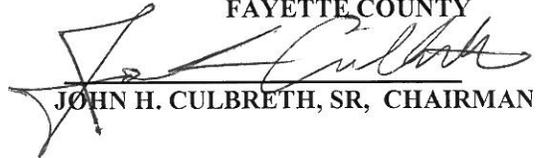
The Planning Commission took no official action on this item and will continue the discussion at a future meeting.

Chairman Culbreth asked for a motion to adjourn.

Arnold Martin made a motion to adjourn. Danny England seconded. The motion passed 3-0. Al Gilbert and Brian Haren were absent.

The meeting adjourned at 7:50 pm.

PLANNING COMMISSION
OF
FAYETTE COUNTY



JOHN H. CULBRETH, SR, CHAIRMAN

ATTEST



HOWARD L. JOHNSON
PLANNING COMMISSION SECRETARY