

HARRIS COUNTY BOARD OF COMMISSIONERS
WORK SESSION
February 6, 2018
5:00 PM

Board Members Present: J. Harry Lange, Susan Andrews, Martha Chewning, Becky Langston, Jim Woods. Staff Present: Randy Dowling, County Manager; Nancy D. McMichael, County Clerk.

Planning Commission Members Present: John Britt, John Brent, Chance Carlisle, Chad Kimbrough, Chris Lintner, Ken Napier, Matthew Newberry.

Also in attendance: Brian Williams, Community Development Director.

CALL TO ORDER

Chairman Lange called the meeting to order and said the purpose was to have discussion with the Planning Commission regarding the proposed PRD Ordinance. He recognized the two new members of the Planning Commission, Ken Napier and Matthew Newberry. He also said that while the Zoning Ordinance needs updating, decisions are needed as to the manner in which it will be done and by whom. He said the County has not had an official planner on staff for several years and there may be things that should be done that we are not aware of; that there are services available (the Georgia Planning Association) that may be able to give recommendations and if someone is hired, it could be fairly expensive; that the River Valley Regional Commission (RVRC) does have a planner on their staff, who may be of some assistance; that there may be resources available to help us move the process along, but he doesn't think we need someone from outside the County to come in and tell us what to do, but do need someone to help us put things in the proper framework in the direction the County wants to take. Chairman Lange said that this was a work session for the Planning Commission and Board of Commissioners with no input from others in attendance unless called upon.

DISCUSSION

Discussion included the need for a definition of "quality of life", which is hard to define but you know it when you see it; that this draft ordinance would be made part of the current Zoning Ordinance (Article IV. Zoning District Objectives, Uses & Regulations, Section 3 - Zoning District Regulations, item 3.15 PUD Planned Unit Developments, A); that the draft PRD would focus on high density developments in areas that have the infrastructure (public water and sewer) to support it, which would be around the southern part of the County, Hamilton, Pine Mountain and West Point; that it includes multiple residential type uses, community recreation areas that could be active or passive for which the development plan would show are available for the residents in the development or the public at large, at least 8% of either C-1 or C-3 commercial uses, minimum 1/4 acre lot sizes with curb and gutter, various amenities (park squares, open areas, gazebo, parks, playgrounds, agricultural uses, walking trails, greenways), and common area ownership and maintenance.

In response to a question from Commissioner Andrews, Mr. Britt said that the 8% commercial was arrived at by using a development outside of Hamilton and digitizing the development, which has lots that are larger than 1/4 acre lots; that the area dedicated to greenspace is determined by the size of the lots; that lots of 2 acres or larger require 20% greenspace; that lots 1 to 2 acres require 25% greenspace; that greenspace is something that is open and can be used by residents. In response to a question about a walkable community, Mr. Britt said there was discussion regarding sidewalks, and Commissioner Andrews said that having sidewalks makes a real neighborhood and that perhaps sidewalks could be considered an amenity.

In response to a question from Commissioner Chewning regarding the road right of way being 55 feet rather than the 60 feet that is normally required, Mr. Britt said that in trying to bring residential into smaller areas with curb and gutters, it may not be necessary to have such wide rights of way, but the paved surface width will be what is currently required.

Regarding "adequate parking", Commissioner Chewning said that a definition is needed.

Regarding making sure the commercial part is developed, Commissioner Chewning suggested that once a certain percentage of the residential lots have been sold, additional permits will not be issued until the commercial is in place, to which Mr. Britt agreed.

Regarding the three open space amenities referred to in line 47, Commissioner Chewning suggested a reference to the listing of the types of amenities be included.

Regarding ownership and maintenance of open space, Commissioner Andrews asked for clarification. Mr. Britt said that could mean an open space owned by the developer or the Homeowners Association (HOA) like a small vegetable farm where a commodity is produced. Commissioner Andrews said that the use of the word “only” is misleading. Discussion included that if someone wanted to have an organic farm, or even a larger area to produce a commodity, the individual could do it; that livestock has been discussed; and that chickens should be considered since there is a difference in having three chickens rather than three cows, but that roosters should not be permitted.

Chairman Lange asked about line 14 regarding access to public water and sewer, and discussion resulted in that all lots, regardless of size, will have public water and public sewer and to delete “access to” from line 14.

Chairman Lange indicated he was concerned about apartments and condominiums and the reduced taxes resulting from same, which creates a financial burden, and it was pointed out that the proposed ordinance does not permit apartments or condominiums.

Regarding curb and gutters, Chairman Lange said lines #21-22 and #24-25 seem to conflict, and Mr. Britt said that the requirement is in residential areas, but not in the amenity areas, and that clarification may be needed.

Discussion included that 8% C1 or C3 (commercial) is a minimum requirement; that regarding greenspace, one definition includes it must be unbuildable; that unbuildable can include lakes and ponds, but will docks be permitted and what is the buffer from the shoreline; that requiring greenspace and parks will help the County in that such areas could be used for youth sports practice (assuming the area is open to the general public); that of three open space amenities required without duplication, two must be on land suitable for residential or commercial development; that amenities are defined with a minimum size; that the only amenity not defined in size is greenway, other than it must be a minimum of 75 feet wide.

Discussion regarding common ownership by the HOA (lines 125-131) included that many HOAs do not continue to function so there should be a mechanism to make certain the ownership continues or if the County has to correct something, it should be able to charge whatever the cost of the maintenance or correction plus 50% administrative fee to the individual property owners, possibly by adding to the tax bill; and that the correction or maintenance of the area should not be on the County and it should be made clear.

Regarding HOA maintenance and ownership, Commissioner Langston said she has concerns; that her HOA just pays for street lights but does not maintain the entrance (since she does that); and that many HOAs are defunct and there needs to be a way to ensure that such areas are maintained. Mr. Britt said that there was a lot of discussion regarding such ownership, but he is unsure of how to do what has been suggested. Chairman Lange said that it could probably be worked out, but doesn't want to see it being a burden on the County.

Regarding dams, Chairman Lange said that something should be included to not allow the construction of roads over a dam of any waterway, pond, lake, etc., to which Mr. Britt responded that issue should be addressed outside of this particular ordinance. Mr. Williams commented that regarding bodies of water or shorelines, which would be state waters, there is a minimum buffer requirement of 25 feet.

Commissioner Woods said that he has looked at Troup County's PUD; that one issue is staging construction time tables to specify construction of all recreation facilities and amenities to be done in correlation with the development to the extent that if such are not done at the appropriate time, no further permits would be granted; and that they also require a minimum of two access points to the property. He also said that multiple access points should be required for commercial areas since those should be from a major road and not from within the development. Mr. Britt said that the Planning Commission can require two access points for developments through the Subdivision Regulations.

Regarding commercial property being accessible by pedestrian traffic, Commission Chewing asked for clarification, to which Mr. Britt said that it is to give people a way to walk from their property to the commercial area by means of a greenway or another amenity rather than the street.

Chairman Lange said that this proposed ordinance would fit in the current ordinance (Article IV. Zoning District Objectives, Uses & Regulations, Section 3 - Zoning District Regulations, item 3.15 PUD Planned Unit Developments, A), and asked if the remaining sections (D, E, F

and G) of the current ordinance would apply to this proposed document, to which Mr. Williams replied that they would. Mr. Williams said that current PRD requirements are vague and can be abused.

Discussion included that while neither the Planning Commission nor the Board has the expertise to write the ordinance, they should be able to communicate what the County is looking for to the right person, who may be with the RVRC or recommended by the Georgia Planning Association. Mr. Williams commented that he has spent over six months with Patti Cullen, of the RVRC, and the Mayor of Pine Mountain rewriting Pine Mountain's zoning ordinance. He also said that once written, the ordinance would still need to be reviewed by the County Attorney; that the proposed document shouldn't take much rewrite as it appears to be in good shape; that it should be appealing to developers and the county; and that once such development takes place, it would more than likely be annexed into the city from which the sewer is provided and it wouldn't be a County issue because the development would follow the city's requirements.

Discussion also included that two-acre lots are not sustainable, not the right path to go, and needs to be changed; that there are environmental health issues that may affect lot sizes; and that it may be beneficial for the cities and county to get together for shared common goals for such an ordinance.

Discussion included that a PRD of 100 acres with 1/4 acre lots, 35% greenspace, 65% homes, 8% commercial, and necessary roads would result in about 200 homes; that the impact on water, schools and fire departments would not be great unless there are multiple developments at the same time; that the County issued 196 permits last year and 25 in January; that home building is picking up and the County has to be ready; that this proposed ordinance will be helpful to developers; and that due to federal regulations, new developments, over a certain number of homes, have to have a designated area for mail delivery rather than individual mail boxes.

Regarding parking, discussion included that with smaller lots and families with multiple vehicles, how to handle the parking on the streets or other concentrated areas needs to be addressed; that communities shouldn't be parking lots with houses, but houses with parking lots; and that emergency vehicle access will be necessary and on-street parking could cause problems.

Commissioner Langston suggested that the BOC further discuss this ordinance proposal during its upcoming Planning Retreat, scheduled for February 23. She asked Mr. Britt for a nut shell description of what the Planning Commission would like to see in a PRD, to which Mr. Britt said high quality subdivisions in the right area that includes nice houses, a good place to live, good place for kids to recreate and spend time together, and a place to walk to work (a live-work-play area). Discussion includes that protecting the rural integrity of the County is most important, not stopping growth or people, but concentrating on keeping the areas looking rural by not having multiple driveways, but a main entrance; and that current County residents want to maintain the rural atmosphere as much as possible.

In closing, consensus was for the Board to discuss the PRD proposal during its Planning Retreat (on February 23), to share their comments with the Planning Commission and determine what direction to take (whether it should be farmed out and how); that someone, somewhere probably has such an ordinance in place that could be obtained; that after the Board relays its comments to the Planning Commission, perhaps a conversation with developers/builders could be had to get their input, although they could submit such input in the interim; and that if developers/builders want a copy of the proposed ordinance they should email Nancy McMichael, County Clerk, who can provide a copy of same.

ADJOURNMENT