

**Planning Commission Recommendations for the I-85 Overlay
District
March 9, 2009**

- **Clarify that pre-cast and pre-engineered exterior materials are allowed for buildings constructed in areas subject to standards in Appendix A-**

Proposal- Change A. in Section 1 (Building Standards) in Appendix A

Existing:

- A. Exterior building materials visible from the traffic lanes shall not consist of unadorned concrete masonry units, corrugated metal, and / or sheet metal.

Suggested:

- A. Exterior building materials visible from the traffic lanes shall not consist of unadorned concrete masonry units (concrete blocks), corrugated metal, and / or sheet metal. Pre-cast concrete panels and pre-engineered metal wall units, and 'split-faced' and other rusticated masonry walls are permitted.**

- **Relax requirement to screen mechanical units in Appendix A-**

Proposal- Change H. in Section 1 (Building Standards) in Appendix A

Existing:

Section 1. Building Standards

- A. Roof mounted mechanical equipment shall be enclosed or screened to ensure such features are not visible. Enclosures and Screens shall be compatible with the architectural style of the building.

Suggested:

- A. Roof mounted mechanical equipment shall be enclosed or screened to ensure such features are not visible to the extent possible. Enclosures and Screens shall be compatible with the architectural style of the building.**

- **Clarify that Appendix A only applies to projects within the Carolina Gateway Sub-district of the Employment Opportunity Overlay:**

Proposal- Change 3. in Section 9.5 (General Provisions)

Existing:

Section 9.5 Other Requirements- In addition to Zoning District Regulations see the following Sections for other requirements:

- (1) See Article 5 for Conditional Uses
- (2) See Article 7 for Special Exceptions
- (3) See Appendix A for specifications on Landscaping, Buffering, Parking, Lighting, and Signage

Suggested:

Section 9.5 Other Requirements- In addition to Zoning District Regulations see the following Sections for other requirements:

- (4) See Article 5 for Conditional Uses
- (5) See Article 7 for Special Exceptions
- (6) See Appendix A for specifications on Landscaping, Buffering, Parking, Lighting, and Signage. Standards contained in Appendix A shall apply only to those zoning districts or overlay districts specified in Section 10 Zoning Districts, and Section 11 Overlay Districts, and may include part or the entire appendix, as appropriate- in no instance shall standards contained in Appendix A apply to any zoning district or overlay district unless so specified.

- **Insure that the citizen-initiated Planning District Rezoning Method requires at least 51% of returned responses to proceed with process-**

Proposal- Amend Section 8.5 Method 1 to require survey of property owners as part of Planning Commission's review

Existing:

7. Planning Commission Review of proposed Zoning Map- When completed, the Committee shall present their draft map to the Planning Commission for review. The Planning Commission shall review the changes to ensure that they are compatible with the Comprehensive Plan and forward their findings to County Council.

8. Report to County Council- County Council shall consider the proposed zoning map amendments and may take second reading on the ordinance at this time.

9. Comment Period- A comment period of no less than thirty (30) days shall be held at this time, during which the Planning Department shall mail a survey to all district property owners soliciting their opinion of the proposed changes.

Suggested:

7. Planning Commission Review of proposed Zoning Map- When completed, the Committee shall present their draft map to the Planning Commission for review. The Planning Commission shall review the changes to ensure that they are compatible with the Comprehensive Plan. During this time, the Planning Department shall mail a survey to all district property owners soliciting their opinion of the proposed changes, with a deadline to respond of thirty (30) days. At the end of the survey period, the Commission shall forward a recommendation regarding the proposed changes to County Council. A positive recommendation of the Commission shall require both a finding of compliance with the Comprehensive Plan, and a minimum of 51% of the returned responses to the survey favoring the proposed changes.

8. Consideration of Recommendation- County Council shall consider the proposed zoning map amendments and may take second reading on the ordinance at this time.

9. Comment Period- A comment period of no less than thirty (30) days shall be held at this time.

10. Council Action- Upon the completion of the comment period, County Council may hold a public hearing on the proposed amendments. Once the public hearing has been completed, County Council may take third and final reading of an ordinance to amend the Planning Districts portions of the Official Zoning Map

- **Expand Method 2- Small Area Rezoning to allow for a 40 lot platted subdivision to initiate a rezoning process:**

Proposal- Add the minimum lot standard to Section 8.5 Method 2-

Existing:

Section 8.5 (2) Method 2- Small Area Rezoning

Any property owner, or group of property owners, may petition for initial rezoning, provided the parcels proposed for rezoning are contiguous and comprise no less than two hundred (200) acres in area, or shall constitute a platted subdivision with a total area of fifty (50) acres recorded in the office of the Oconee County Register of Deeds. For the purposes of this regulation, in addition to standard definitions, parcels separated by a perennial stream or body of water shall be considered contiguous. This method of rezoning shall be initiated by a signed petition containing the signatures of a minimum of 51% of the affected property owners.

Suggested:

Section 8.5 (2) Method 2- Small Area Rezoning

Any property owner, or group of property owners, may petition for initial rezoning, provided the parcels proposed for rezoning are contiguous and comprise no less than two hundred (200) acres in area, or shall constitute a platted subdivision with a total area of fifty (50) acres, or a minimum of forty (40) lots recorded in the office of the Oconee County Register of Deeds. For the purposes of this regulation, in addition to standard definitions, parcels separated by a perennial stream or body of water shall be considered contiguous. This method of rezoning shall be initiated by a signed petition containing the signatures of a minimum of 51% of the affected property owners.

- **Limit citizen complaints related to potential zoning violations to citizens residing within the Planning District the potential violation lies in:**

Proposed- Amend Section 2.7 Complaints

Existing:

Section 2.7 Complaints- All complaints of violations shall be submitted in writing on a form provided by the Zoning Official. The complaint shall include a detailed description of the alleged violation, as well as the complainant’s name, address and signature. All complaints shall be acted on within ten (10) days of submission. Anonymous reports of alleged violations will not be considered valid.

Suggested:

Section 2.7 Complaints- All complaints of violations shall be submitted in writing on a form provided by the Zoning Official. The complaint shall include a detailed description of the alleged violation, as well as the complainant’s name, address and signature. Complainants must reside within the same Planning District the potential violation lies. All complaints shall be acted on within ten (10) days of submission. Anonymous reports of alleged violations will not be considered valid.

Note: County Attorney has not reviewed specific language, but advises that exclusions of certain groups of citizens may be an equal protection problem.

- **Create standards for the Fair Play Village Sub-District that match those in the Community Commercial District:**

Proposed- Copy Dimensional Requirements established in Community Commercial District

Suggested:

Add the following to the standards in the I-85 Overlay District contained in Section 11 of the ZEO:

All new residential and non-residential buildings, accessory buildings, and other permanent structures proposed to be located within the boundaries of the Fair Play Village Sub-district shall be subject to the following standards:

- a. **Maximum Density: Two (2) Dwelling Units per Acre**
- b. **Minimum Lot Width on Road Frontage: One Hundred (100) Feet**
- c. **Minimum Yard Setbacks:**

Front-	Twenty Five (25)
Feet	
Side-	Five (5) Feet
Rear-	Ten (10) Feet