

LOWNDES COUNTY BOARD OF COMMISSIONERS
AGENDA ITEM

SUBJECT: Rezoning Case REZ-2016-05

DATE OF MEETING: February 9th 2016

BUDGET IMPACT:

FUNDING SOURCE:

Annual SPLOST Capital N/A

Regular Meeting (x)
Work Session (x)
Recommendation (x)
Policy/Discussion ()
Report ()

ACTION REQUESTED ON:

REZ-2016-05 Union Rd Subdivision, Union Rd
E-A to R-A, Well and Septic, ~114 acres

HISTORY, FACTS AND ISSUES:

This case represents a change in zoning on a ~114 acre property from Estate Agricultural (E-A) zoning to Residential Agricultural (R-A) zoning. The main motivation behind the request is to allow for the residential development of the subject property at a greater density than is currently allowed in E-A zoning. For reference, E-A zoning generally allows for a 5 acre development density while R-A zoning generally allows for a 2.5 acre development density. It should also be noted that the developer in this case is considering developing the property under the ULDC conservation subdivision regulations¹. The subject property possesses road frontage on Union Rd. This section of Union Rd is classified as a county maintained major collector². Typical traffic flow capacity of a major collector road is between 3,000 to 6,000 AADT³. Concerning the 2030 Comprehensive Plan Future Development Map the subject property is within the Rural Service Area and an Agriculture/Forestry Character Area. Per Comprehensive Plan guidance R-A zoning is listed as a permitted zoning district within an Agricultural/Forestry Character Area. With this request the following factors should be considered: 1) The precedent set for other properties in the surrounding area with the approval of R-A zoning, 2) The R-A zoning to the south, 3) The R-10 zoning to the north, and 4) the zoning map/future development map patterns for the area if those existing R-10 and R-A zonings were buffered and developed in the surrounding area. At their January regular meeting the GLPC reviewed this request and ultimately recommended for its approval by a 7-1 vote. Commissioner Wildes voted against the motion. The motion for approval of the case included language referencing the intent to develop the property as a conservation subdivision, the limitation to a maximum of 45-46 lots, and the expected minimum and maximum lot sizes of 1 and 2.5 acres.

¹ The ULDC conservation subdivision regulations are found in Section 4.05.01. Generally, a conservation subdivision allows for the overall residential impact of a tract of land to be clustered into smaller lot sizes provided that the remainder of the property is permanently protected from future development. For example, if the ~114 acre subject property is zoned R-A then R-A generally allows for a minimum lot size of 2.5 acres. Thus, the maximum residential impact of the tract of land with R-A zoning is ~114 acres divided by 2.5 acres or 45 lots. Instead of the general R-A lot size of 2.5 acres if these 45 lots are served by individual wells and septic tanks they could be clustered to take up closer to 40 acres rather than entire ~114 acres. The conservation subdivision option has now freed up 74 acres to be legally permanently protected from future development in exchange for allowing a decrease in lot sizes from 2.5 acres to 1 acre. For reference, based on GLPC questioning it should also be noted at least 40% of the subject property must be permanently protected and that

² The road classification of major collector is determined by the Lowndes County Thoroughfare Plan.

³ Per GDOT definition the Annual Average Daily Traffic (AADT) is the average number of vehicles that pass by a counter during a 24-hour period in a certain year.

The applicant's attorney and engineer spoke for the request and two neighbors spoke against the request. It should also be noted that at least one other individual wanted to speak against the request but was not allowed due to the time constraints with the opposition portion of the public hearing. Additional details about the questioning and discussion on the case with the GLPC, Staff, those speaking for, and those speaking against has been for reference.

The TRC reviewed this application and recommended/noted the following:

Division with Recommendation	Planning	Zoning	Engineering	Utilities
	Approval	Approval	Approval	Approval
	Board of Health	Fire/Rescue	Inspections	
	Denial ⁴	Approval	Approval	
Recommended Conditions with (Source)	None			
Other Comments with (Source)	This application is overall consistent with the Comprehensive Plan (Planning).			

OPTIONS:

- 1. Approve
- 2. Approve with Conditions
- 3. Table
- 4. Deny

RECOMMENDED ACTION: GLPC: Option #1 Approve
 TRC: Various (Please See Table Above)

DIVISION: Planning

County Planner: Jason Davenport 


 County Manager

Action by the Board: _____

⁴ At the time of TRC voting (01.19.16) the Board of Health concerns were dominantly related to the soils on the subject property. Since that time there has been contact between the Board of Health and representatives of this case regarding their concerns.