

**THE FAYETTE COUNTY PLANNING COMMISSION** met on September 4, 2008, at 7:00 P.M. in the Fayette County Administrative Complex, 140 Stonewall Avenue West, Public Meeting Room, First Floor, Fayetteville, Georgia.

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

**MEMBERS ABSENT:** None

**STAFF PRESENT:** Dennis Dutton, Zoning Administrator  
Nancy Howard, Environmental Technician  
Robyn S. Wilson, P.C. Secretary/Zoning Coordinator  
Sgt. Earl Williams

**Welcome and Call to Order:**

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

\* \* \* \* \*

**1. Consideration of the Minutes of the meeting held on August 7, 2008.**

Chairman Powell asked the Board Members if they had any comments or changes to the Minutes. Al Gilbert made the motion to approve the Minutes. Bill Beckwith seconded the motion. The motion passed 4-0-1 with Jim Graw abstaining from the vote due to being absent on August 7, 2008.

\* \* \* \* \*

**THE FOLLOWING ITEMS WILL BE CONSIDERED BY THE PLANNING COMMISSION ON SEPTEMBER 4, 2008, AND THE BOARD OF COMMISSIONERS ON SEPTEMBER 25, 2008.**

**2. Consideration of proposed amendments to the Fayette County Development Regulations regarding Article V. Buffer and Landscape Requirements as presented by the Engineering Department.**

Nancy Howard advised that Tim Thoms had assisted with the proposed amendments due to his expertise in the field.

The proposed amendments were discussed as follows:

Deletions are shown in ~~striketrough~~. Additions are shown in **bold**.

#### **ARTICLE V. BUFFER AND LANDSCAPE REQUIREMENTS**

**Sec. 8-156. Purpose.** The purpose of this Article is to establish minimum requirements for landscape areas and buffers in Fayette County's commercial (including Limited Business), industrial, office-institutional, and multi-family zoning districts. Said requirements are designed to: improve the appearance of Fayette County's commercial and industrial corridors; minimize noise, glare, and erosion; provide a visual separation between incompatible uses; and establish measures for water conservation. E.g., in a C-C, C-H, M-1 and M-2 Zoning District where a lot abuts any residential or A-R Zoning District, a buffer shall be provided as specified in the following sections of the Fayette County Zoning Ordinance: 6-14 (D)(6) for C-C; 6-15 (D)(6) for C-H; 6-17(D)(6) for M-1 and 6-18(D)(6) for M-2. Off street parking associated with such uses shall be governed by such requirements within these Development Regulations.

#### **Sec. 8-157. Landscape and Buffer Categories.**

- A. Street Frontage Landscape Areas. A landscape area shall be established along the rights of way of adjoining streets as specified under this Article. A developer or property owner may substitute a planted buffer (greenbelt) as specified under this Article in lieu of a landscape area.
- B. Parking Lot Landscape Areas. Off-street parking lots shall be landscaped in accordance with this Article. For the purpose of this Ordinance, an exterior parking aisle shall refer to all parking aisles which adjoin a property line or a required landscape area or buffer along a property line, and an interior parking aisle shall refer to parking aisles which do not adjoin a property line, a required buffer, or a building wall. Exterior and interior parking aisles shall be terminated at both ends by a landscape island (three (3) feet in width by 20 feet in length, typical). Landscape islands shall be provided for each 150 feet of continuous bay length.

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- C. Side Yard Landscape Areas. A landscape area shall be established along the side property lines of all lots as specified under this Article. A developer or property owner may substitute a planted buffer (greenbelt) as specified under this section in lieu of a landscape area. However, where a side yard buffer is required pursuant to other provisions of this Ordinance, a landscape area may not be substituted therefore.
- D. Buffer Areas (Greenbelt). Buffer areas required by this Ordinance shall be established and maintained by the property owner subject to the requirements listed below and those specified under this Article.
1. Listed below are suggested evergreen plant combinations characteristic of buffer area plantings: New under canopy shrubs required in buffer areas shall provide a visual screen to a minimum height of four (4) feet upon planting, singularly or in combination with various plant types. **Additional plant choices can be found at the Fayette County Engineering Department’s website.**

| <u>Trees</u>             | <u>Shrubs</u>                             | <u>Groundcovers</u>       |
|--------------------------|---|---------------------------|
| Virginia Pine            | <del>Fruitland</del> <del>Eleagnus</del>  | <del>Winterereeper</del>  |
| <del>Magnolia</del>      | Southern Waxmyrtle                        | <del>Ivy</del>            |
| Red Cedar                | <del>Devilwood</del> <del>Osmanthus</del> | Liriope                   |
|                          | Burfordi Holly                            |                           |
|                          | Cleyera                                   |                           |
|                          | <del>Photinia</del>                       |                           |
| <b>Nellie R.</b>         |   |                           |
| <b>Stevens Holly</b>     |   |                           |
| <b>Cryptomeria</b>       | <b>Abelia</b>                             | <b>Euonymus</b>           |
|                          |   | <b>Wintercreeper</b>      |
| <b>Lusterleaf Holly</b>  | <b>Pfitzer Juniper</b>                    | <b>Asiatic Jasmine</b>    |
| <b>Loblolly Pine</b>     | <b>Hetzi Juniper</b>                      | <b>Creeping Raspberry</b> |
| <b>Evergreen Dogwood</b> | <b>Cherry Laurel</b>                      | <b>Vinca</b>              |
| <b>Laurel Oak</b>        | <b>Leucothoe</b>                          | <b>Mondo Grass</b>        |
| <b>Chinese Evergreen</b> |   | <b>Asiatic Jasmine</b>    |
| <b>Oak</b>               | <b>Pragense Viburnum</b>                  | <b>Evergreen Ferns</b>    |
| <b>Leyland Cypress</b>   | <b>Wax Myrtle</b>                         |                           |
| <b>Green Giant</b>       | <b>Osmanthus</b>                          |                           |
| <b>Western</b>           |   |                           |
| <b>Red Cedar</b>         | <b>Loropetalum</b>                        |                           |

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### Trees

### Shrubs

### Groundcovers

#### **Southern Magnolia Yaupon Holly**

2. Buffer areas may include hardwood or perennial plant materials. Although it is not required that buffer areas be totally planted, such areas must provide an evergreen visual screen from the ground to a height of four (4) feet upon planting or supplemental planting, and when so planted must include evergreen trees which will provide at least 60% evergreen crown cover within three (3) years, assuming normal weather conditions. Where required buffers adjoin undeveloped property, the Zoning Administrator may specify less mature plantings than those specified above.

**Sec. 8-158. Landscape Plan Requirements.** Landscape Plans must be submitted prior to the issuance of Certificate of Zoning Compliance for any development project. Said plans may be submitted as part of a Tree Protection Plan (TPP), as part of a Site Plan, or separately. At a minimum, said plan shall include:

- A. The boundary lines of all buffer and landscape areas;
- B. Locations of existing plant materials to be retained and/or new plant materials to be installed, with all details drawn at a scale of one (1) inch to 100 feet or greater.
- C. A plant material list, which shall include:
  1. Common and/or botanical names of all proposed plants.
  2. Plant quantities.
  3. Size and condition of plants. (Example: 1 ½ caliper, 8-foot height, balled and burlapped).
  4. Spacing.
  5. Remarks as necessary to proper plant selection upon installation.
- D. Project name and developer's name and telephone number.

**Sec. 8-159. Fayette County Landscape And Buffer Requirements.**

| TYPE                          | SIZE OF AREA<br>LANDSCAPED  | REQUIRED TREES* |        | REQUIRED SHRUBS                           |        |
|-------------------------------|---|-----------------|--------|---|--------|
|                               |   | Number          | Height | Number                                    | Height |
| <b>Street<br/>Frontage</b>    | Arterials: 20'  | 1 per 20'       | 10'    | 7 per tree                                | 2'     |
|                               | Collectors: 15'   | 1 per 20'       | 10'    | 7 per tree                                | 2'     |
|                               | Locals: 10'   | 1 per 20'       | 10'    | 7 per tree                                | 2'     |
| <b>Parking<br/>Lot</b>        | Exterior<br>Aisles 10'  | 1 per 30'       | 6'     | 5 per tree                                | 2'     |
|                               | Interior<br>Aisles 7'   | 1 per 30'       | 6'     | 5 per tree                                | 2'     |
|                               | Buildings or<br>Walls 5'<br>(Excluding walls<br>not visible from<br>street) |                 |        | 5 per 25 linear feet<br>of building wall. | 2'     |
|                               | Landscape Islands<br>3'   | 1 per island    |        | 5 per island                              | 2'     |
| <b>Side Yard</b>              | Side Property<br>Lines<br>6'  | 1 per 40'       | 6'     | 3 per tree                                | 2'     |
| <b>Buffer<br/>(Greenbelt)</b> | O-I: 20'  | 1 per 10'       | 6'     | As needed to<br>provide visual<br>screen  | 4'     |
|                               | C-C, C-H,<br>L-B: 30'   | 1 per 10'       | 6'     |   | 4'     |
|                               | L-I 50'   | 1 per 10'       | 6'     |   | 4'     |
|                               | M-1, M-2 75'  | 1 per 10'       | 6'     |   | 4'     |
|                               |   |                 |        |   |        |

\*Trees to be uniformly distributed along useable area to be landscaped.  
(ORD. No. 98-01, § 1, 1-14-98)

**Sec. 8-160. Other Requirements:**

- A. Groundcovers, flowers, stones, and mulch shall be utilized as needed to meet coverage requirements.
- B. Grass coverage shall not exceed 25 percent (25%) of required street frontage, parking lot, and side yard landscape areas.
- C. Islands shall be required at ends of interior parking aisles and per each 150 feet of continuous aisle length.

- D. Required heights listed above shall be height at time of planting.
- E. Landscape strips shall be provided for every other interior-parking isle.
- F. Buffers are required where property adjoins residential or A-R Zoning Districts. Evergreen trees are required in required buffers. Berms, and/or opaque fences may be used to supplement required buffers. Existing vegetation shall not be removed.
- G. Trees shall have a minimum caliper of ~~one~~ **two** and one-half inches ( $\pm 2\frac{1}{2}$ ) **measured at six inches (6") above ground at a height of four feet (4)** at time of planting.
- H. Buffers and landscape areas fronting on County maintained roads shall be measured ~~for~~ **from** the right-of-way.
- I. All disturbed areas not otherwise addressed in this Ordinance shall have a vegetative ground cover for erosion control purposes.

**Sec. 8-161. Planting Materials.**

- A. Xeriscape Requirements. All street frontage, parking lot, and side yard landscape areas shall be planted with water-conserving groundcover and vegetation. Other conservation measures are encouraged, including:
  - 1. Irrigation systems which are electronically set for night and/or early morning irrigation;
  - 2. Designs which collect and recycle water; and
  - 3. The minimization of overspray onto non-landscaped areas to avoid wasting water.

B. Suggested Planting Materials.

1. Plants Which Are Native to Georgia

Trees

Redbud/~~Judas Tree~~  
Dogwood  
Red Maple  
~~Southern Crabapple~~  
Sugar Maple  
~~Tuliptree~~  
Southern Magnolia  
**Fringe Tree**  
**Overcup Oak**  
**Bald Cypress**  
**Tulip Poplar**

Small Shrubs  
(1-8 feet)

Sweet Shrub  
~~Mountain Laurel~~  
Flame Azalea  
Florida Azalea  
~~Mound Lily~~ **Yucca**  
**Virginia Sweetspire**  
**Dwarf Yaupon Holly**  
**Inkberry Holly**  
**Clethra**  
**Deciduous Holly**

Large Shrubs  
(8ft. & up)

Oakleaf Hydrangea  
Myrtle Holly  
Yaupon Holly  
**Spanish Dagger Yucca**  
**Bottlebrush Buckeye**  
**Devilwood Osmanthus**  
**Southern Wax Myrtle**  
**Small Anise-Tree**  
**Cherry Laurel**

Trees

**Willow Oak**  
**River Birch**  
**Swamp Chestnut Oak**  
**Nuttal Oak**  
**Serviceberry**  
**Bigleaf Magnolia**  
**Blackgum**  
**Georgia Gem Ash**  
**American Hornbeam**  
**American Beech**  
**Carolina Silverbell**

Small Shrubs  
(1-8 feet)

Large Shrubs  
(8ft. & up)

Liriope  
 Creeping Liriope  
~~Adam's Needle or Beargrass~~  
**Daylilly**  
**Mondo Grass**  
 Native Ferns  
**Miscanthus**  
**Penisetum**

Carolina Yellow Jessamine  
~~Virginia Creeper~~  
~~Lanceleaf Greenbrier or Smilax~~  
**Swamp Jessamine**  
**Crossvine**  
**Trumpet Honeysuckle**  
**Climbing Hydrangea**

2. Other Drought Tolerant Plants **Other Suitable Plants**

Trees

Shrubs

Flowers **Perennials and Groundcovers**

Sycamore  
~~Laurel Oak~~ **Trident Maple**  
 Crape Myrtle  
~~Japanese Zelkas~~ **Winged Elm**  
~~Nandina~~ **Chinese Pistache**  
**Shumard Oak**  
**Red Oak**  
**Lacebark Elm**  
**Japanese Zelkova**  
**Western Red Cedar**  
**Okame or Yoshino Cherry**  
**Chinese Flame Tree**  
**Sawtooth Oak**  
**Saucer Magnolia**  
**Dawn Redwood**  
**Chaste Tree**

Forsythia  
 Abelia  
~~Pampas Grass~~ **Holly**  
 Japanese Barberry  
~~Lantana~~ **Beautyberry**  
**Juniper**  
**Indian Hawthorn**  
**Spirea**  
**Knock Out Rose**  
**Viburnum**  
**Osmanthus**  
**Loropetulum**  
 Forsythia

Geraniums **Daylilly**  
~~Gomphrena~~ **Rudbeckia**  
~~Rudbeckia~~ **Coneflower**  
~~Daisies~~ **Yarrow**  
~~Ageratum~~ **Sedum**  
**Daisy**  
**Asiatic Jasmine**  
**Liriope**  
**Mondo Grass**  
**Vinca**  
**St. Johnswort**

3. **In addition to those listed above, acceptable plant choices can be found at the Fayette County Engineering Department's website.**

**Sec. 8-162. Prohibited Plants.** No plants with vigorous root systems shall be planted within any sanitary sewer or public water easement. Such plants include the following:



Eastern Cottonwood  
Willow  
Lombardy Poplar

**Sec. 8-163. Performance Surety.**

- A. No occupancy permit shall be issued prior to complying with the specifications of this Ordinance and all conditions of zoning.
- B. Landscape Performance Surety. In the event that the requirements of this Article have not been met at the time that a Certificate of Occupancy could otherwise be granted, the owner or his agent shall post a Landscape Performance Bond or other County approved surety in an amount equal to 110 percent of the cost of materials, labor, and other attendant costs, incidental to the installation of the required landscaping.

Said surety shall:

- 1. Be drawn in favor of the Board of Commissioners.
- 2. Be in a form satisfactory to the County Attorney.
- 3. Specify the time for the completion of the landscaping requirements of this Article which shall not be longer than six (6) months following the issuance of a temporary Certificate of Occupancy.

**Sec. 8-164. General Maintenance.** Plants required pursuant to the provisions of this Ordinance shall be attractively maintained. All dead and/or diseased plants shall be replaced annually as a condition of occupancy.

**Sec. 8-165 - 8-175. Reserved.**

Ms. Howard reported that one (1) of the amendments dealt with the suggested planting materials. She pointed out that the current suggested planting materials were not appropriate for Fayette County's climate zone, and/or susceptible to disease, and/or invasive to natural areas in Georgia.

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Ms. Howard said that the change to how to measure the minimum tree caliper was less confusing but comparable to the current ordinance.

Ms. Howard reported that she would like to add a statement under the chart to Section 8-159. as follows: Trees shall be distributed along the entire length of the area to be landscaped. She advised that this would offer increased health and safety for the trees and would provide a more natural look.

Jim Graw referenced the chart in Section 5-159. and asked if it meant one (1) grouping of trees per 20 feet.

Ms. Howard replied that it meant one (1) tree per 20 feet of street frontage.

Robyn Wilson explained that if a lot has 140 feet of road frontage, you would take the 140 feet and subtract the width of the driveway and then divide that figure by 20. She said that this would give you the number of trees required in the landscape area.

Chairman Powell asked why a Devilwood Osmanthus was deleted in Section 5-157.D. Buffer Areas but was added in Section 8-161.B.1. Plants Which Are Native to Georgia.

Tim Thoms replied that a Devilwood Osmanthus is not recommended for use as a screening shrub because of its open growth habit and is not recommended for use in a buffer; however, it is a native plant which is suitable for other landscape areas.

Bill Beckwith suggested that Section 8-162. be changed to state: Such plants include, but are not limited, to the following.

Ms. Howard replied that she felt this was ambiguous; however, Staff plans to review and amend the ordinance in its entirety in the future.

Mr. Thoms stated that it was a good idea to have additional plant choices on the Engineering Department's website because it could be updated as needed and would avoid another amendment to the ordinance. He added that the website could refer someone to a Xeriscape list, Water Wise list, or an EPA Water Sense suggested list.

With no public present, Chairman Powell closed the floor from public comments.

Al Gilbert made a motion to approve the proposed amendments with the one (1) minor change made to Section 8-159. by Staff. Tim Thoms seconded the motion. The motion unanimously passed 5-0.

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Chairman Powell thanked Ms. Howard and Mr. Thoms for all of their hard work on the proposed amendments.

\* \* \* \* \*

3. **Consideration of proposed amendments to the Fayette County Zoning Ordinance regarding Article VII. Conditional Uses, Exceptions, and Modifications, Section 7-1. Conditional Use Approval, B. Conditional Uses Allowed, 23. Home Occupation as presented by the Planning & Zoning Department.**

Dennis Dutton reported that the proposed amendment was basically a “housekeeping” issue. He pointed out that a single-family dwelling, consisting of a minimum of 1,200 square feet, is a Conditional Use in the C-C, C-H, M-1, M-2, and O-I zoning districts; however, a Home Occupation is currently not allowed in these nonresidential zoning districts even though a single-family dwelling is a Conditional Use. He explained that the proposed amendment would allow someone to operate a home occupation from their single-family dwelling in these nonresidential zoning districts provided the home occupation is in compliance with the conditional use requirements. He added that only one (1) principal use shall be located on a nonresidential lot; therefore, a single-family dwelling and a nonresidential business could not be allowed on the same nonresidential lot.

The proposed amendments were discussed as follows:

Staff’s additions to the current ordinance are indicated in **bold**, **underline**, and *italics*. Strikethrough indicates deletion.

**ARTICLE VII. CONDITIONAL USES, EXCEPTIONS, AND MODIFICATIONS**

7-1. **Conditional Use Approval, B. Conditional Uses Allowed:**

23. **Home Occupation.** (Allowed in A-R, ~~and~~ residential zoning districts, **and the following nonresidential zoning districts: C-C, C-H, M-1, M-2, and O-I.** (See *Single-Family Residence under Section 7-1.,B.*)

a. **Residents.** Only residents of the dwelling may be engaged in the home occupation.

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b. **Incidental Use.** The home occupation shall be clearly incidental to the residential use of the dwelling and shall not change the essential residential character of the building.

c. **Display, Sale.** No display of products shall be visible from the street,

and only products produced on the premises may be sold on the premises, except that bonafide agricultural products grown on the premises may be displayed in an Agricultural-Residential Zoning District.

- d. Area. Use of the building for this purpose shall not exceed thirty-five (35) percent of the principal building.
- e. Alterations. No internal or external alterations inconsistent with the residential use of the building shall be permitted.
- f. Accessory Buildings. No accessory buildings or outside storage shall be used except as otherwise provided herein.
- g. Music, etc. Instruction in music and similar subjects shall be limited to two (2) students at a time.
- h. Vehicles. Only vehicles used primarily as passenger vehicles shall be permitted to remain on the premises.
- i. Uses. The following and similar uses shall not be considered home occupations: automobile service station, automobile and related machine sales, automobile repair or maintenance, ambulance service, rescue squad, amusement or recreational activities (commercial), animal hospital, commercial kennel, veterinarian clinic or animal boarding place, pawn shops, acid storage and manufacturing, heavy manufacturing, fortune teller, palm reader, and massage therapy.

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**For Your Information Only**

- 37. Single-Family Residence. (Allowed in the C-C, C-H, M-1, M-2, and O-I Zoning Districts).
  - a. Said residence shall be a single-family detached residence.

- b. Said residence shall not be less than 1,200 square feet, and said residence shall not be allowed in subdivision developments as defined by the Subdivision Regulations of Fayette County.

With no public present, Chairman Powell closed the floor from public comments.

Tim Thoms made a motion to approve the proposed amendments as submitted. Jim Graw seconded the motion. The motion unanimously passed 5-0.

\* \* \* \* \*

Chairman Powell asked if there was any further business.

Robyn Wilson replied that a Public Meeting/Workshop was scheduled for Thursday, September 18, 2008, at 7:00 P.M. She advised that Richard Norman of Storage Xtra had appeared before the B.O.C. on September 3, 2008, requesting the creation of a new zoning district to allow a broad variety of uses or augmenting the allowed uses within the M-1 Zoning District. She reported that the B.O.C. had instructed Staff to proceed forward with the request.

There being no further business, Jim Graw made the motion to adjourn the Public Hearing. The motion for adjournment unanimously passed 5-0. The Public Hearing adjourned at 7:31 P.M.

**ATTEST:**

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**DOUG POWELL**  
**CHAIRMAN**

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**ROBYN S. WILSON**  
**SECRETARY**