

THE FAYETTE COUNTY PLANNING COMMISSION held a **Workshop** on April 20, 2006 at 8:34 P.M. in the Fayette County Administrative Complex, 140 Stonewall Avenue West, Board of Commissioners Conference Room, Suite 100, Fayetteville, Georgia.

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

MEMBERS ABSENT: Tim Thoms

STAFF PRESENT: Pete Frisina, Director of Planning & Zoning
Bill McNally, County Attorney
Delores Harrison, Zoning Technician
Robyn S. Wilson, P.C. Secretary/Zoning Coordinator

Welcome and Call to Order:

Chairman Graw called the meeting to order and introduced the Board Members and Staff.

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1. Discussion of the proposed Model Floodplain Management/Flood Damage Prevention Ordinance as presented by the Engineering Department.

Phil Mallon advised that the Water Planning District adopted the Model Floodplain Management/Flood Damage Prevention Ordinance on 02/02/06. He stated that this is one (1) of several model ordinances which the County is mandated to adopt through the Water Planning District and State Legislation. He noted that, in his opinion, the County's existing regulations meet the intent and objectives of the model ordinance; however, during a recent audit, EPD disagreed with that opinion and suggested that Fayette County adopt the revised model ordinance dated 02/02/06. He pointed out that this is not the finished ordinance but only a model ordinance. He added that he had requested input from the local engineers.

He discussed the highlights of the model ordinance as follows:

- * Proposed ordinance will require County to create "future-conditions" floodplain. Map at least 10% of the County annually until future-conditions floodplains have been established for the entire community.
- * Future-conditions floodplain shall extend upstream to drainage areas of 100 acres. Currently, floodplain mapping ends at 640 acres (one (1) square mile).
- * If development comes into an area before the mapping data has been completed, the County is required to perform the flood study or the developer may be required to perform the flood study for the project area.
- * Definition of "substantial improvement" means any combination of repairs, reconstruction, alteration, or improvements to a building, taking place during a 10-year period, in which the cumulative costs equal or exceed 50 percent of the market value of the structure prior to the improvement.
- * Requirement of a floodplain management/floodplain damage prevention plan.
- * If a base flood elevation data or floodway data has not been provided, the applicant shall be required to obtain, review, and reasonably utilize any base flood elevation and floodway data available from a Federal, State, or other source to comply with actual elevation in relation to mean sea level of the lowest floor.
- * No development shall be allowed within the future-conditions floodplain. This all but completely prohibits development in future-conditions floodplain; however, there are variance procedures and engineering studies to allow exceptions.
- * Establishment of an engineering study for floodplain encroachments.
- * Establishment of maintenance requirements for property owners who alter or relocate portions of a floodplain.

- * A list of numerous requirements (design standards) for structures within the floodplain.
- * Establishment of standards for recreational vehicles.
- * Establishment of building standards for structures and buildings located outside but adjacent to the future-conditions floodplain.
- * Expanding the variance procedures.
- * Establishment of enforcement policies.

Mr. Mallon advised that the proposed ordinance needs to be adopted by December 2006; however, it will be discussed at future Workshops.

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2. **Discussion of the proposed amendments to the Fayette County Development Regulations regarding Article III Street Design Standards and Specifications as presented by the Engineering Department.**

Phil Mallon advised that the current regulations do not address planting/landscaping within the right-of-way. He said that developers were proposing to plant trees in the right-of-way to enhance their subdivision due to the market and the current ordinance does not allow or prohibit them. He stated that the proposed amendment is an attempt to control what goes on within the right-of-way. He presented copies of the current Drawing 8-63-1 with the following note added: Note 5. No trees shall be planted within the right-of-way.

Mr. Mallon presented copies of proposed Drawing 8-63-2 for an alternative which provides for street trees, allows sidewalks from a minimum of four (4) feet in width to a maximum of five (5) feet in width, and shows utilities located in an easement area which would require a utility agreement. He confirmed that both options would be limited to County local roads only. He said that the trees would be the responsibility of the Homeowners Association; however, the County reserves the right to remove the trees if deemed necessary. He added that a list of prohibited trees would be created along with requirements for a minimum height for a clear tree trunk. He commented that the tree listing and spacing requirements would be developed with input from Jeremy Greenberg, a Landscape Architect in the Engineering Department, Tim Thoms, and other professionals in the industry. He advised that a planting and maintenance plan will be required as part of the process which will also specify when the trees will be planted and by whom. He added that a two (2) or five (5) year bond would be required from the developer to replace/maintain the trees.

Mr. Mallon stated that another option is requiring a tree zone on private property which is the responsibility of the home owner.

The following concerns were raised:

- * Tree roots would damage sidewalks and street pavement.
- * Liability to the County if located in the right-of-way.
- * Tree roots interfering with power and/or phone lines.
- * Complications of road maintenance due to tree limbs.
- * Falling leaves and branches.
- * Obstruction of sight distance as trees grow.
- * Additional work for County employees.
- * Removal of dead trees.
- * Increase costs to County and taxpayers.

It was a consensus by the P.C. to prohibit tree planting in the right-of-way.

Mr. Mallon advised the P.C. that he would present both options to the B.O.C. in case they have a different opinion and do not want to prohibit trees in the right-of-way.

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Chairman Graw instructed Robyn Wilson to advertise the proposed amendments for the May Public Hearing.

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Chairman Graw asked if there was any further business. Hearing none, Chairman Graw made a motion to adjourn the Workshop. Bill Beckwith seconded the motion. The motion unanimously passed 4-0. Tim Thoms was absent. The Workshop adjourned at 9:51 P.M.

PLANNING COMMISSION
OF
FAYETTE COUNTY

ATTEST:

JIM GRAW
CHAIRMAN

ROBYN S. WILSON
P.C. SECRETARY