

## REGULAR MEETING

The Spalding County Board of Commissioners held their Regular Meeting in Room 108 in the Courthouse Annex, Monday, August 2, 2010, beginning at 6:00 p.m. with Commission Chairman Edward Goss, Jr. presiding and Commissioners David Phillips, Eddie L. Freeman, and Bob Gilreath present. Gwen Flowers-Taylor was not present. Mr. Goss left the meeting shortly after it began due to a family emergency. Also present were Interim County Manager Tim Whalen, Interim Assistant County Manager Virginia Martin, Attorney Stephanie Windham, and Executive Secretary Glinda Robertson.

- I. OPENING (CALL TO ORDER) – Chairman Edward Goss, Jr.**
- II. INVOCATION – Led by Pastor Clay Padgett from Crown Center Church**
- III. PLEDGE TO FLAG – Led by Commissioner David Phillips**
- IV. PRESENTATIONS/PROCLAMATIONS/RECOGNITION - None**
- V. PRESENTATION OF FINANCIAL STATEMENTS – None**
- VI. CITIZENS COMMENT**
- VII. PUBLIC COMMENT**

Speakers must state their names and addresses and direct all comments to the Board only. Speakers will be allotted 5 minutes to speak on topics pertinent to the Board's jurisdiction. No speaker will be allowed to re-address the Board without express consent from a Board member. Outbursts from the audience will not be tolerated. Common courtesy and civility are expected at all times during the meeting.

### **Rhonda Morgan – 8989 Hwy. 18, Concord**

Rhonda Morgan asked the Board to vote to table the Tri County Overlay Ordinance. She stated there are no developers waiting in line to develop the property. She, along with her sister and two aunts own 17 acres of the property. Mrs. Morgan commented that she along with other family members was not notified. She understands that from previous meetings the law was followed in that it was advertised. She stated that under the Georgia Public Records Act, her family did ask the county if they had notified some land owners.

She stated that it looks like 19 of the 34 land owners in the area were notified. She nor her sister or aunts were ever notified. She first learned about this last February when there was a public meeting which she attended. At that time, it was announced that you could place your name on a sheet of paper to be notified of future meetings. Mrs. Morgan placed her name and address on the sign-up sheet, however she was never notified. She also took notes during the meeting and dates that were given for future meetings have not been the dates that have been followed for planning meetings and the commissioners looking at it. The family just did not have notification.

Mrs. Morgan stated the ordinance will require the developer to build a road. Several years ago, her family looked into the possibility of developing their property. One of them spoke with Charles Penny of Paragon Consulting and he quoted them a figure of just under \$600,000 to build a road. They also did the calculation and they will be required after they build the road to deed to Spalding County 2.46 acres of their property. The property is valued between \$100,000 and \$150,000 per acre. The county is asking them for almost \$300,000 of their property, plus asking them to build a road. That's almost \$900,000 the county is asking of her family. That's almost \$1,000,000.

Mrs. Morgan is asking since no one is waiting in line to develop this property to please table the issue so the Board can talk to the landowners that did not know what was going on. She stated once again she was never notified. She asked the Board for a chance to work with them. She stated she does not like litigation, however for almost \$1,000,000 she will fight for this. She further stated her husband, her brother-in-law, her daughter, her son-in-law, and her niece are all lawyers. She teaches law on a college level. She stated if this is pursued in a court of law her family will have zero attorney fees, however it will cost the county/taxpayers a lot of money. She asked the commissioners to please not let this happen. She commented that they are willing to come to the table and talk with the Board about this. She stated time is obviously not of the essence because the county has not even met their time table that she wrote down in the last public meeting.

She further commented that there are four female owners of this property. She said they have not been treated the same way that other people have been treated. She stated that at the Zoning Meeting, the Board gave men preference over the females. She said the Board members did not

ask any questions of the women, they only called men to return to the podium. She stated the Board asked men landowners if they would be satisfied if the Board changed the wording of the ordinance. She respectfully addressed the Chairman according to Robert's Rules of Order, and asked if she may submit evidence to the Board and she was told to "sit down." She stated the Chairman never called on her again to submit her evidence, but yet called on her husband.

Mr. Phillips stated he actually called on her husband, not the Chairman. She further commented she was not given the opportunity to speak. She asked to be notified, her family was not notified. She simply wants to say that they have lots of avenues they can pursue in a court of law and she doesn't want to do it. Once again, she asked the Board to please table this issue.

She also spoke with the pastor at Cornerstone Church and found out they had no idea that a road would cut off a corner of their property if they ever developed their property. She asked them to please give the landowners a chance to catch up with the Board as they have not been looking at it as long as the Board has.

#### **Bart Miller, Jr. – 3259 Williamson Rd.**

Mr. Miller stated he was present to address some items that have been discussed and are a concern for many taxpayers in Spalding County. The following comments were handed out to the Board members by Mr. Miller:

#### **Ethics**

There have been some situations recently that have been made public about commissioners and I want to know the status of the Ethics Board. This has been discussed months ago and needs to be enacted soon. As a taxpayer of Spalding County, I pay my taxes when due and I do not think commissioners should decide to pay only when it is published in the newspaper and placed on the internet. Threats made directly to Commissioners should not be tolerated. All commissioners should set a good example for the taxpayers of Spalding County.

#### **Senior Bus**

I want to know why the maintenance cost for the senior bus is over \$30,000 in the 2010-2011 fiscal budget. If all the monies for maintenance are not utilized then the difference should not be transferred to another budget item. I know in the past that monies over budgeted for specific items were allowed to be transferred to another item. I feel all monies that are not spent need to stay in the general fund. Also the Commissioner's need to make sure all trips are coordinated at least one year in advance to ensure revenues will cover insurance, fuel, maintenance, bus driver, and storage.

#### **Senior Center**

Originally there was \$600,000 allocated for the expansion of the existing senior citizens building. Spalding County sold the old recreation office building for \$250,000 which means the seniors have a total of \$850,000 for the new senior building. If Spalding County sells the existing senior building then this sale will bring the total monies to approximately more than \$1,000,000. If Spalding County adds \$2,000,000 from SPLOST funds to build a new building, has each commissioner analyzed the yearly operating expenses that the taxpayers will incur? Employees...utilities...He further stated the Board should talk to Jo Ellis to see what is needed and not rely on people that live outside the county.

#### **City Park, Golf Course and City Pool – County Trash & Recycle Centers**

It is my understanding the City and County are negotiating the transfer of the City Park, Golf Course, and City Pool over to the County and the transfer of the County Trash and Recycle Centers over to the City. Before the Commissioners decide to take over the City Park, Golf Course and City Pool, the Commissioners need to research the yearly expenses for maintenance and operations. I feel the Board of Commissioners need to contact several surrounding counties that own and operate City Parks and City Golf courses to make sure the City of Griffin's maintenance and operating expenses are accurate. If the Board of Commissioners' vote to take these over, the generated revenue should pay for all expenses and the taxpayers should not have to bear any expense. The Griffin Daily News reported if the City takes over the county trash and recycling centers, the city is going to charge a minimal fee to dump trash. For years this service has been free to Spalding County residents. I can assure you there will be more dumping on our county roads.

Mr. Miller stated his water bill is three times what it was to start with. He commented the trash fee would not be cheap once the city gets hold of it. He stated these are things the Board needs to think about. He wants to know what the minimal fee will be and he would like it put in writing for the next 50 years.

**Mr. Goss had to leave the meeting at this point due to a family emergency. Commissioner Freeman was elected as Chairman in his absence.**

Mr. Gilreath asked Mr. Miller if he attended the city/county meeting the previous Monday. Mr. Miller stated he did not, however he read about it in the paper. Mr. Gilreath told him not to believe everything he reads. Mr. Gilreath stated he has concerns if the Solid Waste business is turned over to the city that they might start charging. He asked about this at the Joint Meeting and he received several different answers. He further stated until there are some definite answers and understanding with the City of Griffin, his vote is not to exchange anything with them at this point in time.

Mr. Miller stated he would rather the county add 10 to 15 dollars to his taxes than to see them turn it over to the city. He further commented if he wanted to deal with the city he would move into the city limits. Mr. Gilreath stated he is not saying the city can't be dealt with; however everything needs to be put on paper.

Mr. Miller went on to the topic of the golf course saying it will cost an arm and a leg to take care of the course. He stated that for \$1300 a year you can play all the golf you want to. He says it's not making any money so why does the county want to get into it.

Mr. Freeman stated he has had at least 15 phone calls on the dumpsters and he is not in favor of letting the city have anything the county has. He says if a fee needs to be added, the county can look at doing so. He said people he has spoken with are not opposed to paying a nominal fee.

#### **Allan McCallum**

Allan McCallum was present to ask the commissioners to upgrade a request on the agenda to ask the DOT to lower the speed limit on SR 362 from the city limits of Griffin to the city limits of Williamson from 55 mph to 45 mph. He would like the speed limit to be 35 mph at the intersection of Rover Zetella.

The speed limit is currently 55 mph down the entire stretch. It's a very dangerous intersection. It has been on an improvement schedule for 11 years. As he understands it, they are waiting on Spalding County to come up with the money to acquire the right-of-way. Mr. McCallum stated the Griffin Spalding Area Transportation Committee is in support of this. In addition, the City of Williamson, Pike County, State Representative Billy Maddox, State Representative Yates, Spalding County Sheriff's Department and the Fire Department are all behind this request according to Mr. McCallum.

He told Mr. Freeman and Mr. Gilreath these areas are in their districts. He stated that 40% of the Board of Commissioners represents this highway. He asked they please take action on this.

Mr. Freeman stated these particular intersections are already on the STIP and are projected to begin in 2012. He stated the biggest holdup will be the acquisition of the right-of-ways at Hwy. 362 and Rover Zetella. According to Mr. Freeman, the state is taking care of the right-of-ways on Hwy. 16.

Mr. McCallum stated he would be okay raising the speed limit back once the construction has been completed. He believes this is worth doing and will save a life. He stated he would rather see the county take care of these intersections which affect thousands of people than to be paving dirt roads. Moreland Road Elementary traffic goes through the Hwy 362 intersection every day. Mr. Freeman stated the county doesn't mind sending the letter of support however it's up to the DOT.

#### **Lorice Harrison – 1515 Etheridge Mill Rd., Griffin**

Lorice Harrison stated she was at the last zoning meeting regarding the Tri County Overlay. She and her sister own 87 acres. They have had 65 acres of this land up for sale for five or six years. She stated that at the last meeting Chuck Taylor told them they could do whatever they wanted to with their property; however after the meeting he told them they could as long as the road was cut. According to Ms. Harrison, Mr. Taylor stated, "Though not part of the overlay ordinance, the LCI Study does identify a potential connector between Zebulon Rd. Hwy 19 and Etheridge Mill Road. The LCI Study and resulting plan does not require anything, but only identifies the need and recommends potential solutions. On the other hand, the Tri County Overlay ordinance establishes requirements for a particular area within the LCI Study area."

Mr. Taylor also told them this is a required road. On that note, she asked how it would be possible for any developer to afford to buy their land. Their land runs 3200 feet at a cost of five million dollars per mile. That figures to about three and a half million dollars. That does not include the bridge. That figures to about seven and three quarter acres they would have to deed to

the county. She stated that's not cheap either. She asked, "If this requires one acre lots for R1, how many house does the county think can be built on that 87 acres?"

She also stated Mr. Taylor is showing walking trails which takes another chunk out of their land on the other half of their property that is not shown as developed. She stated there is not much left for them. She stated if this ordinance is passed, the county effectively puts a "stop sale" on their property. They asked Mr. Taylor what would happen if they wanted to give the land to a grandchild. She stated they cannot unless the road is cut. She does not see her grandchildren being able to afford to do this. She further stated this is a sad situation when you see land you have had all your life and it's taken away from you. She asked the Board to make an exception. She stated her property is not commercial, it's privately owned. She asked the Board to please consider tabling this item.

Mr. Phillips stated the ordinance could be rewritten to protect her grandchild if she wanted to give them the land. She stated they are basically trying to sell the property, the grandchild scenario is just a "what if."

Mr. Phillips asked Chuck Taylor if they would have to build a road if they built a house on this property. Mr. Taylor stated the 87 acres Ms. Harrison is referring to is not part of the overlay district therefore, their land is not within the ordinance. He stated it falls under the same zoning requirements as any other residential property in the county. If it develops, when the developer builds a road to put in lots, if there is a way to make a connection, the county has asked the developer to make those connections. Mr. Taylor sees this situation being no different from what they have done in the past.

#### **Mark Scudder – 401 Vineyard Rd., Griffin**

Mark Scudder thanked the commissioners for the job they do as he knows it's difficult. He was there to speak out against the overlay and stated there was no one present to speak out in favor of the overlay. He stated it should not be a difficult decision since no one is present that is in favor of it. He commented that within a couple of months 40% of the commissioners will be gone. He believes a decision should be put off and voted on later on down the road as it doesn't look like anything is going to happen for many years. He asked the Board to table a decision on this issue. He further stated that two of the commissioners are missing tonight. He asked the commissioners to table this item and visit it later on.

Mr. Phillips asked Mr. Taylor if the ordinance has to be done before the out going commissioner's terms end. Mr. Taylor stated there is not a specific time table; however the Atlanta Regional Commission does want something decided on in a reasonable amount of time. Mr. Taylor is not aware of a specific date. As part of the study ARC has asked for the final adopted ordinance. He further stated he does not know when development will happen in this area, but he believes it will be a good thing to have an ordinance in place when this development comes. It could be next week or next year.

Mr. Phillips asked if this is done, will it put off the making a four lane highway of Hwy 19 from the City of Griffin at First National Bank intersection all the way to the Hw. 41 light...or at least prevent it for many years.

Mr. Taylor commented that these types of road networks tend to diminish the need for having roads widened. He further stated this particular intersection is going to decrease in its capacity.

Mr. Freeman asked Mr. Taylor if 19 is a federal route. Mr. Taylor stated the last time he checked 19 was a U.S. highway. Mr. Taylor further stated if the county can make that area more efficient in the way it handles cars, it will lesson the likelihood of having to four-lane the road. Mr. Freeman stated the reason he brought this out about the federal highway is the funding on this part. Federal will not turn money loose until these studies are complete. It puts the county in a bind. He doesn't like it, however it's the only way the county can get federal monies for transportation at this point in time.

Mr. Phillips stated that having foresight can prevent a lot of problems down the road. He added the one mile radius is pretty much etched in stone. For the other people in the two mile extended radius of the plan, this is not written in stone. The point is, the county has to submit something that looks good.

Mr. Phillips stated that he predominantly spoke to the males because that is who owns the majority of the property in that area. Rhonda Morgan and others shook their head no indicating this is not true.

Mr. Scudder reiterated he would like the commissioners to table this item until next year some time. He asked them to wait until the two new commissioners come into office as they may have some fresh ideas.

Mr. Gilreath stated if the commissioners prior to him had done their job and not put things off, the county would be in better shape today. Mr. Gilreath stated the members on the Board now have to do their jobs as they should. Again, Mr. Scudder asked how you can vote in favor of something no one is present to support.

Mr. Gilreath stated Mr. Scudder, "You don't know how many calls I've had that are in favor of this, do you Mr. Scudder." Mr. Scudder stated, "That's a very good question. Where are they now?" Mr. Scudder turned to the audience and asked if any of Mr. Gilreath's callers were in the audience. There were none. Mr. Freeman told Mr. Scudder he needed to wind his comments down so the Board could move on. Mr. Phillips also stated he spoke with several people that are in favor of the ordinance. Mr. Freeman informed Mr. Scudder his time was up.

#### **Virgil Brown – 189 Eppinger Bridge Rd., Concord**

Mr. Brown stated his wife is part owner of the 17 acres Mrs. Morgan mentioned earlier this evening. He stated it bothers him when he pays 48% taxes to the federal government; they send the Atlanta Commission money; they send it down to the county and say "we need this and we need it pretty quick because we have to get some federal money down to you." Mr. Brown stated it's time somebody turned it down. He stated that's why America is broke. That's why our grandchildren and our great grandchildren are in debt. He stated "a bunch of bureaucrats come down and draw a map. They already know there are some wetlands out there." He commented that it seems to him if you are seriously considering a road, somebody would go out to the site and say "if this is wetlands, let's don't draw across here." He stated that "all over America bureaucrats that draw maps "search and replace" and put in another county's name, draw a map and do an overlay. They have no regard for the actual topography of the land."

He further stated it used to be that you made your own living and farmed your own land and went to church on Sunday and no one interfered with you. He stated government was formed to protect the people. He stated that now if you build a pretty nice house and keep it up, the county will come by and say, "Boy, you've improved that. We're going to have to up your taxes." He further stated that if you don't cut your grass and you leave a junk car in your yard, someone will come by and say, "We've got a little grant from Washington. We're going to help you pull this car off and we'll give you some insulation for your house. We're going to take care of your every need." They are punishing the people that keep their house up and clean and helping the people that don't. He stated it seems like the government is missing it.

Mr. Brown remembers back when Doc Holiday was here. He stated, "We would all be in trouble if he was still here." Mr. Brown does not understand why the Board does not table this ordinance. He stated there was no one present that's for it or pushing for a decision tomorrow. He also commented that if the county takes it on to notify a large portion of the men and they don't notify the females, it seems the county could possibly have some federal court trouble with that. Or if you notify some of the people and not others, you're denying them equal protection. Mr. Brown stated there have been some mistakes made by the county. He stated the simple solution is to just table the item, go back and give everyone notification and have a public meeting. Start over and do a good study. Go out and see where the wetlands are. He stated WalMart located some wetlands in their plans. He stated if maps are going to be drawn they should at least be drawn correctly.

#### **Elmira Williams – 1592 Buffington Way**

Elmira Williams stated she does not like the idea of closing the Recycling Center on Carver Rd. She stated it's really needed. Mr. Gilreath stated, "We're not going to close that dump." She commented she hopes Mr. Gilreath is right. Mr. Gilreath further commented the county has not agreed to allow the city to take over anything.

She also spoke on the topic of the senior center. She stated there are more and more seniors and they need the new senior center. Mr. Gilreath stated he has done everything that he possibly could do to get this off the ground. He stated the senior center does need to be built and he promised her that every day he is awake, he will work to get it done.

#### **Bobby Peurifoy – 917 S. McDonough Rd.**

Mr. Peurifoy wanted to echo what Bart Miller had to say about the recycling centers. He was at the Joint Meeting between the city and county and he could see the gleam in the city's eye if they were to get the solid waste centers. He stated all they will do is use it for a revenue raising vehicle for the city. He hopes the county will dismiss this possibility completely.

He further stated he did not coin the phrase but it stands true today. "It's the economy stupid!" He stated we are in the worst recession that you could imagine since the great depression. He asked what developers are standing in line to build anything right now. He stated the commercial development is in the toilet. Real estate has collapsed totally. Property values are declining.

He also asked what percentage of the Spalding County population uses the golf course; and what percentage uses that money pit of an airport? He asked the commissioners to think about it.

#### VIII. MINUTES

1. Consider approval of Minutes of the following: Extraordinary Session of July 19, 2010; Zoning Public Hearing of July 22, 2010; and the Joint Meeting of July 26, 2010.

*Motion/second to approve minutes with one addition to the Joint Meeting by Commissioners Phillips/Gilreath and carried by a vote of 3-0.*

#### IX. CONSENT AGENDA

1. Consider second reading of Amendment to the Official Zoning Map of the following: - **Amendment to UDO #A-10-03:** Article 22B. TCC Tri County Crossing Overlap District – add new section to Unified Development Ordinance (UDO).

Mr. Taylor stated that the changes the Board asked for at the last meeting were done. This was the elimination of the word "grid."

Mr. Phillips stated he was stuck between a rock and a hard place on this. He stated something needs to be done. He further stated a lot of people have not been notified on this and don't really understand it. The fact they don't understand it, he is torn.

Mr. Gilreath stated this was discussed thoroughly at the zoning meeting. Mr. Phillips stated he was present for that meeting. He stated there have been studies on the books for 50 years. That doesn't mean it's going to happen. It's not approving anything.

Mr. Phillips further stated he realizes the money from the ARC, when development does come, will be a great deal of help. He does not want to stick Chipper and Raymond (incoming commissioners) with a responsibility that was the present Board's initially.

#### RESOLUTION AMENDING THE ZONING ORDINANCE OF SPALDING COUNTY, GEORGIA

WHEREAS, the Board of Commissioners of Spalding County, Georgia under the Constitution and Laws of the State of Georgia is empowered by virtue of its police power to regulate the health, safety and welfare of the citizens of Spalding County to provide for and enact zoning and developmental regulations;

WHEREAS, the Board of Commissioners of Spalding County, Georgia enacted the current Zoning Ordinance of Spalding County, Georgia on January 4, 1994 and therein adopted the Official Zoning Map of Spalding County, Georgia, in Article 23, Section 2301, et. seq.;

WHEREAS, the Board of Commissioners of Spalding County has determined that it is in the best interests of the citizens of Spalding County for certain text revisions and amendments to be made to the Zoning Ordinance of Spalding County;

WHEREAS, such text amendments to the Zoning Ordinance of Spalding County were reviewed by the Spalding County Planning Commission, and a hearing on the text amendments to the Zoning Ordinance of Spalding County was conducted by the Board of Commissioners of Spalding County, Georgia on July 22, 2010, pursuant to O.C.G.A. §33-66-1, et. seq. in the Spalding County Hearing Room, Room 108, Spalding County Courthouse Annex, 119 East Solomon Street, Griffin, Spalding County, Georgia;

WHEREAS, the Board of Commissioners of Spalding County, Georgia considered the proposed amendment, any and all alternate proposals or amendments, the report of the Spalding County Planning Commission and all data and evidence taken at the public hearing; and

WHEREAS, it is deemed by the Board of Commissioners of Spalding County, Georgia that an amendment to the Zoning Ordinance of Spalding County, Georgia and an amendment to the Official Zoning Map of Spalding County, Georgia is in conformance with the Spalding County Comprehensive Plan and sound comprehensive planning principles and of substantial benefit to the public and in the promotion of the best interests and general welfare of the people;

NOW THEREFORE, IT SHALL BE AND IS HEREBY RESOLVED by the Board of Commissioners of Spalding County, Georgia, that the Zoning Ordinance of Spalding County, Georgia shall be and is hereby amended as follows:

Section 1: The following provision shall be added to the Zoning Ordinance of Spalding County, Article 22B: "TCC Tri County Crossing Overlay District":

#### **ARTICLE 22B. TCC TRI COUNTY CROSSING OVERLAY DISTRICT**

**Section 2201B: Purpose.** The Tri County Crossing area of Spalding County, consisting of property located near the intersection of U.S. Highway 19/41 and Zebulon Road, is an important crossroad and emerging commercial center in Spalding County. Through the Atlanta Regional Commission's Livable Centers Initiative, Spalding County developed the Tri County Crossing LCI Plan, adopted in March 2009, which articulated a future vision for the development of this area. The plan seeks to create a focused and walkable mixed-use center integrating commercial, employment and residential uses. The Tri County Crossing Overlay District (TCC) implements the vision for this area set forth in the Tri-County Crossing LCI Plan by guiding development to: create a vibrant pedestrian-oriented area, establish better connectivity to surrounding neighborhoods, protect and enhance public open spaces, encourage mixed-use development and a range of housing options, and maximize connectivity and mobility of all types.

The TCC District identifies important and required new street connections which will be built as development occurs. It will create a connected system of streets and blocks that manage and distribute vehicular traffic and ensure a pattern of walkable pedestrian-oriented streets. Street design standards ensure that future streets will encourage walking and cycling and provide valuable public spaces.

The TCC District includes Development Standards that ensure pedestrian-oriented design. Buildings are sited close to streets with active ground floor use and pedestrian amenities. A range of housing options is permitted and encouraged in order to create a mixed-use center where housing and services are located within walking distance of each other. The resulting development pattern will better utilize land, protect open space, manage traffic congestion, and create lasting community value.

**Section 2202B: Definitions related to the TCC District.** When a word used in this Section is in SMALL CAPS, the following definitions shall apply. Words used in this Section but not defined herein shall have the same definition set forth in Article 2 of this Ordinance and/or Article 2 of the Spalding County Subdivision Ordinance, Unified Development Ordinance, Appendix A.

- A. **ACCESSORY DWELLING UNIT:** A dwelling unit not greater than forty (40) percent of the floor area of the primary dwelling unit, located on the same residential lot.
- B. **ALLEY:** A right-of-way or secondary way that affords access to the side or rear of abutting property, including access to service areas, parking, outbuildings for residential, commercial and mixed-use buildings in mid-block locations.
- C. **BUILD-TO LINE:** The front setback line along which the building street façade is required to be located.
- D. **BUILDING TYPE DEVELOPMENT STANDARDS:** Development standards for building design and placement within the TCC District.
- E. **COMMERCIAL OUTDOOR SEATING:** A public OPEN SPACE that provides areas for outdoor dining adjacent to street-level commercial uses such as cafes or restaurants.
- F. **CIVIC BUILDING TYPE:** A building located and designed to accommodate public or civic uses such as educational facilities, government administration, libraries, or places of worship
- G. **COMMERCIAL BUILDING TYPE:** A building located and designed to accommodate single use office or commercial uses as part of a retail or office complex.
- H. **GREENWAY TRAIL:** A linear public OPEN SPACE that provides pedestrian and non-motorized access along streams, streets, utility easements, and other open space corridors.
- I. **FLEX UNIT BUILDING TYPE:** A building located and designed to accommodate an attached or detached building with residential and commercial uses within individually owned and occupied units.
- J. **MIXED USE BUILDING TYPE:** A building located and designed to accommodate residential and commercial uses on multiple stories.

- K. **MIXED USE STREET:** A street that is the development's primary thoroughfare that affords access to the front entrance of commercial, retail and mixed-use buildings.
- L. **PRIMARY DRIVEWAYS:** Driveway connections to commercial development from adjacent public streets, providing access to parking lots.
- M. **PLANNED STREET:** Proposed new streets or driveways shown on the TCC District REGULATING PLAN.
- N. **PUBLIC STREET FRONTAGE:** Public OPEN SPACE that is comprised of the street tree planter and sidewalk along PLANNED STREETS, required as part of the STREET DESIGN STANDARDS.
- O. **PROTECTED OPEN SPACE NETWORK:** Land protected permanently from development as defined within the Spalding County Comprehensive Plan, including open space along streams, wetlands, and floodplains.
- P. **PARK:** A public OPEN SPACE that provides recreation amenities and gathering spaces.
- Q. **PLAZA:** A public OPEN SPACE that is available for civic and commercial activities.
- R. **PRIVATE OPEN SPACE:** OPEN SPACE that restricts public access to residents of adjacent development.
- S. **RESIDENTIAL STREET:** A street that serves multi-family and residential development that includes a landscape planting strip and sidewalks, and may include on-street parking.
- T. **RESIDENTIAL FAÇADE TREATMENT:** The required ground floor architectural design for residential buildings along the STREET FAÇADE FRONTAGE.
- U. **REGULATING PLAN:** A development plan that applies to the TCC Overlay District. The REGULATING PLAN identifies PLANNED STREETS, street types, and GREENWAY TRAILS for the purposes of regulating street, block and pedestrian connectivity.
- V. **SECONDARY DRIVEWAYS:** Driveway connections through parking lots that front along commercial buildings.
- W. **STOREFRONT FAÇADE TREATMENT:** The required ground floor architectural design for commercial and mixed-use buildings along the STREET FAÇADE FRONTAGE.
- X. **STREET DESIGN STANDARDS:** The design standards for PLANNED STREETS.
- Y. **STREET FAÇADE FRONTAGE:** The percentage of the BUILD-TO LINE required to be occupied by front building façade. This ensures that streets have a consistent street edge occupied by building façade.
- Z. **STREET WALL:** A short wall built along the BUILD-TO-LINE, co-planar with the front building façade.

**Section 2203B: Boundaries of the TCC District.** The Official Map (Section 2301 of this Ordinance) shows the boundary of the TCC District. Article 23 also contains additional information regarding interpreting district boundaries and amending boundaries, etc.

**Section 2204B: TCC District Regulating Plan.** The TCC District REGULATING PLAN shown on Figure 1 applies to the TCC District and identifies required new streets and street types for the purpose of regulating street connections and design.

**Section 2205B: Permitted Uses.** The TCC District should include a mix of uses integrated vertically (in multiple stories in one building) and horizontally (on one site adjacent to each other) to encourage a range of uses within walking distance. All uses not specifically permitted within the TCC District by this Section are specifically prohibited.

- A. The following **Principal Uses** are permitted within the TCC Overlay District:
  1. Accessory Dwelling Units
  2. Dwelling, Single Family Attached (Townhome)

3. Dwelling, Condominium
4. Dwelling, Loft Residential
5. Dwelling, Flex, Live/Work Unit
6. Farmers & flea markets
7. Independent retirement facilities
8. Intermediate Care Home
9. Nursing Home
10. Residential above commercial
11. Any retail business or professional service (which does not have continuous, unenclosed outside storage, and which is not otherwise listed herein)
12. Drug Store/Pharmacy
13. Eating & Drinking Establishments (coffee shop, restaurant-sit down, restaurant with alcoholic beverages)
14. Grocery with general merchandise
15. Animal hospital or kennel
16. Appliance sale & repair
17. Art Studio
18. Athletic club & facilities
19. Barber/Beauty Shop
20. Bank or financial institution
21. Bed & Breakfast Inns
22. Dry Cleaning, Laundromat
23. Day Care Center (must comply with the rules promulgated by the Georgia Department of Human Resources)
24. Dental Laboratory
25. Gasoline service stations
26. Hotel (with interior room entrances only)
27. Medical Laboratory
28. Professional offices, including medical
29. Civic, cultural, community facility, library, Museum
30. Government buildings – Administrative and police, except maintenance
31. Hospital, health institutions, clinics
32. Recreational parks and facilities
33. Off Street parking lot or parking garage

**B.** The following **Principal Uses** are permitted as **Special Exceptions** in the TCC District:

1. Church, synagogue, chapel or other place of worship

2. Building contractor
3. Car wash
4. College, university, technical school
5. Group Personal Care Home (as defined in Section 202:BBB(2))
6. Personal Care Home (as defined in Section 202:BBB(3))
7. Dwelling, Multi Family: Multi family development in conjunction with a mixed-use commercial/residential development meeting the following development standards:
  - a. Planned as part of a mixed-use commercial development with the residential component not exceeding more than 40% of the development site.
  - b. Following the Building Type Development Standards for Multi Family set forth in Section 2207B Development Standards.
8. School – elementary, middle, high (public or private)
9. Utilities (communication, cellular or microwave towers, electric substations)

These uses are additionally shown in Table 1, as follows:

<b>TABLE 1</b>		
<b>Residential</b>	<b>Permitted</b>	<b>Special Exception</b>
Accessory Dwelling Units	•	
Dwelling, Single Family Attached (Townhome)	•	
Dwelling, Condominium	•	
Dwelling, Loft Residential	•	
Dwelling, Multiple Family	•	
Dwelling, Flex, Live/Work Unit	•	
Group Personal Care Home (as defined in Section 202:BBB(2))		•
Independent retirement facilities	•	
Intermediate Care Home	•	
Nursing Home	•	
Personal Care Home (as defined in Section 202:BBB(3))	•	
Residential above commercial	•	
<b>Retail</b>	<b>Permitted</b>	<b>Special Exception</b>
Any retail business or professional service (which does not have continuous, unenclosed outside storage, and which is not otherwise listed herein).	•	
Bars & taverns	•	
Drug Store/Pharmacy	•	
Eating & Drinking Establishments (coffee shop, restaurant-sit down, restaurant with alcoholic beverages)	•	
Grocery with general merchandise	•	
<b>Services &amp; Professional Offices</b>	<b>Permitted</b>	<b>Special Exception</b>
Animal hospital or kennel	•	
Appliance sale & repair	•	
Art Studio	•	
Athletic club & facilities	•	
Barber/Beauty Shop	•	
Bank or financial institution	•	
Bed & Breakfast Inns	•	
Catering Service		
Dry cleaning, Laundromat	•	

Day Care Center (must comply with the rules promulgated by the Georgia Department of Human Resources)	•	
Dental Laboratory	•	
Hotel (with interior room entrances only)	•	
Medical Laboratory	•	
Professional offices, including medical	•	
<b>Institutional &amp; Civic</b>	<b>Permitted</b>	<b>Special Exception</b>
Church, synagogue, chapel or other place of worship		•
Civic, cultural, community facility, library, museum	•	
College, university, technical school	•	
Government buildings – Administration and police; except maintenance	•	
Hospital, health institutions, clinics	•	
Recreational parks and facilities	•	
School – elementary, middle, high (public or private)	•	
<b>Other</b>	<b>Permitted</b>	<b>Special Exception</b>
Building contractor		•
Car wash		•
Farmers & flea markets		•
Gasoline service stations		•
Off Street parking lot or parking garage	•	
Utilities (communication, cellular or microwave towers, electric substations)		•

**Section 2206B: Plan Review & Approval Procedures.**

**A. Pre-Application Concept Conference/Review**

1. Prior to filling an application for development within the TCC District, the applicant shall confer with the Administrative Officer or his designee in order to review the general character of the planned development (on the basis of a tentative site plan sketch) and to obtain information on development standards and ordinances affecting the proposed planned development.
2. Before an application is accepted, the applicant shall submit a preliminary concept plan for review by the Community Development Department.

**B. Plan Submittal and Review**

1. The applicant shall submit a Concept Plan of the proposed development. The Concept Plan shall, at a minimum show the following information:
  - a. Planned development name;
  - b. The owner and developer of the property;
  - c. Architect, engineer or planner who designed the plan;
  - d. Vicinity map of the property;
  - e. Parcel boundaries;
  - f. Date, scale, north arrow;
  - g. Total acreage of the tract;
  - h. Topography at ten-foot contour intervals;
  - i. Proposed land use, net acreage, building square footage and/or number of units of each type;

- j. Proposed street layout and future right-of-way protection based on the REGULATING PLAN including proposed street and driveway cross sections based on the STREET DESIGN STANDARDS;
  - k. Proposed parking plan showing the number of spaces, whether they are on-street or off-street spaces, and calculations justifying the number of spaces provided;
  - l. Proposed lot layout;
  - m. Proposed buffers, open space, common space and natural environmental features such as creek systems, PROTECTED OPEN SPACE NETWORK (as defined in the Spalding County Comprehensive Plan), ponds and stormwater detention/retention areas;
  - n. Location of proposed buildings including setbacks and required BUILD-TO LINE FRONTAGE;
  - o. Proposed building elevations of typical buildings;
  - p. Proposed phases of development.
2. The Community Development Department shall coordinate review of the plan and associated documents and provide a report to the Planning Commission which will be a part of the site plan approval process. Modifications to the REGULATING PLAN or alternative street layout may be considered based on unique site constraints as long as the intended connectivity and the location of external connection/intersections with existing streets are maintained to assure interconnectivity.
- C. **Concept Plan Approval** – The Concept Plan shall be reviewed by the Planning Commission and approved by the Board of Commissioners during the site plan approval process.

**Section 2207B: Development Standards.**

- A. **STREET DESIGN STANDARDS** – PLANNED STREETS shall be dedicated and designed as defined in the REGULATING PLAN in order to ensure District-wide connectivity and walkable street design. Table 2: STREET DESIGN STANDARDS, outlines the design requirements for each street type.
- 1. REGULATING PLAN: The REGULATING PLAN identifies PLANNED STREETS, street types, and GREENWAY TRAILS for the purposes of regulating street, block and pedestrian connectivity.
    - a. PLANNED STREETS shall be located according to the REGULATING PLAN. The property owners reserve the right to shift the alignment of streets shown on the REGULATING PLAN, but the integrity of the street network and the connectivity of the streets as shown on the REGULATING PLAN must be maintained.
    - b. The right-of-way for PLANNED STREETS shall be platted according to the specified STREET DESIGN STANDARDS.
    - c. All MIXED USE and RESIDENTIAL STREETS shall be built by the developer and turned over as public right-of-way to be maintained by Spalding County. The dedicated right-of-way shall be shown as such on a final survey plat that is submitted to and approved by Spalding County.
    - d. All PRIMARY and SECONDARY DRIVEWAYS shall be built and maintained by the developer.

- e. Utilities – Site utilities such as stormwater, water and sewer lines, and electrical and telecommunication lines shall be located within the right-of-way of PLANNED STREETS to ensure future public access and maintenance.

<b>Table 2: Street Design Standards</b>										
	<b>MIXED USE</b>		<b>RESIDENTIAL</b>		<b>PRIMARY DRIVEWAYS</b>		<b>SECONDARY DRIVEWAYS</b>		<b>ALLEY</b>	
	Min	Max	Min	Max	Min	Max	Min	Max	Min	Max
Right of Way Width (ft)	70	100	50	80	50	80	50	80	14	22
Design & Posted Speed (mph)	25		25		15		15		5	
<b>Lane Configuration</b>										
Travel Lanes (per direction)	1	1	1	1	1	1	1	1	1 lane total, yield condition	
Left Turn Lane	-	1	-	1	-	1	-	1	-	
Right Turn Lane	Only allowed at intersections of State Routes								-	
On-street Parking	Yes		Yes		Optional		None		-	
Bicycle Facility	Bike Lane		Bike Lane		Bike Lane		In travel lane		-	
<b>Lane Dimensions</b>										
Travel Lane Width (ft)	10	11	10	11	10	11	10	11	10	12
Left Turn Lane Width (ft)	10	11	10	11	10	11	10	11	-	
On Street Parking Width (ft)	7.5	8	7.5	8	7.5	8	None		-	
On Street Parking Length (ft)	22		22		22		None		-	
Bicycle Lane Width (ft)	5	6	5	6	5	6	In travel lane		-	
<b>Public Frontage</b>										
Block Dimensions (ft) (driveway access and/or street spacing)	200	500	200	500	200	600	-	600	Mid block, residential or commercial service access	
Street Tree Planter Type	Tree well/grate		Grass planting strip		Grass planting strip		Grass planting strip (along parking aisles) Tree well/grate (along building façade)		Paved shoulder	
Street Tree Planter Width (ft)	4	6	4	8	4	8	4	8	2	5
Street Trees (Minimum 2-inch caliper)	1 per 50 linear ft.		1 per 50 linear ft.		1 per 50 linear ft.		1 per landscaped island (along parking aisles) 1 per 50 linear ft. (along building façade)		None	
Bulb-outs for On-Street Parking	Every three spaces		Every three spaces		Every three spaces		None		None	
Sidewalk Width (both sides) (ft)	10	-	5	8	5	8	5 (along parking aisles) 10 (along building façade)		None	
Seating/bench	1 per 200 linear ft.		1 per 200 linear ft.		None		1 per 200 linear ft.		None	

				(along building façade)	
Lighting	Pedestrian-scaled, decorative			None	

2. Street Types: The TCC District includes the following street and driveway types:
  - a. MIXED USE STREET – This street serves as a “main street” for commercial, retail and mixed-use buildings. Buildings are “built-to” the street along wide pedestrian sidewalks that can serve as outdoor seating and merchandising for cafes and retail shops. The street includes on-street parking, bicycle lanes and regularly planted street trees. (see Figure 2A)
  - b. RESIDENTIAL STREET – This street serves multi-family and residential development and includes on-street parking, a landscape planting strip and sidewalks. Residential buildings are oriented to the street with potential for small front yards and residential lawns. (see Figure 2B)
  - c. PRIMARY DRIVEWAYS – These are “primary” driveway connections to commercial development from adjacent public streets, providing access to parking lots. They are intended to provide safe and comfortable pedestrian connections to commercial development. (see Figure 2C)
  - d. SECONDARY DRIVEWAYS – These are “secondary” driveway connections through parking lots that front along commercial buildings. These driveways may have direct access to parking aisles but need to have continuous pedestrian sidewalks on both sides either through landscape islands or adjacent to commercial buildings. (see Figure 2D)
  - e. ALLEY – A right-of-way providing access to service areas, parking, outbuildings for residential, commercial and mixed-use buildings in mid-block locations. (see Figure 2E)
3. GREENWAY TRAIL – GREENWAY TRAILS shall be dedicated and designed as defined in the TCC District REGULATING PLAN. There are two Greenway Trail design conditions: (See Table 3: Greenway Trail Design, for design requirements)
  - a. Off Street – Trails adjacent to the PROTECTED OPEN SPACE NETWORK, parks or streams.
  - b. With Street – Trails within the right-of-way of the street and adjacent to development.

<b>Table 3: Greenway Trail Design</b>		
	<b>Off Street</b>	<b>With Street (1)</b>
Trail Width (ft.)	10	10
Minimum Clear Zone (ft.)	3 (both sides of trail)	3 (both sides of trail)
Landscape Zone (ft.)	5 (both sides of trail)	7-12 (between street and trail)
Supplemental Sidewalk (ft.)	-	10 (only when adjacent to mixed use buildings)
Right-of-Way Width (ft.)	22	21-27
Pavement Material	Asphalt	Concrete
(1) Trail shall be combined with required sidewalk.		

4. Highway 41 Frontage – In order to strengthen the pedestrian environment of the Highway 41 corridor the following frontage standards shall apply (See Figure 3):
  - a. BUILD-TO LINE - Buildings and parking lots shall be setback a minimum of thirty (30) feet from the right-of way.

- b. A ten (10) foot wide sidewalk shall be constructed within the setback, located ten (10) feet from the right-of-way.
  - c. A double row of canopy trees as defined in the Spalding County Landscape Ordinance shall be planted on each side of the sidewalk, spaced every fifty (50) linear feet.
  - d. STREET FAÇADE FRONTAGE – Buildings shall occupy a minimum of twenty-five (25) percent of the Highway 41 frontage BUILD-TO-LINE.
5. Existing Street Frontage – Sidewalks of at least five (5) feet in width shall be provided along all existing public street frontages of a development. A landscaped street tree planter of at least Six (6) feet shall be provided between the street and sidewalk and shall be planted with canopy trees spaced every fifty (50) linear feet.
6. Access Management
- a. For access to existing streets and highways, new driveways and streets (not identified on the REGULATING PLAN) shall be spaced a minimum of four hundred (400) linear feet apart and shall be right-in/right-out only.
  - b. For access to new streets, parcels are permitted a maximum of one (1) driveway curb cut per block face or one (1) curb cut per four hundred (400) linear feet of block face, whichever is greater.
  - c. Inter-Parcel Access – Vehicular access between separate parcels shall be required where feasible in the form of joint use driveways. Parking lot site design shall be organized to facilitate a continuous driveway along the back of adjoining properties. Stub-outs shall be used when proposed development is adjacent to undeveloped parcels. Cross access easement agreements shall be required for site plan approval. (see Figure 4)
- B. BUILDING TYPE DEVELOPMENT STANDARDS** – Development standards for building design and placement within the TCC Overlay District are governed by building types.
1. Building Types - **Table 4: BUILDING TYPE DEVELOPMENT STANDARDS** outlines the design requirements for each street type. The TCC Overlay District includes the following building types:
- a. TOWNHOUSE – as shown on Figure 4A.
  - b. MULTI FAMILY – as shown on Figure 4B.
  - c. FLEX UNIT – as shown on Figure 4C.
  - d. MIXED USE – as shown on Figure 4D.
  - e. COMMERCIAL – as shown on Figure 4E.
  - f. CIVIC – as shown on Figure 4F.
2. BUILD –TO LINE – The BUILD-TO LINE is the line along which the front building façade is permitted/required to be located. This requirement ensures that buildings are built close to the street, with parking lots behind, to create an inviting pedestrian environment.
- a. STREET FAÇADE FRONTAGE: The percentage of the build-to line required to be occupied by building façade. This ensures that streets have a consistent street edge occupied by building façade. As specified in Table 4 and shown on Figure 5.
  - b. STREET WALL: STREET WALLS may be used to meet up to thirty (30) percent of the STREET FAÇADE FRONTAGE requirement. Street walls shall be a minimum of three and one-half (3.5) feet in height, constructed of a

material matching the adjacent building, and shall be no less than seventy-five (75) percent opaque.

- c. Commercial outparcels with small building footprints such as gas stations, convenience stores, or restaurants may meet the STREET FAÇADE FRONTAGE requirement with any combination of building façade and STREET WALLS. (see Figure 6)
3. Single Family Buffer – Development abutting single family parcels shall have a minimum one hundred (100) foot setback measured from existing residential parcel line.

Table 4: Building Type Development Standards												
	TOWNHOUSE		MULTI FAMILY		FLEX UNIT		MIXED USE		COMMERCIAL		CIVIC	
	Min	Max	Min	Max	Min	Max	Min	Max	Min	Max	Min	Max
<b>Building Envelope (Principal Building)</b>												
BUILD-TO LINE (ft) (front setback)	0	15	0	15	0	15	0	15	0	15	0	-
STREET FAÇADE FRONTAGE (%)	80	-	70	-	80	-	70	-	50	-	-	-
Side Setback (ft) (20 ft. between buildings)	0	-	0	-	0	-	0	-	0	-	0	-
Rear Setback (ft)	15	-	15	-	15	-	15	-	15	-		
Building Square Footage (sf)	1,250 (per unit)	-	850 (1 bedroom) 1,000 (2 bedroom) 1,250 (3+ bedroom)	-	1,000 (per unit)	-	-	-	-	-	-	-
<b>Building Envelope (Accessory Building)</b>												
Front Setback (ft) (measured behind principal building setback)	25	-	Not Permitted		25	-	Not Permitted		Not Permitted		Not Permitted	
Side Setback (ft)	0	-			0	-						
Rear Setback (ft)	5	25			5	25						
<b>Building Height (stories)</b>												
Principal Building	1	3	2	3	2	3	2	3	1	2	1	3
Accessory Building	1	2	Not Permitted		1	2	Not Permitted		Not Permitted		Not Permitted	
<b>Parking</b>												
Location	25 ft. behind principal building setback											
Vehicular Access	rear ALLEY	rear ALLEY or PRIMARY DRIVEWAY		rear ALLEY		rear ALLEY or PRIMARY DRIVEWAY		rear ALLEY, PRIMARY or SECONDARY DRIVEWAY		rear ALLEY or PRIMARY DRIVEWAY		
<b>Building Use</b>												
Residential	•		•		•		•					
Retail					•		•		•			
Services & Home Occupation, Minor					•		•		•			
Institutional/ Civic							•				•	

C. **OPEN SPACE** - All development shall be required to dedicate OPEN SPACE. The minimum requirement for open space is twenty (20) percent of the parcel area.

1. OPEN SPACE requirements shall be met by providing any of the following:

- a. **PARK:** A public OPEN SPACE that provides recreation amenities and gathering spaces. A PARK is landscaped with lawns and trees, including existing or natural vegetation and shall have no more than twenty (20) percent of its area covered with impervious surfaces. A PARK shall have streets along a minimum of fifty (50) percent of its perimeter.
  - b. **PLAZA:** A public OPEN SPACE that is available for civic and commercial activities. A PLAZA is landscaped with paved walks, hardscaped areas, trees and ornamental structures such as fountains, gazebos, and public art. A plaza shall have street along a minimum of fifty (50) percent of its perimeter.
  - c. **GREENWAY TRAIL:** A public OPEN SPACE that provides pedestrian and non-motorized access along streams and other open spaces. The trail shall be a twelve (12) foot wide concrete trail with greenspace on either side. Where GREENWAY TRAILS are required, and are along the PROTECTED OPEN SPACE NETWORK or stream, there shall be a minimum twenty-five (25) foot easement provided, exclusive of the PROTECTED OPEN SPACE NETWORK or required stream buffers, for such trail with public access provided.
  - d. **COMMERCIAL OUTDOOR SEATING:** A public OPEN SPACE that provides areas for outdoor dining adjacent to street-level commercial uses such as cafes or restaurants. This OPEN SPACE can be provided as extended sidewalk space or courtyards adjacent to buildings.
  - e. **PUBLIC STREET FRONTAGE:** A public OPEN SPACE that is comprised of the street tree planter and sidewalk along PLANNED STREETS, required as part of the STREET DESIGN STANDARDS.
  - f. **PRIVATE OPEN SPACE:** An OPEN SPACE that restricts access to residents of adjacent development. Residential development may provide up to fifty (50) percent of their required open space as PRIVATE OPEN SPACE in the form of courtyards, lawns, gardens, terraces, swimming pools, or other common outdoor amenities.
2. OPEN SPACE shall be dedicated, designed and constructed pursuant to the following regulations:
    - a. Detention ponds, required stream buffers, and PROTECTED OPEN SPACE NETWORK shall not be used in OPEN SPACE calculations.
    - b. The owner shall submit a maintenance agreement establishing a mechanism for maintaining OPEN SPACE dedication located with the development.
    - c. For developments constructed in phases, required OPEN SPACE shall be constructed or dedicated in an amount proportionally equivalent to each phase of development.
    - d. OPEN SPACE dedication shall be guaranteed through bonds, conservation easements, land donation to the County or permanent deed restriction.
- D. **Parking** - Parking lots shall be designed and landscaped to create an attractive environment that encourages pedestrian activity and controls the micro-climate created by large paved areas.
1. **Required Number of Parking Spaces** – The TCC Overlay District is to be pedestrian oriented with parking standards that maximize the amount of parking spaces provided and require the provision of bicycle parking. Table 5: Parking Standards outlines the minimum and maximum spaces for the primary uses within the TCC Overlay District. Minimum parking standards for all other uses shall be defined by

the Spalding Standard for Off-Street Parking and Service Facilities (Appendix G) as amended hereafter.

<b>Table 5: Parking Standards</b>				
<b>Land Use</b>	<b>Automobile Parking Spaces</b>		<b>Bicycle Parking Spaces</b>	
	Minimum (1)	Maximum	Minimum	Maximum
Dwelling (Townhouse, Condominium, loft, multifamily)	1 (per dwelling unit)	1.5 (per dwelling unit)	1 (per 5 units) Minimum 2 spaces	1 (per 5 units) Maximum 30 spaces
Dwelling, Flex, Live/work	1.5 (per dwelling unit)	2 (per dwelling unit)		
Retail & Service Commercial	3 (per 1,000 sf.)	5 (per 1,000 sf.)	1 (per 20 automobile spaces)	1 (per 20 automobile spaces)
Profession & Medical Office	2 (per 1,000 sf.)	4 (per 1,000 sf.)		
Mixed Use (residential/office/retail)	1 (per dwelling unit) + 50% of required office and/or retail spaces	1.5 (per dwelling unit) + 75% of required office and/or retail spaces		
<b>Note:</b> All on-street parking spaces provided as part of a development shall be counted toward the number of required spaces.				

2. Parking spaces provided over the minimum number required must utilize pervious pavement materials such as grass paver systems or pervious pavement.
3. Parking Lot Design
  - a. All off-street parking shall be located to the side and/or rear of all buildings. No parking shall be permitted between a building a street.
  - b. Bicycle parking shall be located within two hundred (200) feet of a building primary entrance and located to provide natural surveillance. Refer to the Association of Pedestrian and Bicycle professionals bicycle parking guidelines in selecting the type of bicycle parking racks:  
<http://www.apbp.org/?page=Publications>
  - c. Internal parking lot driveways shall have a minimum width of fourteen (14) feet for one-way traffic and twenty-four (24) feet for two-way traffic.
4. Parking Lot Landscaping – Development shall comply with the Spalding County Landscape and Tree Preservation Ordinance (Zoning Ordinance, Appendix K) and the following standards:
  - a. Parking lots shall be planted with one (1) 2-inch caliper canopy tree and one 2-inch understory tree for every ten (10) parking spaces or every 2,000 square feet of impervious surface on site, whichever is greater.
  - b. One parking lot landscape island shall be provided for every ten (10) parking spaces on site. Landscape islands shall be a minimum of ten (10) feet in width and extend the length of two (2) parking spaces for a minimum of two hundred (200) square feet in size. Landscape islands shall be planted with two (2) canopy trees.
  - c. A landscape island, minimum ten (10) feet in width and extending the length of the parking field, shall be provided for every five (5) rows of parking. This landscape island shall have a pedestrian walkway of at least five (5) feet in width to connect parking lots to buildings and be planted with canopy trees spaced every thirty (30) feet on center.

- d. Any parking not screened from the street by a building shall have a minimum eight (8) foot wide landscaped area between the parking lot and the street/sidewalk. Such landscaped area shall have a minimum of one (1) shade tree per fifty (50) linear feet, groundcover, and an evergreen hedge, decorative wall, or fence at a minimum two (2) feet to a maximum three and one-half (3.5) feet in height.

E. **Pedestrian Circulation** – Pedestrian circulation is as important as vehicular circulation. While PLANNED STREETS will include new sidewalks, internal sidewalk connections shall be provided between streets and buildings.

1. Continuous internal pedestrian walkways of at least six (6) feet in width shall be provided from the public sidewalk of right-of-way to the principal entrance of all buildings.
2. All internal pedestrian walkways and crosswalks shall be distinguished from driving surfaces to enhance pedestrian safety and comfort using durable, low-maintenance surface materials such as pavers, bricks, or concrete. A crosswalk shall be required when a sidewalk crosses a driveway or a paved area accessible to vehicles.
3. Sidewalks shall be provided along the full length of any side of a building adjoining a parking lot, designed according to the SECONDARY DRIVEWAY standards outlined in Figure 2D.

F. **Building Design**

1. General Building Design Requirements
  - a. Building Orientation - Buildings shall have their primary entrance for pedestrians visible and directly accessible from the street and sidewalk, including but limited to dwelling units, multi family lobbies, and individual business establishments. This entrance shall be open to the public during business hours.
  - b. Building Mass and Scale – Building façades shall include vertical bays articulated such that no more than sixty (60) feet of horizontal distance of wall shall be constructed without architectural relief a minimum of thirty (30) feet wide and one (1) foot deep.
  - c. Building Materials - The first two (2) stories of building facades shall be constructed of a minimum of eighty-five (85) percent of brick, cast stone, concrete siding such as Hardiplank, natural wood or stone material, exclusive of windows and doors.
2. RESIDENTIAL FAÇADE TREATMENT – Residential buildings shall have a RESIDENTIAL FAÇADE TREATMENT on the ground floor façade along the length of the required STREET FAÇADE FRONTAGE. This treatment shall include:
  - a. An entry stoop or porch at the primary pedestrian entrance.
  - b. Windows for a minimum of thirty (30) percent and a maximum of sixty (60) percent of the length of the built portion of the STREET FAÇADE FRONTAGE.
  - c. Acceptable building materials shall include brick, cast stone, concrete siding such as Hardiplank, natural wood or stone materials, or stucco, excluding vinyl siding.
3. STOREFRONT FAÇADE TREATMENT – Commercial and mixed-use buildings shall have a STOREFRONT FAÇADE TREATMENT on the ground floor façade along the length of the required STREET FAÇADE FRONTAGE. Standards for this treatment shall include:
  - a. Corner building entrances for buildings on corner lots.

- b. A non-glass base or knee wall beginning at grade and extending to a point no less than eight (8) inches but no more than twenty-four (24) inches above the sidewalk.
  - c. A glass display window a minimum of seventy-five (75) percent of the length of the built portion of the STREET FAÇADE FRONTAGE.
  - d. Provides no length of façade exceeding twenty (20) feet without intervening glass display windows.
  - e. A clear visual division shall be maintained between the ground floor and upper floors with either a cornice line or awning from twelve (12) to sixteen (16) feet above the base floor elevation.
  - f. Awnings shall be of fabrics, canvas, fixed metal, or similar material. Internally lit awnings and canopies that emit light through the awning or canopy material are prohibited.
  - g. Acceptable building materials shall include brick, cast stone, stucco, concrete or stone materials, excluding vinyl siding.
4. Mechanical and Service Area Screening
- a. Loading docks, truck parking, outdoor storage, utility meters, HVAC equipment, trash dumpsters/compactors, and other service functions shall not be visible from any street or sidewalk or adjacent residential area.
  - b. These facilities shall be incorporated into the overall design of the principal building using screening walls of compatible material, style, color, texture, pattern, trim and detail.
  - c. Screening walls shall be one (1) foot higher than the highest object being screened, but not more than ten (10) feet high. An opaque gate, with the same height as the wall, shall be included where access is needed.
  - d. Mechanical equipment at ground level shall be placed on the parking lot side of the building such that it is not visible from any street or sidewalk or adjacent residential area.
  - e. Mechanical equipment shall be screened from view by fencing, evergreen vegetation, or walls.
5. Exterior Lighting
- a. The purpose of these criteria is to create standards for outdoor lighting which will provide nighttime safety, security and utility, while reducing light pollution and light trespass, and increase conservation of energy. Any lighting used to illuminate parking areas, access drives or loading areas shall be of such a design or level of illumination so as to minimize the amount of ambient lighting perceptible from adjacent properties and that would impair the vision of motorists.
  - b. Lighting poles mounted on private property outside of public street rights-of-way may not exceed a height of 16 feet.
  - c. Accent lighting for building facades and other vertical structures shall be directed solely onto the building or structure and not toward the sky or onto adjacent properties. Direct light emissions shall not be visible above the roofline or beyond the building's edge. Shielding shall be provided to restrict light to the object being accented.

- d. All pole mounted fixtures shall be mounted parallel to the ground. Building mounted floodlights shall be direct cutoff type and set parallel to the ground.
  - e. Lighting for uses adjacent to residentially zoned property shall be designed and maintained such that illumination levels do not exceed 1.0 foot-candle along property lines, measured at ground level by a light meter certified by its manufacturer as being calibrated in accordance with standards of the National Institute of Standards and Technology.
  - f. The use of search lights, laser lighting, or lights that pulse, flash, rotate or simulate motion for advertising or promotions is prohibited.
  - g. Any wall or pole-mounted light fixture shall be a cutoff luminaire whose source is completely concealed with an opaque housing and shall not be visible from any street.
  - h. Light fixtures for canopies covering fueling stations and at individual drive-through facilities shall be mounted such that the lens cover is recessed or flush with the bottom surface of the canopy and/or shielded by the fixture or the edge of the canopy.
6. Signs: Minimum design and location standards for signs are contained in the Spalding County Sign Ordinance (Appendix E.) Consult that document for specific requirements.

Section 3: The foregoing amendments to the Zoning Ordinance of Spalding County shall become effective immediately upon adoption of this resolution.

Section 4: All Ordinances or resolutions in conflict herewith shall be and are hereby, repealed.

*Motion/second to approve second reading of amendment by Commissioners Phillips/Gilreath and carried by a vote of 3-0.*

Mr. Phillips stated this is with the understanding this does not include the additional two miles. This is simply for the benefit of the overlay district.

#### **X. OLD BUSINESS**

- 1. Conduct a public hearing to establish street lighting district for Crestwick Subdivision.

*Motion/second by Commissioners Phillips/Gilreath to open the public hearing for the street lighting district. No one was present to oppose. Motion/second by Commissioners Phillips/Gilreath to approve street lighting and carried by a vote of 3-0.*

#### **XI. NEW BUSINESS**

- 1. Conduct a public hearing on adoption of 2010 Capital Improvement Element (CIE) and Short Term Work Program (STWP).

Chuck Taylor was present to answer any questions. This was reviewed by the local Department of Community Affairs. They sent it back with approval. Mr. Freeman stated the reason for this is because the county charges impact fees. Mr. Taylor stated the county is required to do an annual update because we charge impact fees and that by adopting this document we keep both our "qualified local government" status and the ability to charge impact fees.

### **RESOLUTION**

#### **SPALDING COUNTY STATE OF GEORGIA**

**WHEREAS**, with the passage of the Georgia Planning Act of 1989, all of Georgia's 159 counties and 529 cities were designated "Qualified Local Governments." Each of these local governments must maintain that status in order to remain eligible for a range of state and federal assistance programs; **AND**,

**WHEREAS**, this act requires local governments such as Spalding County, that adopt impact fees as a means of providing capital facilities funding, to update the Capital Improvements Element (CIE) and Short Term Work Program (STWP) Elements of the Comprehensive Plan; AND

**WHEREAS**, Spalding County 2025 Comprehensive Plan has held the required number of public hearings and has otherwise complied with the requirements of said Georgia Comprehensive Planning Act of 1989;

**NOW, THEREFORE BE IT RESOLVED** that the Board of Commissioners of Spalding County herewith transmit to the Three Rivers Regional Commission, the 2010 Capital Improvements Element (CIE) and Short Term Work Program (STWP) and incorporate these changes into the Spalding County 2025 Comprehensive Plan on this, the third day of May, 2010.

---

Chairman – Edward Goss, Jr.

---

County Clerk – Timothy Whalen

*Motion/second to adopt 2010 CIE and STWP by Commissioners Phillips/Gilreath and carried by a vote of 3-0.*

2. Consider approval of a new 2010 Alcoholic Beverage License for Retail Sales of Liquor for Sadru Ali, d/b/a Zetella Express located at 4289 Highway 16 West.

Chuck Taylor stated the business has met the requirements. He further stated the one thing that still has to be enforced is the business owner has to build a wall between his liquor store and his convenience store.

*Motion/second to approve alcoholic beverage license by Commissioners Phillips/Gilreath and carried by a vote of 3-0.*

3. Consider revision to Personnel Ordinance regarding county manager’s discretion with steps in promoting employees.

**SPALDING COUNTY, GEORGIA  
PERSONNEL ORDINANCE  
ORDINANCE NO. 2010-02**

**AN ORDINANCE  
TO AMEND THE PERSONNEL ORDINANCE OF SPALDING COUNTY GEORGIA, TO  
PROVIDE FOR ABILITY TO INCREASE STEPS WITHIN A PAY GRADE UPON  
PROMOTION OF INTERNAL EMPLOYEES.**

BE IT RESOLVED AND ORDAINED by the Board of Commissioners of Spalding County, Georgia, as the governing authority of said County, as follows:

**Section 1.** That the Personnel Ordinance of Spalding County, Georgia which is adopted by reference at Part 2, Article B, Section 2-7001 to be and is part of the Code of Spalding County, Georgia, be amended in Article III, Section 6 by adding the following text to paragraph (a):

“(a) ...When deemed necessary in the best interest of the County, an increase of up to six steps may be made upon recommendation of the elected official or department head at the discretion of the County Manager. The recommendation shall be in writing and shall include justification for the recommendation. Exercise of this discretion by the County Manager shall occur only when the position being filled was advertised to external and internal applicants and shall be based on factors such as inclusion of a transfer to a different department as part of the employee’s promotion, promotion to a newly created position, substantial change in the responsibilities and duties of the position from that previously held by the employee, qualifications of the employee being higher than those of external applicants, a shortage of qualified applicants available at the hiring rate, and/or the refusal of qualified applicants to accept employment at the minimum step.”

And that the Personnel Ordinance of Spalding County, Georgia which is adopted by reference at Part 2, Article B, Section 2-7001 to be and is part of the Code of Spalding County, Georgia, be amended in Article IV, Section 12 by changing the text of paragraph (c) as follows:

“(c) If a current County employee is chosen for promotion, the department head shall forward the employee’s name to the Personnel Director with a recommendation for classification

and reasons for selecting the employee over other applicants. After considering the department head's comments, the Personnel Director shall approve the appointment and determine the classification. Elected officials shall forward the employee's name to the Personnel Director with a recommendation for classification. Starting salary shall be determined in accordance with Article III, Section 6(a)."

**Section 2.** The within ordinance shall be and become effective immediately upon its adoption by the affirmative vote of a majority of the members of the Board of Commissioners of Spalding County, Georgia, present at two meetings, as provided in Section 2-1005 of the Code of Spalding County, Georgia.

**Section 3.** All ordinances or parts of ordinances in conflict herewith are hereby repealed.

-----  
Approved on first reading this second day of August, 2010.

Approved on second reading this sixteenth day of August, 2010.

***Motion/second to approve ordinance by Commissioners Phillips/Gilreath and carried by a vote of 3-0.***

4. Consider approving the following question to be placed on the November ballot:

Shall the governing authority of Spalding County be authorized to permit and regulate Sunday sales of distilled spirits or alcoholic beverages for beverage purposes by the drink?

***Motion/second to approve question for November ballot by Commissioners Phillips/Gilreath and carried by a vote of 3-0.***

5. Consider approval of the following legislative question regarding Special Homestead Exemption to be placed on the November ballot:

The homestead of each resident of Spalding County who is totally disabled or 62 years of age or older and who received less than \$20,000.00 of income during the preceding calendar year shall be entirely exempt from Spalding County taxation.

Mr. Phillips recommended that the school board and the City of Griffin be advised of the county's actions. Mr. Freeman asked if this was just the household. Tim Whalen stated this is the total household income. This is just for the county portion of the taxes.

Mr. Gilreath asked how will you judge the total household income. Mr. Whalen stated the tax commissioner has a form that the applicant will fill out to determine this. The resident will also be asked to being in their income tax returns to justify their income. Mr. Gilreath asked how you know whether or not someone else is living in the house and making more money than the person that owns the home. Mr. Whalen stated it goes back to honesty.

***Motion/second to approve question for November ballot by Commissioners Phillips/Gilreath and carried by a vote of 3-0.***

6. Consider approval of Rental Agreement for space occupied by the Department of Human Services – Family and Children Services located at 411 East Solomon Street in Griffin.

Tim Whalen stated this is the same rent they were previously paying.

***Motion/second to approve agreement by Commissioners Phillips/Freeman and carried by a vote of 3-0.***

7. Consider request from Three Rivers Regional Commission to reappoint members to the CSBG Advisory Board.

The members are:

Gwen Flowers-Taylor – Spalding County Board of Commissioners  
David Phillips – Spalding County Board of Commissioners  
Bob Gilreath – Spalding County Board of Commissioners  
Eddie Freeman – Spalding County Board of Commissioners  
Edward Goss, Jr. – Spalding County Board of Commissioners  
Jinna Garrison – Spalding County Finance Director  
Jackie Williams – Council on Aging

Ruth Daniel – Council on Aging, Director  
Louis Greene – Spalding County Recreational Director  
Syble Jones – Spalding County Juvenile Probations Director

Arona Smith, the CSBG Coordinator was present from Three Rivers to address. She stated that one of the requirements of the CSBG is that there is an advisory board in place. The plan for next year is about to be updated. Part of this plan is to update the board members. The above names are people that are currently on the Board.

***Motion/second to approve reappointing members by Commissioners Phillips/Gilreath and carried by a vote of 3-0.***

8. Consider request from Three Rivers Regional Commission to appoint individuals to the CSBG Advisory Board to replace prior members that no longer serve their programs.

Arona Smith also addressed this item stating they wish to replace three vacant positions with the following names:

Glinda Robertson to replace Teresa Watson  
Virginia Martin to replace Paul Van Haute  
Jennifer Park (Salvation Army) to replace Jimmy Hodo

She stated all of these people have agreed to serve on the board.

***Motion/second to approve appointing the above individuals to the Board by Commissioners Phillips/Gilreath and carried by a vote of 3-0.***

9. Consider approval of application for the FY' 11 Community Services Block Grant (CSBG) Program. Aronda Smith is present to address this item.

Arona Smith stated this is the 2011 contract for the CSBG Program. Spalding County was recently allocated \$123,683 for the next fiscal year which begins October 1<sup>st</sup>. They are going to utilize the funds for the Meals on Wheels Program and the After School Program which they are sub contracting with the Salvation Army.

They have been asked to add an additional program by the Department of Human Services. They feel the county has a need for emergency assistance. \$18,000 has been set aside for this program. At the request of Virginia Martin, Ms. Smith went over to the Salvation Army to speak with them about sub contracting with their existing emergency program. They welcomed the opportunity to partnership with the county in providing this service to the community. The Salvation Army's program has been reduced drastically and they could use the extra funding. Ms. Smith stated if the commissioners approve it she will come back with a contract between the county and the Salvation Army. She stated this will be a cheaper way to go because the county is not paying a salary. It is providing a direct service.

For the After School Program and the Summer School Program with the Salvation Army, the total is \$23,000. For the Meals on Wheels Program for next year, the total amount will be \$64,130.45. There is also grant administration with Three Rivers which is going to be \$18,552.55. It's a very small increase from last year.

***Motion/second to approve application for grant program by Commissioners Phillips/Gilreath and carried by a vote of 3-0.***

10. Consider approval of the Georgia County Internship Program Subgrant Agreement between ACCG and Spalding County.

Virginia Martin stated this is the paperwork that ACCG needs back from the county. The county already has an intern in place in Community Development. The intern is working on revisions to the UDO. He has been with us for several weeks. ACCG is paying him so the county needs to get the paperwork in.

***Motion/second to approve agreement by Commissioners Phillips/Gilreath and carried by a vote of 3-0.***

11. Consider sending a letter of support to the Georgia Department of Transportation requesting a speed study on SR 362 at Rover Zetella Rd. and SR 16 at Rover Zetella Rd.

Mr. Phillips added that someone should discuss this with Sheriff Thomas from Pike County for his support. He asked that we add the speed change request into the letter of support regarding speed study.

*Motion/second to approve sending letter by Commissioners Phillips/Gilreath and carried by a vote of 3-0.*

12. Consider approving revised agreement with AT&T regarding cell towers.

Virginia Martin stated the county co-locates equipment for the 800 Mhz system on a tower owned by AT&T out on 155. The lease expired at the end of December. She has been trying to get the lease negotiated and they have been less than responsive. She stated the county has been paying much more than she believes is reasonable. Ms. Martin drafted a renewal agreement for the Board's approval.

The prior lease was very slanted in AT&T's favor and gave the county no way to get out of the lease. It also punished the county if there were improvements AT&T wanted to make to their tower. Ms. Martin tweaked the agreement to the county's favor.

*Motion/second to approve agreement by Commissioners Phillips/Gilreath and carried by a vote of 3-0.*

## **XII. REPORT OF COUNTY MANAGER**

- Public Works has finished Phases 1 and 2 of the Pocket Park. They laid the sod and the stage has been poured. They have wrapped up on the project.
- Jenkinsburg Rd Bridge @ I-75 will be closed temporarily while repairs are made. This will take approximately two and a half to three weeks.
- Mr. Whalen received a report from Animal Control that there is a possible outbreak of parvo in the shelter. The county had budgeted \$10,000 to paint this year, however it has been recommended they sandblast the entire center back to the concrete block, epoxy the walls and then paint. The center will have to close for approximately three weeks to get the work done. It will take about \$25,000. This is \$15,000 over budget.

Mr. Gilreath asked if there was something they could spray the walls with to disinfect them without having to spend the extra money. Mr. Whalen stated the parvo gets into the block so it's better to sandblast.

Mr. Freeman asked if the state had recommended this. Mr. Whalen stated Animal Control feels like the state will shut them down if this is not taken care of. Mr. Freeman asked what other counties have been doing to correct this. Mr. Whalen stated if we just paint it will only stop the problem for a brief period of time. He further stated the paint work can be done with inmate labor. Mr. Gilreath wants the county to pursue other options without having to spend the extra money. He stated someone needs to check with the state on this. Mr. Phillips agreed.

## **XIII. REPORT OF COMMISSIONERS**

### **David Phillips**

- Deputy Bill Harris is recovering well. He is in the process of rehabilitation.
- Eddie Goss' grandson was injured in car accident. It was reported before the end of the meeting that he was dismissed from the hospital and is doing well.

### **Bob Gilreath**

- The building in back of the pocket park will be painted. The building looks bad not being painted. Mr. Amin is handling this.
- Expressed concerns for Mr. Goss' grandson. Hopes he is okay.
- The Sheriff Department accepts arrests made by Griffin Police officers on state warrants. The cost of healthcare has risen to the extent that the Sheriff's budget is strapped paying out the high cost of medical care for these prisoners. Two things must be looked at: having the city pay the cost of healthcare on the prisoners they take to the county; or have the City of Griffin take the prisoners to Lamar County as they do their other prisoners. Either way this will take the burden from the Sheriff's Department. This needs to be looked into.
- There are four departments he would like reviewed again for budget cuts. Things are still tight.

**Eddie Freeman**

- Congratulated the 4-H Equestrians for winning National Championship. The kids have been working hard to win this.

Bill Taylor from WKEU stated that over the weekend there were two stray bulldogs in the area that attacked David Dodson and bit him four times. David is okay. Mr. Taylor wanted to thank the Animal Control people for coming out so quickly on the weekend.

**XIV. CLOSED SESSION - None**

**XV. ADJOURNMENT**

*Motion/second to adjourn by Commissioners Phillips/Gilreath at 7:35 p.m. and carried by a vote of 3-0.*

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Interim County Clerk