

**SPALDING COUNTY PLANNING COMMISSION**  
**Regular Meeting**  
**June 30, 2015**

The Spalding County Planning Commission held its regular monthly meeting on June 30, 2015 at 7:00 P.M. in Room 108 of the Spalding County Courthouse Annex. Members present were: John Youmans, Chair, presiding; Walter Cox; and Frank Harris. Members Bruce Ballard and Sonny Eubanks were not present.

Also present were: Cindy McDaniel, Planning Technician; Newton Galloway, Zoning Attorney and Teresa Watson to record the minutes.

**CALL TO ORDER**

Mr. Youmans called the meeting to order, introduced the members of the Planning Commission and invited those present wanting to address the Board regarding any matter to sign in on the appropriate form.

**NEW BUSINESS**

**Amendment to UDO #A-15-05:** Appendix B. Ordinance Establishing Planning Commission – Section 104 – amend appointment of members; removal for cause; compensation.

Mr. Newton Galloway advised the Planning Commission could combine Amendment to UDO #A-15-05 and #A-15-06 for purposes of discussion and then vote on each individually.

*Motion by Mr. Cox to combine Amendments to UDO #A-15-05 and UDO #A-15-06 for discussion. Motion was seconded by Mr. Harris and carried 3-0.*

**Amendment to UDO #A-15-06:** Appendix C. Ordinance Establishing Board of Appeals – Section 103 – amend appointment of members; removal for cause; compensation.

Mr. Galloway provided an overview of the amendments, noting the provision that one can hold another position with Spalding County but not a position appointed by the Planning Commission. The intent was to make certain that political appointees did not have multiple appointments. This doesn't apply to all positions that might involve County government. When Mr. Cox was appointed to Planning Commission, while serving on the Board of Equalization (BOE), they felt as though the intent was that the Board of Commissioners would not make dual appointments. Another appointment that is not political, though, is deemed acceptable and Mr. Galloway felt it would be better to clarify what constitutes a political appointment. The appointment was consistent with the intent, but he simply wanted it clarified. He noted that the BOE appointment is made by the Grand Jury and not the governing body (Board of Commissioners).

Chairman Youmans asked about the provision for ensuring attendance and removal for cause. Questions were answered by Attorney Newton Galloway.

*Motion by Mr. Cox to approve Amendment to UDO #A-15-05. Second was made by Mr. Harris and motion carried 3-0.*

*Motion by Mr. Cox to approve Amendment to UDO #A-15-06. Second was made by Mr. Harris and motion carried 3-0.*

**Amendment to UDO #A-15-07:** Article 5. AR-1 Agricultural and Residential – Section 503:D(5), Article 6. AR-2 Rural Reserve – Section 603:D(5), Article 7. R-1 Single Family Residential Low District

– Section 703:D(1), Article 7A. R-1A Single Family Residential District – Section 703A:D(1), Article 8. R-2 Single Family Residential District – Section 803:D(1), Article 8A. R-2A. Single Family Residential District – Section 803:D(1), Article 9. R-3 Multiple Family District – Section 903:D(2), Article 10. R-4 Single Family Residential – Section 1003:D(1), Article 11. R-5 Single Family Residential District – Section 1103:D(1), and Article 11A. R-6 Planned Residential Community District – Section 1103A:D(1) – amend general home occupations.

Mr. Galloway said this amendment arose from an application for a Special Exception for a Home Occupation for a shooting range on North Rover Road. The County did not foresee this, and as a result there was no legal basis to deny or preclude the application, so the Board of Commissioners adopted a moratorium that would prevent Community Development from accepting additional applications for the same use. Then, he was given direction to draft an ordinance to preclude acceptance and approval of shooting ranges as a general home occupation. This resolution amends various provisions of the Zoning Ordinance to eliminate the shooting range as a home occupation (fringe). We can then deny a Home Occupation that may conflict with existing nearby development or cause harm to the general welfare. Shooting ranges are specifically precluded in each of the residential zoning districts. The County felt it could reasonably expect more issues with this as more have the ability to work from home. Many no longer have to be in an office or storefront. He looked at the consistency to give authority to approve or deny, so he felt it appropriate to allow a general provision giving discretionary authority. The Planning Commission can entertain and provide their recommendation. Community Development Director Chad Jacobs would then assess and make a recommendation to the Appeals Board who will recommend to the Board of Commissioners for approval or denial. By the time it gets through the Board of Commissioners, at least twelve people will have reviewed it. The moratorium was scheduled to expire June 30 but was extended for another 60 days.

Some discussion regarding allowing some of the deleted home occupations in R3. Mr. Galloway noted this multi-family zoning designation is for apartments and other multi-family environments, but Ms. McDaniel noted the County has issued home occupations in that zoning designation. Some people have business licenses in R3, and they would be allowed to continue. Generally, home occupations will not be allowed in R3 and have been removed. Home occupations seem to be expanding in scope and whatever can be included is being requested. As a result people are doing a greater number of, and more varied type, activities. Mr. Galloway advised the assumption is that home occupations are compatible with other uses in residential districts. Some are problematic and this amendment provides a measure with which the County can deal with these type issues.

*Motion/second to approve Amendment to UDO #A-15-07 by Messrs. Harris/Cox, carried 3-0.*

#### **MINUTES**

*Motion to approve the May 26, 2015 Planning Commission meeting minutes by Mr. Harris, seconded by Mr. Cox, carried 3-0.*

#### **ADJOURNMENT**

*Meeting was adjourned at 7:30 p.m. on motion/second by Messrs. Cox and Harris by 3-0 vote.*

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John Youmans – Chair

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Teresa A. Watson – Recorder