



**BULLOCH COUNTY
BOARD OF COMMISSIONERS**

AGENDA • APRIL 4, 2023

Regular Meeting

Honey Bowen Building Multi-Purpose Room

5:30 PM

1 Max Lockwood Drive, Statesboro, GA 30458

I. CALL TO ORDER, WELCOME MEDIA AND VISITORS

RESOURCE PERSON/FACILITATOR: Chairman Thompson

II. INVOCATION AND PLEDGE

RESOURCE PERSON/FACILITATOR: Commissioner Timmy Rushing

III. ROLL CALL

RESOURCE PERSON/FACILITATOR: Clerk of the Board

IV. APPROVAL OF ZONING AGENDA

RESOURCE PERSON/FACILITATOR: Chairman Thompson

1. Brenda & McKinley Talley submitted an application to rezone 51 acres from AG-5 to HC to create a recreational vehicle park and campground. The property is located at 4115 & 4165 Seed Tick Road, Parcel No. 178 000010 000 and 178 000033 000.
2. Brenda & McKinley Talley submitted an application for a conditional use to create a recreational vehicle park and campground. The property is located at 4115 & 4165 Seed Tick Road, Parcel No. 178 000010 000 and 178 000033 000.
3. Garrett Nevil submitted an application to rezone 66 acres from AG-5 to LI to allow the development of warehouses. The property is located on the south side of Rocky Road.
4. Robert Rushing submitted an application to rezone 69 acres from AG-5 to LI to allow the development of warehouses. The property is located on the south side of Rocky Road.
5. Tommy Brannen submitted an application to rezone 32 acres from AG-5 to LI to allow the development of warehouses. The property is located on the south side of Rocky Road.
6. Jennifer and DJ Vickery submitted an application to rezone 14.28 acres from AG-5 to LI to allow the development of warehouses. The property is located on the south side of Rocky Road.
7. Ricky Nevil submitted an application to rezone 172.84 acres from AG-5/HC to LI to allow the development of warehouses. The property is located on the south side of Rocky Road.
8. Travis Phillips submitted an application to rezone 5.45 acres from AG-5 to LI to allow the development of warehouses. The property is located on the south side of Rocky Road.

9. Discussion and/or motion to approve the proposed modification to the various articles and provisions of Appendix B: Subdivision Regulations.
10. Discussion and/or motion to approve the proposed modification to the various articles and provisions of Appendix C: Zoning

V. APPROVAL OF GENERAL AGENDA

RESOURCE PERSON/FACILITATOR: Chairman Thompson

VI. CONSENT AGENDA

RESOURCE PERSON/FACILITATOR: Chairman Thompson

1. Minutes Approval: Tuesday March 21st, 2023 08:30 AM
2. Executive Session Minutes for March 21, 2023 8:30 AM
3. Motion to approve contract for the main band for Firecracker Fest Celebration to be held on July 1, 2023
4. Bid from Reeves Construction Company for Rehab of Runway 6/24 in the amount of \$1,488,237.60.

RESOURCE PERSON/FACILITATOR: Airport Manager David Campbell

VII. NEW BUSINESS

1. Benefits Broker Selection
2. Motion to enter into negotiations with Goodwin Mill Cawood for the Long Range Transportation Plan (LRTP).

RESOURCE PERSON/FACILITATOR: Planning and Zoning Director James Pope and County Manager Tom Couch

3. Approval of Bulloch County Stormwater Control Ordinance.

RESOURCE PERSON/FACILITATOR: County Engineer Brad Deal

4. Resolution to Object to an Intended Annexation by the City of Statesboro Pursuant to OCGA 36-36-113

VIII. PUBLIC COMMENTS

RESOURCE PERSON/FACILITATOR: Audience

IX. COMMISSION AND STAFF COMMENTS

RESOURCE PERSON/FACILITATOR: Chairman Thompson et al

X. ADJOURN

RESOURCE PERSON/FACILITATOR: Chairman Thompson



Bulloch County Departmental Review

Agenda Item:	1	Meeting Date:	April 4, 2023 (BOC)
Application #:	RZNE-2023-00092	Application Type:	Rezoning
Request:	Brenda & McKinley Talley submitted an application to rezone 51 acres from AG-5 to Highway Commercial to create a recreational vehicle park and campground. The property is located at 4115 & 4165 Seed Tick Road.		
Planning and Zoning Commission Recommendation:	The Planning and Zoning Commission recommends a denial by a 6-0 vote.		
Final Staff Recommendation:	The staff recommends denial of the rezone request; but if approved, recommends conditions.		

Applicant:	Brenda & McKinley Talley	Acres in Request:	51.00
Location:	4115/4165 Seed Tick Road.	Existing Lots:	2
Map #:	178 000010 000 178 000033 000	Requested RV/Camping Sites:	160
		Current Zoning:	AG-5
Future Land Use:	Rural Open Space	Requested Zoning:	Highway Commercial
Directions to Property:	From Statesboro take GA-67 S for 14.8 miles turn left onto I-16 E travel for 10 miles to highway 119 exit. At the stop sign turn right travel for 1 mile and turn right onto Seed Tick Rd. in .1 miles property will be on your right.		

Rezoning Standards	Yes	No	Comment
(1) Is the proposed use suitable in view of the zoning and development of adjacent and nearby property?		X	
(2) Will the proposed use adversely affect the existing use or usability of adjacent or nearby property?	X		
(3) Are there substantial reasons why the property cannot or should not be used as currently zoned?		X	
(4) Will the proposed use cause an excessive or burdensome use of public facilities or services, including but not limited to streets, schools, EMS, sheriff or fire protection?	X		The school system is likely not to experience any significant impact from the

Attachment: 1. McKinley and Brenda Talley RZNE-2023-00092 (002) (Brenda & McKinley Talley Rezone Request)



Bulloch County Departmental Review

			development. Transportation improvements are addressed as conditions in this report.
(5) Is the proposed use compatible with the purpose and intent of the Comprehensive Plan?		X	
(6) Will the use be consistent with the purpose and intent of the proposed zoning district?	X		
(7) Is the proposed use supported by new or changing conditions not anticipated by the Comprehensive Plan?	X		
(8) Does the proposed use reflect a reasonable balance between the promotion of the public health, safety, morality, or general welfare and the right to unrestricted use of property?	X		

LAND USE PLANNING IMPACT

Future Land Use Map: The Bulloch County Joint Comprehensive Plan indicates that the property would be appropriate for rural open space.

Existing Land Use Pattern: There are primarily residential uses at adjacent and nearby properties.

Zoning Patterns and Consistency: The proposed use appears to be inconsistent with the zoning patterns in the nearby area.

Neighborhood Character: The proposed use should not injure or detract from existing properties.

Property Values: There is no evidence that the proposed zoning change should injure or detract from existing neighborhoods if property maintained.

WATER / SEWER IMPACT

All properties are subject to on-site septic tank installation and a community water system approval as required by the County Health Department. Soil types and proposed lot sizes are compatible and adequate for septic tank installation.

SOLID WASTE IMPACT

None expected. Commercial solid waste companies are available for service.

ENVIRONMENTAL IMPACT

No impact is expected.

FIRE SERVICE

Fire service is available within 6.2 miles (response time 20 minutes) from the Bay District Fire Department. No additional resources are required.

TRAFFIC IMPACT

The capacity and general condition of the roads accessing the proposed development is inadequate and improvements will need to be made. Seed Tick Road is a county-maintained dirt road.

Attachment: 1. McKinley and Brenda Talley RZNE-2023-00092 (002) (Brenda & McKinley Talley Rezone Request)



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SCHOOL IMPACT

Minimal impact is expected on existing schools.

PARKING, ROAD AND DRAINAGE IMPACT

The proposed change may create a significant traffic impact if mitigation measures are not properly satisfied. Currently, all drainage is natural with one single family residence on the property to the existing development other than roadside drainage ditches and culverts. The accessways/driveways to the site should have proper roadside drainage measures.

E-911 AND EMERGENCY MANAGEMENT IMPACT

Street addresses can be easily assigned. The County GIS 911 Coordinator should be contacted prior to any construction.

LAW ENFORCEMENT IMPACT

Response time from Bulloch County Sheriff's Department is approximately 15 minutes. However, depending on patrolling patterns and the location of deputies at a given time, this response may be greater or lesser.

FINAL STAFF RECOMMENDATION

The subject property does not appear to be suitable for the proposed rezone and use. If rezoning is considered, a rezone to General Commercial is better suited for the property since the property does not currently have any arterial roadway frontage.

The staff recommends denial of the rezone request; but if approved, recommends the following conditions:

Condition Category	#	Conditions: These conditions apply to the entire project located on the property that is the subject of this rezoning request.
Use and Applicability	1	The principal use for this property approved is for a recreational vehicle park and campground. The Board of Commissioners, upon considering a recommendation by the Planning and Zoning Commission, shall allow no other principal use without a modification of these conditions.
	2	At least 20 percent of the park must be set aside as open space or for recreation purposes. Only passive recreational activities are permitted, such as hiking, bicycling, walking, picnicking, canoeing, fishing and wildlife observation, etc.
	3	Management offices, active indoor or passive outdoor recreational facilities, toilets, showers, laundry facilities and other uses and structures customarily incidental to the operation of a recreational vehicle park are permitted as accessory uses, provided use is restricted to the occupants of the park.
	4	Temporary or portable structures for offices, storage or tenants is prohibited.



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Condition Category	#	Conditions: These conditions apply to the entire project located on the property that is the subject of this rezoning request.
Conceptual Site Plan Required	5	Before any development permitting occurs a <i>conceptual site plan</i> shall be submitted for review and approval by the Planning and Zoning Commission that illustrates and ensures that the zoning conditions have been met, and for use by inspections.
Separation and Setback Requirements	6	Buildings or structures shall be 350 feet from any residence.
	7	All campers, tents, trailers and vehicles shall be fifty 50 feet from a public road or right-of-way.
	8	Every vehicle or trailer must be parked at least 20 feet apart from each other.
	9	There shall be a minimum of 20 feet totally unobstructed between the center of any two-way roadway and any campsite or accessory building, and a minimum of 15 feet totally unobstructed between the center of any one-way roadway and any campsite or accessory building.
Parking Areas	10	<i>Minimum Parking Spaces:</i> One parking space for every five tenants shall be provided for overflow parking.
	11	<i>Inoperative Vehicles:</i> Inoperative or abandoned vehicles are prohibited.
	12	<i>Paving Required:</i> All Off-Street Parking shall be paved.
Landscaping, Buffers and Screening	13	<i>Existing Vegetation:</i> Existing natural vegetative buffers may be maintained to satisfy buffer, screening, and landscaping requirements provided the building and zoning official determines that it is appropriate. If existing natural buffers are intended to be cleared or removed in any manner, the developer must submit what is to be replaced in a landscape plan before development approval.
	14	<i>Other Alternative Compliance:</i> Exceptions and alternative methods of compliance may be authorized by the building and zoning official if site conditions such as lot shape and size and nearby physical features prohibit compliance. Financial hardship is not a justification for alternative compliance.
	15	<i>Orientation:</i> Landscaping, buffers and screening devices used on side lot lines for side yards must extend from the rear lot line to the public right-of-way, and rear lot lines must extend from side yard to side.
	16	<i>Refuse Containers, Service, Loading and Outdoor Storage Areas:</i> An approved wall or fence with materials approved by the building and zoning official.
	17	<i>Community Water System Well and Pump Sites:</i> An 8' wide landscaped buffer is required (or, an approved wall, fence or berm).
	18	<i>Abutting Seed Tick Road:</i> A 15' wide landscaped road frontage buffer is required from behind the right-of-way is required (or, 8' wide with an approved wall, fence or berm).
	19	<i>Abutting Existing Residences, Businesses or Adjacent Vacant/Undeveloped Parcels:</i> A 100' wide landscape buffer is required along the adjoining properties is required (or, 50' wide with a wall, fence or berm)
	20	<i>Wall or Fence:</i> Where installed as an option for reduced buffer width, walls or fences shall have a 6' maximum height from ground-level not



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Condition Category	#	Conditions: These conditions apply to the entire project located on the property that is the subject of this rezoning request.
		including any decorative posts or columns, and be on the interior side of buffer area. Durable posts may include brick, stone or decorative metal, with fence materials consisting of pressure-treated wood or composite, expanded metal or mesh, decorative metal, vinyl or composite.
	21	<i>Berm:</i> Where installed as an option for reduced buffer width, berms shall be within the buffer area, and shall have a 6' minimum in height (in combination with formal landscaping) with 3:1 slope, and be stabilized and sodded to prevent erosion, with minimum crown width of 2 feet.
	22	<i>Plant Materials:</i> One canopy or shade tree (or, a combination thereof) shall be installed every 50 linear feet within the buffer interior. 5 evergreen shrubs shall be installed every 50 linear feet within the buffer area, and be installed with a 3' minimum height that grows to no less than six feet 6' in height. Massing is encouraged.
	23	<i>Recorded Easement:</i> Buffers shall be designated as landscaped areas on the application for development approval, as landscape easements when shown on a subdivision plat, and shall be shown on the recorded plat of the property as a landscape buffer easement.
	24	<i>Plan Review Compliance:</i> A landscaping plan shall be prepared by a Georgia licensed landscape architect and submitted with the conceptual site plan application providing sufficient detail to determine whether the required amount and type of materials that best serve the intended buffer function has been selected. Landscape plans submitted for plan review shall include sufficient detail that includes location of buffers, plant materials and installation schedules, existing vegetation to be considered, and irrigation. All plant materials shall be American Nurseryman's Association Grade 1.
Camp Sites	25	<i>Inspection Compliance:</i> No certificate of occupancy or completion shall be issued for any principal structures, without the required landscaping, buffering or screening being complete. Landscaping shall include in addition to buffer areas a permanent stand of seeded turfgrass, sprigs or sod, and foundation landscape beddings established along the front and side yards extending to the rear drip line to abate soil erosion, and unless the current phase of development complies with County erosion control and sedimentation standards. Any enforcement inspections required after the final inspection (for project release by phase) are subject to re-inspection fee schedules approved by the Board of Commissioners.
	26	<i>Minimum of Camping Site Size:</i> shall be 360 square feet for tents, 720 feet for campers, and 1,200 square feet for recreational vehicles.
	27	<i>Temporary or portable structures:</i> Such structures for garbage, storage, shade structures, canopies or other uses are prohibited.
Solid Waste Disposal and Collection	28	<i>Disposal:</i> Dumpsters and trash enclosures shall be provided placed on a concrete foundation and screened from view.
	29	<i>Collection:</i> No certificate of occupancy shall be issued unless the park operator shows proof of a private waste hauler servicing the property.



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Condition Category	#	Conditions: These conditions apply to the entire project located on the property that is the subject of this rezoning request.
Water and Wastewater	30	<i>Water System Ownership:</i> The County will not accept ownership of any proposed water or wastewater utility constructed, owned or maintained by the applicant/developer, a private utility, or common interest element.
	31	<i>Water System Permitting:</i> Whenever any existing paved public road is crossed with water mains, the developer must secure an encroachment permit from the county before installing the mains.
	32	<i>Water System Installation:</i> Where water systems cross existing right-of-way, directional drilling may be authorized unless the County Engineer determines that a steel casing with sufficient diameter must be jacked and bored to accommodate the carrier pipe. Continuous and uniform bedding shall be provided in the trench for all buried pipes. Backfill material shall be tamped in layers no greater than one foot in thickness around the pipe and to a sufficient height above the pipe to adequately support and protect pipe as well as prevent settlement of backfill. Water system distribution lines when located in the right-of-way, shall be installed to have a minimum depth of twenty-four (24) inches of continuous and uniform bedding. Water system distribution lines shall be installed to have a minimum depth of thirty-six (36) inches if located under any proposed new street. Service lines must be stubbed out to the property line to serve each lot before the street is surfaced. Thrust restraint shall be provided at all points where hydraulic thrust may develop. This will include providing reaction blocking, tie rods or joints designed to prevent movement of all bends, tees, valves, plugs, hydrants and other points where thrust may develop.
		<i>Plan Compliance:</i> With submission of a preliminary plat application, an engineering report including final plans and specifications for supply and distribution prepared and approved by an engineer licensed in the state of Georgia, demonstrating compliance with Georgia EPD standards and local requirements, including where applicable the location and specifications for fire hydrants, fire department connections or fire lanes.
		<i>Inspection Compliance:</i> In subdivisions with eleven (11) or more lots, systems shall be required to provide fire protection that includes hydrants that provide the needed fire flow simultaneous with domestic use, maintaining a minimum residual pressure of 500 gpd and 20 psi. No certificate of occupancy shall be issued within any phase of development without inspection and approval of fire hydrants by the County Fire Department.
	33	<i>Wastewater:</i> Toilets and bathing facilities meeting all state specifications and requirements with an efficient and sanitary means of disposing of wastewater.
Architectural Requirements for Office and	34	<i>Site-Built Construction:</i> Office and service buildings for the park shall follow ICC standards. Manufactured housing or temporary structures are prohibited.



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Condition Category	#	Conditions: These conditions apply to the entire project located on the property that is the subject of this rezoning request.
Service Buildings	35	<i>Building Materials:</i> Primary building materials and finishes shall consist of 75%, brick, brick veneer, stacked stone, marble, split face block/concrete masonry unit, finished concrete tilt up, concrete masonry unit, or finished concrete block. Secondary materials permitted for trim and accents can include natural wood, metal, aluminum, stucco, exterior insulation and finish systems, engineered fiber cement board, or composite vinyl siding. Where pre-engineered steel buildings are constructed all building facades shall consist of primary and secondary materials to minimize the static appearance.
	36	<i>Colors:</i> The use of muted and earth tone colors as the predominant colors on the façade is preferred. Building trim, accent areas, and entrance doors into the units may feature brighter colors.
	37	<i>Façade Articulation:</i> Facades over 50 feet in length shall provide wall projections or recesses with a minimum of one and one-half feet in depth and a minimum of 10 contiguous feet in length for each 50 feet. 25 percent of the facades visible from a public street shall use arcades, display windows (real or faux), entry areas and awnings, or any combination thereof. Parapets, gable and hip roofs or dormers shall be used to conceal flat roofs and roof top equipment from public view.
Streets, Drainage, Right-of Ways and Amenities Requirements	38	<i>Stormwater Infrastructure Ownership:</i> All stormwater infrastructure and easements within the development, except where located in publicly dedicated street and road drainage systems, will be owned and maintained privately by the applicant/developer, private property owners or a common interest element.
	39	<i>Right-of-Way Acquisition and Paving:</i> The developer shall make provisions acquire necessary right-of-way fee simple in favor of Bulloch County to pave Seed Tick Road to county roadway standards from the intersection of GA Hwy 119 to 100 feet past the western most entrance to the development.
	40	<i>Internal Paving Within the Park:</i> All roads within the development shall be private with a minimum easement width of 40 feet and with a paved asphalt or concrete surface with a minimum width of 20 feet.
	41	<i>External Access Management:</i> No access roadway shall be located closer than 150 feet to any public street intersection. Roadway intersections within the park shall be at least 200 feet apart. Two entry/exit points are required.
	42	<i>Traffic Signage:</i> Traffic control signs (i.e., stop, yield, and speed limit), shall be placed throughout the community where necessary.
	43	<i>Dead-Ends:</i> All dead-end roadways shall terminate in a cul-de-sac with adequate turn-around room (must be approved by the county engineer).
44	<i>Internal Access Management:</i> Each camp site shall be accessible from internal streets for all essential and emergency uses by vehicular equipment, including equipment used by public protective agencies (i.e., fire, police, ambulance services).	



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Condition Category	#	Conditions: These conditions apply to the entire project located on the property that is the subject of this rezoning request.
	45	<i>Private Street Maintenance:</i> Bulloch County shall assume no maintenance of the internal streets. Maintenance of streets and parking areas shall be the responsibility of the operator/manager of the manufactured home park; and the same shall be maintained in a condition suitable for emergency vehicle ingress and egress.
	46	<i>Street and Security Lighting (Primary Entrances and Internally):</i> Night-time intersection lighting at primary entrances will be required, with the cost for installation and maintenance to be borne by the developer or a common interest. All outdoor lighting fixtures must downcast and shall not produce glare or a nuisance to drivers or the surrounding properties.
	47	<i>Construction Access:</i> Temporary construction access drives shall be installed for phasing, when required by the county engineer.
	48	<i>Underground Utilities:</i> Except for junction boxes, meters and existing overhead utility lines, underground utilities shall only be required where new internal streets are constructed.
	49	<i>Addressing and Mail Delivery:</i> There shall be only one address assigned to the park, and clustered mailboxes for park visitors are prohibited.
	50	<i>Entrance Signs and Structures:</i> One multi-faced, back-to-back, internally illuminated freestanding monument sign will be permitted on Seed Tick Road for each accessway with a height limit of eight feet (8') from street elevation (or, 10' from berm elevation), having an aggregate sign area of fifty (50) square feet, and shall have a minimum three foot (3') high base, consisting of materials consistent with the primary building façade and having a landscaped island. Entrance and exit signs or structures, if constructed, will be permitted with a height limit of four (4) feet from street elevation (or, 6' from berm elevation) having landscaped islands, and placed outside of the right-of-way. Billboards, animated signs, roof signs, electronic message signs, portable signs, balloons, canopy signs, pennants, flags or banners shall be prohibited. Renderings and elevations of signs and structures along with finished floor elevations shall be submitted with conceptual site plan.
Performance and Surety Requirements	51	<i>Performance Guarantee (Design and Construction):</i> The developer shall be required to provide the County with security for the performance of the design and construction of new streets, sidewalks, street signs and traffic control devices, soil erosion controls (unless a separate bond is determined as necessary according to the county's soil erosion and sedimentation control ordinance by the building and zoning official), and drainage system(s) in accordance with these standards. The security shall be in the form of a surety bond, bank letter of credit, escrow account, or similar instrument acceptable to the county that guarantees performance and shall be in an amount equal to 100% of the cost of the improvements. The performance security shall remain in effect until the County accepts and assumes ownership of the proposed public improvements. At the time the County accepts and assumes ownership of the new streets, signs, drainage systems,



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Condition Category	#	Conditions: These conditions apply to the entire project located on the property that is the subject of this rezoning request.
		or other public improvements, the developer shall be required to provide the County with security for the maintenance of the streets, signs, and drainage systems for a period of three (3) years commencing with the County's formal acceptance of same, or until 75% of structural build-out has occurred, whichever occurs later. The security shall be in the form of a surety bond, bank letter of credit, escrow account, or similar instrument that guarantees maintenance of the improvements and shall be in an amount equal to 25% of the cost of the improvements. Any surety bonds must be from a surety on the U.S. Department of Treasury's listing of approved sureties (Dept. Circular 570).
	52	<i>Extension of Maintenance Security for Phased Development:</i> Should multiple phases of construction occur; the building and zoning official may require that portions of a previously approved phase be placed under an extended maintenance bond or letter of credit if the previously approved phase is used as access for construction traffic for the development of future phases. The duration of such an extended maintenance bond or letter of credit shall not exceed three (3) years from the date of approval of the final plat for the final phase of the development.
	53	<i>Release of maintenance security and contingencies.</i> Ninety (90) days prior to the release of the maintenance security a final inspection by the applicable departments and agencies of all subdivision improvements will be performed to determine the need for any repairs. If repairs are necessary, the building and zoning official will notify the sub-divider in writing. If the sub-divider fails to take the necessary action to make repairs within thirty (30) days of notification by the county, then the building and zoning official will authorize the surety or bank issuing the bond or letter of credit to release to the county all or any amount of the funds needed to make repairs. Upon release of the funds, the county will act to ensure that the necessary repairs to streets, sidewalks, drainage, or stormwater detention facilities are completed. The building and zoning official may require the maintenance bond or letter of credit to be extended to ensure the completion of repairs started but not completed by the sub-divider for a period not to exceed one hundred eighty (180) days. The county shall not accept title to or assume responsibility for maintaining any streets, drainage systems or other dedicated easements, open space or infrastructure unless all security for performance and maintenance has been satisfied and unless there has been compliance with all other requirements of these regulations and related county policies. No private street or streets resulting from a new subdivision or planned development shall be petitioned for acceptance by the county for public maintenance unless it can be determined that they conform to county construction standards.
Other Supplemental	54	<i>Taxes Paid:</i> Proof of payment of all ad valorem taxes currently owed on the subject property.



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Information Required for Conceptual Site Plan Application	55	<i>Encroachment Permits:</i> To be approved by the county engineer before any installation of any road or water system improvements, or construction within any county right of way.
	56	<p><i>Traffic Impact Study:</i> A licensed professional traffic operations engineer shall prepare a TIS for this development and the concurrent development. The results of the traffic impact study submitted to the county are non-binding. The county, at its discretion, may review the traffic study and may over-rule submitted recommendations if results and warrants are questionable in the opinion of the county engineer. The TIS content shall include:</p> <ol style="list-style-type: none"> 1) Level of Service (LOS) and Capacity Analysis: Evaluate existing and proposed LOS or capacity conditions as applicable on roadways and intersections. The difference in operations shall be considered the site impacts. If the access point is on an arterial or collector road LOS should be recalculated as necessary. Roadway improvements shall be developed to address the proposed site impacts. 2) Peak-hour Analysis: Existing and proposed AM (7:30-8:30) and PM (5:00 and 6:00) peak hour trips. 3) Trip Generation Analysis: Evaluate existing and proposed trip generation. It should be noted that often trip generation data is based on limited sample size and, therefore, application of such could have varying results. Additionally, some land uses may not lend well to direct application of the Manual and upward or downward adjustments may be justifiable. An example of such might include trip rate factors for apartments in which the <u>ITE Trip Generation Manual</u> bases such on national apartment profile characteristics. However, in the case of the county, many of the apartment complexes house 2 to 4 students in a single unit. This would result in a higher number of vehicles than expected (4 vehicles versus 2) and higher trip numbers per unit. 4) Trip Distribution Analysis: Existing and proposed 24-hour directional traffic count on a typical weekday for each roadway or access point. 5) Internal Circulation Analysis: Evaluation of driveway lengths for vehicular queuing and lane needs, which would affect the operation of the public roadway system, should be addressed as part of the site impacts. <p><i>Traffic Impact Mitigation:</i> Evaluation and recommendations of on-site and off-site roadway warrants and improvements to accommodate the additional predicted traffic to be generated by the site, including access management and safety improvements regarding warrants for additional turn lanes and channelization, medians and islands and signalization as provided in the <u>GDOT Driveway and Encroachment Control Manual</u>.</p>
		<i>Stormwater and Drainage Plan:</i> A hydrology study and stormwater management plan prepared by a professional licensed engineer

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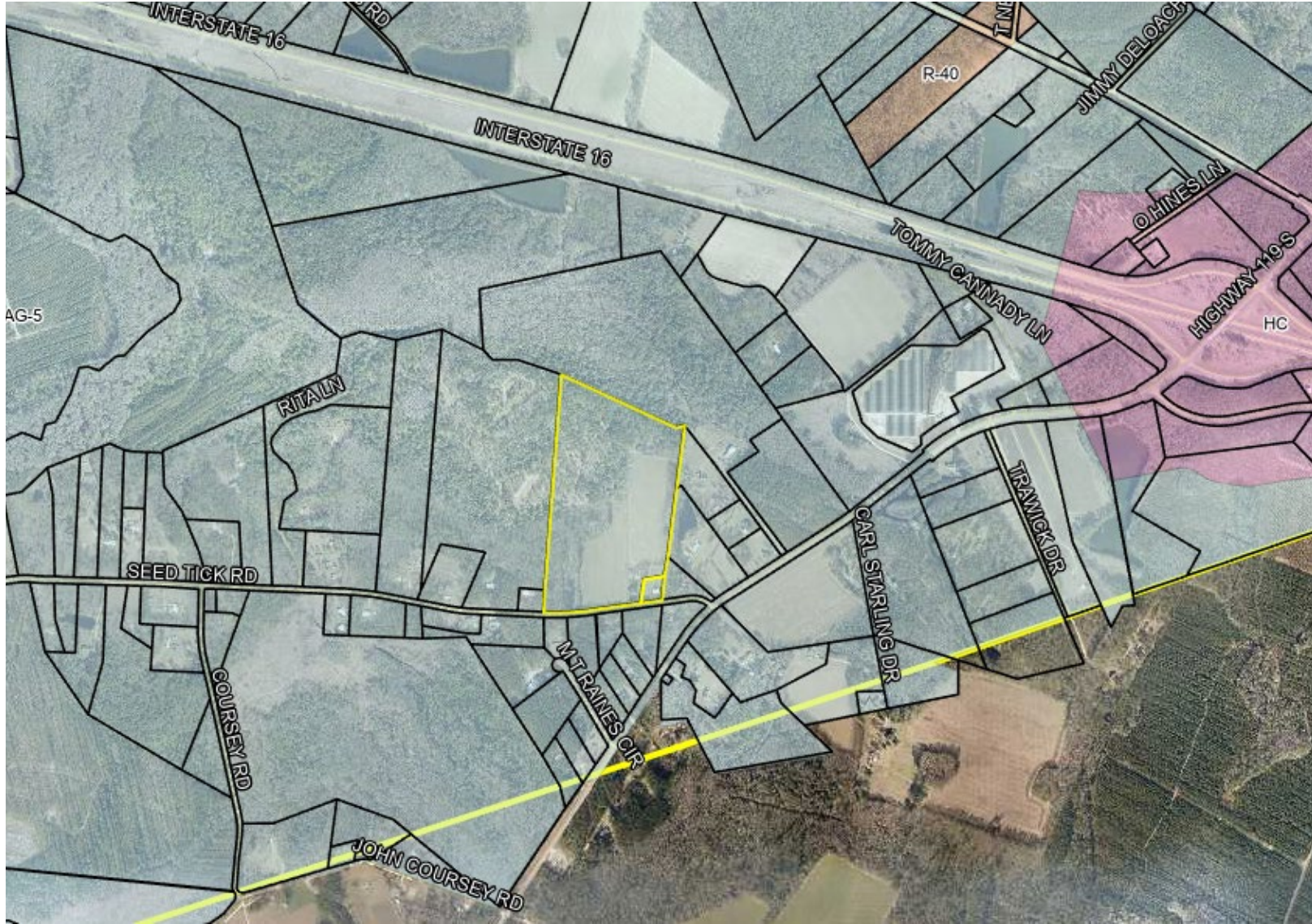
Condition Category	#	Conditions: These conditions apply to the entire project located on the property that is the subject of this rezoning request.
		showing necessary mitigation measures following the Georgia Stormwater Management Manual will be submitted and approved by the county engineer.
Fire Protection Requirements	57	<p><i>Fire Plan:</i> A Plan shall be submitted to the County Fire Chief that includes the following:</p> <ol style="list-style-type: none"> 1) Location of portable extinguishing devices and fire lanes and escapes, sufficient to meet all state and local standards. 2) No open fire shall be permitted except in facilities provided. 3) No open fire shall be left unattended. 4) No fuel shall be used and no material cured which emits dense smoke or objectionable odors. 5) If fires are permitted the owner must make available fuel suitable for facilities provided.
Requirements to Receive a Certificate of Occupancy or Completion	58	<i>Park Rules:</i> A copy of the park management rules and regulations must be submitted to the Administrative Official for approval prior to a certificate of occupancy. The park operator will be responsible for ensuring that visitors comply with the rules and regulations.
	59	<i>Taxes Paid:</i> Proof of acquisition of a county occupational tax certificate.
	60	<i>As-Built Plans:</i> As-built plans will be required for any water and sanitary sewer systems, topographical changes affecting drainage and storm sewer systems, streets, pedestrian ways and any other structures located upon any property dedicated to the county for future maintenance. As-built plans may be approved administratively, and must be filed and approved before any security for construction of infrastructure is released or, if no security is required, prior to the issuance of any certificate of occupancy for any structure in the subdivision. A geodatabase file mapping all infrastructure improvements shall be required.

Participants: Tom Couch, County Manager; Jeff Akins, County Attorney; Brad Deal, County Engineer, Patrick Patton, Development Services Manager, James Pope, Planning and Development Director.



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Zoning Map



Attachment: 1. McKinley and Brenda Talley RZNE-2023-00092 (002) (Brenda & McKinley Talley Rezone



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Aerial Photo of Parcel



Attachment: 1. McKinley and Brenda Talley RZNE-2023-00092 (002) (Brenda & McKinley Talley Rezone



Bulloch County Departmental Review

Original Proposed Recreation Vehicle Park



SKETCH CONCEPT A

TEMPORARY CAMPGROUND
SEED TICK ROAD PROPERTY

BULLOCH COUNTY, GEORGIA

DECEMBER 5, 2022

PREPARED FOR
FETZER LAKES, LLC
30444.0000

SUMMARY

TOTAL ACREAGE	+/- 45.4 AC.
JURISDICTIONAL WETLANDS.....	+/- 1.6 AC.
NET ACREAGE.....	+/- 43.8 AC.

TOTAL CAMP SITES	+/- 260
30X80	+/- 260

NET DENSITY.....+/- 6.0 SITES/NET. AC.

NOTES:

- PLAN ASSUMES REZONING, WATER AND SEPTIC AREA ABLE TO BE ACCOMMODATED
- MORE THAN 260 SITES ARE SHOWN ON THE CONCEPT BUT 260 SITE AREA ASSUMED TO ALLOW FOR LOSSES THAT MAY BE NEEDED FOR SEPTIC SOLUTIONS, DRAINAGE AND OTHER SIMILAR CHALLENGES.

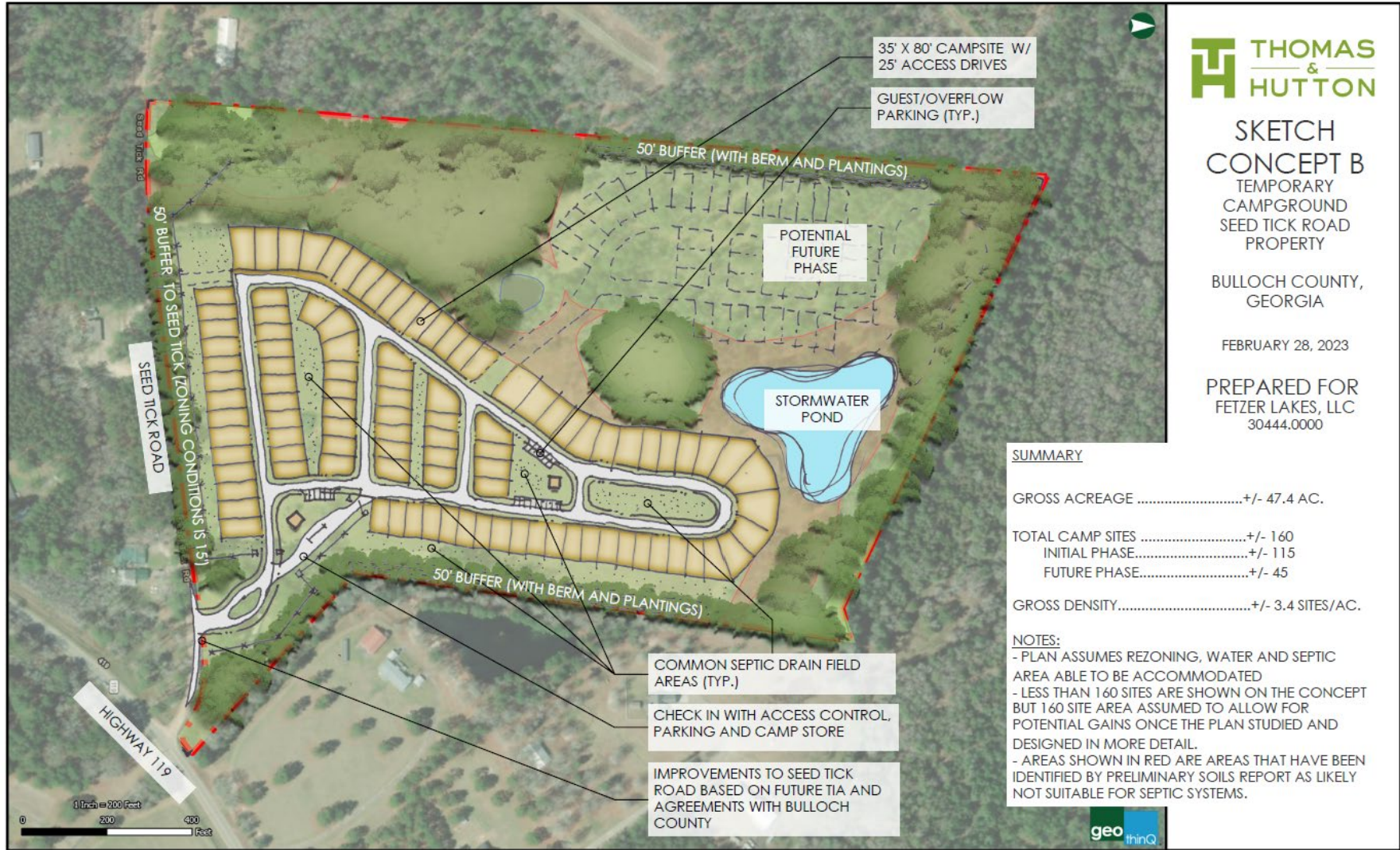


Attachment: 1. McKinley and Brenda Talley RZNE-2023-00092 (002) (Brenda & McKinley Talley Rezone



Bulloch County Departmental Review

Revised Site Plan for Recreational Vehicle Park and Campground



Attachment: 1. McKinley and Brenda Talley RZNE-2023-00092 (002) (Brenda & McKinley Talley Rezone



Bulloch County Departmental Review

North



Attachment: 1. McKinley and Brenda Talley RZNE-2023-00092 (002) (Brenda & McKinley Talley Rezone Request)



Bulloch County Departmental Review

East



Attachment: 1. McKinley and Brenda Talley RZNE-2023-00092 (002) (Brenda & McKinley Talley Rezone Request)



Bulloch County Departmental Review

South



Attachment: 1. McKinley and Brenda Talley RZNE-2023-00092 (002) (Brenda & McKinley Talley Rezone Request)



Bulloch County Departmental Review

West



Attachment: 1. McKinley and Brenda Talley RZNE-2023-00092 (002) (Brenda & McKinley Talley Rezone Request)





Bulloch County Departmental Review

Agenda Item:	2	Meeting Date:	April 4, 2023 (BOC)
Application #:	USE-2023-00037	Application Type:	Conditional Use
Request:	Brenda & McKinley Talley submitted an application for a conditional use to allow for a Recreational Vehicle Park or Campground in HC Zoning. The property is a total 51 acres. The property is located at 4115 & 4165 Seed Tick Road.		
Planning and Zoning Commission Recommendation:	The Planning and Zoning Commission recommends a denial by a 6-0 vote.		
Final Staff Recommendation:	The staff recommends denial of the rezone request; but if approved, recommends conditions.		

Applicant:	Brenda & McKinley Talley	Acres in Request:	51
Location:	4115/4165 Seed Tick Road.	Existing Lots:	2
Map #:	178 000010 000 178 000033 000	Requested RV/Camping Sites:	160
		Current Zoning:	AG-5
Future Land Use:	Rural Open Space	Requested Conditional Use	Recreational Vehicle Park and Campground
Directions to Property:	From Statesboro take GA-67 S for 14.8 miles turn left onto I-16 E travel for 10 miles to highway 119 exit. At the stop sign turn right travel for 1 mile and turn right onto Seed Tick Rd. in .1 miles property will be on your right.		

Rezone Standards	Yes	No	Comment
(1) Is the proposed use suitable in view of the zoning and development of adjacent and nearby property?		X	
(2) Will the proposed use adversely affect the existing use or usability of adjacent or nearby property?	X		Conditions are suggested to minimize negative area impacts.
(3) Are there substantial reasons why the property cannot or should not be used as currently zoned?		X	
(4) Will the proposed use cause an excessive or burdensome use of public facilities or services, including but not limited to streets, schools, EMS, sheriff or fire protection?	X		The school system is likely not to experience

Attachment: 2. McKinley and Brenda Talley USE-2023-00037 (Brenda & McKinley Talley Conditional Use Request)



Bulloch County Departmental Review

			any significant impact from the development. Transportation improvements are addressed as conditions in this report.
(5) Is the proposed use compatible with the purpose and intent of the Comprehensive Plan?		X	
(6) Will the use be consistent with the purpose and intent of the proposed zoning district?	X		
(7) Is the proposed use supported by new or changing conditions not anticipated by the Comprehensive Plan?	X		
(8) Does the proposed use reflect a reasonable balance between the promotion of the public health, safety, morality, or general welfare and the right to unrestricted use of property?	X		

LAND USE PLANNING IMPACT

Future Land Use Map: The Bulloch County Joint Comprehensive Plan indicates that the property would be appropriate for rural open space.

Existing Land Use Pattern: There are primarily residential uses at adjacent and nearby properties.

Zoning Patterns and Consistency: The proposed use appears to be consistent with the zoning patterns in the nearby area.

Neighborhood Character: The proposed use should not injure or detract from existing properties.

Property Values: There is no evidence that the proposed zoning change should injure or detract from existing neighborhoods if property maintained.

WATER / SEWER IMPACT

All properties are subject to on-site septic tank installation and a community water system approval as required by the County Health Department. Soil types and proposed lot sizes are compatible and adequate for septic tank installation.

SOLID WASTE IMPACT

None expected. Commercial solid waste companies are available for service.

ENVIRONMENTAL IMPACT

No impact is expected.

FIRE SERVICE

Fire service is available within 6.2 miles (response time 20 minutes) from the Bay District Fire Department. No additional resources are required.

TRAFFIC IMPACT

Attachment: 2. McKinley and Brenda Talley USE-2023-00037 (Brenda & McKinley Talley Conditional Use Request)



Bulloch County Departmental Review

The capacity and general condition of the roads accessing the proposed development is inadequate and improvements will need to be made. Seed Tick Road is a county-maintained dirt Road.

SCHOOL IMPACT

Minimal impact is expected on existing schools.

PARKING, ROAD AND DRAINAGE IMPACT

The proposed change may create a significant traffic impact if mitigation measures are not properly satisfied. Currently, all drainage is natural with one single family residence on the property to the existing development other than roadside drainage ditches and culverts. The accessways/driveways to the site should have proper roadside drainage measures.

E-911 AND EMERGENCY MANAGEMENT IMPACT

Street addresses can be easily assigned. The County GIS 911 Coordinator should be contacted prior to any construction.

LAW ENFORCEMENT IMPACT

Response time from Bulloch County Sheriff's Department is approximately 15 minutes. However, depending on patrolling patterns and the location of deputies at a given time, this response may be greater or lesser.

FINAL STAFF RECOMMENDATION

The subject property does not appear to be suitable for the proposed use.

The staff recommends denial of the rezone request; but if approved, recommends the following conditions:

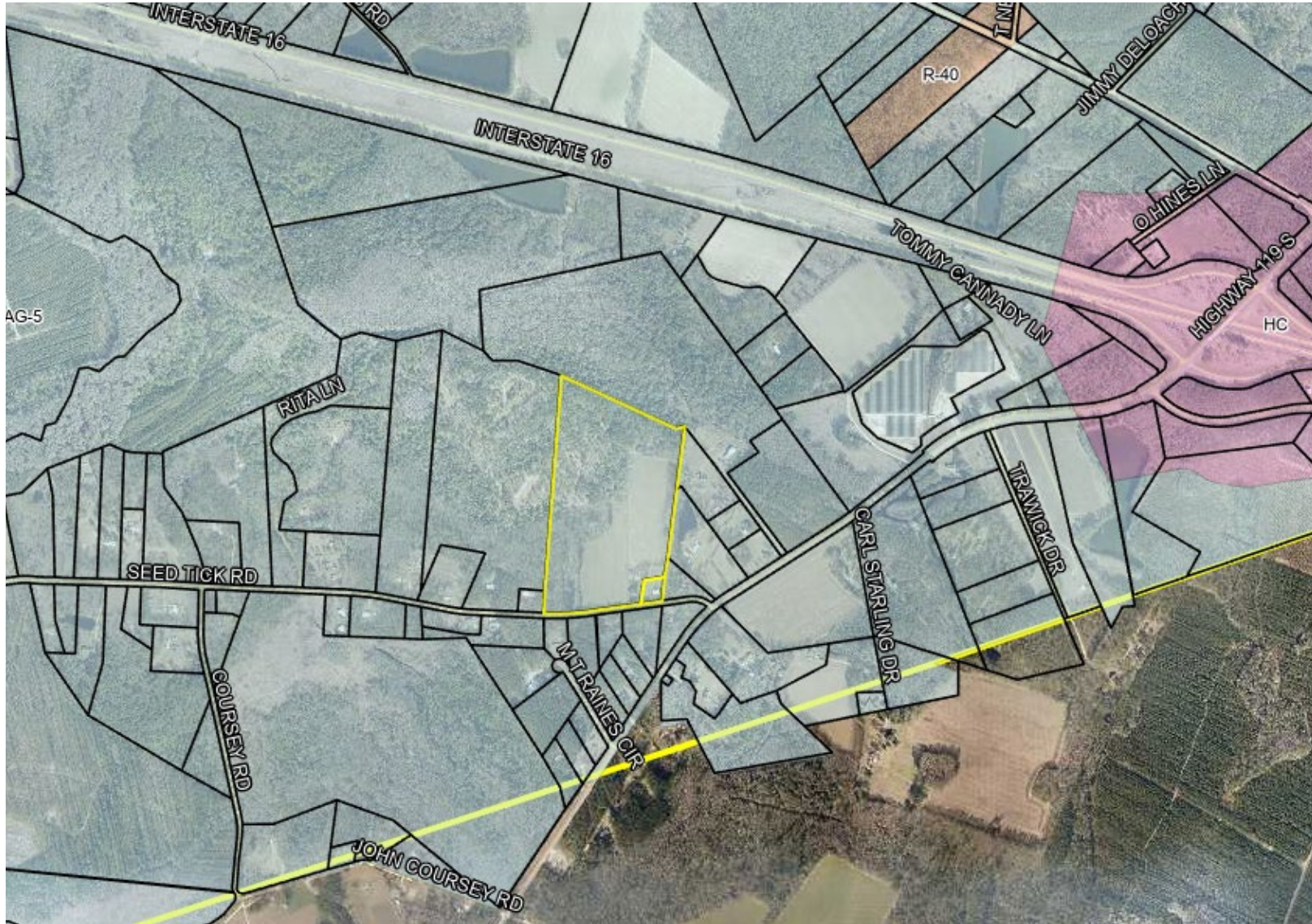
Zoning Conditions	1	The zoning conditions authorized according to rezone case number RZNE-2023-00092 shall be applied to this property.
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Participants: Tom Couch, County Manager; Jeff Akins, County Attorney; Brad Deal, County Engineer, Patrick Patton, Development Services Manager, James Pope, Planning and Development Director.



Bulloch County Departmental Review

Zoning Map



Attachment: 2. McKinley and Brenda Talley USE-2023-00037 (Brenda & McKinley Talley Conditional Use



Bulloch County Departmental Review

Aerial Photo of Parcel

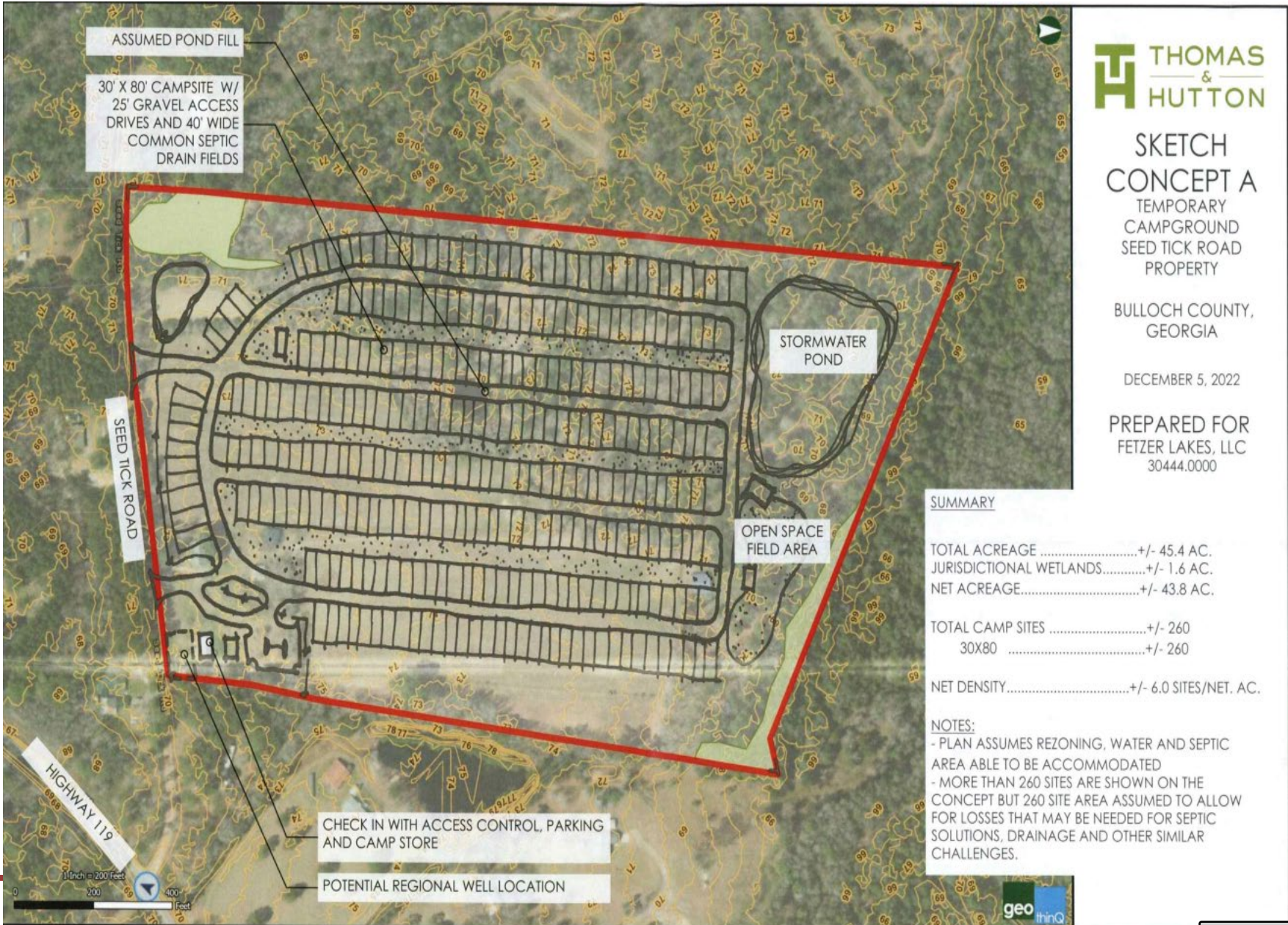


Attachment: 2. McKinley and Brenda Talley USE-2023-00037 (Brenda & McKinley Talley Conditional Use



Bulloch County Departmental Review

Original Proposed Recreation Vehicle Park



SKETCH CONCEPT A

TEMPORARY CAMPGROUND
SEED TICK ROAD PROPERTY

BULLOCH COUNTY, GEORGIA

DECEMBER 5, 2022

PREPARED FOR
FETZER LAKES, LLC
30444.0000

SUMMARY

TOTAL ACREAGE	+/- 45.4 AC.
JURISDICTIONAL WETLANDS.....	+/- 1.6 AC.
NET ACREAGE.....	+/- 43.8 AC.
TOTAL CAMP SITES	+/- 260
30X80	+/- 260
NET DENSITY.....	+/- 6.0 SITES/NET. AC.

NOTES:

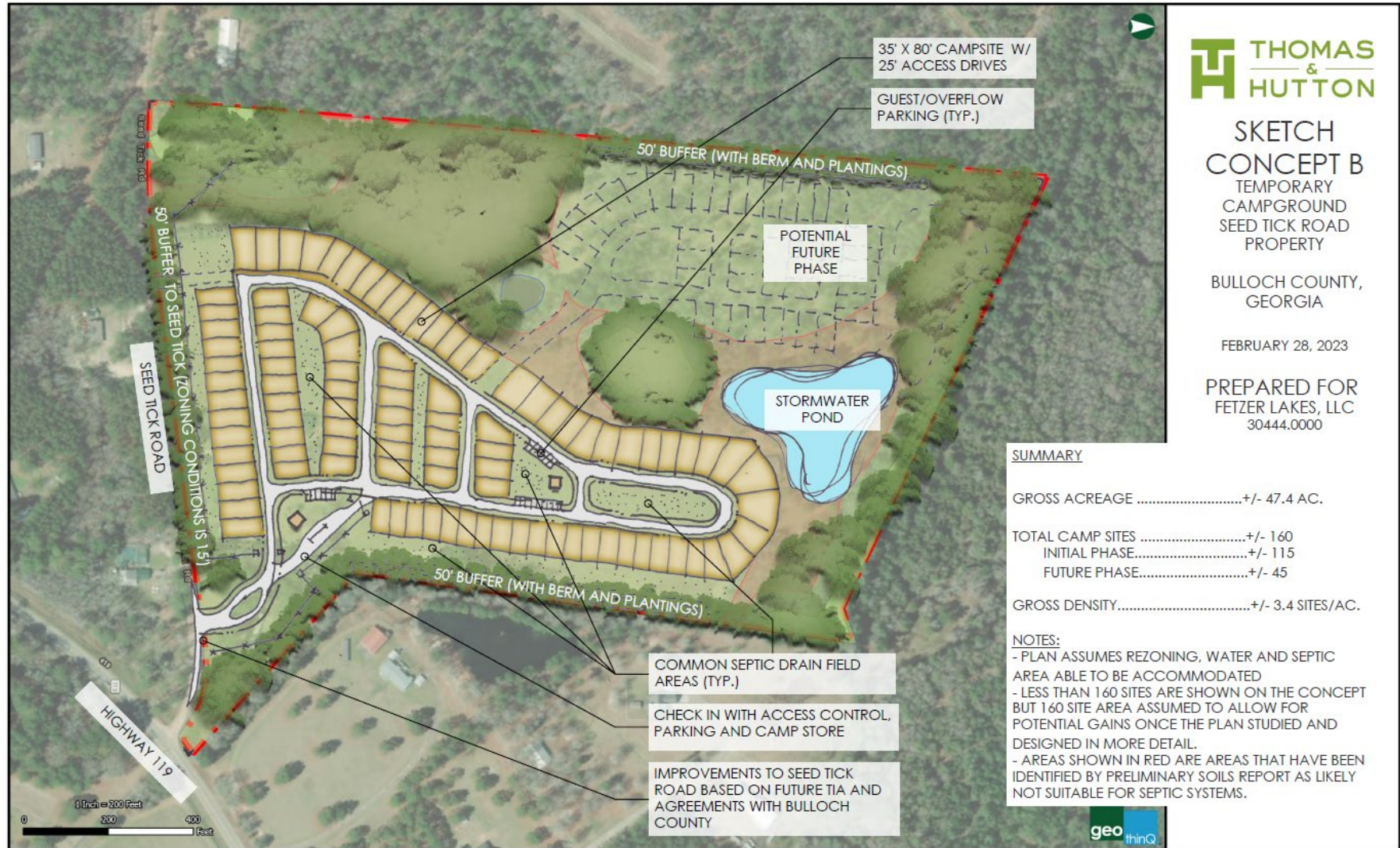
- PLAN ASSUMES REZONING, WATER AND SEPTIC AREA ABLE TO BE ACCOMMODATED
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Attachment: 2. McKinley and Brenda Talley USE-2023-00037 (Brenda & McKinley Talley Conditional Use



Bulloch County Departmental Review

Revised Site Plan for Recreational Vehicle Park and Campground



Attachment: 2. McKinley and Brenda Talley USE-2023-00037 (Brenda & McKinley Talley Conditional Use



Bulloch County Departmental Review

North



Attachment: 2. McKinley and Brenda Talley USE-2023-00037 (Brenda & McKinley Talley Conditional Use Request)



Bulloch County Departmental Review

East



Attachment: 2. McKinley and Brenda Talley USE-2023-00037 (Brenda & McKinley Talley Conditional Use Request)



Bulloch County Departmental Review

South



Attachment: 2. McKinley and Brenda Talley USE-2023-00037 (Brenda & McKinley Talley Conditional Use Request)



Bulloch County Departmental Review

West



Attachment: 2. McKinley and Brenda Talley USE-2023-00037 (Brenda & McKinley Talley Conditional Use Request)



Bulloch County Departmental Review

Agenda Item:	3	Meeting Date:	March 9, 2023 (P&Z)
Application #:	RZNE-2022-00062	Application Type:	Rezoning
Request:	Garrett Nevil has submitted an application to rezone 66 acres from AG-5 (Agriculture 5 acres) to LI (Light Industrial) for the purpose of constructing warehouses/logistics facilities on the south side of Rocky Road.		
Planning and Zoning Commission Recommendation:	The Planning and Zoning Commission recommends approval with conditions by a 3-2 vote. One commissioner abstained.		
Final Staff Recommendation:	The staff recommends approval of the rezone request with conditions.		

Applicant:	Garrett Nevil	Acres in Request:	66
Location:	Rocky Road	Existing Lots:	2
Map #:	050 000040 000 050 000020 000	Current Zoning:	AG5
Future Land Use:	Interstate Gateway District	Requested Zoning:	LI
Directions to Property:	From Statesboro take Highway 301 South over the I-16 intersection. Travel for 1 mile and make a left onto Union Church Road. Follow Union Church road for approximately 1.3 Miles, the property will be on your left behind 3414 Union Church Road..		

Rezoning Standards		Yes	No	Comment
(1)	Is the proposed use suitable in view of the zoning and development of adjacent and nearby property?	X		Adjacent zoning is Heavy industrial, and AG5
(2)	Will the proposed use adversely affect the existing use or usability of adjacent or nearby property?		X	The proposed use should not impact adjacent properties if conditions are enforced.
(3)	Are there substantial reasons why the property cannot or should not be used as currently zoned?		X	
(4)	Will the proposed use cause an excessive or burdensome use of public facilities or services,		X	Fire protection

Attachment: Garrett Nevil Logistics Site RZNE-2022-00062 [Revision 2] (Garrett Nevil Rezoning Request)



Bulloch County Departmental Review

	including but not limited to streets, schools, EMS, sheriff or fire protection?			may be strained at its current staffing level. Additional resources may be required at phased completion.
(5)	Is the proposed use compatible with the purpose and intent of the Comprehensive Plan?	X		
(6)	Will the use be consistent with the purpose and intent of the proposed zoning district?	X		
(7)	Is the proposed use supported by new or changing conditions not anticipated by the Comprehensive Plan?	X		
(8)	Does the proposed use reflect a reasonable balance between the promotion of the public health, safety, morality, or general welfare and the right to unrestricted use of property?	X		

Land Use Planning Impact

Future Land Use Map: The Bulloch County Joint Comprehensive Plan indicates that the property would be appropriate for the Interstate Gateway District.

Existing Land Use Pattern: There are primarily rural residential, agricultural, Heavy Industrial and Light Industrial uses at adjacent and nearby properties.

Zoning Patterns and Consistency: The proposed change appears to be consistent with the zoning patterns in the nearby area and/or future development map of Bulloch County.

Neighborhood Character: There is no evidence that the proposed change in use may injure or detract from existing parcels.

Floor Area Ratio

Floor Area Ratio Proposed: Total project FAR: .195

Impact: Positive. Light Industrial development is encouraged in this area of the County according to the Future Land Use Plan.

Property Values: Values for adjacent properties may be enhanced by the proposed development provided the Interstate Gateway Corridor Overlay restrictions are adhered to, and, if enforcement of County land use and property maintenance regulations are applied. However, failure to enforce zoning/land use standards are likely to result in stagnant or lower property values over time.

Neutral Impact: Cost of public service expenditures may be a net positive since developer will be required to provide the necessary improvements to the transportation infrastructure.

School System Impact

Student Enrollment Created by New Development: No school impact is anticipated.

Attachment: Garrett Nevil Logistics Site RZNE-2022-00062 [Revision 2] (Garrett Nevil Rezone Request)



Bulloch County Departmental Review

Neutral Impact: No school impact is anticipated due to the land use as proposed will not include residential development.

Water / Sewer Impact

Water System: The warehouses to be located on the parcel will be served by the City of Statesboro water system. Anticipated water requirements can be served by the existing system without off property expansion. Internal parcel water line expansion will be required. Water supply demand is anticipated to be 0.015 Million Gallons a Day for the entire project at buildout.

Sewerage: Wastewater will be served by the City of Statesboro using the current infrastructure located on or near the parcel. Internal parcel sanitary sewer line expansion will be required. Supply demand is anticipated to be 0.010 Million Gallons a Day for the entire project at buildout.

Positive Impact: Water and sewer service will be served by the existing City of Statesboro system. The revenue vs required improvements for service are net positive.

Solid Waste Impact

Nearest Existing Solid Waste and Recycling Centers: Commercial solid waste services will be required to service the location.

Waste Generation Estimate: 5,923 tons annually.

Neutral Impact: Private collection services are available. No significant impact on the County's Solid Waste Management Plan or Ordinance requirements is expected.

Environmental Impact

Wetlands and Flood Zones: Development as proposed assumes disturbance mitigation for 1.7 acres of wetland areas and/or flood zone areas.

Stormwater: The impervious surface ratio based on the proposed site plan expected to be 50%

Aquifer Recharge Areas: There are no known areas affected.

Water Supply Watersheds: There are no known watersheds affected.

River Corridors: There are no known corridors affected.

Air: This project is not expected to create an air pollution nuisance.

Soils: The property consists of a number of different types soils, most of which are suitable for development.

Historic or Archeological Resources: There are no known resources affected.

Resources of Regional or Statewide Importance: The Development of Regional Impact report indicates the parcel is located in an Area Requiring Special Attention where development is likely to occur. One comment was received during the comment period for the project. The two primary concerns are quoted below:

"The proposed rezoning of 360.20 acres from AG-5 to Light Industrial in Statesboro, Georgia, identified by the DRI#3862 maps raises specific concerns with regard to water quality and quantity that we wanted to bring to the CRC's attention.

1. Ogeechee Riverkeeper is concerned that approximately 27 acres of jurisdictional wetlands will be impacted due to the development of the Industrial Park off exit 116. Although 27 acres is a small percentage of the 360.20-acre development, these wetlands are essential for



Bulloch County Departmental Review

maintaining a network of resilient and intact ecosystems that will support biodiversity and natural processes under changing conditions and climate. Wetlands are a vital component to climate resilience. Wetlands function as natural sponges that trap and slowly release surface water, rainwater, and floodwaters. Without wetlands to hold this excess water, which is expected to increase due to more impervious surfaces, more frequent flooding is to be expected. It is expected that there will be an increase in erosion because the filled wetlands will no longer be able to slow down the water so that it can be absorbed by the ground. The issue of flooding and erosion will be exacerbated by not only the impervious surfaces on this site but also by the development that has already been approved along I-16. We request that if this project moves forward that every possible effort is taken to avoid disturbing or impacting these wetlands and that mitigation and monitoring take place throughout the construction phases and well into the final stages of mixed uses to ensure that the connectivity between uplands and wetlands is not lost.

2. ORK is also concerned that 50% of the development area would become impervious surfaces. This could cause degradation of the water quality downstream from the site due to stormwater runoff and lack of reabsorption. ORK acknowledges the proposed detention ponds meet the requirements of Georgia EPD and Bulloch County. However, with such a large amount of impervious surfaces, ORK asks Bulloch County and the developer to use additional Low Impact Development (LID) best practices, such as the inclusion of permeable surfacing products and materials to reduce this impact, if the project does move forward.”

Neutral Impact: Negative impacts needing to be addressed are erosion and pollutants from runoff issues. A stormwater management plan, Hydrology Study, and wetland permit is required.

Traffic and Road Infrastructure Impact

ITE Trip Generation Rate: 5,552 trips per day, according to traffic study

Proposed Road Construction in Development: Each warehouse will access internal drives onto Kellys Pond Road and Rocky Road to US Hwy 301 South. Intersection and roadway improvements are proposed/required along Kellys Pond Road. Access to Union Church Road should be restricted from use by the development.

Parking: Parking will be subject to the Interstate Gateway Overlay District and Off-street Parking and Design Guidelines of Bulloch County.

GDOT Road Classification for Access Road: Rocky Road is a county-maintained paved road, Kelly's Pond Road is a county-maintained dirt road.

Bulloch Transportation Plan Classification for Access Road: Rocky Road is a county-maintained paved road, Kelly's Pond Road is a county-maintained dirt road.

Condition of Access Road: Rocky Road is currently in good condition. Kellys Pond Road is currently inadequate to serve the development and will need improvements to serve the proposed use. Impacts to US Hwy. 301 South were studied in a special traffic study. The traffic study is still in progress and is being updated with Aspen Aerogels traffic counts. GDOT approval of traffic study is required.

Preliminary Intersection Analysis (subject to final traffic study submittal):

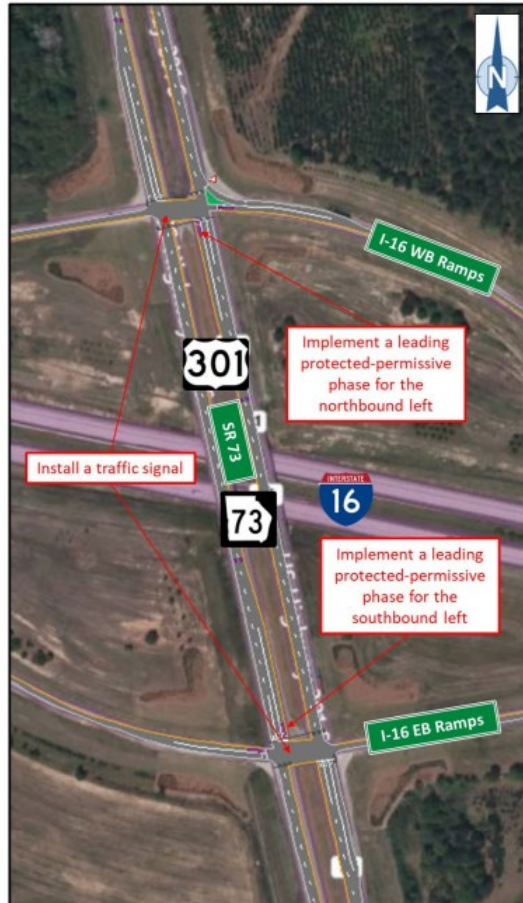
- Install a traffic signal at the intersection of SR 73 and the I-16 Westbound Ramps.
 1. The northbound left turn warrants a leading protected-permissive phase.
 2. Although the intersection is not projected to meet signal warrants until 2049, a traffic signal is a feasible alternative due to the speed of the mainline roadway and the cost difference compared to a hybrid roundabout. Additional developments in the surrounding area could further increase the necessity for signalization.



Bulloch County Departmental Review

- Install a traffic signal at the intersection of SR 73 and the I-16 Eastbound Ramps.
 1. The southbound left turn warrants a leading protected-permissive phase.
 2. The intersection is ten vehicles away from meeting signal warrants in the build year of 2028 and is a feasible alternative due to the speed of the mainline roadway and the cost difference compared to a hybrid roundabout.

FIGURE 23: RECOMMENDATIONS, SR 73 @ I-16 WB/EB RAMPS



Drainage: The development is located in the Lotts Creek Drainage Basin. Currently all drainage is natural; no man-made improvements to the parcel are known other than roadside drainage ditches and culverts. The access way/driveways to primary structures should have proper roadside drainage measures installed.

Neutral Impact: The rezone request, in consideration of the scale of the development, would have a negative impact to the road infrastructure unless improvements are required. A hydrology study and stormwater management plan will be required. GDOT permits will be required for intersection improvements to US 301. Cost for improvements will be paid by the developer with possible Tax Allocation District assistance.



Bulloch County Departmental Review

E-911 and Emergency Management Impact

Street addresses can be easily assigned. The County GIS 911 Coordinator should be contacted prior to construction.

Neutral Impact: These services would not be severely impacted.

Law Enforcement Impact

Agency: Bulloch County Sheriff's Department

Level of Service Standard (national: 0.6 per 1,000 population): Bulloch County has 33 sworn officers for road patrols. The LOS would be 49.

Public Safety Unit	Facility Distance / Response Time	LOS Impact or Deficiency	Intangibles
Law Enforcement (Sheriff)	14.4 miles, 20 minutes depending on patrolling patterns	.024 or no full-time equivalent additional officers would be required	Shift of 3 covers 684 square miles
Georgia State Patrol	7.6 miles, 11 minutes depending on patrolling patterns	NA	Post #45 located south of Statesboro on US 301

Neutral Impact: The Sheriff's Department's capabilities are already exceeding capacity. The additional development would not require an additional full-time officer.

EMS and Fire Service Impact

Public Safety Unit	Facility Distance / Response Time	LOS Impact or Deficiency	Intangibles
Fire (Register Fire Department)	Register 2.2 miles 5 min. response time	ISO Rating 9	City of Statesboro would need to be called as first responder or in event of a hazardous materials spill.
EMS-Rescue (County)	12.2 miles, 14 minutes response time	(-0.276) EMT / Paramedic per 1,000 population	

Negative Impact: Response times for fire and EMS are adequate but the development may create a staffing deficiency upon build out if current staffing is not increased. In addition, the development may provide cause for the County to provide additional equipment if the building proposes any variance to the height limitation of the zone.

Recreation-Open Space Impact

Neutral Impact: No significant impact will be created by the development.



Bulloch County Departmental Review

Summary of Findings – Final Staff Recommendation

Impact Summary			
Impact Factor	Positive	Negative	Neutral
Land Use Planning	X		
Fiscal-Economic		X	
Schools			X
Water-Sewer		X	
Solid Waste			X
Environmental			X
Traffic and Roads			X
Emergency Management			X
Law Enforcement			X
EMS-Fire		X	
Recreation			X
Total	1	3	7
Local Impact Findings	The rezoning of the 66 acres may have a neutral impact to Bulloch County		
Regional Impact Findings	DRI # 3698 Report Received 5/31/2022, One public comment was received during the comment period by the Ogeechee Riverkeeper organization. The entire comment letter is provided within the staff document.		

FINAL STAFF RECOMMENDATION

The subject property appears to be suitable for the proposed rezone.

The staff recommends approval of the rezone request with the following conditions:

- Use:** The principal use(s) approved for this property shall be limited to warehousing-distribution facilities.
- Parking:** Accessory parking areas shall exclusively serve such facilities. Commercial truck parking for other than what is necessary to serve the warehousing-distribution facilities shall be prohibited.
- Access and Encroachment:** New internal streets or driveways accessing the southern periphery of the rezoned property proximate to Union Church Road is prohibited. The proposed internal streets intersecting Kellys Pond Road and Rocky Road shall be the only access granted to the development, providing inter-parcel access shown on the sketch attached to this application.
- Kellys Pond Road Segmented Abandonment:** Prior to the submittal of a conceptual site plan, the developer shall submit a petition for approval of the abandonment of Kellys Pond



Bulloch County Departmental Review

- Road. Upon road closure, the applicant/developer shall restrict access to Kellys Pond Road north of Union Church Road by use of a fire apparatus/emergency gate.
5. **Union Church Road Improvements:** The applicant/developer shall be responsible for making structural improvements to Union Church Road from building 10 (as exhibited in the applicant site plan) to U.S. Hwy. 301 South. Such improvements, if any, will be based on testing methods and results approved by the County Engineer. The cost of any testing and recommended improvements shall be borne by the applicant/developer. No additional access to the development along Union Church Road is permitted.
 6. **Private Road to Serve Property:** The proposed internal street system shall be owned and maintained by the developer or a common interest element.
 7. **Utilities Underground:** Except for junction boxes, meters, and existing overhead utility lines, all other utility lines will be underground.
 8. **Utility Location in Right-of Way:** Jack and bore or directional bore are required for connection to utility systems requiring encroachment upon a county or state road or right-of-way subject to the approval of appropriate permits.
 9. **Screening and Buffering:** Screening and buffers will be required according to Sections 405, 406, and 407 of the zoning ordinance.
 10. **Specific Buffering Along Union Church Road:** The applicant/developer shall be required to install a 25' landscape buffer which must include evergreen trees reaching a height of 8' feet in 2 years, and meet a visual threshold of 95% opacity within 2 years of planting. The buffer shall be placed along the entire development boundary along Union Church Road. Existing natural vegetation shall be allowed where approved by the zoning official.
 11. **Conceptual Site Plan:** Before any development permitting is authorized, a conceptual site plan application shall be submitted for review and approval to the Planning and Zoning Commission to ensure that the zoning conditions have been met and to expedite permitting and inspections. The following plans, studies, and documents should be submitted with the conceptual site plan application:
 1. Traffic impact analysis modeled according to county policies prepared by a certified professional traffic operations engineer shall be provided for review and approval by the County Engineer. The County may accept or reject proposed mitigation measures from the traffic impact study or impose its own mitigation measures in coordination with the GDOT to include but not be limited to accel decal lanes, signage, intersection lighting, signalization, etc. All such costs for mitigation measures will be borne by the developer.
 - b. Hydrology study and stormwater management plan prepared by a qualified engineer showing necessary mitigation measures following the Georgia Stormwater Management Manual will be provided for review and approval by the County Engineer.
 - c. Architectural renderings and/or elevations of the principal structures by a qualified architect or designer showing drawings and calculations consistent with zoning overlay district requirements shall be provided for review and approval by the County Zoning Administrator.
 - d. Landscape plan drawn to scale by a Georgia registered landscape architect showing drawings and calculations consistent with zoning overlay district requirements shall be provided for review and approval by the County Zoning Administrator.
 - e. Signage plan showing drawings and calculations consistent with zoning overlay district requirements shall be provided for review and approval by the Zoning Administrator.
 - f. Fire safety plan will be provided for review and approval by the County Fire Chief. The County Fire Chief shall have the discretion to require fire prevention devices or



Bulloch County Departmental Review

- other mitigation measures. All such costs for mitigation measures will be borne by the developer.
- g. Agreement or memorandum of understanding with the City of Statesboro to provide utilities.

Participants:

Tom Couch, County Manager; Jeff Akins, County Attorney; Brad Deal, County Engineer, Patrick Patton, Development Services Manager, James Pope, Planning and Development Director, Ben Tapley, Fire Chief, Joe Carter, Fire Inspector.



Bulloch County Departmental Review

Zoning Map: Current Zoning: AG:5 & Interstate Gateway Overlay; Adjacent Zoning: AG5 & Heavy Industrial with Conditions



Attachment: Garrett Nevil Logistics Site RZNE-2022-00062 [Revision 2] (Garrett Nevil Rezone Request)



Bulloch County Departmental Review



Attachment: Garrett Nevil Logistics Site RZNE-2022-00062 [Revision 2] (Garrett Nevil Rezone Request)



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Bulloch County Departmental Review



Attachment: Garrett Nevil Logistics Site RZNE-2022-00062 [Revision 2] (Garrett Nevil Rezone Request)



Bulloch County Departmental Review

Proposed Site Development



Attachment: Garrett Nevil Logistics Site RZNE-2022-00062 [Revision 2] (Garrett Nevil Rezone Request)



Bulloch County Departmental Review

Applicant's Response to Rezone Standards

REZONING APPLICANT'S RESPONSE

STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

PURSUANT TO REQUIREMENTS OF THE BULLOCH COUNTY ZONING ORDINANCE, THE BOARD OF COMMISSIONERS FINDS THAT THE FOLLOWING STANDARDS ARE RELEVANT IN BALANCING THE INTEREST IN PROMOTING THE PUBLIC HEALTH, SAFETY, MORALITY OR GENERAL WELFARE AGAINST THE RIGHT TO THE UNRESTRICTED USE OF PROPERTY AND SHALL GOVERN THE EXERCISE OF THE ZONING POWER.

- (1) IS THE PROPOSED USE SUITABLE IN VIEW OF THE ZONING AND DEVELOPMENT OF ADJACENT AND NEARBY PROPERTY?

Yes, this property is directly adjacent to Bulloch County industrial site at the intersection of I-16 and Hwy 301.

- (2) WILL THE PROPOSED USE ADVERSELY AFFECT THE EXISTING USE OR USABILITY OF ADJACENT OR NEARBY PROPERTY?

No, this will compliment the Bulloch County industrial site and help create the highway commercial corridor that the county is envisioning.

- (3) ARE THEIR SUBSTANTIAL REASONS WHY THE PROPERTY CANNOT OR SHOULD NOT BE USED AS CURRENTLY ZONED?

Rezoning this property creates an additional opportunity for tax revenue.

- (4) WILL THE PROPOSED USE CAUSE AN EXCESSIVE OR BURDENSOME USE OF PUBLIC FACILITIES OR SERVICES, INCLUDING BUT NOT LIMITED TO STREETS, SCHOOLS, EMS, SHERIFF OR FIRE PROTECTION?

No, the largest impact will be on Hwy 301 and Rocky Road which are prepared for truck traffic.

- (5) IS THE PROPOSED USE COMPATIBLE WITH THE PURPOSE AND INTENT OF THE COMPREHENSIVE PLAN?

Yes, this expands upon the Bulloch County industrial park, and capitalizes on the growing truck traffic along I-16.

- (6) WILL THE USE BE CONSISTENT WITH THE PURPOSE AND INTENT OF THE PROPOSED ZONING DISTRICT?

Yes, we envision warehouse distribution or assembly taking place on this site.



Bulloch County Departmental Review

Applicant's Response to Rezone Standards Continued



Bulloch County Planning and Development
Rezoning Application
Updated 1/2021

(7) IS THE PROPOSED USE SUPPORTED BY NEW OR CHANGING CONDITIONS NOT ANTICIPATED BY THE COMPREHENSIVE PLAN?

No, Light Industrial zoning of this property is supported by the comprehensive plan due to its proximity to Aspen Aerogels.

(8) DOES THE PROPOSED USE REFLECT A REASONABLE BALANCE BETWEEN THE PROMOTION OF THE PUBLIC HEALTH, SAFETY, MORALITY, OR GENERAL WELFARE AND THE RIGHT TO UNRESTRICTED USE OF PROPERTY?

Yes, this specific area has been designated as interstate gateway on the future land development map to provide economic growth, and additional jobs for the residents of Bulloch County.



Bulloch County Departmental Review

Sole Public Comment Received during the Coastal Regional Commission’s Development of Regional Impact Public Comment Period. (Page 1 of 2)



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Savannah, GA 31416
Phone/Fax: 866-942-6222

www.ogeecheeriverkeeper.org

Working Together to Protect the Ogeechee, Canoochee and Coastal Rivers

November 29, 2022

Karen Saunds
Grant Specialist
Coastal Regional Commission

Re:DRI # 3862 Exit 116 Industrial Park/Bulloch County

Dear Ms. Saunds:

Ogeechee Riverkeeper's (ORK) mission is to protect, preserve, and improve the water quality of the Ogeechee River basin, including the Canoochee River and the coastal and tidal rivers of Liberty, Bryan, and Chatham Counties. We work with local communities to share and collect information on the ecological and cultural importance of rivers and streams throughout the Basin and use that information to amplify the voices of those who speak for the watershed. One of our roles is as watchdogs on new land development projects throughout the watershed that could pose a significant threat to water quality and quantity.

The proposed rezoning of 360.20 acres from AG-5 to Light Industrial in Statesboro, Georgia, identified by the DRI#3862 maps raises specific concerns with regard to water quality and quantity that we wanted to bring to the CRC's attention.

1. Ogeechee Riverkeeper is concerned that approximately 27 acres of jurisdictional wetlands will be impacted due to the development of the Industrial Park off exit 116. Although 27 acres is a small percentage of the 360.20-acre development, these wetlands are essential for maintaining a network of resilient and intact ecosystems that will support biodiversity and natural processes under changing conditions and climate. Wetlands are a vital component to climate resilience. Wetlands function as natural sponges that trap and slowly release surface water, rainwater, and floodwaters. Without wetlands to hold this excess water, which is sure to increase due to more impervious surfaces, more frequent flooding is to be expected. It is expected that there will be an increase in erosion because the filled wetlands will no longer be able to slow down the water so that it can be absorbed by the ground. The issue of flooding and erosion will be exacerbated by not only the impervious surfaces on this site but also by the development that has already been approved along I-16. We request that if this project moves forward that every possible effort is taken to avoid disturbing or impacting these wetlands and that mitigation and monitoring take place throughout the construction phases and well into the final stages of mixed uses to ensure that the connectivity between uplands and wetlands is not lost.

Attachment: Garrett Nevil Logistics Site RZNE-2022-00062 [Revision 2] (Garrett Nevil Rezone Request)



Bulloch County Departmental Review

Public Comment Page 2 of 2



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- 2. ORK is also concerned that 50% of the development area would become impervious surfaces. This could cause degradation of the water quality downstream from the site due to stormwater runoff and lack of reabsorption. ORK acknowledges the proposed detention ponds meet the requirements of Georgia EPD and Bulloch County. However, with such a large amount of impervious surfaces, ORK asks Bulloch County and the developer to use additional Low Impact Development (LID) best practices, such as the inclusion of permeable surfacing products and materials to reduce this impact, if the project does move forward.

Thank you in advance for your time and consideration; please let me know if you have any questions: kris@ogeecheeriverkeeper.org or 866-942-6222.

KrisHoward
Science and Policy Manager



Attachment: Garrett Nevil Logistics Site RZNE-2022-00062 [Revision 2] (Garrett Nevil Rezone Request)



Bulloch County Departmental Review

Agenda Item:	4	Meeting Date:	April 4, 2023 (BOC)
Application #:	RZNE-2022-00063	Application Type:	Rezoning
Request:	Robert Rushing has submitted an application to rezone 69 acres from AG-5 (Agriculture 5 acres) to LI (Light Industrial) for the purpose of constructing warehouses/logistics facilities on the south side of Rocky Road.		
Planning and Zoning Commission Recommendation:	The Planning and Zoning Commission recommends approval with conditions by a 3-2 vote. One commissioner abstained.		
Final Staff Recommendation:	The staff recommends approval of the rezone request with conditions.		

Applicant:	Robert Rushing	Acres in Request:	69
Location:	Rocky Road	Existing Lots:	1
Map #:	050 000021 000	Current Zoning:	AG-5
Future Land Use:	Interstate Gateway District	Requested Zoning:	LI
Directions to Property:	From Statesboro take Highway 301 South over the I-16 intersection. Travel for 1 mile and make a left onto Union Church Road. Follow Union Church Road for approximately 1 Mile, the property will be on your left both before and after Kellys Pond Road on your left.		

Rezone Standards		Yes	No	Comment
(1)	Is the proposed use suitable in view of the zoning and development of adjacent and nearby property?	X		Adjacent zoning is Heavy industrial, and AG5
(2)	Will the proposed use adversely affect the existing use or usability of adjacent or nearby property?		X	The proposed use should not impact adjacent properties if conditions are enforced.
(3)	Are their substantial reasons why the property cannot or should not be used as currently zoned?		X	
(4)	Will the proposed use cause an excessive or burdensome use of public facilities or services,		X	Fire protection may be



Bulloch County Departmental Review

	including but not limited to streets, schools, EMS, sheriff or fire protection?			strained at its current staffing level. Additional resources may be required at phased completion.
(5)	Is the proposed use compatible with the purpose and intent of the Comprehensive Plan?	X		
(6)	Will the use be consistent with the purpose and intent of the proposed zoning district?	X		
(7)	Is the proposed use supported by new or changing conditions not anticipated by the Comprehensive Plan?	X		The location is included in a Tax Allocation District created with anticipation of industrial uses near the US 301 and Interstate 16 interchange
(8)	Does the proposed use reflect a reasonable balance between the promotion of the public health, safety, morality, or general welfare and the right to unrestricted use of property?	X		

Land Use Planning Impact

Future Land Use Map: The Bulloch County Joint Comprehensive Plan indicates that the property would be appropriate for the Interstate Gateway District.

Existing Land Use Pattern: There are primarily rural residential, agricultural, Heavy Industrial and Light Industrial uses at adjacent and nearby properties.

Zoning Patterns and Consistency: The proposed change appears to be consistent with the zoning patterns in the nearby area and/or future development map of Bulloch County.

Neighborhood Character: There is no evidence that the proposed change in use may injure or detract from existing parcels.

Floor Area Ratio

Floor Area Ratio Proposed: Total project FAR: .195

Impact: Positive. Light Industrial development is encouraged in this area of the County according to the Future Land Use Plan.

Attachment: Robert Rushing Logistics Site RZNE-2022-00063 [Revision 2] (Robert Rushing Rezone Request)



Bulloch County Departmental Review

Property Values: Values for adjacent properties may be enhanced by the proposed development provided the Interstate Gateway Corridor Overlay restrictions are adhered to, and, if enforcement of County land use and property maintenance regulations are applied. However, failure to enforce zoning/land use standards are likely to result in stagnant or lower property values over time.

Neutral Impact: Cost of public service expenditures may be a net positive since developer will be required to provide the necessary improvements to the transportation infrastructure.

School System Impact

Student Enrollment Created by New Development: No school impact is anticipated.

Neutral Impact: No school impact is anticipated due to the land use as proposed will not include residential development.

Water / Sewer Impact

Water System: The warehouses to be located on the parcel will be served by the City of Statesboro water system. Anticipated water requirements can be served by the existing system without off property expansion. Internal parcel water line expansion will be required. Water supply demand is anticipated to be 0.015 Million Gallons a Day for the entire project at buildout.

Sewerage: Wastewater will be served by the City of Statesboro using the current infrastructure located on or near the parcel. Internal parcel sanitary sewer line expansion will be required. Supply demand is anticipated to be 0.010 Million Gallons a Day for the entire project at buildout.

Positive Impact: Water and sewer service will be served by the existing City of Statesboro system. The revenue vs required improvements for service are net positive.

Solid Waste Impact

Nearest Existing Solid Waste and Recycling Centers: Commercial solid waste services will be required to service the location.

Waste Generation Estimate: 5,923 tons annually.

Neutral Impact: Private collection services are available. No significant impact on the County's Solid Waste Management Plan or Ordinance requirements is expected.

Environmental Impact

Wetlands and Flood Zones: Development as proposed assumes disturbance mitigation for 1.7 acres of wetland areas and/or flood zone areas.

Stormwater: The impervious surface ratio based on the proposed site plan expected to be 50%

Aquifer Recharge Areas: There are no known areas affected.

Water Supply Watersheds: There are no known watersheds affected.

River Corridors: There are no known corridors affected.

Air: This project is not expected to create an air pollution nuisance.

Soils: The property consists of a number of different types soils, most of which are suitable for development.

Historic or Archeological Resources: There are no known resources affected.

Resources of Regional or Statewide Importance: The Development of Regional Impact report indicates the parcel is located in an Area Requiring Special Attention where development is likely



Bulloch County Departmental Review

to occur. One comment was received during the comment period for the project. The two primary concerns are quoted below:

“The proposed rezoning of 360.20 acres from AG-5 to Light Industrial in Statesboro, Georgia, identified by the DRI#3862 maps raises specific concerns with regard to water quality and quantity that we wanted to bring to the CRC’s attention.

1. Ogeechee Riverkeeper is concerned that approximately 27 acres of jurisdictional wetlands will be impacted due to the development of the Industrial Park off exit 116. Although 27 acres is a small percentage of the 360.20-acre development, these wetlands are essential for maintaining a network of resilient and intact ecosystems that will support biodiversity and natural processes under changing conditions and climate. Wetlands are a vital component to climate resilience. Wetlands function as natural sponges that trap and slowly release surface water, rainwater, and floodwaters. Without wetlands to hold this excess water, which is sure to increase due to more impervious surfaces, more frequent flooding is to be expected. It is expected that there will be an increase in erosion because the filled wetlands will no longer be able to slow down the water so that it can be absorbed by the ground. The issue of flooding and erosion will be exacerbated by not only the impervious surfaces on this site but also by the development that has already been approved along I-16. We request that if this project moves forward that every possible effort is taken to avoid disturbing or impacting these wetlands and that mitigation and monitoring take place throughout the construction phases and well into the final stages of mixed uses to ensure that the connectivity between uplands and wetlands is not lost.
2. ORK is also concerned that 50% of the development area would become impervious surfaces. This could cause degradation of the water quality downstream from the site due to stormwater runoff and lack of reabsorption. ORK acknowledges the proposed detention ponds meet the requirements of Georgia EPD and Bulloch County. However, with such a large amount of impervious surfaces, ORK asks Bulloch County and the developer to use additional Low Impact Development (LID) best practices, such as the inclusion of permeable surfacing products and materials to reduce this impact, if the project does move forward.”

Neutral Impact: Negative impacts needing to be addressed are erosion and pollutants from runoff issues. A stormwater management plan, Hydrology Study, and wetland permit is required.

Traffic and Road Infrastructure Impact

ITE Trip Generation Rate: 5,552 trips per day, according to traffic study

Proposed Road Construction in Development: Each warehouse will access internal drives onto Kellys Pond Road and Rocky Road to US Hwy 301 South. Intersection and roadway improvements are proposed/required along Kellys Pond Road. Access to Union Church Road should be restricted from use by the development.

Parking: Parking will be subject to the Interstate Gateway Overlay District and Off-street Parking and Design Guidelines of Bulloch County.

GDOT Road Classification for Access Road: Rocky Road is a county-maintained paved road, Kelly’s Pond Road is a county-maintained dirt road.

Bulloch Transportation Plan Classification for Access Road: Rocky Road is a county-maintained paved road, Kelly’s Pond Road is a county-maintained dirt road.

Condition of Access Road: Rocky Road is currently in good condition. Kellys Pond Road is currently inadequate to serve the development and will need improvements to serve the proposed



Bulloch County Departmental Review

use. Impacts to US Hwy. 301 South were studied in a special traffic study. The traffic study is still in progress and is being updated with Aspen Aerogels traffic counts. GDOT approval of traffic study is required.

Preliminary Intersection Analysis (subject to final traffic study submittal):

- Install a traffic signal at the intersection of SR 73 and the I-16 Westbound Ramps.
 1. The northbound left turn warrants a leading protected-permissive phase.
 2. Although the intersection is not projected to meet signal warrants until 2049, a traffic signal is a feasible alternative due to the speed of the mainline roadway and the cost difference compared to a hybrid roundabout. Additional developments in the surrounding area could further increase the necessity for signalization.
- Install a traffic signal at the intersection of SR 73 and the I-16 Eastbound Ramps.
 1. The southbound left turn warrants a leading protected-permissive phase.
 2. The intersection is ten vehicles away from meeting signal warrants in the build year of 2028 and is a feasible alternative due to the speed of the mainline roadway and the cost difference compared to a hybrid roundabout.

FIGURE 23: RECOMMENDATIONS, SR 73 @ I-16 WB/EB RAMPS



Drainage: The development is located in the Lotts Creek Drainage Basin. Currently all drainage is natural; no man-made improvements to the parcel are known other than roadside drainage



Bulloch County Departmental Review

ditches and culverts. The access way/driveways to primary structures should have proper roadside drainage measures installed.

Neutral Impact: The rezone request, in consideration of the scale of the development, would have a negative impact to the road infrastructure unless improvements are required. A hydrology study and stormwater management plan will be required. GDOT permits will be required for intersection improvements to US 301. Cost for improvements will be paid by the developer with possible Tax Allocation District assistance.

E-911 and Emergency Management Impact

Street addresses can be easily assigned. The County GIS 911 Coordinator should be contacted prior to construction.

Neutral Impact: These services would not be severely impacted.

Law Enforcement Impact

Agency: Bulloch County Sheriff's Department

Level of Service Standard (national: 0.6 per 1,000 population): Bulloch County has 33 sworn officers for road patrols. The LOS would be 49.

Public Safety Unit	Facility Distance / Response Time	LOS Impact or Deficiency	Intangibles
Law Enforcement (Sheriff)	14.4 miles, 20 minutes depending on patrolling patterns	.024 or no full-time equivalent additional officers would be required	Shift of 3 covers 684 square miles
Georgia State Patrol	7.6 miles, 11 minutes depending on patrolling patterns	NA	Post #45 located south of Statesboro on US 301

Neutral Impact: The Sheriff's Department's capabilities are already exceeding capacity. The additional development would not require an additional full-time officer.

EMS and Fire Service Impact

Public Safety Unit	Facility Distance / Response Time	LOS Impact or Deficiency	Intangibles
Fire (Register Fire Department)	Register 2.2 miles 5 min. response time	ISO Rating 9	City of Statesboro would need to be called as first responder or in event of a hazardous materials spill.
EMS-Rescue (County)	12.2 miles, 14 minutes response time	(-0.276) EMT / Paramedic per 1,000 population	

Negative Impact: Response times for fire and EMS are adequate but the development may create a staffing deficiency upon build out if current staffing is not increased. In addition, the



Bulloch County Departmental Review

development may provide cause for the County to provide additional equipment if the building proposes any variance to the height limitation of the zone.

Recreation-Open Space Impact

Neutral Impact: No significant impact will be created by the development.

Summary of Findings – Final Staff Recommendation

Impact Summary			
Impact Factor	Positive	Negative	Neutral
Land Use Planning	X		
Fiscal-Economic		X	
Schools			X
Water-Sewer		X	
Solid Waste			X
Environmental			X
Traffic and Roads			X
Emergency Management			X
Law Enforcement			X
EMS-Fire		X	
Recreation			X
Total	1	3	7
Local Impact Findings	The rezoning of the 66 acres may have a neutral impact to Bulloch County		
Regional Impact Findings	DRI # 3698 Report Received 5/31/2022, One public comment was received during the comment period by the Ogeechee Riverkeeper organization. The entire comment letter is provided within the staff document.		

FINAL STAFF RECOMMENDATION

The subject property appears to be suitable for the proposed rezone.

The staff recommends approval of the rezone request with the following conditions:

- Use:** The principal use(s) approved for this property shall be limited to warehousing-distribution facilities.
- Parking:** Accessory parking areas shall exclusively serve such facilities. Commercial truck parking for other than what is necessary to serve the warehousing-distribution facilities shall be prohibited.
- Access and Encroachment:** New internal streets or driveways accessing the southern periphery of the rezoned property proximate to Union Church Road is prohibited. The proposed internal streets intersecting Kellys Pond Road and Rocky Road shall be the only



Bulloch County Departmental Review

access granted to the development, providing inter-parcel access shown on the sketch attached to this application.

4. **Kellys Pond Road Segmented Abandonment:** Prior to the submittal of a conceptual site plan, the developer shall submit a petition for approval of the abandonment of Kellys Pond Road. Upon road closure, the applicant/developer shall restrict access to Kellys Pond Road north of Union Church Road by use of a fire apparatus/emergency gate.
5. **Union Church Road Improvements:** The applicant/developer shall be responsible for making structural improvements to Union Church Road from building 10 (as exhibited in the applicant site plan) to U.S. Hwy. 301 South. Such improvements, if any, will be based on testing methods and results approved by the County Engineer. The cost of any testing and recommended improvements shall be borne by the applicant/developer. No additional access to the development along Union Church Road is permitted.
6. **Private Road to Serve Property:** The proposed internal street system shall be owned and maintained by the developer or a common interest element.
7. **Utilities Underground:** Except for junction boxes, meters, and existing overhead utility lines, all other utility lines will be underground.
8. **Utility Location in Right-of Way:** Jack and bore or directional bore are required for connection to utility systems requiring encroachment upon a county or state road or right-of-way subject to the approval of appropriate permits.
9. **Screening and Buffering:** Screening and buffers will be required according to Sections 405, 406, and 407 of the zoning ordinance.
10. **Specific Buffering Along Union Church Road:** The applicant/developer shall be required to install a 25' landscape buffer which must include evergreen trees reaching a height of 8' feet in 2 years, and meet a visual threshold of 95% opacity within 2 years of planting. The buffer shall be placed along the entire development boundary along Union Church Road. Existing natural vegetation shall be allowed where approved by the zoning official.
11. **Conceptual Site Plan:** Before any development permitting is authorized, a conceptual site plan application shall be submitted for review and approval to the Planning and Zoning Commission to ensure that the zoning conditions have been met and to expedite permitting and inspections. The following plans, studies, and documents should be submitted with the conceptual site plan application:
 1. Traffic impact analysis modeled according to county policies prepared by a certified professional traffic operations engineer shall be provided for review and approval by the County Engineer. The County may accept or reject proposed mitigation measures from the traffic impact study or impose its own mitigation measures in coordination with the GDOT to include but not be limited to accel decal lanes, signage, intersection lighting, signalization, etc. All such costs for mitigation measures will be borne by the developer.
 - b. Hydrology study and stormwater management plan prepared by a qualified engineer showing necessary mitigation measures following the Georgia Stormwater Management Manual will be provided for review and approval by the County Engineer.
 - c. Architectural renderings and/or elevations of the principal structures by a qualified architect or designer showing drawings and calculations consistent with zoning overlay district requirements shall be provided for review and approval by the County Zoning Administrator.
 - d. Landscape plan drawn to scale by a Georgia registered landscape architect showing drawings and calculations consistent with zoning overlay district requirements shall be provided for review and approval by the County Zoning Administrator.



Bulloch County Departmental Review

- e. Signage plan showing drawings and calculations consistent with zoning overlay district requirements shall be provided for review and approval by the Zoning Administrator.
- f. Fire safety plan will be provided for review and approval by the County Fire Chief. The County Fire Chief shall have the discretion to require fire prevention devices or other mitigation measures. All such costs for mitigation measures will be borne by the developer.
- g. Agreement or memorandum of understanding with the City of Statesboro to provide utilities.

Participants

Tom Couch, County Manager; Jeff Akins, County Attorney; Brad Deal, County Engineer, Patrick Patton, Development Services Manager, James Pope, Planning and Development Director, Ben Tapley, Fire Chief, Joe Carter, Fire Inspector.



Bulloch County Departmental Review

Current Zoning Map

Existing Parcel Zone: AG-5
Adjacent Parcel Zoning: AG-5



Attachment: Robert Rushing Logistics Site RZNE-2022-00063 [Revision 2] (Robert Rushing Rezone Request)



Bulloch County Departmental Review

Aerial Photo of Parcel



Attachment: Robert Rushing Logistics Site RZNE-2022-00063 [Revision 2] (Robert Rushing Rezone



Bulloch County Departmental Review



Attachment: Robert Rushing Logistics Site RZNE-2022-00063 [Revision 2] (Robert Rushing Rezone



Bulloch County Departmental Review



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Bulloch County Departmental Review



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Bulloch County Departmental Review



Attachment: Robert Rushing Logistics Site RZNE-2022-00063 [Revision 2] (Robert Rushing Rezone



Bulloch County Departmental Review

Proposed Site Development



Attachment: Robert Rushing Logistics Site RZNE-2022-00063 [Revision 2] (Robert Rushing Rezone



Bulloch County Departmental Review

Applicant's Response to Rezone Standards

REZONING APPLICANT'S RESPONSE

STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

PURSUANT TO REQUIREMENTS OF THE BULLOCH COUNTY ZONING ORDINANCE, THE BOARD OF COMMISSIONERS FINDS THAT THE FOLLOWING STANDARDS ARE RELEVANT IN BALANCING THE INTEREST IN PROMOTING THE PUBLIC HEALTH, SAFETY, MORALITY OR GENERAL WELFARE AGAINST THE RIGHT TO THE UNRESTRICTED USE OF PROPERTY AND SHALL GOVERN THE EXERCISE OF THE ZONING POWER.

- (1) IS THE PROPOSED USE SUITABLE IN VIEW OF THE ZONING AND DEVELOPMENT OF ADJACENT AND NEARBY PROPERTY?

Yes, this property is directly adjacent to Bulloch County industrial site at the intersection of I-16 and Hwy 301.

- (2) WILL THE PROPOSED USE ADVERSELY AFFECT THE EXISTING USE OR USABILITY OF ADJACENT OR NEARBY PROPERTY?

No, this will compliment the Bulloch County industrial site and help create the highway commercial corridor that the county is envisioning.

- (3) ARE THEIR SUBSTANTIAL REASONS WHY THE PROPERTY CANNOT OR SHOULD NOT BE USED AS CURRENTLY ZONED?

Rezoning this property creates an additional opportunity for tax revenue.

- (4) WILL THE PROPOSED USE CAUSE AN EXCESSIVE OR BURDENSOME USE OF PUBLIC FACILITIES OR SERVICES, INCLUDING BUT NOT LIMITED TO STREETS, SCHOOLS, EMS, SHERIFF OR FIRE PROTECTION?

No, the largest impact will be on Hwy 301 and Rocky Road which are prepared for truck traffic.

- (5) IS THE PROPOSED USE COMPATIBLE WITH THE PURPOSE AND INTENT OF THE COMPREHENSIVE PLAN?

Yes, this expands upon the Bulloch County industrial park, and capitalizes on the growing truck traffic along I-16.

- (6) WILL THE USE BE CONSISTENT WITH THE PURPOSE AND INTENT OF THE PROPOSED ZONING DISTRICT?

Yes, we envision warehouse distribution or assembly taking place on this site.



Bulloch County Departmental Review

Applicant's Response to Rezone Standards Continued



Bulloch County Planning and Development
Rezoning Application
Updated 1/2021

(7) IS THE PROPOSED
USE SUPPORTED BY NEW OR CHANGING CONDITIONS NOT ANTICIPATED BY THE
COMPREHENSIVE PLAN?

No, Light Industrial zoning of this property is supported by the comprehensive plan due to its proximity to Aspen Aerogels.

(8) DOES THE PROPOSED USE REFLECT A REASONABLE BALANCE BETWEEN THE
PROMOTION OF THE PUBLIC HEALTH, SAFETY, MORALITY, OR GENERAL WELFARE
AND THE RIGHT TO UNRESTRICTED USE OF PROPERTY?

Yes, this specific area has been designated as interstate gateway on the future land development map to provide economic growth, and additional jobs for the residents of Bulloch County.



Bulloch County Departmental Review

Sole Public Comment Received during the Coastal Regional Commission’s Development of Regional Impact Public Comment Period. (Page 1 of 2)



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Working Together to Protect the Ogeechee, Canoochee and Coastal Rivers

November 29, 2022

Karen Saunds
Grant Specialist
Coastal Regional Commission

Re:DRI # 3862 Exit 116 Industrial Park/Bulloch County

Dear Ms. Saunds:

Ogeechee Riverkeeper's (ORK) mission is to protect, preserve, and improve the water quality of the Ogeechee River basin, including the Canoochee River and the coastal and tidal rivers of Liberty, Bryan, and Chatham Counties. We work with local communities to share and collect information on the ecological and cultural importance of rivers and streams throughout the Basin and use that information to amplify the voices of those who speak for the watershed. One of our roles is as watchdogs on new land development projects throughout the watershed that could pose a significant threat to water quality and quantity.

The proposed rezoning of 360.20 acres from AG-5 to Light Industrial in Statesboro, Georgia, identified by the DRI#3862 maps raises specific concerns with regard to water quality and quantity that we wanted to bring to the CRC's attention.

1. Ogeechee Riverkeeper is concerned that approximately 27 acres of jurisdictional wetlands will be impacted due to the development of the Industrial Park off exit 116. Although 27 acres is a small percentage of the 360.20-acre development, these wetlands are essential for maintaining a network of resilient and intact ecosystems that will support biodiversity and natural processes under changing conditions and climate. Wetlands are a vital component to climate resilience. Wetlands function as natural sponges that trap and slowly release surface water, rainwater, and floodwaters. Without wetlands to hold this excess water, which is sure to increase due to more impervious surfaces, more frequent flooding is to be expected. It is expected that there will be an increase in erosion because the filled wetlands will no longer be able to slow down the water so that it can be absorbed by the ground. The issue of flooding and erosion will be exacerbated by not only the impervious surfaces on this site but also by the development that has already been approved along I-16. We request that if this project moves forward that every possible effort is taken to avoid disturbing or impacting these wetlands and that mitigation and monitoring take place throughout the construction phases and well into the final stages of mixed uses to ensure that the connectivity between uplands and wetlands is not lost.

Attachment: Robert Rushing Logistics Site RZNE-2022-00063 [Revision 2] (Robert Rushing Rezone Request)



Bulloch County Departmental Review

Public Comment Page 2 of 2



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- 2. ORK is also concerned that 50% of the development area would become impervious surfaces. This could cause degradation of the water quality downstream from the site due to stormwater runoff and lack of reabsorption. ORK acknowledges the proposed detention ponds meet the requirements of Georgia EPD and Bulloch County. However, with such a large amount of impervious surfaces, ORK asks Bulloch County and the developer to use additional Low Impact Development (LID) best practices, such as the inclusion of permeable surfacing products and materials to reduce this impact, if the project does move forward.

Thank you in advance for your time and consideration; please let me know if you have any questions: kris@ogeecheeriverkeeper.org or 866-942-6222.

KrisHoward
Science and Policy Manager



Attachment: Robert Rushing Logistics Site RZNE-2022-00063 [Revision 2] (Robert Rushing Rezone Request)



Bulloch County Departmental Review

Agenda Item:	5	Meeting Date:	April 4, 2023 (BOC)
Application #:	RZNE-2022-00064	Application Type:	Rezoning
Request:	Tommy Brannen has submitted an application to rezone 32 acres from AG-5 (Agriculture 5 acres) to LI (Light Industrial) for the purpose of constructing warehouses/logistics facilities on the south side of Rocky Road.		
Planning and Zoning Commission Recommendation:	The Planning and Zoning Commission recommends approval with conditions by a 3-2 vote. One commissioner abstained.		
Final Staff Recommendation:	The staff recommends approval of the rezone request with conditions.		

Applicant:	Tommy Brannen	Acres in Request:	32
Location:	Rocky Road	Existing Lots:	1
Map #:	050 000026 008	Current Zoning:	AG-5
Future Land Use:	Warehouses	Requested Zoning:	LI
Directions to Property:	From Statesboro take Highway 301 South over the I-16 intersection. Travel for .25 miles and Rocky Road will be on your left. Turn Left onto Rocky Road property will be on your right approximately .25 Miles on Rocky Road.		

Rezoning Standards	Yes	No	Comment
(1) Is the proposed use suitable in view of the zoning and development of adjacent and nearby property?	X		Adjacent zoning is Heavy industrial, and AG5
(2) Will the proposed use adversely affect the existing use or usability of adjacent or nearby property?		X	The proposed use should not impact adjacent properties if conditions are enforced.
(3) Are there substantial reasons why the property cannot or should not be used as currently zoned?		X	
(4) Will the proposed use cause an excessive or burdensome use of public facilities or services,		X	Fire protection may be

Attachment: Tommy Brannen Logistics Site RZNE-2022-00064 [Revision 2] (Tommy Brannen Rezone Request)



Bulloch County Departmental Review

	including but not limited to streets, schools, EMS, sheriff or fire protection?			strained at its current staffing level. Additional resources may be required at phased completion.
(5)	Is the proposed use compatible with the purpose and intent of the Comprehensive Plan?	X		
(6)	Will the use be consistent with the purpose and intent of the proposed zoning district?	X		
(7)	Is the proposed use supported by new or changing conditions not anticipated by the Comprehensive Plan?	X		The location is included in a Tax Allocation District created with anticipation of industrial uses near the US 301 and Interstate 16 interchange
(8)	Does the proposed use reflect a reasonable balance between the promotion of the public health, safety, morality, or general welfare and the right to unrestricted use of property?	X		

Land Use Planning Impact

Future Land Use Map: The Bulloch County Joint Comprehensive Plan indicates that the property would be appropriate for the Interstate Gateway District.

Existing Land Use Pattern: There are primarily rural residential, agricultural, Heavy Industrial and Light Industrial uses at adjacent and nearby properties.

Zoning Patterns and Consistency: The proposed change appears to be consistent with the zoning patterns in the nearby area and/or future development map of Bulloch County.

Neighborhood Character: There is no evidence that the proposed change in use may injure or detract from existing parcels.

Floor Area Ratio

Floor Area Ratio Proposed: Total project FAR: .195

Impact: Positive. Light Industrial development is encouraged in this area of the County according to the Future Land Use Plan.

Attachment: Tommy Brannen Logistics Site RZNE-2022-00064 [Revision 2] (Tommy Brannen Rezone Request)



Bulloch County Departmental Review

Property Values: Values for adjacent properties may be enhanced by the proposed development provided the Interstate Gateway Corridor Overlay restrictions are adhered to, and, if enforcement of County land use and property maintenance regulations are applied. However, failure to enforce zoning/land use standards are likely to result in stagnant or lower property values over time.

Neutral Impact: Cost of public service expenditures may be a net positive since developer will be required to provide the necessary improvements to the transportation infrastructure.

School System Impact

Student Enrollment Created by New Development: No school impact is anticipated.

Neutral Impact: No school impact is anticipated due to the land use as proposed will not include residential development.

Water / Sewer Impact

Water System: The warehouses to be located on the parcel will be served by the City of Statesboro water system. Anticipated water requirements can be served by the existing system without off property expansion. Internal parcel water line expansion will be required. Water supply demand is anticipated to be 0.015 Million Gallons a Day for the entire project at buildout.

Sewerage: Wastewater will be served by the City of Statesboro using the current infrastructure located on or near the parcel. Internal parcel sanitary sewer line expansion will be required. Supply demand is anticipated to be 0.010 Million Gallons a Day for the entire project at buildout.

Positive Impact: Water and sewer service will be served by the existing City of Statesboro system. The revenue vs required improvements for service are net positive.

Solid Waste Impact

Nearest Existing Solid Waste and Recycling Centers: Commercial solid waste services will be required to service the location.

Waste Generation Estimate: 5,923 tons annually.

Neutral Impact: Private collection services are available. No significant impact on the County's Solid Waste Management Plan or Ordinance requirements is expected.

Environmental Impact

Wetlands and Flood Zones: Development as proposed assumes disturbance mitigation for 1.7 acres of wetland areas and/or flood zone areas.

Stormwater: The impervious surface ratio based on the proposed site plan expected to be 50%

Aquifer Recharge Areas: There are no known areas affected.

Water Supply Watersheds: There are no known watersheds affected.

River Corridors: There are no known corridors affected.

Air: This project is not expected to create an air pollution nuisance.

Soils: The property consists of a number of different types soils, most of which are suitable for development.

Historic or Archeological Resources: There are no known resources affected.

Resources of Regional or Statewide Importance: The Development of Regional Impact report indicates the parcel is located in an Area Requiring Special Attention where development is likely



Bulloch County Departmental Review

to occur. One comment was received during the comment period for the project. The two primary concerns are quoted below:

“The proposed rezoning of 360.20 acres from AG-5 to Light Industrial in Statesboro, Georgia, identified by the DRI#3862 maps raises specific concerns with regard to water quality and quantity that we wanted to bring to the CRC’s attention.

1. Ogeechee Riverkeeper is concerned that approximately 27 acres of jurisdictional wetlands will be impacted due to the development of the Industrial Park off exit 116. Although 27 acres is a

small percentage of the 360.20-acre development, these wetlands are essential for maintaining a network of resilient and intact ecosystems that will support biodiversity and natural processes under changing conditions and climate. Wetlands are a vital component to climate resilience. Wetlands function as natural sponges that trap and slowly release surface water, rainwater, and floodwaters. Without wetlands to hold this excess water, which is sure to increase due to more impervious surfaces, more frequent flooding is to be expected. It is expected that there will be an increase in erosion because the filled wetlands will no longer be able to slow down the water so that it can be absorbed by the ground. The issue of flooding and erosion will be exacerbated by not only the impervious surfaces on this site but also by the development that has already been approved along I-16. We request that if this project moves forward that every possible effort is taken to avoid disturbing or impacting these wetlands and that mitigation and monitoring take place throughout the construction phases and well into the final stages of mixed uses to ensure that the connectivity between uplands and wetlands is not lost.

2. ORK is also concerned that 50% of the development area would become impervious surfaces. This could cause degradation of the water quality downstream from the site due to stormwater runoff and lack of reabsorption. ORK acknowledges the proposed detention ponds meet the requirements of Georgia EPD and Bulloch County. However, with such a large amount of impervious surfaces, ORK asks Bulloch County and the developer to use additional Low Impact Development (LID) best practices, such as the inclusion of permeable surfacing products and materials to reduce this impact, if the project does move forward.”

Neutral Impact: Negative impacts needing to be addressed are erosion and pollutants from runoff issues. A stormwater management plan, Hydrology Study, and wetland permit is required.

Traffic and Road Infrastructure Impact

ITE Trip Generation Rate: 5,552 trips per day, according to traffic study

Proposed Road Construction in Development: Each warehouse will access internal drives onto Kellys Pond Road and Rocky Road to US Hwy 301 South. Intersection and roadway improvements are proposed/required along Kellys Pond Road. Access to Union Church Road should be restricted from use by the development.

Parking: Parking will be subject to the Interstate Gateway Overlay District and Off-street Parking and Design Guidelines of Bulloch County.

GDOT Road Classification for Access Road: Rocky Road is a county-maintained paved road, Kelly’s Pond Road is a county-maintained dirt road.

Bulloch Transportation Plan Classification for Access Road: Rocky Road is a county-maintained paved road, Kelly’s Pond Road is a county-maintained dirt road.

Condition of Access Road: Rocky Road is currently in good condition. Kellys Pond Road is currently inadequate to serve the development and will need improvements to serve the proposed



Bulloch County Departmental Review

use. Impacts to US Hwy. 301 South were studied in a special traffic study. The traffic study is still in progress and is being updated with Aspen Aerogels traffic counts. GDOT approval of traffic study is required.

Preliminary Intersection Analysis (subject to final traffic study submittal):

- Install a traffic signal at the intersection of SR 73 and the I-16 Westbound Ramps.
 1. The northbound left turn warrants a leading protected-permissive phase.
 2. Although the intersection is not projected to meet signal warrants until 2049, a traffic signal is a feasible alternative due to the speed of the mainline roadway and the cost difference compared to a hybrid roundabout. Additional developments in the surrounding area could further increase the necessity for signalization.
- Install a traffic signal at the intersection of SR 73 and the I-16 Eastbound Ramps.
 1. The southbound left turn warrants a leading protected-permissive phase.
 2. The intersection is ten vehicles away from meeting signal warrants in the build year of 2028 and is a feasible alternative due to the speed of the mainline roadway and the cost difference compared to a hybrid roundabout.

FIGURE 23: RECOMMENDATIONS, SR 73 @ I-16 WB/EB RAMPS



Drainage: The development is located in the Lotts Creek Drainage Basin. Currently all drainage is natural; no man-made improvements to the parcel are known other than roadside drainage



Bulloch County Departmental Review

ditches and culverts. The access way/driveways to primary structures should have proper roadside drainage measures installed.

Neutral Impact: The rezone request, in consideration of the scale of the development, would have a negative impact to the road infrastructure unless improvements are required. A hydrology study and stormwater management plan will be required. GDOT permits will be required for intersection improvements to US 301. Cost for improvements will be paid by the developer with possible Tax Allocation District assistance.

E-911 and Emergency Management Impact

Street addresses can be easily assigned. The County GIS 911 Coordinator should be contacted prior to construction.

Neutral Impact: These services would not be severely impacted.

Law Enforcement Impact

Agency: Bulloch County Sheriff's Department

Level of Service Standard (national: 0.6 per 1,000 population): Bulloch County has 33 sworn officers for road patrols. The LOS would be 49.

Public Safety Unit	Facility Distance / Response Time	LOS Impact or Deficiency	Intangibles
Law Enforcement (Sheriff)	14.4 miles, 20 minutes depending on patrolling patterns	.024 or no full-time equivalent additional officers would be required	Shift of 3 covers 684 square miles
Georgia State Patrol	7.6 miles, 11 minutes depending on patrolling patterns	NA	Post #45 located south of Statesboro on US 301

Neutral Impact: The Sheriff's Department's capabilities are already exceeding capacity. The additional development would not require an additional full-time officer.

EMS and Fire Service Impact

Public Safety Unit	Facility Distance / Response Time	LOS Impact or Deficiency	Intangibles
Fire (Register Fire Department)	Register 2.2 miles 5 min. response time	ISO Rating 9	City of Statesboro would need to be called as first responder or in event of a hazardous materials spill.
EMS-Rescue (County)	12.2 miles, 14 minutes response time	(-0.276) EMT / Paramedic per 1,000 population	

Negative Impact: Response times for fire and EMS are adequate but the development may create a staffing deficiency upon build out if current staffing is not increased. In addition, the development may provide cause for the County to provide additional equipment if the building proposes any variance to the height limitation of the zone.



Bulloch County Departmental Review

Recreation-Open Space Impact

Neutral Impact: No significant impact will be created by the development.

Summary of Findings – Final Staff Recommendation

Impact Summary			
Impact Factor	Positive	Negative	Neutral
Land Use Planning	X		
Fiscal-Economic		X	
Schools			X
Water-Sewer		X	
Solid Waste			X
Environmental			X
Traffic and Roads			X
Emergency Management			X
Law Enforcement			X
EMS-Fire		X	
Recreation			X
Total	1	3	7
Local Impact Findings	The rezoning of the 66 acres may have a neutral impact to Bulloch County		
Regional Impact Findings	DRI # 3698 Report Received 5/31/2022, One public comment was received during the comment period by the Ogeechee Riverkeeper organization. The entire comment letter is provided within the staff document.		

FINAL STAFF RECOMMENDATION

The subject property appears to be suitable for the proposed rezone.

The staff recommends approval of the rezone request with the following conditions:

- Use:** The principal use(s) approved for this property shall be limited to warehousing-distribution facilities.
- Parking:** Accessory parking areas shall exclusively serve such facilities. Commercial truck parking for other than what is necessary to serve the warehousing-distribution facilities shall be prohibited.
- Access and Encroachment:** New internal streets or driveways accessing the southern periphery of the rezoned property proximate to Union Church Road is prohibited. The proposed internal streets intersecting Kellys Pond Road and Rocky Road shall be the only access granted to the development, providing inter-parcel access shown on the sketch attached to this application.



Bulloch County Departmental Review

4. **Kellys Pond Road Segmented Abandonment:** Prior to the submittal of a conceptual site plan, the developer shall submit a petition for approval of the abandonment of Kellys Pond Road. Upon road closure, the applicant/developer shall restrict access to Kellys Pond Road north of Union Church Road by use of a fire apparatus/emergency gate.
5. **Union Church Road Improvements:** The applicant/developer shall be responsible for making structural improvements to Union Church Road from building 10 (as exhibited in the applicant site plan) to U.S. Hwy. 301 South. Such improvements, if any, will be based on testing methods and results approved by the County Engineer. The cost of any testing and recommended improvements shall be borne by the applicant/developer. No additional access to the development along Union Church Road is permitted.
6. **Private Road to Serve Property:** The proposed internal street system shall be owned and maintained by the developer or a common interest element.
7. **Utilities Underground:** Except for junction boxes, meters, and existing overhead utility lines, all other utility lines will be underground.
8. **Utility Location in Right-of Way:** Jack and bore or directional bore are required for connection to utility systems requiring encroachment upon a county or state road or right-of-way subject to the approval of appropriate permits.
9. **Screening and Buffering:** Screening and buffers will be required according to Sections 405, 406, and 407 of the zoning ordinance.
10. **Specific Buffering Along Union Church Road:** The applicant/developer shall be required to install a 25' landscape buffer which must include evergreen trees reaching a height of 8' feet in 2 years, and meet a visual threshold of 95% opacity within 2 years of planting. The buffer shall be placed along the entire development boundary along Union Church Road. Existing natural vegetation shall be allowed where approved by the zoning official.
11. **Conceptual Site Plan:** Before any development permitting is authorized, a conceptual site plan application shall be submitted for review and approval to the Planning and Zoning Commission to ensure that the zoning conditions have been met and to expedite permitting and inspections. The following plans, studies, and documents should be submitted with the conceptual site plan application:
 1. Traffic impact analysis modeled according to county policies prepared by a certified professional traffic operations engineer shall be provided for review and approval by the County Engineer. The County may accept or reject proposed mitigation measures from the traffic impact study or impose its own mitigation measures in coordination with the GDOT to include but not be limited to accel decal lanes, signage, intersection lighting, signalization, etc. All such costs for mitigation measures will be borne by the developer.
 2. Hydrology study and stormwater management plan prepared by a qualified engineer showing necessary mitigation measures following the Georgia Stormwater Management Manual will be provided for review and approval by the County Engineer.
 3. Architectural renderings and/or elevations of the principal structures by a qualified architect or designer showing drawings and calculations consistent with zoning overlay district requirements shall be provided for review and approval by the County Zoning Administrator.
 4. Landscape plan drawn to scale by a Georgia registered landscape architect showing drawings and calculations consistent with zoning overlay district requirements shall be provided for review and approval by the County Zoning Administrator.
 5. Signage plan showing drawings and calculations consistent with zoning overlay district requirements shall be provided for review and approval by the Zoning Administrator.



Bulloch County Departmental Review

- f. Fire safety plan will be provided for review and approval by the County Fire Chief. The County Fire Chief shall have the discretion to require fire prevention devices or other mitigation measures. All such costs for mitigation measures will be borne by the developer.
- g. Agreement or memorandum of understanding with the City of Statesboro to provide utilities.

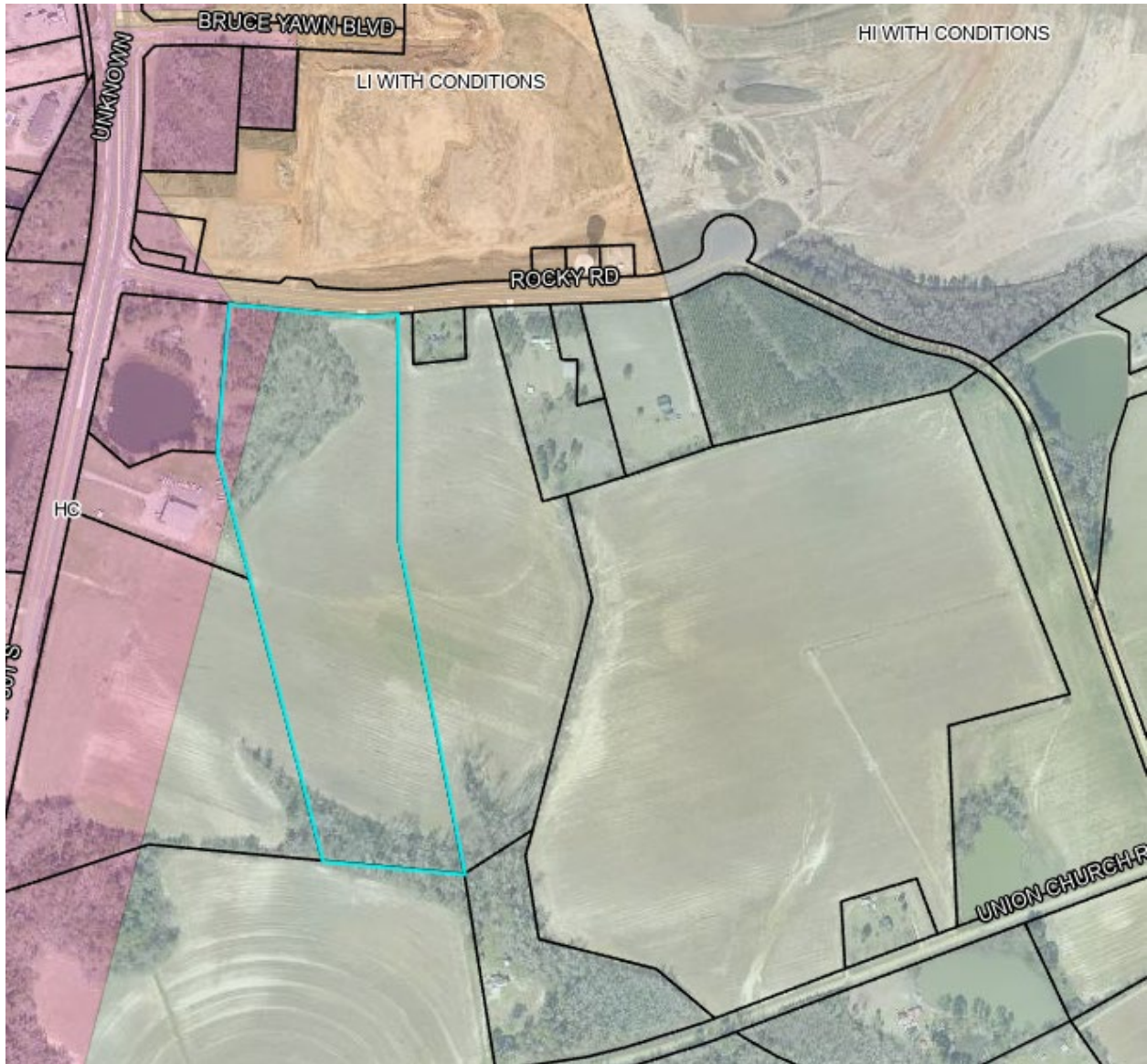
Participants

Tom Couch, County Manager; Jeff Akins, County Attorney; Brad Deal, County Engineer, Patrick Patton, Development Services Manager, James Pope, Planning and Development Director, Ben Tapley, Fire Chief, Joe Carter, Fire Inspector.



Bulloch County Departmental Review

Current Zoning: AG:5 & Interstate Gateway Overlay; Adjacent Zoning: AG5 & Light Industrial with Conditions



Attachment: Tommy Brannen Logistics Site RZNE-2022-00064 [Revision 2] (Tommy Brannen Rezone Request)



Bulloch County Departmental Review

Aerial Photo of Property



Attachment: Tommy Brannen Logistics Site RZNE-2022-00064 [Revision 2] (Tommy Brannen Rezone Request)



Bulloch County Departmental Review



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Bulloch County Departmental Review



Attachment: Tommy Brannen Logistics Site RZNE-2022-00064 [Revision 2] (Tommy Brannen Rezone



Bulloch County Departmental Review



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Bulloch County Departmental Review



Attachment: Tommy Brannen Logistics Site RZNE-2022-00064 [Revision 2] (Tommy Brannen Rezone



Bulloch County Departmental Review

Proposed Site Development



Attachment: Tommy Brannen Logistics Site RZNE-2022-00064 [Revision 2] (Tommy Brannen Rezoning)



Bulloch County Departmental Review

Applicant's Response to Rezone Standards

REZONING APPLICANT'S RESPONSE

STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

PURSUANT TO REQUIREMENTS OF THE BULLOCH COUNTY ZONING ORDINANCE, THE BOARD OF COMMISSIONERS FINDS THAT THE FOLLOWING STANDARDS ARE RELEVANT IN BALANCING THE INTEREST IN PROMOTING THE PUBLIC HEALTH, SAFETY, MORALITY OR GENERAL WELFARE AGAINST THE RIGHT TO THE UNRESTRICTED USE OF PROPERTY AND SHALL GOVERN THE EXERCISE OF THE ZONING POWER.

- (1) IS THE PROPOSED USE SUITABLE IN VIEW OF THE ZONING AND DEVELOPMENT OF ADJACENT AND NEARBY PROPERTY?

Yes, this property is directly adjacent to Bulloch County industrial site at the intersection of I-16 and Hwy 301.

- (2) WILL THE PROPOSED USE ADVERSELY AFFECT THE EXISTING USE OR USABILITY OF ADJACENT OR NEARBY PROPERTY?

No, this will compliment the Bulloch County industrial site and help create the highway commercial corridor that the county is envisioning.

- (3) ARE THEIR SUBSTANTIAL REASONS WHY THE PROPERTY CANNOT OR SHOULD NOT BE USED AS CURRENTLY ZONED?

Rezoning this property creates an additional opportunity for tax revenue.

- (4) WILL THE PROPOSED USE CAUSE AN EXCESSIVE OR BURDENSOME USE OF PUBLIC FACILITIES OR SERVICES, INCLUDING BUT NOT LIMITED TO STREETS, SCHOOLS, EMS, SHERIFF OR FIRE PROTECTION?

No, the largest impact will be on Hwy 301 and Rocky Road which are prepared for truck traffic.

- (5) IS THE PROPOSED USE COMPATIBLE WITH THE PURPOSE AND INTENT OF THE COMPREHENSIVE PLAN?

Yes, this expands upon the Bulloch County industrial park, and capitalizes on the growing truck traffic along I-16.

- (6) WILL THE USE BE CONSISTENT WITH THE PURPOSE AND INTENT OF THE PROPOSED ZONING DISTRICT?

Yes, we envision warehouse distribution or assembly taking place on this site.



Bulloch County Departmental Review

Applicant's Response to Rezone Standards Continued



**Bulloch County Planning and Development
Rezoning Application
Updated 1/2021**

(7) IS THE PROPOSED USE SUPPORTED BY NEW OR CHANGING CONDITIONS NOT ANTICIPATED BY THE COMPREHENSIVE PLAN?

No, Light Industrial zoning of this property is supported by the comprehensive plan due to its proximity to Aspen Aerogels.

(8) DOES THE PROPOSED USE REFLECT A REASONABLE BALANCE BETWEEN THE PROMOTION OF THE PUBLIC HEALTH, SAFETY, MORALITY, OR GENERAL WELFARE AND THE RIGHT TO UNRESTRICTED USE OF PROPERTY?

Yes, this specific area has been designated as interstate gateway on the future land development map to provide economic growth, and additional jobs for the residents of Bulloch County.



Bulloch County Departmental Review

Sole Public Comment Received during the Coastal Regional Commission's Development of Regional Impact Public Comment Period. (Page 1 of 2)



PO Box 16206
Savannah, GA 31416
Phone/Fax: 866-942-6222

www.ogeecheeriverkeeper.org

Working Together to Protect the Ogeechee, Canoochee and Coastal Rivers

November 29, 2022

Karen Saunds
Grant Specialist
Coastal Regional Commission

Re:DRI # 3862 Exit 116 Industrial Park/Bulloch County

Dear Ms. Saunds:

Ogeechee Riverkeeper's (ORK) mission is to protect, preserve, and improve the water quality of the Ogeechee River basin, including the Canoochee River and the coastal and tidal rivers of Liberty, Bryan, and Chatham Counties. We work with local communities to share and collect information on the ecological and cultural importance of rivers and streams throughout the Basin and use that information to amplify the voices of those who speak for the watershed. One of our roles is as watchdogs on new land development projects throughout the watershed that could pose a significant threat to water quality and quantity.

The proposed rezoning of 360.20 acres from AG-5 to Light Industrial in Statesboro, Georgia, identified by the DRI#3862 maps raises specific concerns with regard to water quality and quantity that we wanted to bring to the CRC's attention.

- Ogeechee Riverkeeper is concerned that approximately 27 acres of jurisdictional wetlands will be impacted due to the development of the Industrial Park off exit 116. Although 27 acres is a small percentage of the 360.20-acre development, these wetlands are essential for maintaining a network of resilient and intact ecosystems that will support biodiversity and natural processes under changing conditions and climate. Wetlands are a vital component to climate resilience. Wetlands function as natural sponges that trap and slowly release surface water, rainwater, and floodwaters. Without wetlands to hold this excess water, which is sure to increase due to more impervious surfaces, more frequent flooding is to be expected. It is expected that there will be an increase in erosion because the filled wetlands will no longer be able to slow down the water so that it can be absorbed by the ground. The issue of flooding and erosion will be exacerbated by not only the impervious surfaces on this site but also by the development that has already been approved along I-16. We request that if this project moves forward that every possible effort is taken to avoid disturbing or impacting these wetlands and that mitigation and monitoring take place throughout the construction phases and well into the final stages of mixed uses to ensure that the connectivity between uplands and wetlands is not lost.

Attachment: Tommy Brannen Logistics Site RZNE-2022-00064 [Revision 2] (Tommy Brannen Rezoning Request)



Bulloch County Departmental Review

Public Comment Page 2 of 2



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- 2. ORK is also concerned that 50% of the development area would become impervious surfaces. This could cause degradation of the water quality downstream from the site due to stormwater runoff and lack of reabsorption. ORK acknowledges the proposed detention ponds meet the requirements of Georgia EPD and Bulloch County. However, with such a large amount of impervious surfaces, ORK asks Bulloch County and the developer to use additional Low Impact Development (LID) best practices, such as the inclusion of permeable surfacing products and materials to reduce this impact, if the project does move forward.

Thank you in advance for your time and consideration; please let me know if you have any questions: kris@ogeecheeriverkeeper.org or 866-942-6222.

KrisHoward
Science and Policy Manager



Attachment: Tommy Brannen Logistics Site RZNE-2022-00064 [Revision 2] (Tommy Brannen Rezone Request)



Bulloch County Departmental Review

Agenda Item:	6	Meeting Date:	April 4, 2023 (BOC)
Application #:	RZNE-2022-00064	Application Type:	Rezoning
Request:	Jennifer and DJ Vickery have submitted an application to rezone 14.28 acres from AG-5 (Agriculture 5 acres) to LI (Light Industrial) for the purpose of constructing warehouses/logistics facilities on the south side of Rocky Road.		
Planning and Zoning Commission Recommendation:	The Planning and Zoning Commission recommends approval with conditions by a 3-2 vote. One commissioner abstained.		
Final Staff Recommendation:	The staff recommends approval of the rezone request with conditions.		

Applicant:	Jennifer and DJ Vickery	Acres in Request:	14.28
Location:	Rocky Road	Existing Lots:	2
Map #:	050 000021 001 050 000021 002	Current Zoning:	AG-5
Future Land Use:	Interstate Gateway District	Requested Zoning:	LI
Directions to Property:	From Statesboro take Highway 301 South over the I-16 intersection. Travel for .25 miles and Rocky Road will be on your left. Turn Left onto Rocky Road Travel for .5 Miles and turn right onto Kellys Pond Road. Follow for .2 miles property will be on your left at 1260 Kellys Pond Road.		

Rezoning Standards		Yes	No	Comment
(1)	Is the proposed use suitable in view of the zoning and development of adjacent and nearby property?	X		Adjacent zoning is Heavy industrial, and AG5
(2)	Will the proposed use adversely affect the existing use or usability of adjacent or nearby property?		X	The proposed use should not impact adjacent properties if conditions are enforced.

Attachment: Jennifer and DJ Vickery Logistics Site RZNE-2022-00065 [Revision 2] (Jennifer and DJ Vickery Rezone Request)



Bulloch County Departmental Review

(3)	Are their substantial reasons why the property cannot or should not be used as currently zoned?		X	
(4)	Will the proposed use cause an excessive or burdensome use of public facilities or services, including but not limited to streets, schools, EMS, sheriff or fire protection?		X	Fire protection may be strained at its current staffing level. Additional resources may be required at phased completion.
(5)	Is the proposed use compatible with the purpose and intent of the Comprehensive Plan?	X		
(6)	Will the use be consistent with the purpose and intent of the proposed zoning district?	X		
(7)	Is the proposed use supported by new or changing conditions not anticipated by the Comprehensive Plan?	X		The location is included in a Tax Allocation District created with anticipation of industrial uses near the US 301 and Interstate 16 interchange
(8)	Does the proposed use reflect a reasonable balance between the promotion of the public health, safety, morality, or general welfare and the right to unrestricted use of property?	X		

Land Use Planning Impact

Future Land Use Map: The Bulloch County Joint Comprehensive Plan indicates that the property would be appropriate for the Interstate Gateway District.

Existing Land Use Pattern: There are primarily rural residential, agricultural, Heavy Industrial and Light Industrial uses at adjacent and nearby properties.

Zoning Patterns and Consistency: The proposed change appears to be consistent with the zoning patterns in the nearby area and/or future development map of Bulloch County.

Neighborhood Character: There is no evidence that the proposed change in use may injure or detract from existing parcels.



Bulloch County Departmental Review

Floor Area Ratio

Floor Area Ratio Proposed: Total project FAR: .195

Impact: Positive. Light Industrial development is encouraged in this area of the County according to the Future Land Use Plan.

Property Values: Values for adjacent properties may be enhanced by the proposed development provided the Interstate Gateway Corridor Overlay restrictions are adhered to, and, if enforcement of County land use and property maintenance regulations are applied. However, failure to enforce zoning/land use standards are likely to result in stagnant or lower property values over time.

Neutral Impact: Cost of public service expenditures may be a net positive since developer will be required to provide the necessary improvements to the transportation infrastructure.

School System Impact

Student Enrollment Created by New Development: No school impact is anticipated.

Neutral Impact: No school impact is anticipated due to the land use as proposed will not include residential development.

Water / Sewer Impact

Water System: The warehouses to be located on the parcel will be served by the City of Statesboro water system. Anticipated water requirements can be served by the existing system without off property expansion. Internal parcel water line expansion will be required. Water supply demand is anticipated to be 0.015 Million Gallons a Day for the entire project at buildout.

Sewerage: Wastewater will be served by the City of Statesboro using the current infrastructure located on or near the parcel. Internal parcel sanitary sewer line expansion will be required. Supply demand is anticipated to be 0.010 Million Gallons a Day for the entire project at buildout.

Positive Impact: Water and sewer service will be served by the existing City of Statesboro system. The revenue vs required improvements for service are net positive.

Solid Waste Impact

Nearest Existing Solid Waste and Recycling Centers: Commercial solid waste services will be required to service the location.

Waste Generation Estimate: 5,923 tons annually.

Neutral Impact: Private collection services are available. No significant impact on the County's Solid Waste Management Plan or Ordinance requirements is expected.

Environmental Impact

Wetlands and Flood Zones: Development as proposed assumes disturbance mitigation for 1.7 acres of wetland areas and/or flood zone areas.

Stormwater: The impervious surface ratio based on the proposed site plan expected to be 50%

Aquifer Recharge Areas: There are no known areas affected.

Water Supply Watersheds: There are no known watersheds affected.

River Corridors: There are no known corridors affected.

Air: This project is not expected to create an air pollution nuisance.

Soils: The property consists of a number of different types soils, most of which are suitable for development.



Bulloch County Departmental Review

Historic or Archeological Resources: There are no known resources affected.

Resources of Regional or Statewide Importance: The Development of Regional Impact report indicates the parcel is located in an Area Requiring Special Attention where development is likely to occur. One comment was received during the comment period for the project. The two primary concerns are quoted below:

“The proposed rezoning of 360.20 acres from AG-5 to Light Industrial in Statesboro, Georgia, identified by the DRI#3862 maps raises specific concerns with regard to water quality and quantity that we wanted to bring to the CRC’s attention.

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Neutral Impact: Negative impacts needing to be addressed are erosion and pollutants from runoff issues. A stormwater management plan, Hydrology Study, and wetland permit is required.

Traffic and Road Infrastructure Impact

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GDOT Road Classification for Access Road: Rocky Road is a county-maintained paved road, Kelly’s Pond Road is a county-maintained dirt road.



Bulloch County Departmental Review

Bulloch Transportation Plan Classification for Access Road: Rocky Road is a county-maintained paved road, Kelly's Pond Road is a county-maintained dirt road.

Condition of Access Road: Rocky Road is currently in good condition. Kelly's Pond Road is currently inadequate to serve the development and will need improvements to serve the proposed use. Impacts to US Hwy. 301 South were studied in a special traffic study. The traffic study is still in progress and is being updated with Aspen Aerogels traffic counts. GDOT approval of traffic study is required.

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- Install a traffic signal at the intersection of SR 73 and the I-16 Westbound Ramps.
 1. The northbound left turn warrants a leading protected-permissive phase.
 2. Although the intersection is not projected to meet signal warrants until 2049, a traffic signal is a feasible alternative due to the speed of the mainline roadway and the cost difference compared to a hybrid roundabout. Additional developments in the surrounding area could further increase the necessity for signalization.
- Install a traffic signal at the intersection of SR 73 and the I-16 Eastbound Ramps.
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 2. The intersection is ten vehicles away from meeting signal warrants in the build year of 2028 and is a feasible alternative due to the speed of the mainline roadway and the cost difference compared to a hybrid roundabout.

FIGURE 23: RECOMMENDATIONS, SR 73 @ I-16 WB/EB RAMPS





Bulloch County Departmental Review

Drainage: The development is located in the Lotts Creek Drainage Basin. Currently all drainage is natural; no man-made improvements to the parcel are known other than roadside drainage ditches and culverts. The access way/driveways to primary structures should have proper roadside drainage measures installed.

Neutral Impact: The rezone request, in consideration of the scale of the development, would have a negative impact to the road infrastructure unless improvements are required. A hydrology study and stormwater management plan will be required. GDOT permits will be required for intersection improvements to US 301. Cost for improvements will be paid by the developer with possible Tax Allocation District assistance.

E-911 and Emergency Management Impact

Street addresses can be easily assigned. The County GIS 911 Coordinator should be contacted prior to construction.

Neutral Impact: These services would not be severely impacted.

Law Enforcement Impact

Agency: Bulloch County Sheriff's Department

Level of Service Standard (national: 0.6 per 1,000 population): Bulloch County has 33 sworn officers for road patrols. The LOS would be 49.

Public Safety Unit	Facility Distance / Response Time	LOS Impact or Deficiency	Intangibles
Law Enforcement (Sheriff)	14.4 miles, 20 minutes depending on patrolling patterns	.024 or no full-time equivalent additional officers would be required	Shift of 3 covers 684 square miles
Georgia State Patrol	7.6 miles, 11 minutes depending on patrolling patterns	NA	Post #45 located south of Statesboro on US 301

Neutral Impact: The Sheriff's Department's capabilities are already exceeding capacity. The additional development would not require an additional full-time officer.

EMS and Fire Service Impact

Public Safety Unit	Facility Distance / Response Time	LOS Impact or Deficiency	Intangibles
Fire (Register Fire Department)	Register 2.2 miles 5 min. response time	ISO Rating 9	City of Statesboro would need to be called as first responder or in event of a hazardous materials spill.
EMS-Rescue (County)	12.2 miles, 14 minutes response time	(-0.276) EMT / Paramedic per 1,000 population	



Bulloch County Departmental Review

Negative Impact: Response times for fire and EMS are adequate but the development may create a staffing deficiency upon build out if current staffing is not increased. In addition, the development may provide cause for the County to provide additional equipment if the building proposes any variance to the height limitation of the zone.

Recreation-Open Space Impact

Neutral Impact: No significant impact will be created by the development.

Summary of Findings – Final Staff Recommendation

Impact Summary			
Impact Factor	Positive	Negative	Neutral
Land Use Planning	X		
Fiscal-Economic		X	
Schools			X
Water-Sewer		X	
Solid Waste			X
Environmental			X
Traffic and Roads			X
Emergency Management			X
Law Enforcement			X
EMS-Fire		X	
Recreation			X
Total	1	3	7
Local Impact Findings	The rezoning of the 66 acres may have a neutral impact to Bulloch County		
Regional Findings	Impact	DRI # 3698 Report Received 5/31/2022, One public comment was received during the comment period by the Ogeechee Riverkeeper organization. The entire comment letter is provided within the staff document.	

FINAL STAFF RECOMMENDATION

The subject property appears to be suitable for the proposed rezone.

The staff recommends approval of the rezone request with the following conditions:

- Use:** The principal use(s) approved for this property shall be limited to warehousing-distribution facilities.
- Parking:** Accessory parking areas shall exclusively serve such facilities. Commercial truck parking for other than what is necessary to serve the warehousing-distribution facilities shall be prohibited.
- Access and Encroachment:** New internal streets or driveways accessing the southern periphery of the rezoned property proximate to Union Church Road is prohibited. The proposed internal streets intersecting Kellys Pond Road and Rocky Road shall be the only



Bulloch County Departmental Review

access granted to the development, providing inter-parcel access shown on the sketch attached to this application.

4. **Kellys Pond Road Segmented Abandonment:** Prior to the submittal of a conceptual site plan, the developer shall submit a petition for approval of the abandonment of Kellys Pond Road. Upon road closure, the applicant/developer shall restrict access to Kellys Pond Road north of Union Church Road by use of a fire apparatus/emergency gate.
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6. **Private Road to Serve Property:** The proposed internal street system shall be owned and maintained by the developer or a common interest element.
7. **Utilities Underground:** Except for junction boxes, meters, and existing overhead utility lines, all other utility lines will be underground.
8. **Utility Location in Right-of Way:** Jack and bore or directional bore are required for connection to utility systems requiring encroachment upon a county or state road or right-of-way subject to the approval of appropriate permits.
9. **Screening and Buffering:** Screening and buffers will be required according to Sections 405, 406, and 407 of the zoning ordinance.
10. **Specific Buffering Along Union Church Road:** The applicant/developer shall be required to install a 25' landscape buffer which must include evergreen trees reaching a height of 8' feet in 2 years, and meet a visual threshold of 95% opacity within 2 years of planting. The buffer shall be placed along the entire development boundary along Union Church Road. Existing natural vegetation shall be allowed where approved by the zoning official.
11. **Conceptual Site Plan:** Before any development permitting is authorized, a conceptual site plan application shall be submitted for review and approval to the Planning and Zoning Commission to ensure that the zoning conditions have been met and to expedite permitting and inspections. The following plans, studies, and documents should be submitted with the conceptual site plan application:
 1. Traffic impact analysis modeled according to county policies prepared by a certified professional traffic operations engineer shall be provided for review and approval by the County Engineer. The County may accept or reject proposed mitigation measures from the traffic impact study or impose its own mitigation measures in coordination with the GDOT to include but not be limited to accel decal lanes, signage, intersection lighting, signalization, etc. All such costs for mitigation measures will be borne by the developer.
 - b. Hydrology study and stormwater management plan prepared by a qualified engineer showing necessary mitigation measures following the Georgia Stormwater Management Manual will be provided for review and approval by the County Engineer.
 - c. Architectural renderings and/or elevations of the principal structures by a qualified architect or designer showing drawings and calculations consistent with zoning overlay district requirements shall be provided for review and approval by the County Zoning Administrator.
 - d. Landscape plan drawn to scale by a Georgia registered landscape architect showing drawings and calculations consistent with zoning overlay district requirements shall be provided for review and approval by the County Zoning Administrator.



Bulloch County Departmental Review

- e. Signage plan showing drawings and calculations consistent with zoning overlay district requirements shall be provided for review and approval by the Zoning Administrator.
- f. Fire safety plan will be provided for review and approval by the County Fire Chief. The County Fire Chief shall have the discretion to require fire prevention devices or other mitigation measures. All such costs for mitigation measures will be borne by the developer.
- g. Agreement or memorandum of understanding with the City of Statesboro to provide utilities.

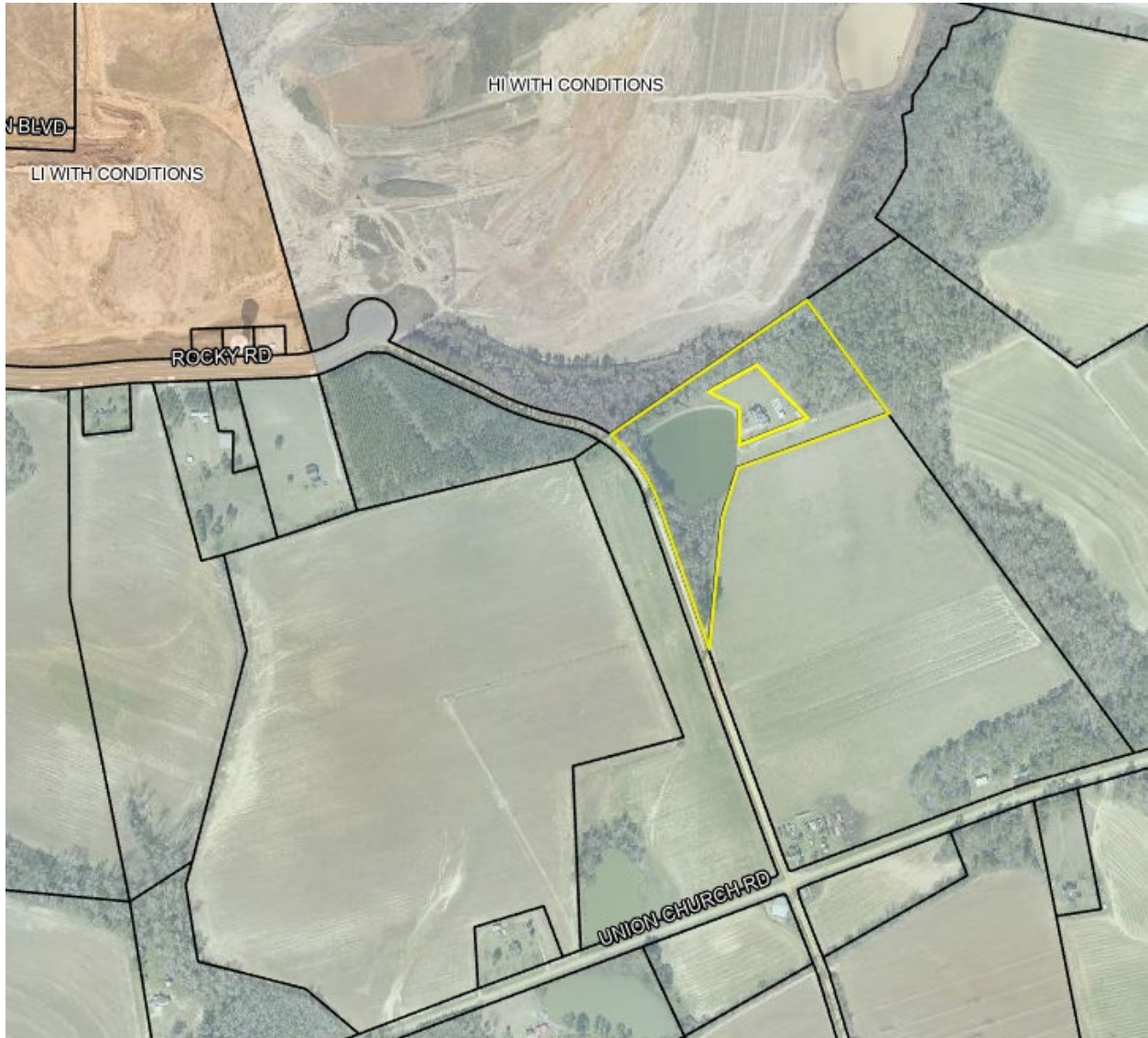
Participants

Tom Couch, County Manager; Jeff Akins, County Attorney; Brad Deal, County Engineer, Patrick Patton, Development Services Manager, James Pope, Planning and Development Director, Ben Tapley, Fire Chief, Joe Carter, Fire Inspector.



Bulloch County Departmental Review

Zoning Map: Current Zoning: AG:5 & Interstate Gateway Overlay;
Adjacent Zoning: AG5 & Heavy Industrial with Conditions



Attachment: Jennifer and DJ Vickery Logistics Site RZNE-2022-00065 [Revision 2] (Jennifer and DJ Vickery Rezone Request)



Bulloch County Departmental Review



Attachment: Jennifer and DJ Vickery Logistics Site RZNE-2022-00065 [Revision 2] (Jennifer and DJ Vickery Rezone Request)



Bulloch County Departmental Review



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Bulloch County Departmental Review



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Bulloch County Departmental Review

Proposed Site Development



Attachment: Jennifer and DJ Vickery Logistics Site RZNE-2022-00065 [Revision 2] (Jennifer and DJ



Bulloch County Departmental Review

Applicant's Response to Rezone Standards

REZONING APPLICANT'S RESPONSE

STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

PURSUANT TO REQUIREMENTS OF THE BULLOCH COUNTY ZONING ORDINANCE, THE BOARD OF COMMISSIONERS FINDS THAT THE FOLLOWING STANDARDS ARE RELEVANT IN BALANCING THE INTEREST IN PROMOTING THE PUBLIC HEALTH, SAFETY, MORALITY OR GENERAL WELFARE AGAINST THE RIGHT TO THE UNRESTRICTED USE OF PROPERTY AND SHALL GOVERN THE EXERCISE OF THE ZONING POWER.

- (1) IS THE PROPOSED USE SUITABLE IN VIEW OF THE ZONING AND DEVELOPMENT OF ADJACENT AND NEARBY PROPERTY?

Yes, this property is directly adjacent to Bulloch County industrial site at the intersection of I-16 and Hwy 301.

- (2) WILL THE PROPOSED USE ADVERSELY AFFECT THE EXISTING USE OR USABILITY OF ADJACENT OR NEARBY PROPERTY?

No, this will compliment the Bulloch County industrial site and help create the highway commercial corridor that the county is envisioning.

- (3) ARE THEIR SUBSTANTIAL REASONS WHY THE PROPERTY CANNOT OR SHOULD NOT BE USED AS CURRENTLY ZONED?

Rezoning this property creates an additional opportunity for tax revenue.

- (4) WILL THE PROPOSED USE CAUSE AN EXCESSIVE OR BURDENSOME USE OF PUBLIC FACILITIES OR SERVICES, INCLUDING BUT NOT LIMITED TO STREETS, SCHOOLS, EMS, SHERIFF OR FIRE PROTECTION?

No, the largest impact will be on Hwy 301 and Rocky Road which are prepared for truck traffic.

- (5) IS THE PROPOSED USE COMPATIBLE WITH THE PURPOSE AND INTENT OF THE COMPREHENSIVE PLAN?

Yes, this expands upon the Bulloch County industrial park, and capitalizes on the growing truck traffic along I-16.

- (6) WILL THE USE BE CONSISTENT WITH THE PURPOSE AND INTENT OF THE PROPOSED ZONING DISTRICT?

Yes, we envision warehouse distribution or assembly taking place on this site.



Bulloch County Departmental Review

Applicant's Response to Rezone Standards Continued



**Bulloch County Planning and Development
Rezoning Application
Updated 1/2021**

(7) IS THE PROPOSED
USE SUPPORTED BY NEW OR CHANGING CONDITIONS NOT ANTICIPATED BY THE
COMPREHENSIVE PLAN?

No, Light Industrial zoning of this property is supported by the comprehensive plan due to its proximity to Aspen Aerogels.

(8) DOES THE PROPOSED USE REFLECT A REASONABLE BALANCE BETWEEN THE
PROMOTION OF THE PUBLIC HEALTH, SAFETY, MORALITY, OR GENERAL WELFARE
AND THE RIGHT TO UNRESTRICTED USE OF PROPERTY?

Yes, this specific area has been designated as interstate gateway on the future land development map to provide economic growth, and additional jobs for the residents of Bulloch County.



Bulloch County Departmental Review

Sole Public Comment Received during the Coastal Regional Commission’s Development of Regional Impact Public Comment Period. (Page 1 of 2)



PO Box 16206
Savannah, GA 31416
Phone/Fax: 866-942-6222

www.ogeecheeriverkeeper.org

Working Together to Protect the Ogeechee, Canoochee and Coastal Rivers

November 29, 2022

Karen Saunds
Grant Specialist
Coastal Regional Commission

Re:DRI # 3862 Exit 116 Industrial Park/Bulloch County

Dear Ms. Saunds:

Ogeechee Riverkeeper's (ORK) mission is to protect, preserve, and improve the water quality of the Ogeechee River basin, including the Canoochee River and the coastal and tidal rivers of Liberty, Bryan, and Chatham Counties. We work with local communities to share and collect information on the ecological and cultural importance of rivers and streams throughout the Basin and use that information to amplify the voices of those who speak for the watershed. One of our roles is as watchdogs on new land development projects throughout the watershed that could pose a significant threat to water quality and quantity.

The proposed rezoning of 360.20 acres from AG-5 to Light Industrial in Statesboro, Georgia, identified by the DRI#3862 maps raises specific concerns with regard to water quality and quantity that we wanted to bring to the CRC's attention.

- Ogeechee Riverkeeper is concerned that approximately 27 acres of jurisdictional wetlands will be impacted due to the development of the Industrial Park off exit 116. Although 27 acres is a small percentage of the 360.20-acre development, these wetlands are essential for maintaining a network of resilient and intact ecosystems that will support biodiversity and natural processes under changing conditions and climate. Wetlands are a vital component to climate resilience. Wetlands function as natural sponges that trap and slowly release surface water, rainwater, and floodwaters. Without wetlands to hold this excess water, which is sure to increase due to more impervious surfaces, more frequent flooding is to be expected. It is expected that there will be an increase in erosion because the filled wetlands will no longer be able to slow down the water so that it can be absorbed by the ground. The issue of flooding and erosion will be exacerbated by not only the impervious surfaces on this site but also by the development that has already been approved along I-16. We request that if this project moves forward that every possible effort is taken to avoid disturbing or impacting these wetlands and that mitigation and monitoring take place throughout the construction phases and well into the final stages of mixed uses to ensure that the connectivity between uplands and wetlands is not lost.

Attachment: Jennifer and DJ Vickery Logistics Site RZNE-2022-00065 [Revision 2] (Jennifer and DJ Vickery Rezone Request)



Bulloch County Departmental Review

Public Comment Page 2 of 2



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2. ORK is also concerned that 50% of the development area would become impervious surfaces. This could cause degradation of the water quality downstream from the site due to stormwater runoff and lack of reabsorption. ORK acknowledges the proposed detention ponds meet the requirements of Georgia EPD and Bulloch County. However, with such a large amount of impervious surfaces, ORK asks Bulloch County and the developer to use additional Low Impact Development (LID) best practices, such as the inclusion of permeable surfacing products and materials to reduce this impact, if the project does move forward.

Thank you in advance for your time and consideration; please let me know if you have any questions: kris@ogeecheeriverkeeper.org or 866-942-6222.

KrisHoward
Science and Policy Manager



Attachment: Jennifer and DJ Vickery Logistics Site RZNE-2022-00065 [Revision 2] (Jennifer and DJ Vickery Rezone Request)



Bulloch County Departmental Review

Agenda Item:	7	Meeting Date:	April 4, 2023 (BOC)
Application #:	RZNE-2022-00066	Application Type:	Rezoning
Request:	Ricky Nevil has submitted an application to rezone 172.84 acres from AG-5 (Agriculture 5 acres) to LI (Light Industrial) for the purpose of constructing warehouses/logistics facilities on the south side of Rocky Road.		
Planning and Zoning Commission Recommendation:	The Planning and Zoning Commission recommends denial of the request by a 3-2 vote. One commissioner abstained.		
Final Staff Recommendation:	The staff recommends approval of the rezone request with conditions.		

Applicant:	Ricky Nevil	Acres in Request:	172.84
Location:	Rocky Road	Existing Lots:	4
Map #:	050 000015 002 050 000022 000 050 000026 009 050 000023 000	Current Zoning:	AG-5
Future Land Use:	Interstate Gateway District	Requested Zoning:	Light Industrial
Directions to Property:	From Statesboro take Highway 301 South over the I-16 intersection. Travel for 1 mile and make a left onto Union Church Road. Once on Union Church Road the property will be Immediately to your Left and will continue for .8 miles stopping after 3678 Union Church Road.		

Rezoning Standards		Yes	No	Comment
(1)	Is the proposed use suitable in view of the zoning and development of adjacent and nearby property?	X		Adjacent zoning is Heavy industrial, and AG5
(2)	Will the proposed use adversely affect the existing use or usability of adjacent or nearby property?		X	The proposed use should not impact adjacent properties if conditions are enforced.
(3)	Are there substantial reasons why the property cannot or should not be used as currently zoned?		X	

Attachment: Ricky Nevil Logistics Site RZNE-2022-00066 [Revision 2] (Ricky Nevil Rezoning Request)



Bulloch County Departmental Review

(4)	Will the proposed use cause an excessive or burdensome use of public facilities or services, including but not limited to streets, schools, EMS, sheriff or fire protection?		X	Fire protection may be strained at its current staffing level. Additional resources may be required at phased completion.
(5)	Is the proposed use compatible with the purpose and intent of the Comprehensive Plan?	X		
(6)	Will the use be consistent with the purpose and intent of the proposed zoning district?	X		
(7)	Is the proposed use supported by new or changing conditions not anticipated by the Comprehensive Plan?		X	The location is included in a Tax Allocation District created with anticipation of industrial uses near the US 301 and Interstate 16 interchange
(8)	Does the proposed use reflect a reasonable balance between the promotion of the public health, safety, morality, or general welfare and the right to unrestricted use of property?	X		

Land Use Planning Impact

Future Land Use Map: The Bulloch County Joint Comprehensive Plan indicates that the property would be appropriate for the Interstate Gateway District.

Existing Land Use Pattern: There are primarily rural residential, agricultural, Heavy Industrial and Light Industrial uses at adjacent and nearby properties.

Zoning Patterns and Consistency: The proposed change appears to be consistent with the zoning patterns in the nearby area and/or future development map of Bulloch County.

Neighborhood Character: There is no evidence that the proposed change in use may injure or detract from existing parcels.

Floor Area Ratio

Attachment: Ricky Nevil Logistics Site RZNE-2022-00066 [Revision 2] (Ricky Nevil Rezone Request)



Bulloch County Departmental Review

Floor Area Ratio Proposed: Total project FAR: .195

Impact: Positive. Light Industrial development is encouraged in this area of the County according to the Future Land Use Plan.

Property Values: Values for adjacent properties may be enhanced by the proposed development provided the Interstate Gateway Corridor Overlay restrictions are adhered to, and, if enforcement of County land use and property maintenance regulations are applied. However, failure to enforce zoning/land use standards are likely to result in stagnant or lower property values over time.

Neutral Impact: Cost of public service expenditures may be a net positive since developer will be required to provide the necessary improvements to the transportation infrastructure.

School System Impact

Student Enrollment Created by New Development: No school impact is anticipated.

Neutral Impact: No school impact is anticipated due to the land use as proposed will not include residential development.

Water / Sewer Impact

Water System: The warehouses to be located on the parcel will be served by the City of Statesboro water system. Anticipated water requirements can be served by the existing system without off property expansion. Internal parcel water line expansion will be required. Water supply demand is anticipated to be 0.015 Million Gallons a Day for the entire project at buildout.

Sewerage: Wastewater will be served by the City of Statesboro using the current infrastructure located on or near the parcel. Internal parcel sanitary sewer line expansion will be required. Supply demand is anticipated to be 0.010 Million Gallons a Day for the entire project at buildout.

Positive Impact: Water and sewer service will be served by the existing City of Statesboro system. The revenue vs required improvements for service are net positive.

Solid Waste Impact

Nearest Existing Solid Waste and Recycling Centers: Commercial solid waste services will be required to service the location.

Waste Generation Estimate: 5,923 tons annually.

Neutral Impact: Private collection services are available. No significant impact on the County's Solid Waste Management Plan or Ordinance requirements is expected.

Environmental Impact

Wetlands and Flood Zones: Development as proposed assumes disturbance mitigation for 1.7 acres of wetland areas and/or flood zone areas.

Stormwater: The impervious surface ratio based on the proposed site plan expected to be 50%

Aquifer Recharge Areas: There are no known areas affected.

Water Supply Watersheds: There are no known watersheds affected.

River Corridors: There are no known corridors affected.

Air: This project is not expected to create an air pollution nuisance.

Soils: The property consists of a number of different types soils, most of which are suitable for development.

Historic or Archeological Resources: There are no known resources affected.



Bulloch County Departmental Review

Resources of Regional or Statewide Importance: The Development of Regional Impact report indicates the parcel is located in an Area Requiring Special Attention where development is likely to occur. One comment was received during the comment period for the project. The two primary concerns are quoted below:

“The proposed rezoning of 360.20 acres from AG-5 to Light Industrial in Statesboro, Georgia, identified by the DRI#3862 maps raises specific concerns with regard to water quality and quantity that we wanted to bring to the CRC’s attention.

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be impacted due to the development of the Industrial Park off exit 116. Although 27 acres is a

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Neutral Impact: Negative impacts needing to be addressed are erosion and pollutants from runoff issues. A stormwater management plan, Hydrology Study, and wetland permit is required.

Traffic and Road Infrastructure Impact

ITE Trip Generation Rate: 5,552 trips per day, according to traffic study

Proposed Road Construction in Development: Each warehouse will access internal drives onto Kellys Pond Road and Rocky Road to US Hwy 301 South. Intersection and roadway improvements are proposed/required along Kellys Pond Road. Access to Union Church Road should be restricted from use by the development.

Parking: Parking will be subject to the Interstate Gateway Overlay District and Off-street Parking and Design Guidelines of Bulloch County.

GDOT Road Classification for Access Road: Rocky Road is a county-maintained paved road, Kelly’s Pond Road is a county-maintained dirt road.

Bulloch Transportation Plan Classification for Access Road: Rocky Road is a county-maintained paved road, Kelly’s Pond Road is a county-maintained dirt road.



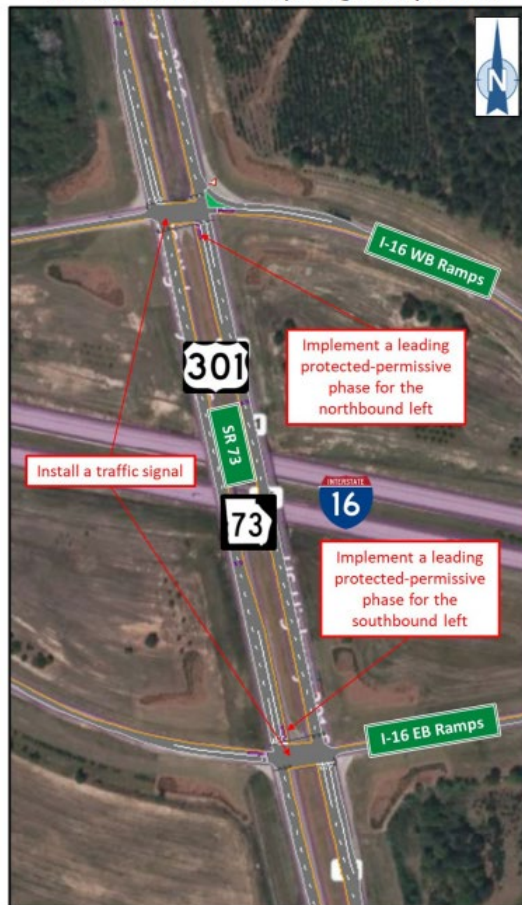
Bulloch County Departmental Review

Condition of Access Road: Rocky Road is currently in good condition. Kellys Pond Road is currently inadequate to serve the development and will need improvements to serve the proposed use. Impacts to US Hwy. 301 South were studied in a special traffic study. The traffic study is still in progress and is being updated with Aspen Aerogels traffic counts. GDOT approval of traffic study is required.

Preliminary Intersection Analysis (subject to final traffic study submittal):

- Install a traffic signal at the intersection of SR 73 and the I-16 Westbound Ramps.
 1. The northbound left turn warrants a leading protected-permissive phase.
 2. Although the intersection is not projected to meet signal warrants until 2049, a traffic signal is a feasible alternative due to the speed of the mainline roadway and the cost difference compared to a hybrid roundabout. Additional developments in the surrounding area could further increase the necessity for signalization.
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FIGURE 23: RECOMMENDATIONS, SR 73 @ I-16 WB/EB RAMPS





Bulloch County Departmental Review

Drainage: The development is located in the Lotts Creek Drainage Basin. Currently all drainage is natural; no man-made improvements to the parcel are known other than roadside drainage ditches and culverts. The access way/driveways to primary structures should have proper roadside drainage measures installed.

Neutral Impact: The rezone request, in consideration of the scale of the development, would have a negative impact to the road infrastructure unless improvements are required. A hydrology study and stormwater management plan will be required. GDOT permits will be required for intersection improvements to US 301. Cost for improvements will be paid by the developer with possible Tax Allocation District assistance.

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Street addresses can be easily assigned. The County GIS 911 Coordinator should be contacted prior to construction.

Neutral Impact: These services would not be severely impacted.

Law Enforcement Impact

Agency: Bulloch County Sheriff's Department

Level of Service Standard (national: 0.6 per 1,000 population): Bulloch County has 33 sworn officers for road patrols. The LOS would be 49.

Public Safety Unit	Facility Distance / Response Time	LOS Impact or Deficiency	Intangibles
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Neutral Impact: The Sheriff's Department's capabilities are already exceeding capacity. The additional development would not require an additional full-time officer.

EMS and Fire Service Impact

Public Safety Unit	Facility Distance / Response Time	LOS Impact or Deficiency	Intangibles
Fire (Register Fire Department)	Register 2.2 miles 5 min. response time	ISO Rating 9	City of Statesboro would need to be called as first responder or in event of a hazardous materials spill.
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Bulloch County Departmental Review

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Summary of Findings – Final Staff Recommendation

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Impact Factor	Positive	Negative	Neutral
Land Use Planning	X		
Fiscal-Economic		X	
Schools			X
Water-Sewer		X	
Solid Waste			X
Environmental			X
Traffic and Roads			X
Emergency Management			X
Law Enforcement			X
EMS-Fire		X	
Recreation			X
Total	1	3	7
Local Impact Findings	The rezoning of the 66 acres may have a neutral impact to Bulloch County		
Regional Findings	Impact	DRI # 3698 Report Received 5/31/2022, One public comment was received during the comment period by the Ogeechee Riverkeeper organization. The entire comment letter is provided within the staff document.	

FINAL STAFF RECOMMENDATION

The subject property appears to be suitable for the proposed rezone.

The staff recommends approval of the rezone request with the following conditions:

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- Access and Encroachment:** New internal streets or driveways accessing the southern periphery of the rezoned property proximate to Union Church Road is prohibited. The



Bulloch County Departmental Review

proposed internal streets intersecting Kellys Pond Road and Rocky Road shall be the only access granted to the development, providing inter-parcel access shown on the sketch attached to this application.

4. **Kellys Pond Road Segmented Abandonment:** Prior to the submittal of a conceptual site plan, the developer shall submit a petition for approval of the abandonment of Kellys Pond Road. Upon road closure, the applicant/developer shall restrict access to Kellys Pond Road north of Union Church Road by use of a fire apparatus/emergency gate.
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11. **Conceptual Site Plan:** Before any development permitting is authorized, a conceptual site plan application shall be submitted for review and approval to the Planning and Zoning Commission to ensure that the zoning conditions have been met and to expedite permitting and inspections. The following plans, studies, and documents should be submitted with the conceptual site plan application:
 1. Traffic impact analysis modeled according to county policies prepared by a certified professional traffic operations engineer shall be provided for review and approval by the County Engineer. The County may accept or reject proposed mitigation measures from the traffic impact study or impose its own mitigation measures in coordination with the GDOT to include but not be limited to accel decal lanes, signage, intersection lighting, signalization, etc. All such costs for mitigation measures will be borne by the developer.
 - b. Hydrology study and stormwater management plan prepared by a qualified engineer showing necessary mitigation measures following the Georgia Stormwater Management Manual will be provided for review and approval by the County Engineer.
 - c. Architectural renderings and/or elevations of the principal structures by a qualified architect or designer showing drawings and calculations consistent with zoning overlay district requirements shall be provided for review and approval by the County Zoning Administrator.
 - d. Landscape plan drawn to scale by a Georgia registered landscape architect showing drawings and calculations consistent with zoning overlay district requirements shall be provided for review and approval by the County Zoning Administrator.



Bulloch County Departmental Review

- e. Signage plan showing drawings and calculations consistent with zoning overlay district requirements shall be provided for review and approval by the Zoning Administrator.
- f. Fire safety plan will be provided for review and approval by the County Fire Chief. The County Fire Chief shall have the discretion to require fire prevention devices or other mitigation measures. All such costs for mitigation measures will be borne by the developer.
- g. Agreement or memorandum of understanding with the City of Statesboro to provide utilities.

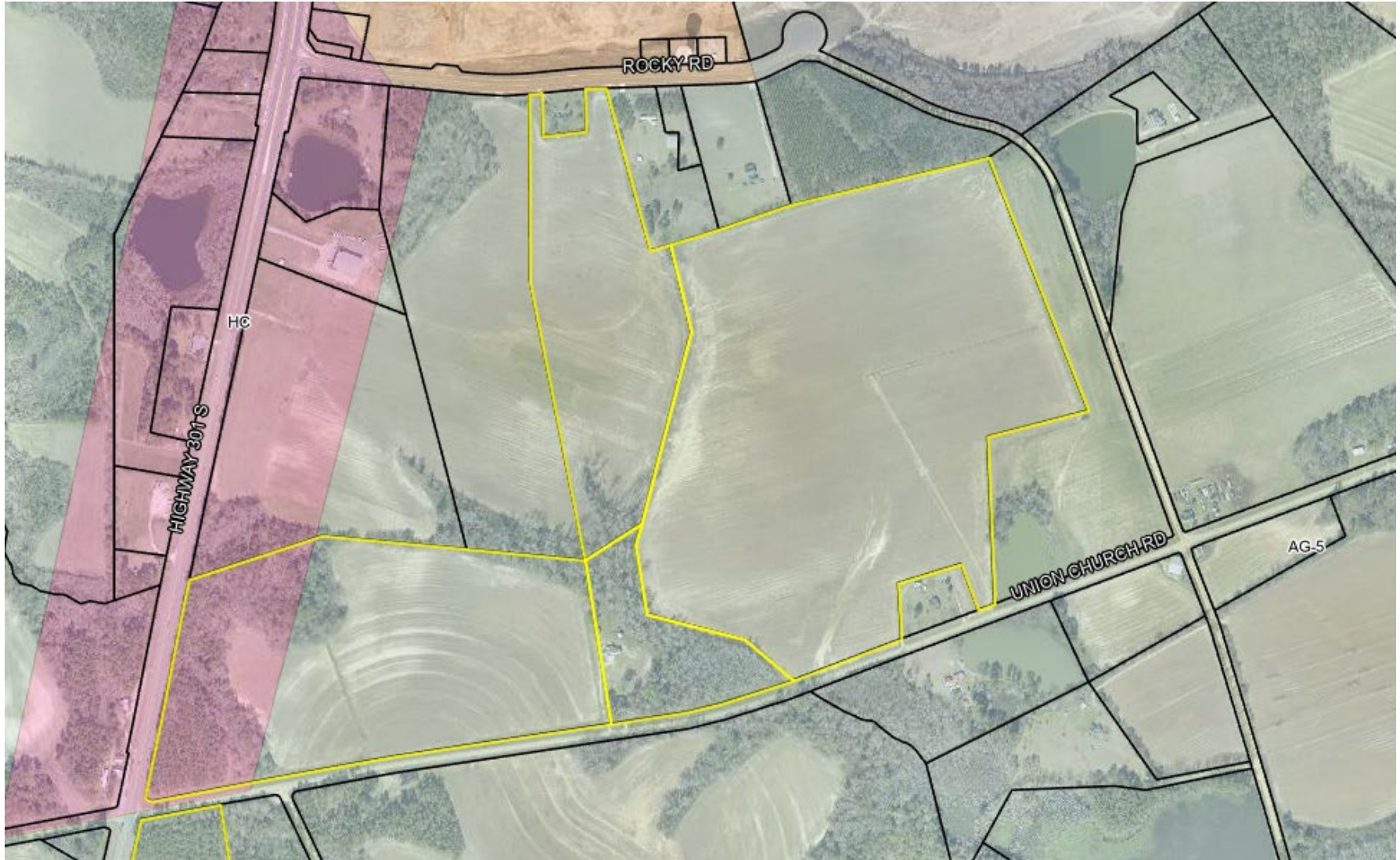
Participants:

Tom Couch, County Manager; Jeff Akins, County Attorney; Brad Deal, County Engineer, Patrick Patton, Development Services Manager, James Pope, Planning and Development Director, Ben Tapley, Fire Chief, Joe Carter, Fire Inspector.



Bulloch County Departmental Review

Zoning Map: Current Zoning: HC, AG:5 & Interstate Gateway Overlay; Adjacent Zoning: AG5, Light Industrial & HC



Attachment: Ricky Nevil Logistics Site RZNE-2022-00066 [Revision 2] (Ricky Nevil Rezone Request)



Bulloch County Departmental Review



Attachment: Ricky Nevil Logistics Site RZNE-2022-00066 [Revision 2] (Ricky Nevil Rezone Request)



Bulloch County Departmental Review



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Attachment: Ricky Nevil Logistics Site RZNE-2022-00066 [Revision 2] (Ricky Nevil Rezone Request)



Bulloch County Departmental Review

Proposed Site Development



Attachment: Ricky Nevil Logistics Site RZNE-2022-00066 [Revision 2] (Ricky Nevil Rezoning Request)



Bulloch County Departmental Review

Applicant's Response to Rezone Standards

REZONING APPLICANT'S RESPONSE

STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

PURSUANT TO REQUIREMENTS OF THE BULLOCH COUNTY ZONING ORDINANCE, THE BOARD OF COMMISSIONERS FINDS THAT THE FOLLOWING STANDARDS ARE RELEVANT IN BALANCING THE INTEREST IN PROMOTING THE PUBLIC HEALTH, SAFETY, MORALITY OR GENERAL WELFARE AGAINST THE RIGHT TO THE UNRESTRICTED USE OF PROPERTY AND SHALL GOVERN THE EXERCISE OF THE ZONING POWER.

(1) IS THE PROPOSED USE SUITABLE IN VIEW OF THE ZONING AND DEVELOPMENT OF ADJACENT AND NEARBY PROPERTY?

Yes, this property is directly adjacent to Bulloch County industrial site at the intersection of I-16 and Hwy 301.

(2) WILL THE PROPOSED USE ADVERSELY AFFECT THE EXISTING USE OR USABILITY OF ADJACENT OR NEARBY PROPERTY?

No, this will compliment the Bulloch County industrial site and help create the highway commercial corridor that the county is envisioning.

(3) ARE THEIR SUBSTANTIAL REASONS WHY THE PROPERTY CANNOT OR SHOULD NOT BE USED AS CURRENTLY ZONED?

Rezoning this property creates an additional opportunity for tax revenue.

(4) WILL THE PROPOSED USE CAUSE AN EXCESSIVE OR BURDENSOME USE OF PUBLIC FACILITIES OR SERVICES, INCLUDING BUT NOT LIMITED TO STREETS, SCHOOLS, EMS, SHERIFF OR FIRE PROTECTION?

No, the largest impact will be on Hwy 301 and Rocky Road which are prepared for truck traffic.

(5) IS THE PROPOSED USE COMPATIBLE WITH THE PURPOSE AND INTENT OF THE COMPREHENSIVE PLAN?

Yes, this expands upon the Bulloch County industrial park, and capitalizes on the growing truck traffic along I-16.

(6) WILL THE USE BE CONSISTENT WITH THE PURPOSE AND INTENT OF THE PROPOSED ZONING DISTRICT?

Yes, we envision warehouse distribution or assembly taking place on this site.



Bulloch County Departmental Review

Applicant's Response to Rezone Standards Continued



Bulloch County Planning and Development
Rezoning Application
Updated 1/2021

(7) IS THE PROPOSED USE SUPPORTED BY NEW OR CHANGING CONDITIONS NOT ANTICIPATED BY THE COMPREHENSIVE PLAN?

No, Light Industrial zoning of this property is supported by the comprehensive plan due to its proximity to Aspen Aerogels.

(8) DOES THE PROPOSED USE REFLECT A REASONABLE BALANCE BETWEEN THE PROMOTION OF THE PUBLIC HEALTH, SAFETY, MORALITY, OR GENERAL WELFARE AND THE RIGHT TO UNRESTRICTED USE OF PROPERTY?

Yes, this specific area has been designated as interstate gateway on the future land development map to provide economic growth, and additional jobs for the residents of Bulloch County.

Attachment: Ricky Nevil Logistics Site RZNE-2022-00066 [Revision 2] (Ricky Nevil Rezone Request)



Bulloch County Departmental Review

Sole Public Comment Received during the Coastal Regional Commission’s Development of Regional Impact Public Comment Period. (Page 1 of 2)



PO Box 16206
Savannah, GA 31416
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www.ogeecheeriverkeeper.org

Working Together to Protect the Ogeechee, Canoochee and Coastal Rivers

November 29, 2022

Karen Saunds
Grant Specialist
Coastal Regional Commission

Re:DRI # 3862 Exit 116 Industrial Park/Bulloch County

Dear Ms. Saunds:

Ogeechee Riverkeeper's (ORK) mission is to protect, preserve, and improve the water quality of the Ogeechee River basin, including the Canoochee River and the coastal and tidal rivers of Liberty, Bryan, and Chatham Counties. We work with local communities to share and collect information on the ecological and cultural importance of rivers and streams throughout the Basin and use that information to amplify the voices of those who speak for the watershed. One of our roles is as watchdogs on new land development projects throughout the watershed that could pose a significant threat to water quality and quantity.

The proposed rezoning of 360.20 acres from AG-5 to Light Industrial in Statesboro, Georgia, identified by the DRI#3862 maps raises specific concerns with regard to water quality and quantity that we wanted to bring to the CRC's attention.

- Ogeechee Riverkeeper is concerned that approximately 27 acres of jurisdictional wetlands will be impacted due to the development of the Industrial Park off exit 116. Although 27 acres is a small percentage of the 360.20-acre development, these wetlands are essential for maintaining a network of resilient and intact ecosystems that will support biodiversity and natural processes under changing conditions and climate. Wetlands are a vital component to climate resilience. Wetlands function as natural sponges that trap and slowly release surface water, rainwater, and floodwaters. Without wetlands to hold this excess water, which is sure to increase due to more impervious surfaces, more frequent flooding is to be expected. It is expected that there will be an increase in erosion because the filled wetlands will no longer be able to slow down the water so that it can be absorbed by the ground. The issue of flooding and erosion will be exacerbated by not only the impervious surfaces on this site but also by the development that has already been approved along I-16. We request that if this project moves forward that every possible effort is taken to avoid disturbing or impacting these wetlands and that mitigation and monitoring take place throughout the construction phases and well into the final stages of mixed uses to ensure that the connectivity between uplands and wetlands is not lost.

Attachment: Ricky Nevil Logistics Site RZNE-2022-00066 [Revision 2] (Ricky Nevil Rezone Request)



Bulloch County Departmental Review

Public Comment Page 2 of 2



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2. ORK is also concerned that 50% of the development area would become impervious surfaces. This could cause degradation of the water quality downstream from the site due to stormwater runoff and lack of reabsorption. ORK acknowledges the proposed detention ponds meet the requirements of Georgia EPD and Bulloch County. However, with such a large amount of impervious surfaces, ORK asks Bulloch County and the developer to use additional Low Impact Development (LID) best practices, such as the inclusion of permeable surfacing products and materials to reduce this impact, if the project does move forward.

Thank you in advance for your time and consideration; please let me know if you have any questions: kris@ogeecheeriverkeeper.org or 866-942-6222.

KrisHoward
Science and Policy Manager



Attachment: Ricky Nevil Logistics Site RZNE-2022-00066 [Revision 2] (Ricky Nevil Rezone Request)



Bulloch County Departmental Review

Agenda Item:	8	Meeting Date:	April 4, 2023 (BOC)
Application #:	RZNE-2023-00093	Application Type:	Rezoning
Request:	Travis Phillips has submitted an application to rezone 5.45 acres from AG-5 (Agriculture 5 acres) to LI (Light Industrial) for the purpose of constructing warehouses/logistics facilities on the south side of Rocky Road.		
Planning and Zoning Commission Recommendation:	The Planning and Zoning Commission recommends approval with conditions by a 3-2 vote. One commissioner abstained.		
Final Staff Recommendation:	The staff recommends approval of the rezone request with conditions.		

Applicant:	Travis Phillips	Acres in Request:	5.45
Location:	300 Rocky Road	Existing Lots:	1
Map #:	050 000026 011	Current Zoning:	AG-5
Future Land Use:	Interstate Gateway District	Requested Zoning:	LI
Directions to Property:	From Statesboro take Highway 301 South over the I-16 intersection. Travel for .25 miles and Rocky Road will be on your left. Turn Left onto Rocky Road. Travel for .5 miles this property is at 300 Rocky Road.		

Rezone Standards		Yes	No	Comment
(1)	Is the proposed use suitable in view of the zoning and development of adjacent and nearby property?	X		Adjacent zoning is Heavy industrial, and AG5
(2)	Will the proposed use adversely affect the existing use or usability of adjacent or nearby property?		X	The proposed use should not impact adjacent properties if conditions are enforced.
(3)	Are there substantial reasons why the property cannot or should not be used as currently zoned?		X	
(4)	Will the proposed use cause an excessive or burdensome use of public facilities or services,		X	Fire protection may be

Attachment: Travis Phillips Logistics Site RZNE-2023-00093 [Revision 2] (Travis Phillips Rezone Request)



Bulloch County Departmental Review

	including but not limited to streets, schools, EMS, sheriff or fire protection?			strained at its current staffing level. Additional resources may be required at phased completion.
(5)	Is the proposed use compatible with the purpose and intent of the Comprehensive Plan?	X		
(6)	Will the use be consistent with the purpose and intent of the proposed zoning district?	X		
(7)	Is the proposed use supported by new or changing conditions not anticipated by the Comprehensive Plan?	X		The location is included in a Tax Allocation District created with anticipation of industrial uses near the US 301 and Interstate 16 interchange
(8)	Does the proposed use reflect a reasonable balance between the promotion of the public health, safety, morality, or general welfare and the right to unrestricted use of property?	X		

Land Use Planning Impact

Future Land Use Map: The Bulloch County Joint Comprehensive Plan indicates that the property would be appropriate for the Interstate Gateway District.

Existing Land Use Pattern: There are primarily rural residential, agricultural, Heavy Industrial and Light Industrial uses at adjacent and nearby properties.

Zoning Patterns and Consistency: The proposed change appears to be consistent with the zoning patterns in the nearby area and/or future development map of Bulloch County.

Neighborhood Character: There is no evidence that the proposed change in use may injure or detract from existing parcels.

Floor Area Ratio

Floor Area Ratio Proposed: Total project FAR: .195

Impact: Positive. Light Industrial development is encouraged in this area of the County according to the Future Land Use Plan.

Attachment: Travis Phillips Logistics Site RZNE-2023-00093 [Revision 2] (Travis Phillips Rezoning Request)



Bulloch County Departmental Review

Property Values: Values for adjacent properties may be enhanced by the proposed development provided the Interstate Gateway Corridor Overlay restrictions are adhered to, and, if enforcement of County land use and property maintenance regulations are applied. However, failure to enforce zoning/land use standards are likely to result in stagnant or lower property values over time.

Neutral Impact: Cost of public service expenditures may be a net positive since developer will be required to provide the necessary improvements to the transportation infrastructure.

School System Impact

Student Enrollment Created by New Development: No school impact is anticipated.

Neutral Impact: No school impact is anticipated due to the land use as proposed will not include residential development.

Water / Sewer Impact

Water System: The warehouses to be located on the parcel will be served by the City of Statesboro water system. Anticipated water requirements can be served by the existing system without off property expansion. Internal parcel water line expansion will be required. Water supply demand is anticipated to be 0.015 Million Gallons a Day for the entire project at buildout.

Sewerage: Wastewater will be served by the City of Statesboro using the current infrastructure located on or near the parcel. Internal parcel sanitary sewer line expansion will be required. Supply demand is anticipated to be 0.010 Million Gallons a Day for the entire project at buildout.

Positive Impact: Water and sewer service will be served by the existing City of Statesboro system. The revenue vs required improvements for service are net positive.

Solid Waste Impact

Nearest Existing Solid Waste and Recycling Centers: Commercial solid waste services will be required to service the location.

Waste Generation Estimate: 5,923 tons annually.

Neutral Impact: Private collection services are available. No significant impact on the County's Solid Waste Management Plan or Ordinance requirements is expected.

Environmental Impact

Wetlands and Flood Zones: Development as proposed assumes disturbance mitigation for 1.7 acres of wetland areas and/or flood zone areas.

Stormwater: The impervious surface ratio based on the proposed site plan expected to be 50%

Aquifer Recharge Areas: There are no known areas affected.

Water Supply Watersheds: There are no known watersheds affected.

River Corridors: There are no known corridors affected.

Air: This project is not expected to create an air pollution nuisance.

Soils: The property consists of a number of different types soils, most of which are suitable for development.

Historic or Archeological Resources: There are no known resources affected.

Resources of Regional or Statewide Importance: The Development of Regional Impact report indicates the parcel is located in an Area Requiring Special Attention where development is likely



Bulloch County Departmental Review

to occur. One comment was received during the comment period for the project. The two primary concerns are quoted below:

“The proposed rezoning of 360.20 acres from AG-5 to Light Industrial in Statesboro, Georgia, identified by the DRI#3862 maps raises specific concerns with regard to water quality and quantity that we wanted to bring to the CRC’s attention.

1. Ogeechee Riverkeeper is concerned that approximately 27 acres of jurisdictional wetlands will be impacted due to the development of the Industrial Park off exit 116. Although 27 acres is a small percentage of the 360.20-acre development, these wetlands are essential for maintaining a network of resilient and intact ecosystems that will support biodiversity and natural processes under changing conditions and climate. Wetlands are a vital component to climate resilience. Wetlands function as natural sponges that trap and slowly release surface water, rainwater, and floodwaters. Without wetlands to hold this excess water, which is sure to increase due to more impervious surfaces, more frequent flooding is to be expected. It is expected that there will be an increase in erosion because the filled wetlands will no longer be able to slow down the water so that it can be absorbed by the ground. The issue of flooding and erosion will be exacerbated by not only the impervious surfaces on this site but also by the development that has already been approved along I-16. We request that if this project moves forward that every possible effort is taken to avoid disturbing or impacting these wetlands and that mitigation and monitoring take place throughout the construction phases and well into the final stages of mixed uses to ensure that the connectivity between uplands and wetlands is not lost.
2. ORK is also concerned that 50% of the development area would become impervious surfaces. This could cause degradation of the water quality downstream from the site due to stormwater runoff and lack of reabsorption. ORK acknowledges the proposed detention ponds meet the requirements of Georgia EPD and Bulloch County. However, with such a large amount of impervious surfaces, ORK asks Bulloch County and the developer to use additional Low Impact Development (LID) best practices, such as the inclusion of permeable surfacing products and materials to reduce this impact, if the project does move forward.”

Neutral Impact: Negative impacts needing to be addressed are erosion and pollutants from runoff issues. A stormwater management plan, Hydrology Study, and wetland permit is required.

Traffic and Road Infrastructure Impact

ITE Trip Generation Rate: 5,552 trips per day, according to traffic study

Proposed Road Construction in Development: Each warehouse will access internal drives onto Kellys Pond Road and Rocky Road to US Hwy 301 South. Intersection and roadway improvements are proposed/required along Kellys Pond Road. Access to Union Church Road should be restricted from use by the development.

Parking: Parking will be subject to the Interstate Gateway Overlay District and Off-street Parking and Design Guidelines of Bulloch County.

GDOT Road Classification for Access Road: Rocky Road is a county-maintained paved road, Kelly’s Pond Road is a county-maintained dirt road.

Bulloch Transportation Plan Classification for Access Road: Rocky Road is a county-maintained paved road, Kelly’s Pond Road is a county-maintained dirt road.

Condition of Access Road: Rocky Road is currently in good condition. Kellys Pond Road is currently inadequate to serve the development and will need improvements to serve the proposed



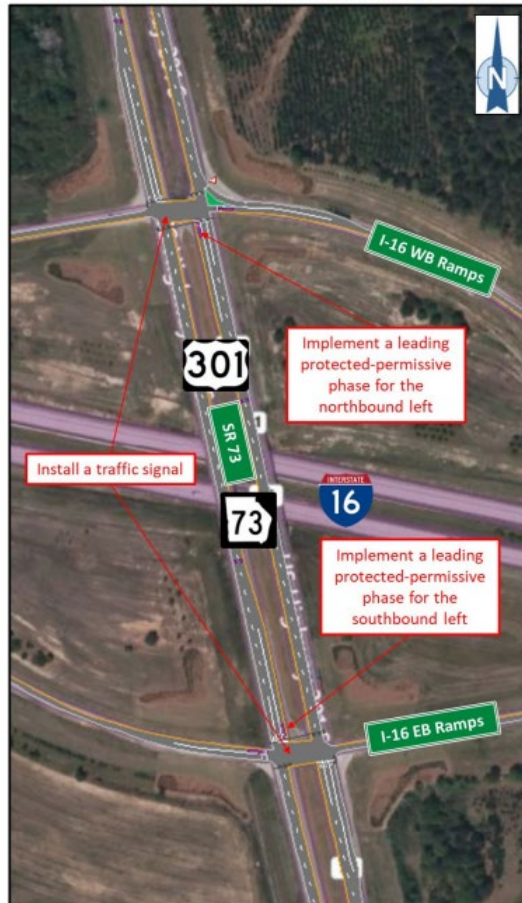
Bulloch County Departmental Review

use. Impacts to US Hwy. 301 South were studied in a special traffic study. The traffic study is still in progress and is being updated with Aspen Aerogels traffic counts. GDOT approval of traffic study is required.

Preliminary Intersection Analysis (subject to final traffic study submittal):

- Install a traffic signal at the intersection of SR 73 and the I-16 Westbound Ramps.
 1. The northbound left turn warrants a leading protected-permissive phase.
 2. Although the intersection is not projected to meet signal warrants until 2049, a traffic signal is a feasible alternative due to the speed of the mainline roadway and the cost difference compared to a hybrid roundabout. Additional developments in the surrounding area could further increase the necessity for signalization.
- Install a traffic signal at the intersection of SR 73 and the I-16 Eastbound Ramps.
 1. The southbound left turn warrants a leading protected-permissive phase.
 2. The intersection is ten vehicles away from meeting signal warrants in the build year of 2028 and is a feasible alternative due to the speed of the mainline roadway and the cost difference compared to a hybrid roundabout.

FIGURE 23: RECOMMENDATIONS, SR 73 @ I-16 WB/EB RAMPS





Bulloch County Departmental Review

Drainage: The development is located in the Lotts Creek Drainage Basin. Currently all drainage is natural; no man-made improvements to the parcel are known other than roadside drainage ditches and culverts. The access way/driveways to primary structures should have proper roadside drainage measures installed.

Neutral Impact: The rezone request, in consideration of the scale of the development, would have a negative impact to the road infrastructure unless improvements are required. A hydrology study and stormwater management plan will be required. GDOT permits will be required for intersection improvements to US 301. Cost for improvements will be paid by the developer with possible Tax Allocation District assistance.

E-911 and Emergency Management Impact

Street addresses can be easily assigned. The County GIS 911 Coordinator should be contacted prior to construction.

Neutral Impact: These services would not be severely impacted.

Law Enforcement Impact

Agency: Bulloch County Sheriff's Department

Level of Service Standard (national: 0.6 per 1,000 population): Bulloch County has 33 sworn officers for road patrols. The LOS would be 49.

Public Safety Unit	Facility Distance / Response Time	LOS Impact or Deficiency	Intangibles
Law Enforcement (Sheriff)	14.4 miles, 20 minutes depending on patrolling patterns	.024 or no full-time equivalent additional officers would be required	Shift of 3 covers 684 square miles
Georgia State Patrol	7.6 miles, 11 minutes depending on patrolling patterns	NA	Post #45 located south of Statesboro on US 301

Neutral Impact: The Sheriff's Department's capabilities are already exceeding capacity. The additional development would not require an additional full-time officer.

EMS and Fire Service Impact

Public Safety Unit	Facility Distance / Response Time	LOS Impact or Deficiency	Intangibles
Fire (Register Fire Department)	Register 2.2 miles 5 min. response time	ISO Rating 9	City of Statesboro would need to be called as first responder or in event of a hazardous materials spill.
EMS-Rescue (County)	12.2 miles, 14 minutes response time	(-0.276) EMT / Paramedic per 1,000 population	



Bulloch County Departmental Review

Negative Impact: Response times for fire and EMS are adequate but the development may create a staffing deficiency upon build out if current staffing is not increased. In addition, the development may provide cause for the County to provide additional equipment if the building proposes any variance to the height limitation of the zone.

Recreation-Open Space Impact

Neutral Impact: No significant impact will be created by the development.

Summary of Findings – Final Staff Recommendation

Impact Summary			
Impact Factor	Positive	Negative	Neutral
Land Use Planning	X		
Fiscal-Economic		X	
Schools			X
Water-Sewer		X	
Solid Waste			X
Environmental			X
Traffic and Roads			X
Emergency Management			X
Law Enforcement			X
EMS-Fire		X	
Recreation			X
Total	1	3	7
Local Impact Findings	The rezoning of the 66 acres may have a neutral impact to Bulloch County		
Regional Findings	Impact	DRI # 3698 Report Received 5/31/2022, One public comment was received during the comment period by the Ogeechee Riverkeeper organization. The entire comment letter is provided within the staff document.	

FINAL STAFF RECOMMENDATION

The subject property appears to be suitable for the proposed rezone.

The staff recommends approval of the rezone request with the following conditions:

- Use:** The principal use(s) approved for this property shall be limited to warehousing-distribution facilities.
- Parking:** Accessory parking areas shall exclusively serve such facilities. Commercial truck parking for other than what is necessary to serve the warehousing-distribution facilities shall be prohibited.



Bulloch County Departmental Review

3. **Access and Encroachment:** New internal streets or driveways accessing the southern periphery of the rezoned property proximate to Union Church Road is prohibited. The proposed internal streets intersecting Kellys Pond Road and Rocky Road shall be the only access granted to the development, providing inter-parcel access shown on the sketch attached to this application.
4. **Kellys Pond Road Segmented Abandonment:** Prior to the submittal of a conceptual site plan, the developer shall submit a petition for approval of the abandonment of Kellys Pond Road. Upon road closure, the applicant/developer shall restrict access to Kellys Pond Road north of Union Church Road by use of a fire apparatus/emergency gate.
5. **Union Pond Road Improvements:** The applicant/developer shall be responsible for making structural improvements to Union Church Road from building 10 (as exhibited in the applicant site plan) to U.S. Hwy. 301 South. Such improvements, if any, will be based on testing methods and results approved by the County Engineer. The cost of any testing and recommended improvements shall be borne by the applicant/developer. No additional access to the development along Union Church Road is permitted.
6. **Private Road to Serve Property:** The proposed internal street system shall be owned and maintained by the developer or a common interest element.
7. **Utilities Underground:** Except for junction boxes, meters, and existing overhead utility lines, all other utility lines will be underground.
8. **Utility Location in Right-of Way:** Jack and bore or directional bore are required for connection to utility systems requiring encroachment upon a county or state road or right-of-way subject to the approval of appropriate permits.
9. **Screening and Buffering:** Screening and buffers will be required according to Sections 405, 406, and 407 of the zoning ordinance.
10. **Specific Buffering Along Union Church Road:** The applicant/developer shall be required to install a 25' landscape buffer which must include evergreen trees reaching a height of 8' feet in 2 years, and meet a visual threshold of 95% opacity within 2 years of planting. The buffer shall be placed along the entire development boundary along Union Church Road. Existing natural vegetation shall be allowed where approved by the zoning official.
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 - c. Architectural renderings and/or elevations of the principal structures by a qualified architect or designer showing drawings and calculations consistent with zoning overlay district requirements shall be provided for review and approval by the County Zoning Administrator.



Bulloch County Departmental Review

- d. Landscape plan drawn to scale by a Georgia registered landscape architect showing drawings and calculations consistent with zoning overlay district requirements shall be provided for review and approval by the County Zoning Administrator.
- e. Signage plan showing drawings and calculations consistent with zoning overlay district requirements shall be provided for review and approval by the Zoning Administrator.
- f. Fire safety plan will be provided for review and approval by the County Fire Chief. The County Fire Chief shall have the discretion to require fire prevention devices or other mitigation measures. All such costs for mitigation measures will be borne by the developer.
- g. Agreement or memorandum of understanding with the City of Statesboro to provide utilities.

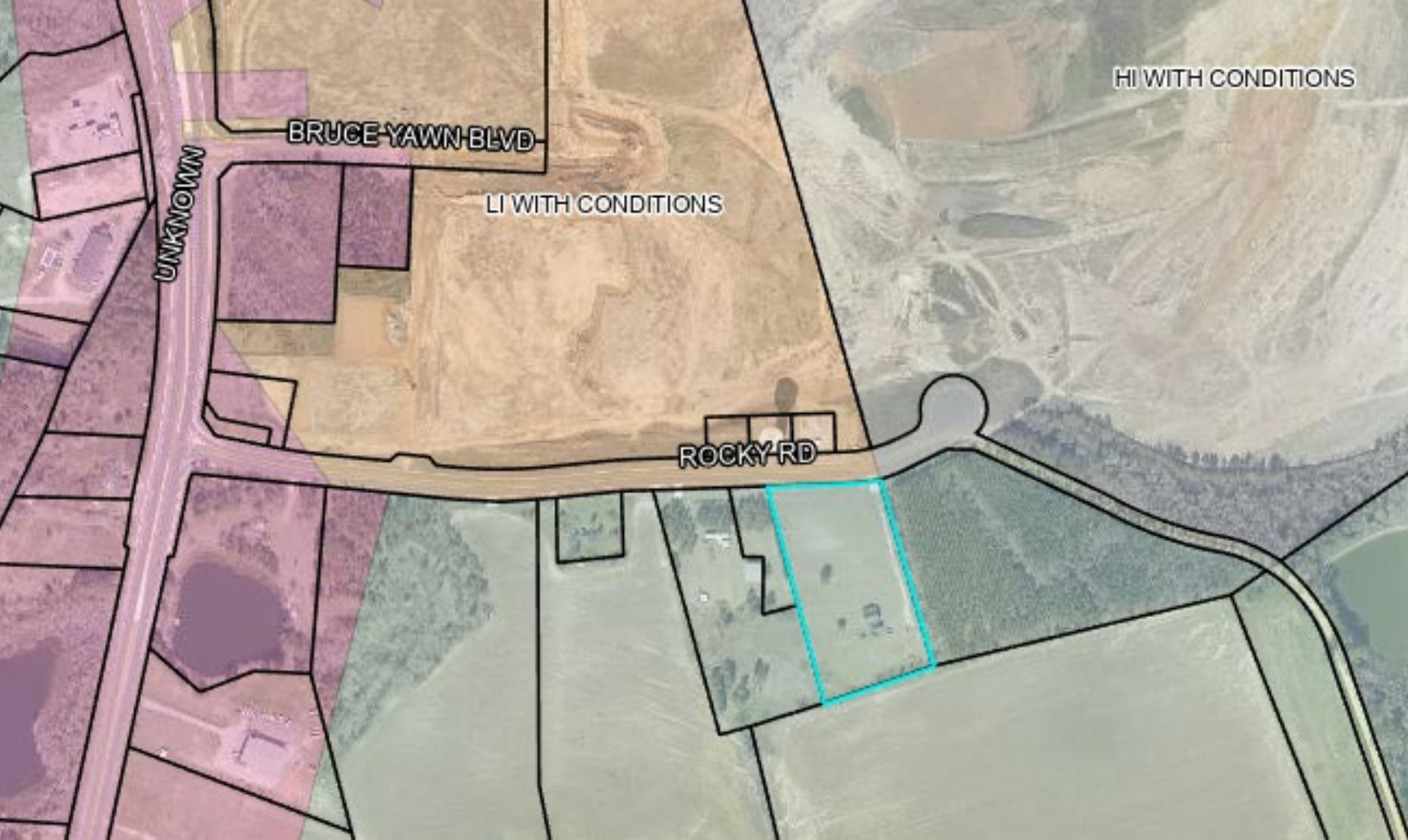
Participants

Tom Couch, County Manager; Jeff Akins, County Attorney; Brad Deal, County Engineer, Patrick Patton, Development Services Manager, James Pope, Planning and Development Director, Ben Tapley, Fire Chief, Joe Carter, Fire Inspector.



Bulloch County Departmental Review

Zoning Map: Current Zoning: AG:5 & Interstate Gateway Overlay;
Adjacent Zoning: AG5, Heavy Industrial with Conditions & Light Industrial with Conditions





Bulloch County Departmental Review



Attachment: Travis Phillips Logistics Site RZNE-2023-00093 [Revision 2] (Travis Phillips Rezone Request)



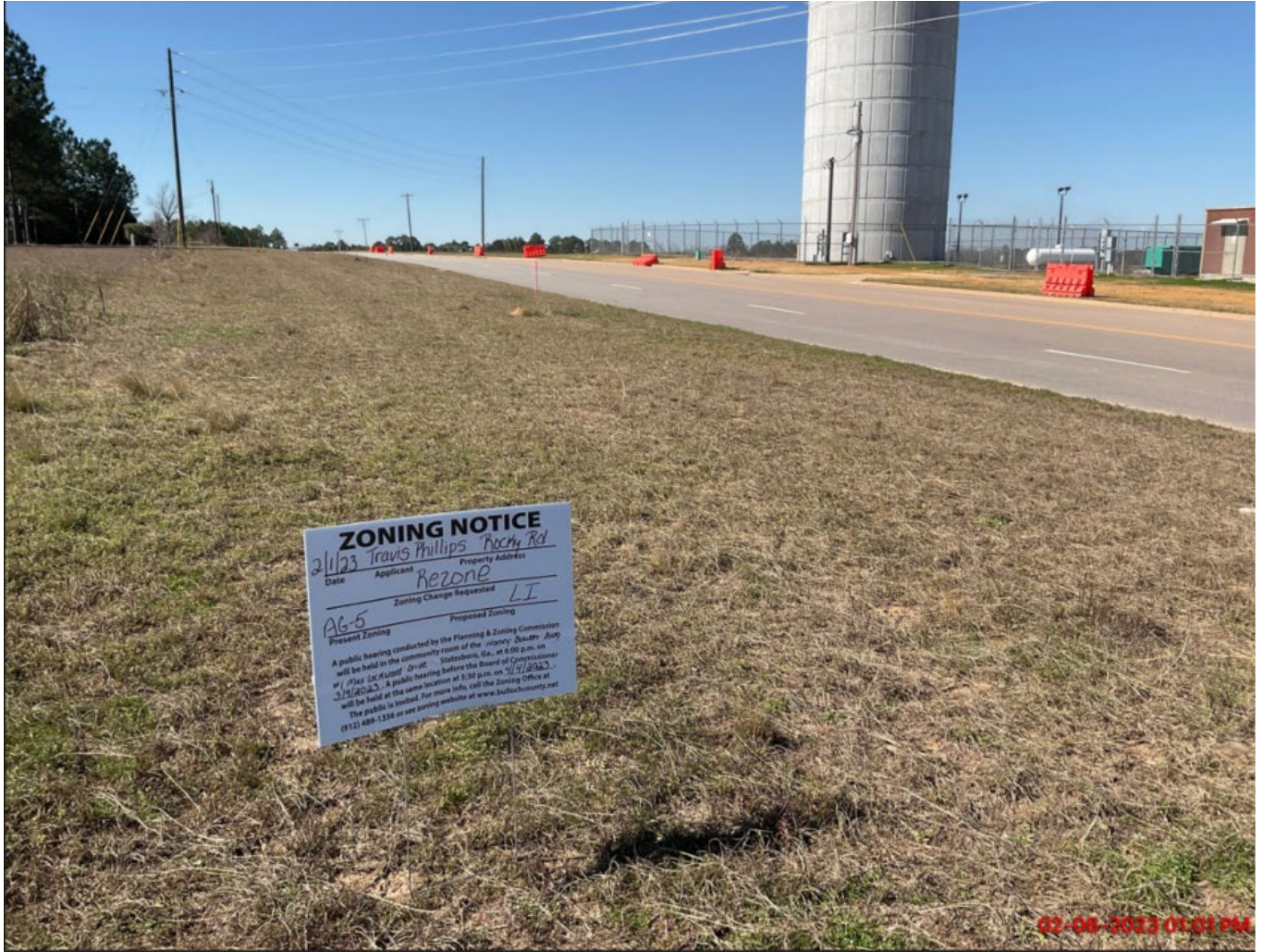
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Bulloch County Departmental Review

Proposed Site Development



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Bulloch County Departmental Review

Applicant's Response to Rezone Standards

REZONING APPLICANT'S RESPONSE

STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

PURSUANT TO REQUIREMENTS OF THE BULLOCH COUNTY ZONING ORDINANCE, THE BOARD OF COMMISSIONERS FINDS THAT THE FOLLOWING STANDARDS ARE RELEVANT IN BALANCING THE INTEREST IN PROMOTING THE PUBLIC HEALTH, SAFETY, MORALITY OR GENERAL WELFARE AGAINST THE RIGHT TO THE UNRESTRICTED USE OF PROPERTY AND SHALL GOVERN THE EXERCISE OF THE ZONING POWER.

(1) IS THE PROPOSED USE SUITABLE IN VIEW OF THE ZONING AND DEVELOPMENT OF ADJACENT AND NEARBY PROPERTY?

Yes, this property is directly adjacent to Bulloch County industrial site at the intersection of I-16 and Hwy 301.

(2) WILL THE PROPOSED USE ADVERSELY AFFECT THE EXISTING USE OR USABILITY OF ADJACENT OR NEARBY PROPERTY?

No, this will compliment the Bulloch County industrial site and help create the highway commercial corridor that the county is envisioning.

(3) ARE THEIR SUBSTANTIAL REASONS WHY THE PROPERTY CANNOT OR SHOULD NOT BE USED AS CURRENTLY ZONED?

Rezoning this property creates an additional opportunity for tax revenue.

(4) WILL THE PROPOSED USE CAUSE AN EXCESSIVE OR BURDENSOME USE OF PUBLIC FACILITIES OR SERVICES, INCLUDING BUT NOT LIMITED TO STREETS, SCHOOLS, EMS, SHERIFF OR FIRE PROTECTION?

No, the largest impact will be on Hwy 301 and Rocky Road which are prepared for truck traffic.

(5) IS THE PROPOSED USE COMPATIBLE WITH THE PURPOSE AND INTENT OF THE COMPREHENSIVE PLAN?

Yes, this expands upon the Bulloch County industrial park, and capitalizes on the growing truck traffic along I-16.

(6) WILL THE USE BE CONSISTENT WITH THE PURPOSE AND INTENT OF THE PROPOSED ZONING DISTRICT?

Yes, we envision warehouse distribution or assembly taking place on this site.



Bulloch County Departmental Review

Applicant's Response to Rezone Standards Continued



Bulloch County Planning and Development
Rezoning Application
Updated 1/2021

(7) IS THE PROPOSED
USE SUPPORTED BY NEW OR CHANGING CONDITIONS NOT ANTICIPATED BY THE
COMPREHENSIVE PLAN?

No, Light Industrial zoning of this property is supported by the comprehensive plan due to its proximity to Aspen Aerogels.

(8) DOES THE PROPOSED USE REFLECT A REASONABLE BALANCE BETWEEN THE
PROMOTION OF THE PUBLIC HEALTH, SAFETY, MORALITY, OR GENERAL WELFARE
AND THE RIGHT TO UNRESTRICTED USE OF PROPERTY?

Yes, this specific area has been designated as interstate gateway on the future land development map to provide economic growth, and additional jobs for the residents of Bulloch County.

Attachment: Travis Phillips Logistics Site RZNE-2023-00093 [Revision 2] (Travis Phillips Rezone Request)



Bulloch County Departmental Review

Sole Public Comment Received during the Coastal Regional Commission's Development of Regional Impact Public Comment Period. (Page 1 of 2)



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Working Together to Protect the Ogeechee, Canoochee and Coastal Rivers

November 29, 2022

Karen Saunds
Grant Specialist
Coastal Regional Commission

Re:DRI # 3862 Exit 116 Industrial Park/Bulloch County

Dear Ms. Saunds:

Ogeechee Riverkeeper's (ORK) mission is to protect, preserve, and improve the water quality of the Ogeechee River basin, including the Canoochee River and the coastal and tidal rivers of Liberty, Bryan, and Chatham Counties. We work with local communities to share and collect information on the ecological and cultural importance of rivers and streams throughout the Basin and use that information to amplify the voices of those who speak for the watershed. One of our roles is as watchdogs on new land development projects throughout the watershed that could pose a significant threat to water quality and quantity.

The proposed rezoning of 360.20 acres from AG-5 to Light Industrial in Statesboro, Georgia, identified by the DRI#3862 maps raises specific concerns with regard to water quality and quantity that we wanted to bring to the CRC's attention.

1. Ogeechee Riverkeeper is concerned that approximately 27 acres of jurisdictional wetlands will be impacted due to the development of the Industrial Park off exit 116. Although 27 acres is a small percentage of the 360.20-acre development, these wetlands are essential for maintaining a network of resilient and intact ecosystems that will support biodiversity and natural processes under changing conditions and climate. Wetlands are a vital component to climate resilience. Wetlands function as natural sponges that trap and slowly release surface water, rainwater, and floodwaters. Without wetlands to hold this excess water, which is sure to increase due to more impervious surfaces, more frequent flooding is to be expected. It is expected that there will be an increase in erosion because the filled wetlands will no longer be able to slow down the water so that it can be absorbed by the ground. The issue of flooding and erosion will be exacerbated by not only the impervious surfaces on this site but also by the development that has already been approved along I-16. We request that if this project moves forward that every possible effort is taken to avoid disturbing or impacting these wetlands and that mitigation and monitoring take place throughout the construction phases and well into the final stages of mixed uses to ensure that the connectivity between uplands and wetlands is not lost.

Attachment: Travis Phillips Logistics Site RZNE-2023-00093 [Revision 2] (Travis Phillips Rezoning Request)



Bulloch County Departmental Review

Public Comment Page 2 of 2



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2. ORK is also concerned that 50% of the development area would become impervious surfaces. This could cause degradation of the water quality downstream from the site due to stormwater runoff and lack of reabsorption. ORK acknowledges the proposed detention ponds meet the requirements of Georgia EPD and Bulloch County. However, with such a large amount of impervious surfaces, ORK asks Bulloch County and the developer to use additional Low Impact Development (LID) best practices, such as the inclusion of permeable surfacing products and materials to reduce this impact, if the project does move forward.

Thank you in advance for your time and consideration; please let me know if you have any questions: kris@ogeecheeriverkeeper.org or 866-942-6222.

KrisHoward
Science and Policy Manager



Attachment: Travis Phillips Logistics Site RZNE-2023-00093 [Revision 2] (Travis Phillips Rezone Request)



Bulloch County Departmental Review

Agenda Item:	9	Meeting Date:	April 4, 2023 (BOC)
Application #:	RZNE-2023-00094	Application Type:	County Initiated Text Amendment
Request:	The Bulloch County Planning and Development Department proposes to amend the Official Subdivision Ordinance of Bulloch County to modify, add, and delete various sections and text of the ordinance.		
Planning and Zoning Commission Recommendation:	<p>The Planning and Zoning Commission recommends approval with the following addition by a 6-0 vote:</p> <p>Section 6.3.10 Pedestrian ways. Crosswalks and sidewalks may be required along county or state roadways external to the development by the planning and zoning commission or governing authority where it is deemed essential to provide circulation or access to schools, playgrounds, shopping centers, transportation, or other community facilities. Crosswalks and sidewalks shall be required along new public or private streets within intermediate or major subdivisions and planned developments by the planning and zoning commission or governing authority in the following zoning districts: [R-25] R-15, R-8, R-3, R-2, PUD-1, PUD-2, and PUD-3. When sidewalk and crosswalk construction is required, construction must adhere to standards observed by the <u>Americans with Disabilities Act Accessibility Guidelines</u> and Section 7.7.8 of these regulations. The sidewalk can be installed at the time of home construction to minimize damage from</p>		

Staff proposes the following amendment to the Subdivision Ordinance of Bulloch County:



Bulloch County Departmental Review

STATE OF GEORGIA COUNTY OF BULLOCH

AMENDMENT TO THE BULLOCH COUNTY CODE OF ORDINANCES

BE IT ORDAINED by the Bulloch County Board of Commissioners that Appendix B-Subdivision Regulations of the Code of Ordinances of Bulloch County, Georgia is hereby amended to read as follows:

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ARTICLE I – AUTHORITY AND JURISDICTION

Section 1.1. Authority

The general planning authority contained in Article IX, Section 2, paragraph 4 of the 1983 Constitution, grants authority to the governing body of each county and municipality to regulate subdivisions and land development.

State law reference-Such act is not included in the Official Code of Georgia, but planning and zoning authority is contained in the Const., art. IX § 2, para. 4.
(Ord. of 11-3-92, § 1.1)

Section 1.2 Jurisdiction

These regulations shall apply to all unincorporated land located within the boundaries of the County of Bulloch.
(Ord. Of 11-3-92, § 1.2)



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ARTICLE II – PURPOSE AND SHORT TITLE

Section 2.1. Purpose

The public health, safety, economy, good order, appearance, convenience, morals and general welfare require the harmonious, orderly and progressive development of land within Bulloch County, Georgia. In furtherance of the general intent of this Appendix, the regulation of land subdivision by municipal and county governing authorities is authorized for the following purposes, among others:

- (a) To encourage the development of economically sound and stable municipalities and counties;
- (b) To assure the timely provision of required streets, utilities and other facilities and services to new land developments;
- (c) To assure the adequate provision of safe and convenient traffic access and circulation, both vehicular and pedestrian, in and through new land developments;
- (d) To assure the provision of needed public open spaces and building sites in new land developments through the dedication or reservation of land for recreational, educational and other public purposes; and
- (e) To assure, in general, the wise and timely development of new areas, in harmony with the comprehensive plan (if applicable) of the municipalities and the county.

(Ord. Of 11-3-92, § 2.1)

Section 2.2. Short title

This appendix shall be known as and may be cited as the “Bulloch County Subdivision Regulations”.

(Ord. Of 11-3-92, § 2.2)



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ARTICLE III – RULES AND DEFINITIONS

Section 3.1. Rules

In the construction of these regulations, the rules and definitions contained in this section shall be observed and applied, except when the content clearly indicates otherwise:

- (a) Words used in the present tense shall include the future, and the words used in the singular number shall include the plural number, and the plural, the singular.
 - (b) The word “shall” is mandatory and not discretionary.
 - (c) The word “may” is permissive.
 - (d) The masculine gender includes the feminine and neuter.
- (Ord. of 11-3-92, § 3.1)

Section 3.2 Definitions

3.2.1. AASHTO. The American Association of State Highway and Transportation Officials

3.2.2 *Accessory building*. A secondary building or structure subordinated to and not forming an integral part of the main or principal building on a lot or parcel but pertaining to the use of the main building.

3.2.3. *Alley*. A narrow thoroughfare dedicated or used for public passageway up to 20 feet in width, which usually abuts the rear of the premises, or upon which service entrances or buildings abut, and which is not generally used as a thoroughfare by both pedestrians and vehicles, is not used for general traffic, and is not otherwise officially designated as a street. A way which affords only a secondary means of access to abutting property.

3.2.4. *Access management*. The process of providing and managing access to land development while preserving the flow of traffic in terms of safety, capacity, speed, and congestion prevention.

3.2.5. *Applicant*. The legal or beneficial owners of land included in a proposed development, including the holder of an option or contract to purchase, or person having an enforceable proprietary interest in such land. See also developer and sub-divider.

3.2.6. *Approving authority*. Refers to either the building and zoning official, the county Planning and Zoning Commission, or the Board of Commissioners when they have authority to approve plats and plans according to Schedule 4.6.2, in Article IV of these regulations.

3.2.7. *As-built plans*: "As-built" plans are site plans depicting improvements made in any



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subdivision or planned development that were previously not accepted by the approving authority, or *site plans that varied substantially from the preliminary or final plats previously submitted for review and approval. Their purpose is to provide a permanent record of the location, size and design of infrastructure improvements that will aid county departments in future maintenance efforts.*

3.2.8. *Buffer.* A strip of land reserved for vegetation, landscaping, or other structures to separate developed areas from other properties or uses.

3.2.9. *Buildable area.* That portion of any lot which may be used or built upon in accordance with the regulations governing the given zoning district within which the particular lot is located, once the various front, side and rear yard setbacks required for the district have been subtracted from the total area.

3.2.10. *Building.* Any structure having a roof and intended for shelter, housing or enclosure of persons, animals, or property of any kind.

3.2.11. *Building line.* A line extended along the foundation of a building from which is measured the distance that a building must be set back to meet the minimum distance from the building line to the front, rear or side property line or in some cases, to the center line of an adjacent roadway.

3.2.12. *Building site.* The ground area of a building or buildings together with all open spaces surrounded by said building or buildings.

3.2.13. *Building and zoning official.* One or more persons, officers or officials or his authorized representative, whom the county manager has appointed to administer and enforce, individually or collectively, the building code, subdivision, and zoning ordinances.

3.2.14. *Certified document.* A survey, sketch, plat, map or other exhibit is said to be certified when a written statement regarding its accuracy or conformity to specified standards is signed by the specified professional engineers, registered surveyor, architect, or other legally recognized person.

3.2.15. *Community Water System.* A system that provides piped water to the public for human consumption, if such system has at least fifteen (15) service connections or regularly serves an average of twenty-five (25) individuals at least sixty (60) days out of the year. Such terms include: 1) any collection, treatment, storage, and distribution facilities under the control of the operator of such system and used primarily in connection with such system; and 2) any collection or pre-treatment storage facilities not under such control which are used primarily in connection with such system.

3.2.16. *Density.* The number of units or buildings per acre, or the number of people per unit, building, acre or mile, or the quantity of people, structures or units within a specified area.



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3.2.17. *Density, Net.* The total number of dwelling units per acre of land, excluding dedicated streets, sidewalks, sensitive natural resources, parks and open space.

3.2.18. *Developer.* Any individual, sub-divider, firm, association, partnership, corporation or any other legal entity commencing proceedings under these regulations. See also *applicant* and *sub-divider*.

3.2.19. *Easement.* The right or privilege of using another's property, for purposes such as constructing and maintaining sanitary sewers, water mains, electric lines, telephone lines, storm sewers, gas lines, bicycle paths, pedestrian ways, ingress and egress.

3.2.20. *Engineer.* Any person being licensed by the state of Georgia as an engineer capable of determining the correct manner in which to construct roads, streets, highways, water and sewage systems, drainage system, structures or other technical related areas.

3.2.21. *Engineer, County.* The county engineer appointed by the County Manager of Bulloch County.

3.2.22. *Family.* Two or more persons occupying a single dwelling unit where all members are related by blood, marriage, adoption, or in foster care. Refer to zoning ordinance for standards.

3.2.23. *Flood prone areas.* The land that is usually flooded whenever a rise in the water level of a creek, stream, river or other body of water is experienced. That land adjacent to a creek, stream, river channel, canal or other body of water that is designated as a floodplain or flood prone area by a governmental agency.

3.2.24. Reserved.

3.2.25. *Governing authority.* The Board of Commissioners of the county.

3.2.26. *Lot.* Parcel of land shown on a recorded plat or on the official county zoning maps (if applicable) or any piece of land described by a legally recorded deed.

3.2.27. *Lot area.* The total area of the lot including easements.

3.2.28. *Lot, corner.* A lot located at the intersection of two or more streets.

3.2.29. *Lot, double frontage.* A lot, other than a corner lot, which has frontage on more than one street.

3.2.30. *Lot, interior.* Any lot which is not a corner lot that has frontage only on one street other than an alley.

3.2.31. *Lot line, front.* In the case of a lot abutting upon only one street, the front lot line is the line separating such lot from such street. In the case of a corner lot, that part of the lot having



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the narrowest frontage on any street shall be considered the front lot line. In the case of any other lot, one such line shall be elected to be the front lot line for the purpose of this article; provided it is so designated by the building plans which meet the approval of the building official.

3.2.32. *Lot line, rear.* The rear lot line is that boundary which is opposite and most distant from the front lot line. In the case of a lot pointed at the rear, or any odd-shaped lot, the rear lot line shall be determined by the building official.

3.2.33. *Lot lines, side.* A side lot line is any lot boundary line not a front lot line or a rear lot line. A side lot line separating a lot from a street is an exterior side lot line. A side lot line separating a lot from another lot, or lots, is an interior side lot line.

3.2.34. *Lot, reverse frontage.* A lot having frontage on two or more public streets, the access to which is restricted to one street.

3.2.35. *Metes and bounds description.* A method of property description whereby properties are described by means of their direction and distances from an easily identifiable location or point.

3.2.36. *Manufactured home.* A dwelling unit fabricated in an off-site facility for installation or assembly at the building site, bearing a label certifying it is constructed in compliance with the National Manufactured Housing Construction and Safety Standards Act of 1974, as amended, U.S.C. § 5401, *et seq.* (the HUD Code, which became effective on June 15, 1976), and meeting the development standards for the zone in which located.

3.2.37. *Needed Fire Flow.* The flow rate of a water supply, measured at 20 psi (137.9 kPa) residual pressure, that is available for the responding fire department. NFPA 1, The Fire Code, requires a minimum amount of water be provided based on the type of construction of the building as well as fire flow area.

3.2.38. *Pedestrian way.* A pathway for pedestrian traffic, either for public or private use for walking, jogging or biking; and which may be improved to the standards required by these regulations.

3.2.39. *Planned developments.* May also be described in these regulations as a group development, is a form of development that includes duplexes, apartments, condominiums or townhouses, and commercial businesses. Planned or group developments allow the unified, and hence potentially more desirable and attractive, development of an area, based on a general development plan requiring a more intensive process of site plan review.

3.2.40. *Planning and Zoning Commission.* A commission of individuals appointed by the Board of Commissioners to make land use recommendations on zoning applications.

3.2.41. *Plat.* A map, plan or layout of a county, city, town, section or subdivision indicating the location and boundaries of properties prepared and stamped by a registered surveyor.



Bulloch County Departmental Review

3.2.42. Reserved.

3.2.43. Reserved.

3.2.44. *Principal building.* The building on a lot in which the principal use of the lot is conducted.

3.2.45. *Public use.* Use of any land, water, buildings by a municipality, public body or board, commission or authority, county, state or federal government, or any agency thereof for a public service or purpose.

3.2.46. *Public Water System.* A local/municipal owned public drinking water source and distribution system. Such utility shall be owned by Bulloch County, or a municipal corporation of the State of Georgia.

3.2.47. *Public Sanitary Sewer System:* Sanitary sewer treatment and disposal distribution system owned by Bulloch County, or a municipal corporation of the State of Georgia

3.2.48. *Reserve strip.* A strip of land adjacent to a public street or similar right-of-way which has been reserved for the purpose of controlling access to the public way.

3.2.49. *Right-of-way line.* The boundary of a strip of land designed, reserved, dedicated, or purchased for the purpose of pedestrian, vehicular, or utility access.

3.2.50. *Security.* A surety bond, bank letter of credit, escrow account, or similar instrument acceptable to the county guaranteeing the completion and/or maintenance of physical improvements according to plans and specifications.

3.2.51. *Setback.* The minimum horizontal distance between the right-of-way line, rear or side lines of the lot and the front, rear or side lines of the building. When two adjoining lots under the same ownership are used, the exterior property lines of the lots so grouped shall be used in determining setbacks.

3.2.52. *Shared access.* A point of common access to a public road leading to separate driveways providing access to distinct parcels.

3.2.53. *Site.* An area designated as a separate and distinct parcel of land on a legally recorded subdivision plat or in a legally recorded deed.

3.2.54. *Street.* A right-of-way affording primary access to abutting property. For the purposes of these regulations, the term shall also mean avenue, boulevard, road, lane and other public or private ways.

3.2.55. *Street, arterial.* Shall mean a street of exceptional continuity that is intended to carry



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the greater portion of through-traffic from one area of the county to another.

3.2.56. *Street, collector*. “Street collector” shall mean those streets which are neither local streets nor arterial streets. Their location and design are such that they are of exceptional continuity, serve as routes passing through residential areas, and serve as means of moving traffic from local streets and feeding it into arterial streets.

3.2.57. *Street, cul-de-sac*. A short local street having but one end open for vehicular traffic, the opposite end being terminated with a permanent turn-around.

3.2.58. *Street, dead-end*. A street not intersecting other streets at both ends and distinguished from a cul-de-sac by not being terminated by a vehicular turnaround.

3.2.59. *Street, local*. “Street, local” shall mean streets which provide only access to adjacent properties and by nature of their layout serve only vehicles with either origin or destination within the area.

3.2.60. *Street, marginal access*. “Street, marginal access” shall mean a minor service street which parallels, and which is immediately adjacent to an arterial street (frontage road).

3.2.61. Reserved.

3.2.62. *Surveyor*. A person who is licensed by the state of Georgia as a registered land surveyor.

3.2.63. *Structure*. Anything constructed or erected that requires a fixed location on the ground or which is attached to something having a fixed location on the ground.

3.2.64. *Subdivider*. Any person, firm or corporation who or which divides for sale, rent or lease or develops any land deemed to be a subdivision as herein defined.

3.2.65 *Subdivision*. The division of a lot of record into two or more lots, building sites, or other divisions for the purposes of sale, devise, or development, whether immediately or in the future, except that a subdivision does not include any of the following:

- (a) The combination or recombination of portions of previously platted lots where the total number of lots is not increased and the resultant lots are at least equal to the standards of the zoning ordinance;
- (b) The division of land where no new street or streets is involved and where no new public or community water system or sanitary sewer system requiring permits by the Georgia Environmental Protection Division is involved; provided, however, that the division of land that was previously approved as a subdivision with a new street or streets or with a new public or community water system or sanitary sewer system shall not come within this exception.



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Plats of such exceptions shall be required to be submitted as information to the Building & Zoning Official which shall indicate such fact on the plats.

3.2.66 *Traffic Impact Study*. A study conducted by a certified Professional Traffic Operations Engineer (PTOE) to analyze the development impact to the transportation network. Studies typically examine the trip generations from a site and determine improvements required; methodology to be used shall be approved by the county engineer. The GDOT Driveway and Encroachment Manual and Manual on Uniform Traffic Control Devices (MUTCD) are typically used. For the purpose of this appendix a traffic impact study is required to have content according to section 4.10 of the zoning appendix and submitted according to schedule 5.6.3 of this appendix.

3.2.67. *Use*. Any purpose for which a building or tract of land may be designed, arranged, maintained, or occupied; or any activity, occupation, business, or operation carried on in a building or structure or on a tract of land.

3.2.68. *Waterfront*. Any site shall be considered as waterfront property provided any or all of its lot lines abut on or are contiguous to any body of water including creek, canal, river or any other body of water, natural or artificial, including marshland, not including a swimming pool, whether said lot line is front, rear or side.

3.2.69. *Yard*. A required open space on a lot that is left unoccupied with structures and facilities, except as permitted in this ordinance. A yard may also be known as a setback.

3.2.70. *Yard, front*. The open space on a lot located between the right-of-way boundary of the abutting street and the front building line as extended to the lot lines to either side. Any yard lying between an abutting street and the building line is considered a front yard. For example, in the case of a corner lot which is abutted on two sides by streets, both yards abutting the streets would be front yards; setbacks and other development standards for front yards would apply to both of these yards.

3.2.71. *Yard, rear*. The open space located between the rear property line and the rear building line as extended to the side lot lines.

3.2.72. *Yard, side*. The open space located between the side property line and the side building line extended to the front and rear lot lines.

3.2.73. *Zoning ordinance*. An officially adopted ordinance (if applicable) that regulates the manner, type, size and use to which a piece of property may be put.

(Ord. Of 11-4-97, § 3.2)



Bulloch County Departmental Review

ARTICLE IV – PROCEDURE FOR PLAT APPROVAL

Section 4.1. Scope.

The purpose of this article is to outline orderly processes and procedures for the application, review, consideration, and approval of plats, subdivisions, and planned developments. Approvals for certain types of applications are distinguished from each other and considered separately. Each type of action necessary for approval is described below.

4.1.1. Sketch Plan. The purposes of the sketch plan are to familiarize the sub-divider with the application regulations herein, while providing the approving authorities the opportunity to give proper input and feedback to ensure conformance with these regulations, other applicable laws and policies, and especially the zoning ordinance and the comprehensive plan.

4.1.2. Preliminary Plat. The purposes of the preliminary subdivision plat are to provide the approving authorities the opportunity to review the detailed site and construction plans, which principally include the layout and specifications for lots, streets and utilities, drainage and topography; and, to ensure conformance with applicable laws and policies, especially environmental requirements, the zoning ordinance and the comprehensive plan.

4.1.3. Final Plats and As-Built Plans. The purposes of the final plat are to provide the approving authorities the opportunity to verify that the requirements for the preliminary plat were met; to ensure conformance with applicable laws and policies, including, but not limited to, environmental requirements, the zoning ordinance and the comprehensive plan, to accept publicly dedicated lands, easements and infrastructure according to approved standards, and, to accept plats for legal recording prior to the sale of lots. A final plat that does not require sketch plan review may be filed and approved without going through the preliminary plat process. As-built plans may be approved administratively providing any variations substantially conform to the preliminary plat and construction plans. As-built plans must be filed and approved before any security for construction of infrastructure is released or, if no security is required, prior to the issuance of any certificate of occupancy for any structure in the subdivision.

4.1.4. Planned Developments. The purposes of reviewing general development plans for planned developments are to provide the approving authorities the opportunity to ensure that certain group developments are designed and constructed to minimize traffic hazards, create a high-quality attractive development, and to provide appropriate improvements to mitigate potential negative impacts to surrounding neighborhoods. Conceptual site plans shall be submitted to the Planning and Zoning Commission for review and approval.

4.1.5. The planning and zoning commission may impose conditions and modifications in approving sketch plans and conceptual site plans as may be necessary to protect the health, safety, and welfare of residents and to protect the surrounding landowners and neighborhoods.

Section 4.2. Administration.



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The Building and Zoning Official shall be responsible for coordinating the process of accepting applications and for the review, recommendation, and approval of plats and plans. Applications shall be considered complete for the purposes of commencing the applicable time period for action, when so certified by the building and zoning official. For applications to be considered complete, they must meet all the submission requirements in Article V of these regulations, and all review and permitting fees shall be paid in advance. Failure of the appointing authority to act within the timeline for approval after submission of a completed application, the plat or plan shall be deemed to constitute approval and a certificate to that effect shall be issued by the building and zoning official on demand; provided, however, that the sub-divider may waive this requirement and consent in writing to the extension of such period, as prescribed below.

Section 4.3. Subdivision of property along state highways.

The Georgia Department of Transportation shall approve all access roads or driveways along state highways. Documentation of the Georgia Department of Transportation approval must be submitted to the Building and Zoning Official prior to a Land Disturbance Activity (LDA) permit, when required by the County.

Section 4.4. Reserved.

Section 4.5. Approval of subdivision in flood prone area

No portion of a subdivision which is subject to inundation by a flood of 100-year frequency or less shall be approved unless it conforms to the Bulloch County Flood Damage Prevention Ordinance and other local, state, and federal laws and regulations. All subdivisions must be designed to minimize flood damage; all public utilities and facilities, such as sewer, gas, electrical and water systems shall be located, elevated and constructed to minimize or eliminate flood damage; adequate drainage must be provided to reduce exposure to flood hazards; water supply systems and/or sanitary sewage systems must be designed to minimize or eliminate flood damage; adequate drainage must be provided to reduce exposure to flood hazards; water supply systems and/or sanitary sewage systems must be designed to minimize or eliminate infiltration of floodwaters into the system and discharges from the system into the floodwaters; on-site waste disposal systems must be located so as to avoid impairment of them or contamination from them during flooding.

(Ord. of 11-4-97, § 4.5)

Section 4.6. Review and approval procedures and schedules.

The following schedules below shall be followed for the submission, review, and action upon all subdivision plats and planned developments.



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Schedule 4.6.1: Review procedures				
<i>Procedure</i>	<i>Sketch Plan</i>	<i>Preliminary Plat</i>	<i>Final Plat (and As-Built Plans)</i>	<i>Planned Development (1)</i>
Mandatory pre-application conference	30 days prior to submission of an application to the approving authority.	Not required.		30 days prior to submission of an application to the approving authority.
Application submission deadline	30 calendar days prior to the scheduled meeting of the approving authority.	18 months after the date of official sketch plan approval. (2)	18 months after the date of official preliminary plat approval. (3)	30 calendar days prior to the scheduled meeting of the approving authority.
Application submission requirements	Includes, but may not be limited to, plat/plan details, construction plan details, special studies, supplemental information and required fees.			
Time period for determining completeness for application	Up to 5 days from initial submission.	Up to 10 days from initial submission.		Up to 5 days from initial submission.
Notice of hearing date provided to applicant	Submission of fully completed application.	Not required.		Submission of fully completed application.
Effect of conditions or modifications imposed. (4)	Subject to the timeline imposed by the approving authority.			
Improvement guarantees release	See Section 6.3 of these regulations.			
Certificate(s) of approval	It shall be noted on the plat/plan with certified signatures, along with any written notification to the sub-divider. (5)			
Phasing plan and schedule	If multi-phase development is proposed, then the sketch plan shall illustrate the order of each phase to be constructed.	Each phase must substantially conform to the phasing approved in the sketch plan.	Each phase must substantially conform to the phasing approved in the preliminary plat.	Must substantially conform to the phasing approved by the governing authority.

Attachment: 9. Appendix B Subdivision Regulations for BOC (Appendix B Subdivision Regulations)



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- (1) Planned unit development applicants shall submit a final development plan for review and approval by the Planning and Zoning Commission according to the requirements of Article V of these regulations and exhibits required by Article XII of the county zoning ordinance.
- (2) Failure of a sub-divider to submit a preliminary plat application by the said deadlines from the approval of the sketch plan will require re-submittal of the sketch plan to the Planning and Zoning Commission for reconsideration.
- (3) Failure of a sub-divider to submit a final plat application by the said deadlines from the approval of the preliminary plat will require re-submittal of the preliminary plat to the Building and Zoning Official for reconsideration.
- (4) The approving authority shall act on the preliminary plat within the timeline for approval after formal submission of a completed application, and, if approved, shall indicate in writing, stating the conditions or modifications of such approval, if any, or if disapproved, shall express in writing his disapproval and the reasons therefore.
- (5) The approving authority to which a copy of the plat or plan is directed shall indicate any desired modifications on the plat or plan and return the plat or plan to the applicant to address the changes or comments prior to formal approval.
- (6) If it should become necessary to revise a final plat due to a dimensional error, a revised plat shall be submitted to the county Clerk of Court for final recording after the building and zoning official has approved and signed the revised plat.

Schedule 4.6.2: Levels of review and approval			
<i>Action</i>	<i>Administrative</i>	<i>Planning and Zoning Commission</i>	<i>Governing Authority</i>
Sketch Plan (1)	Recommend	Approve	
Preliminary Plat	Approve		
Final Plat / As Built	Approve (2)		
Planned Developments	Recommend	Approve (3)	
Variances	Recommend	Approve (4)	Approve (5)
Appeals		Approve	Approve

- (1) A sketch plan is only required for a subdivision as defined in these regulations.
- (2) Must meet final plat approval before sale of lots is permitted.
- (3) Planning and Zoning approval is required for final development plans for planned developments or planned unit developments.
- (4) Applies to decisions made by administrative officials.
- (5) Applies to decisions made by Planning and Zoning Commission, or variances from street paving and water supply requirements.



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ARTICLE V – PLAT REQUIREMENTS

5.1 Scope.

The purpose of this article is to provide requirements pertaining to the content of documents necessary for the review and approval of plats and plans. Any required plats and plans, along with the supporting documentation, constitute the legal and technical data required to enable timely review and approval by appropriate officials; and, when appropriate, to allow recording of land ownership information.

5.2. Required content of plats.

Plats are prepared to describe general, existing and proposed conditions including the layout of the property, but also parcel boundaries, rights-of-way, easements, setbacks, and buffers, as well as to identify the current property ownership and accurate land records.

5.3. Required content for construction improvement details.

Construction improvement details for subdivision plats and general development plans for planned developments shall be prepared to describe the physical improvements which will be needed to support the proposed subdivision or land development, including but not necessarily limited to general or specific building locations, pavements, pedestrian ways, survey monuments and markers, and utilities and storm-drainage facilities.

5.4. Required content of supplemental information.

The sub-divider shall submit to the Building and Zoning Official those items required by Schedule 5.6.3 that require review and approval by various county departments. Supplemental information shall be accurately completed by the developer and reviewed accordingly to receive the approval of a plat or plan.

5.5. Required content for certification of final plats and plans for recording.

Prior to approval, the sub-divider shall place on an original of the approved final plat or plan for review and approval by the Building and Zoning Official a series of statements that the appropriate county officials, design professionals and the owner(s) should certify. These statements are presented in the schedule. If approved, a final plat can be recorded in the Clerk of Court's office of the Bulloch County Superior Court upon authentication by the Building and Zoning Official.

5.6. Content schedules.



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The schedules below shall be followed for the content of all sketch plans, plats, plan details, construction details, supplemental information, and required certifications.

Schedule 5.6.1: Required content of plat and plan details					
<i>Information</i>	<i>Requirements and Specifications</i>	<i>Sketch Plan</i>	<i>Preliminary Plat</i>	<i>Final Plat</i>	<i>Planned Development</i>
Copies required	Complete sets of plats, construction plans and required supplemental information.	One (1) electronic copy in a .pdf format shall be submitted unless the applicant can clearly demonstrate why it cannot be provided, with cost not being the prohibitive factor.			
Phasing	Phasing or pod development shall be illustrated. (1)	X			X
Re-subdivision	In case of a plat to be re-subdivided, a copy of the existing plat with proposed re-subdivision superimposed thereon.	X	X		X
Scale: Graphic and Drawing	Drawing scale of not less than one hundred feet to one inch. The north point shall be identified as magnetic, true or grid north.	X	X	X	X
Vicinity map	Presented at a scale showing the relationship of the proposed subdivision to surrounding development.	X	X	X	X
Name of Development	Proposed name of subdivision or development (should not duplicate other subdivisions or developments phonetically).	X	X	X	X



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Schedule 5.6.1: Required content of plat and plan details					
<i>Information</i>	<i>Requirements and Specifications</i>	<i>Sketch Plan</i>	<i>Preliminary Plat</i>	<i>Final Plat</i>	<i>Planned Development</i>
Contact information: applicant	Name, address and telephone number.	X	X	X	X
Contact information: design professionals	Name, address and telephone number of architects, surveyors, engineers and designers.	X	X		X
Contact Information: Property Owner(s)	All names and addresses of all property owners of the site.	X	X		X
Contact information: adjacent landowners	All names and addresses of all owners of the land adjacent to the site and location of those property lines.	X	X		X
Metes and Bounds Description	A written legal description of the acreage to be subdivided.		X		X
Accuracy: Boundary Identification and Survey	Proper identification of the boundaries of the tract to be subdivided with all bearings and distances indicated. The boundary survey shall be so accurate that the error of closure is 1:10,00 or more.		X	X	X
Accuracy: lines	Sufficient data to determine readily and reproduce accurately on the ground the location, bearing, length and width of every street and alley line, lot line,			X	X



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Schedule 5.6.1: Required content of plat and plan details

<i>Information</i>	<i>Requirements and Specifications</i>	<i>Sketch Plan</i>	<i>Preliminary Plat</i>	<i>Final Plat</i>	<i>Planned Development</i>
	easement, boundary line and building line, whether curved or straight. (2)				
Date of preparation	Date of preparation.	X	X	X	X
Adjoining property lines	Adjoining property lines on the property to be subdivided.		X		X
Lot details	Total acreage affected, layout of all lots, including building setback lines; scaled dimensions on lots and lot sizes; and map and parcel number.	X	X	X	X
Buildings	Located on the property to be subdivided.	X	X	X	X
Drainage Basin	The acreage of each drainage basin affecting the proposed subdivision. (3)	X			X
Elevation data	All elevations shall refer to NAVD 1988 or future adopted datum where public water and/or public sewers are to be installed.		X	X	X
Jurisdictional boundaries	City and county lines (where applicable).	X	X	X	X
Land use	Existing and proposed.	X	X		X
Public or common use	Land reserved or dedicated for public or common use including streets and rights-of-way (existing and proposed).	X	X	X	X
Zoning	District classification of	X	X	X	X



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Schedule 5.6.1: Required content of plat and plan details					
<i>Information</i>	<i>Requirements and Specifications</i>	<i>Sketch Plan</i>	<i>Preliminary Plat</i>	<i>Final Plat</i>	<i>Planned Development</i>
	adjoining land and land to be subdivided.				
Railroads	Location and width (existing or abandoned).	X	X	X	X
Setbacks for communication towers	Setback from tower(s) on the property or on adjacent properties.	X	X	X	X
Streets and roads	Location and width (existing and abandoned).	X	X	X	X
Utilities	Location of lines, poles, pedestals, manholes, and towers with width and use of easements and right-of-way.		X	X	X
Utility detail: existing	Size and location of existing sewers (including grades and invert elevations), water mains, drains, culverts or other underground facilities within the street or within the right-of-way of streets or roads adjoining the tract.		X		X
Natural features	Natural features such as streams, lakes, swamps, and land subject to flood based on a 100-year flood frequency on the property to be subdivided	X	X	X	X
Wetlands	For Sketch Plan, as shown by the soils maps of Bulloch County. For preliminary and final plats, final wetland	X	X	X	X



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Schedule 5.6.1: Required content of plat and plan details

<i>Information</i>	<i>Requirements and Specifications</i>	<i>Sketch Plan</i>	<i>Preliminary Plat</i>	<i>Final Plat</i>	<i>Planned Development</i>
	delineation as verified by the US Army Corps of Engineers.				
Topography	Existing and proposed topography by contours at vertical intervals of not more than one foot (1').		X		X

- (1) Each phase or (in the case of mixed uses, or sections of the development with similar uses but different development intensities) pod of development should be annotated by the order or sequence in which development will occur.
- (2) This shall include the radius, point of tangency and other data for curved property lines and curved streets, to an appropriate accuracy and in conformance with good surveying practice.
- (3) The drainage basin may extend beyond the area to be subdivided.

Schedule 5.6.2: Required content of construction improvement details

<i>Information</i>	<i>Requirements and Specifications</i>	<i>Preliminary Plat</i>	<i>Final Plat</i>	<i>Planned Development</i>
Streets and commercial driveways	Layout of streets and roads with lengths and widths, road names and designations, centerline profiles of natural and finished grades (with percent of slope) and cross sections.	X		X
Pedestrian ways	Layout and location of pedestrian ways and crosswalks with widths, profiles of natural and finished grades (with percent of slope) grades and cross sections.	X		X
Sanitary sewer	Layout of sanitary sewers (if applicable) with grade, pipe size and material, location of	X		X



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Schedule 5.6.2: Required content of construction improvement details				
<i>Information</i>	<i>Requirements and Specifications</i>	<i>Preliminary Plat</i>	<i>Final Plat</i>	<i>Planned Development</i>
	manholes, and points of discharge			
Storm sewer	Topography and layout of storm sewer system including details with accurate location and length and width of slope, top and invert elevations, materials and sizing of all storm drainpipes, detention structures and outlets. Calculations showing volumes and outflow rates.	X		X
Water supply	Engineering report including final plans and specifications for supply and distribution prepared and approved by an engineer licensed in the state of Georgia, demonstrating compliance with Georgia EPD standards and the requirements of this Appendix.	X		X
Topographical changes	Existing and proposed contour elevations at no greater than one-foot intervals.	X		X
Proposed Finished Floor Elevation	Proposed finished floor elevation for structures on each lot.	X	X	X
Construction schedule	A timing schedule indicating the anticipated development sequence's starting and completion dates and the time of exposure of each area before the completion of effective erosion and	X		X



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Schedule 5.6.2: Required content of construction improvement details

<i>Information</i>	<i>Requirements and Specifications</i>	<i>Preliminary Plat</i>	<i>Final Plat</i>	<i>Planned Development</i>
	sediment control measures.			
As-Built Plans	As-built plans shall be required for any water and sanitary sewer systems, topographical changes affecting drainage and storm sewers systems, streets, pedestrian ways and any other structures located upon any property dedicated to the county for future maintenance. A GIS file (.dxf or .dwg CAD format with file projection s/b State Plane NAD 83 Georgia East 1001 Feet) mapping all infrastructure improvements shall be required.		X	X

Schedule 5.6.3: Required supplemental information

<i>Information</i>	<i>Requirements and Specifications</i>	<i>Sketch Plan</i>	<i>Preliminary Plat</i>	<i>Final Plat (FP) or As-Built (AB)</i>	<i>Planned Development</i>
Tax obligations	Proof of payment of all ad valorem taxes currently owed on the subject property.		X		X
Road encroachment permit	Approval from county engineer before installation of any		X		X



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Schedule 5.6.3: Required supplemental information					
<i>Information</i>	<i>Requirements and Specifications</i>	<i>Sketch Plan</i>	<i>Preliminary Plat</i>	<i>Final Plat (FP) or As-Built (AB)</i>	<i>Planned Development</i>
	improvements or construction within any county right-of-way.				
Road naming and addressing	Plan for road naming and addressing approved by E-911 Director and Geographic Information Services.		X		
Deed	Recorded deed vesting title in the owner(s) and a copy of any recorded plat showing the property, and approved easements.	X			X
Architecture	Renderings and elevations of exterior structures.	X			X
Covenants	Proposed restrictive covenants. ⁽¹⁾		X		X
Traffic	Impact study and/or access evaluation. ⁽²⁾	X			X
Environmental	Impact study or site assessment. ⁽³⁾	X			X
Market	Impact study for market feasibility. ⁽³⁾				X
Landscaping	Plan prepared	X	X		X



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Schedule 5.6.3: Required supplemental information					
<i>Information</i>	<i>Requirements and Specifications</i>	<i>Sketch Plan</i>	<i>Preliminary Plat</i>	<i>Final Plat (FP) or As-Built (AB)</i>	<i>Planned Development</i>
	with sufficient detail to determine the required amount and type of suitable materials that address buffers, screening and associated signage. Location of utilities shall be shown on landscaping plans.				
Access, Parking and Loading	Plans shall include the number of spaces provided, the minimum parking spaces required, the maximum number of parking spaces allowed, the location of entrances, exits, aisles, curbing where required, landscaping, screening, surface materials, provisions for drainage.	X		AB	X
Lighting	Plan for commercial parking areas meeting the Illuminating Engineering		X	AB	X

Attachment: 9. Appendix B Subdivision Regulations for BOC (Appendix B Subdivision Regulations)



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Schedule 5.6.3: Required supplemental information					
<i>Information</i>	<i>Requirements and Specifications</i>	<i>Sketch Plan</i>	<i>Preliminary Plat</i>	<i>Final Plat (FP) or As-Built (AB)</i>	<i>Planned Development</i>
	Society of North America (IESNA) standards.				
Signage	Plan for renderings and elevations of sign structures.		X	AB	X
Public Water and Sewer Utility	Plan for service provision of water, sewer or gas utilities with memorandum from a municipality or county.	X		AB	X
Community water system	Copy of trust indenture or surety approved in form by the Georgia Environmental Protection Division.			AB	X
Solid waste disposal	Plan that meets requirements for placement of solid waste receptacles in the county clean community ordinance and buffering and screening requirements in the zoning ordinance.				X
Sanitary sewer disposal	Soils study provided to the		X		X



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Schedule 5.6.3: Required supplemental information					
<i>Information</i>	<i>Requirements and Specifications</i>	<i>Sketch Plan</i>	<i>Preliminary Plat</i>	<i>Final Plat (FP) or As-Built (AB)</i>	<i>Planned Development</i>
	health department (for developments not using a sanitary sewer system).				
Soil erosion	Plan that meets requirements in the county soil erosion and sedimentation ordinance.		X		X
Stormwater Management and Drainage Plan	Plan that meets requirements in the county's stormwater and drainage ordinance.		X		X
Development inspections documentation	Verification that all required inspections have been made and approved in conformance with Section 10.2.			FP	X
Performance guarantees	In conformance with Section 6.4 of these regulations and the county soil erosion and sedimentation ordinance.		X		X
Fire safety and protection	Plan that shows hydrant placement, fire department connections and fire access lanes		X	X	X

Attachment: 9. Appendix B Subdivision Regulations for BOC (Appendix B Subdivision Regulations)



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Schedule 5.6.3: Required supplemental information					
<i>Information</i>	<i>Requirements and Specifications</i>	<i>Sketch Plan</i>	<i>Preliminary Plat</i>	<i>Final Plat (FP) or As-Built (AB)</i>	<i>Planned Development</i>
	acceptable to the county Fire Chief.				
Fire flow and hydrant test	Plan that shows evidence of fire flow and hydrant test results for community water system			X	

- (1) Required if common open space is proffered or special zoning conditions are applicable.
- (2) Required for rezoning application or when trip generation is determined to be 500 daily trips or more, or when an access evaluation is required by the County Engineer or the Georgia Department of Transportation.
- (3) May be required if zoning conditions are applicable, if a development of regional impact, or where a use where the administrative officer requires adequate review.

Schedule 5.6.4: Required content for certifications affixed to final plats and planned developments	
Certificate for approval of recording	“The subdivision plat known as _____, has been found to comply with the Bulloch County Subdivision Regulations and was approved by the building and zoning official on the _____ day of _____, 20____, for recording in the office of Clerk of Court of Bulloch County, Georgia. Bulloch County Building and Zoning. Include signature lines with printed name and title and date for building & zoning official, county engineer, county manager or designee, and state agencies where required.
Certificate of accuracy	“I hereby certify that this Plat is a true, correct and accurate survey as required by the Bulloch County Subdivision Regulations; and was prepared from an actual survey of the property made under my supervision, and that monuments shown have been located and placed to the specifications set forth in said regulations”. Include signature lines with printed name and title and date for registered land surveyor (and license number).
Certification of ownership and dedication	“It is hereby certified that I am (we are) the owner(s) of the property shown and described hereon and that I (we) hereby dedicate all streets, alleys, walks, parks and other sites to public or private use as noted. It is further certified that the streets, drainage system, sewer system and water system in _____ Subdivision as shown on the plat dated _____ prepared by _____ have (has) been installed in accordance with the Preliminary Plat (Construction Drawings) approved (Date) _____. It is

Attachment: 9. Appendix B Subdivision Regulations for BOC (Appendix B Subdivision Regulations)



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	<p>understood this is not an assumption of maintenance by the governing authority. This dedication is for the public's right of ingress and egress only". Include signature lines with printed name and title and date for owner and witness.</p>
<p>Engineer's Certificate for Stormwater Runoff</p>	<p>I, _____, a registered Professional Engineer in the State of Georgia, hereby certify that the grading and drainage plans for the project known as _____ lying proposed for Bulloch County, Georgia, have been reviewed under my supervision, and state that the execution of said plans will comply with the Bulloch County Stormwater Ordinance. This the _____ day of _____, 20___. Georgia Registration No. _____ Include signature lines with printed name and title and date for engineer.</p>
<p>As-Built Stormwater Facilities</p>	<p>I, _____, a registered Professional Engineer in the State of Georgia, hereby certify that the stormwater facility (facilities) for the project known as _____ lying proposed for Bulloch County, Georgia, has been constructed to approved plans and specifications and in accordance with requirements of the Bulloch County Stormwater Ordinance. This the _____ day of _____, 20___. Georgia Registration No. _____. Include signature lines with printed name and title and date for engineer.</p>
<p>Certificate of buffer and screening</p>	<p>"I hereby certify that the buffers indicated on this plat are reserved for the planting of trees and shrubs by the owner. The placement of structures other than approved fencing hereon is prohibited." Include signature lines with printed name and title and date for owner and witness.</p>
<p>Certificate of disclosure for private streets</p>	<p>"I hereby disclose that the ownership of the streets in this development shall be vested to the owner and subsequent purchasers who shall have responsibility for maintenance, liability, and rules regarding their use. It is understood that there shall be no assumption of maintenance by the governing authority, and that all streets, drainage and other infrastructure has been installed according to the specifications set in the county regulations. Each lot owner shall have title to the centerline of the private street adjacent to his lot subject to the 60-foot easement described herein." Include signature lines with printed name and title and date for owner and witness.</p>

Attachment: 9. Appendix B Subdivision Regulations for BOC (Appendix B Subdivision Regulations)



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ARTICLE VI – REQUIRED IMPROVEMENTS

Section 6.1. Scope.

The purpose of this article is to specify the standards for improvements of physical infrastructure, the proper security prior to the subsequent transfer of any such infrastructure to the governing authority, and to protect the general health, safety and welfare. This is premised upon the fact that a well-designed subdivision means little to a prospective lot buyer until such buyer can see actual physical transformation of raw land into lots with all necessary improvements provided. Likewise, a well-designed subdivision is not an asset to the community until the necessary improvements have been installed. In order that prospective lot purchasers may get useable products and new subdivisions may be an asset rather than a liability to the community, the developer shall install and/or pay for the required and conditioned improvements mandated by either the approving authorities or these regulations prior to the approval of the final plat.

Section 6.2. Improvement standards according to development scale.

By permitting varying numbers of lots and varying levels of improvements, regulations enable the small developer to provide for growth in the rural, more slowly developing area of the county characterized by a lower lot absorption rate. Progressively more restrictive development standards are imposed according to increasing quantities of lots or units. Schedule 6.7.1 provides for either required or conditioned improvements according to the size and scale of development.

Section 6.3. Improvement requirements.

6.3.1. *Site grading.* Topsoil shall not be removed from residential lots or used as spoil, but shall be redistributed to provide at least six (6) inches of cover on the lots and at least four (4) inches of cover between sidewalks and curbs, and shall be stabilized by seeding or planting.

6.3.2. *Street signs.* Street signs for road name identification and traffic control shall be required pursuant to the latest edition of the Manual of Uniform Traffic Control Devices (MUTCD) published by the Federal Highway Administration. Motif street signage is permitted if all lettering, directional and safety attributes on the signs meet MUTCD requirements. The motif shall be consistent with architectural details and character of the development. Materials and design for signs shall be approved by the county engineer.

6.3.3. *Street grading and surfacing.*

- (a) If the ditches on existing county roads are to be used for drainage from the subdivision, the developer will re-grade said ditches and provide drainage outlets according to county policies. All re-grading and drainage outlets shall be approved by the governing authority or its authorized representatives prior to issuing any building permits.
- (b) In all subdivisions, regardless of size, if the minimum lot size is less than 20,000 square feet or the minimum lot width is less than 100 feet, paving will be required for all streets, including private streets, within the subdivision.



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- (c) Unless otherwise specifically set forth herein, all the materials, methods of construction, and workmanship for work performed in connection with road construction shall conform to the latest standard specifications of the Georgia Department of Transportation (GDOT). Design criteria and standards not specifically set forth herein shall conform to the current edition of the American Association of State Highway Transportation Officials (AASHTO) Geometric Design of Highways and Streets, except where specifically noted otherwise in the standards adopted by the County.
- (d) Temporary construction access drives shall be installed for phased developments, when required by the county engineer.
- (e) In subdivisions and planned developments that generate more than one thousand (1,000) daily trips on a local paved road accessing the development, the developer will be required re-surface the access road at each intersection at a distance of one hundred (100) feet in both directions from the centerline of the new intersecting street.
- (f) Street grading, base preparation, and surfacing shall be carried out by the sub-divider according to plans and specifications approved by the county and in accordance with the Georgia Department of Transportation specifications as noted in Schedule 6.7.2.

6.3.4. Paved Off-Street Parking. All driveways in residential subdivisions with a density of R-40 or higher shall be paved. All driveways and parking areas in non-residential subdivisions or planned developments must be paved according to current county specifications and shall subsequently be owned and maintained by the developer or their successor(s).

6.3.5. Community Water Systems. When connection to a municipal or county water system is not available, a community water system is permitted, if it is designed and installed according to the requirements of the State of Georgia Environmental Protection Division, and where applicable, county fire protection standards. An approved, signed copy from EPD (Environmental Protection Division) of the water system plans must be submitted to the building and zoning official with the preliminary plat submission. The County will not accept ownership of any proposed water or wastewater utility constructed, owned or maintained by the applicant/developer, a private utility, or common interest element. The following improvement standards shall be required:

- (a) Whenever any existing paved public road is crossed with water mains, the developer must secure an encroachment permit from the county before installing the mains.
- (b) At the crossing, directional drilling may be authorized unless the County Engineer determines that a steel casing with sufficient diameter must be jacked and bored to accommodate the carrier pipe. Continuous and uniform bedding shall be provided in the trench for all buried pipes.
- (c) Backfill material shall be tamped in layers no greater than one foot in thickness around the pipe and to a sufficient height above the pipe to adequately support and protect pipe as well as prevent settlement of backfill.
- (d) Thrust restraint shall be provided at all points where hydraulic thrust may develop. This will include providing reaction blocking, tie rods or joints designed to prevent movement of all bends, tees, valves, plugs, hydrants and other points where thrust may develop.
- (e) In subdivisions with eleven (11) or more lots, systems shall be required to provide fire protection that includes hydrants that provide the needed fire flow simultaneous with



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domestic use, maintaining a minimum residual pressure of 20 psi, subject to approval of the County Fire Chief.

6.3.6. *Public Sanitary sewage and disposal.* When a sanitary sewer is installed in a subdivision, sanitary sewers shall be installed to the plans and specifications approved by and in accordance with the rules and regulations of the county health department or other appropriate municipal, county or state agency. When a sewer line is in a street right-of-way and it will be necessary to cut into the street surface to serve the abutting lots, a connection shall be stubbed-out to the property line to serve each lot prior to surfacing the street.

6.3.7. *On-site sewage disposal systems.* When septic tank systems are required prior to the construction of any community sewage disposal system, such as private septic tanks, an oxidation pond or other facility, the location, size, plans and specifications of such a facility shall be approved by and be in accordance with the rules and regulations of the governing authority and the county health department or other appropriate state agency.

6.3.8. *Curb and gutters.* If concrete curbs or paved valley type gutters are installed, they shall be installed in accordance with plans and specifications prepared by an engineer and approved by the county engineer or the local governing authority or its designee. Curbs and gutters shall be constructed to accommodate the street drainage system. They may be required by the approving authority in areas of notable flash flooding, heavy rain runoff, or other areas prone to drainage problems.

6.3.9. *Storm drainage.* An adequate drainage system, including necessary open ditches, pipes, culverts, storm sewers, intersectional drains, drop inlets, bridges, detention facilities, and other necessary appurtenances shall be installed by the sub-divider according to plans and specifications approved by the county engineer and, as applicable, in accordance with the county's stormwater management ordinance.

6.3.10. *Pedestrian ways.* Crosswalks and sidewalks may be required along county or state roadways external to the development by the planning and zoning commission or governing authority where it is deemed essential to provide circulation or access to schools, playgrounds, shopping centers, transportation, or other community facilities. Crosswalks and sidewalks shall be required along new public or private streets within intermediate or major subdivisions and planned developments by the planning and zoning commission or governing authority in the following zoning districts: R-15, R-8, R-3, R-2, PUD-1, PUD-2, and PUD-3. When sidewalk and crosswalk construction is required, construction must adhere to standards observed by the Americans with Disabilities Act Accessibility Guidelines and Section 7.7.8 of these regulations. The sidewalk can be installed at the time of home construction to minimize damage from construction.

6.3.11. *Access.* The planning and zoning commission and the governing authority shall not approve a sketch plan or planned development in a location where the existing roads providing primary access are inadequate to serve the additional traffic generated by the development. Shared access may be required where, upon the county engineer's recommendation, reducing



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curbs cuts or driveways is desirable. The approving authority may consider safety as well as require available alternatives for regulating access to new developments or individual lots, upon the review of an access evaluation or traffic impact study. A subdivision or a planned development shall only be able to access new public or private streets built to serve the development. The costs for improvements necessary to improve safety or enhance accessibility shall be borne by the developer.

- (a) The entire parcel, rather than simply a particular project, shall be considered in formulating and approving access plans. To this end, the administrative official may require a development project or subdivision on only part of a lot (an un-subdivided parcel) to design and provide access through the remainder of the parcel not proposed for land development at the time, or reserve such future access by easement or right-of-way.
- (b) Where land proposed to be subdivided or developed includes only part of the tract owned or intended for subdivision or development by the sub-divider or land developer, a tentative plan of a future road system for the portion not slated for immediate subdivision or land development consideration shall be required by the administrative official. When such tentative plan is required, it shall be prepared and submitted by the sub-divider or land developer no later than the time of submission of lot subdivision or development plan approval, whichever occurs first.
- (c) Access improvements such as deceleration lanes, dedicated left-turning lanes, center turn lanes, merge lanes, signalization, etc., required as deemed necessary for safe traffic operations by the administrative official shall be installed at all entrance roads into a development where warranted. The County Engineer shall use the current version of the Georgia Department of Transportation Regulations for Driveway and Encroachment Control, section 4.9, "Auxiliary Turn Lanes," as may be amended from time to time, as a basis for determining whether deceleration lanes and other lanes are required; unless otherwise determined appropriate, if the DOT driveway regulations would require an improvement if the road were a state route, the director shall require the same such improvements which are as follows.
- (d) Right-turn deceleration lanes. Right turn deceleration lanes must be constructed at no cost to the county if the daily site generated right turn volumes (RTV) based on the Institute of Transportation Engineers' publication Trip Generation (assuming a reasonable distribution of entry volumes) meet or exceed the values shown in the table below:

Posted Speed (miles per hour)	Annual Average Daily Traffic (AADT)			
	2 Lane Routes		More than 2-Lanes on Main Road	
	< 6,000	> or = 6,000	< 10,000	> or = 10,000
35 or less	200 RTV daily	100 RTV daily	200 RTV daily	100 RTV daily
40 to 50	150 RTV daily	75 RTV daily	150 RTV daily	75 RTV daily
55 to 60	100 RTV daily	50 RTV daily	100 RTV daily	50 RTV daily
> or = 65	Always	Always	Always	Always

- (e) Left-turn lanes. Left turn lanes must be constructed at no cost to the county if the daily site generated left turn volumes (LTV) based on the Institute of Transportation Engineers' publication Trip Generation (assuming a reasonable distribution of entry volumes) meet or



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exceed the values shown in the table below:

Posted Speed (miles per hour)	Annual Average Daily Traffic (AADT)			
	2 Lane Routes		More than 2-Lanes on Main Road	
	< 6,000	> or = 6,000	< 10,000	> or = 10,000
35 or less	300 LTV daily	200 LTV daily	400 LTV daily	300 LTV daily
40 to 50	250 LTV daily	175 LTV daily	325 LTV daily	250 LTV daily
55 or over	200 LTV daily	150 LTV daily	250 LTV daily	200 LTV daily

- (f) For any lot of record which existed prior to adoption of this Ordinance but which does not have frontage on a public street or private street meeting the requirements of this Ordinance, access may be obtained to and from that lot of record solely via any access easement which was lawfully established for access to such lot prior to the adoption of this Ordinance.
- (g) A new access easement shall not be authorized as the sole means of access to a lot, except when property is lawfully divided pursuant to the exception for lots in the AG-5 zoning district. This paragraph shall not be construed to limit use of access easements on lots that otherwise meet the access and lot frontage requirements of the Zoning Ordinance.
- (h) In the event that a planned development or intermediate subdivision of 11 lots or more has access to a substandard road (i.e., a dirt, gravel or surface treated pavement road), the following project access improvements shall be required.
- (1) The street shall be upgraded by the developer to a public road standard required in the Bulloch County Subdivision Regulations from the project entrance to the nearest standard paved road along the route of access.
- (2) The developer shall design the road and provide the labor, equipment and materials required for roadway improvements and necessary drainage improvements.
- (3) The right-of-way required for these off-site improvements shall be acquired by the developer at no expense to the county. If the developer cannot acquire adequate right-of-way, the county attorney shall initiate acquisition proceedings at the expense of the developer after authorization by the board of commissioners.
- 6.3.12. *Buffers, screening, and landscaping.* When landscape plans or buffers are required or conditioned the following standards shall apply.

- (a) A landscaping plan shall be prepared by a Georgia licensed landscape architect and submitted as required supplemental information referenced in Schedule 5.6.3 of these regulations, providing sufficient detail to determine whether the required amount and type of materials that best serve the intended function has been selected.
- (b) A planted buffer strip and visual screen in accordance with Sections 405 through 407 of the county Zoning Ordinance is required unless it is determined by the Planning and Zoning Commission or the Board of Commissioners that more restrictive standards are required by conditions for approval.

6.3.13. *Open-space dedication.* The approving authorities shall consider the location, access, quality and composition of common open space to be dedicated for a common interest element or public use before approval. Open space consisting of any utility and drainage easements shall



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not count as open space. Active recreation areas shall be owned by a common interest element, while passive open space such as linear parks or conservation easements may be offered for public dedication to the county. However, the Board of Commissioners must approve and accept any such dedication, which decision shall be made with input from the Bulloch County Parks and Recreation Department.

6.3.14 *Street and Intersection Lighting.*

- (a) Street lighting for new residential subdivisions or planned developments, except for those subdivisions at a minor development scale of 10 lots or less, will be required under a county streetlight special district. Streetlights shall be decorative or ornamental and placed in the right of way to promote neighborhood safety or the extended use of sidewalks.
- (b) Night-time intersection lighting at primary entrances to subdivisions and planned developments are required, with the cost for installation and maintenance to be borne by the developer or a common interest. All lighting must be downcast and not produce glare.

6.3.15. *Monuments and Property Markers.* Monuments and property markers shall be installed according to the requirement in Schedule 6.7.3.

Section 6.4 Security for Performance and Maintenance.

6.4.1. *Performance and Maintenance Mechanism.* The developer shall be required to provide the County with security for the performance of the design and construction of new streets, sidewalks, street signs and traffic control devices, soil erosion controls (unless a separate bond is determined as necessary according to the county's soil erosion and sedimentation control ordinance by the building and zoning official), and drainage system(s) in accordance with these standards. The security shall be in the form of a surety bond, bank letter of credit, escrow account, or similar instrument acceptable to the county that guarantees performance and shall be in an amount equal to 100% of the cost of the improvements. The performance security shall remain in effect until the County accepts and assumes ownership of the proposed public improvements. At the time the County accepts and assumes ownership of the new streets, signs, drainage systems, or other public improvements, the developer shall be required to provide the County with security for the maintenance of the streets, signs, and drainage systems for a period of three (3) years commencing with the County's formal acceptance of same, or until 75% of structural build-out has occurred, whichever occurs later. The security shall be in the form of a surety bond, bank letter of credit, escrow account, or similar instrument that guarantees maintenance of the improvements and shall be in an amount equal to 20% of the cost of the improvements. Any surety bonds must be from a surety on the U.S. Department of Treasury's listing of approved sureties (Dept. Circular 570).

6.4.2. *Extension of maintenance security for phased developments.* For developments with multiple phases of construction, the building and zoning official may require that portions of a previously approved phase be placed under an extended maintenance bond or letter of credit if the previously approved phase is used as access for construction traffic for the development of



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future phases. The duration of such an extended maintenance bond or letter of credit shall not exceed three (3) years from the date of approval of the final plat for the final phase of the development.

6.4.3. Release of maintenance security and contingencies. Ninety (90) days prior to the release of the maintenance security pursuant to section 6.4.1 or 6.4.2, a final inspection by the applicable departments and agencies of all subdivision improvements will be performed to determine the need for any repairs. If repairs are necessary, the building and zoning official will notify the sub-divider in writing. If the sub-divider fails to take the necessary action to make repairs within thirty (30) days of notification by the county, then the building and zoning official will authorize the surety or bank issuing the bond or letter of credit to release to the county all or any amount of the funds needed to make repairs. Upon release of the funds, the county will act to ensure that the necessary repairs to streets, sidewalks, drainage, or stormwater detention facilities are completed. The building and zoning official may require the maintenance bond or letter of credit to be extended to ensure the completion of repairs started but not completed by the sub-divider for a period not to exceed one hundred eighty (180) days.

Section 6.5. Acceptance of streets by the county.

The county shall not accept title to or assume responsibility for maintaining any streets, drainage systems or other dedicated easements, open space or infrastructure unless all security for performance and maintenance has been satisfied in accordance with Section 6.4 of this appendix, and unless there has been compliance with all other requirements of these regulations and related county policies. No private street or streets resulting from a new subdivision or planned development shall be petitioned for acceptance by the county for public maintenance unless it can be determined that they conform to county construction standards.

Section 6.6. Private streets.

A street which is not accepted as a public street shall have the status of "private street." Private streets may be approved for development only when they are: 1) eligible for categorization as a local street; and, 2) where access from any such private street to a publicly accepted road shall be physically restricted or controlled with an entry barrier. Said street shall be designed so as to prohibit through traffic. To allow for installation of utilities, there will be a 60-foot easement indicated on the plat. Prior to the issuance of building permits for lots within the development, the developer shall comply with the following requirements:

- (a) File with the Building and Zoning Official a release of maintenance agreement, releasing the county from any present or future maintenance of said streets.
- (b) Install a sign provided by the county road department at the developer's expense indicating the existence of a private street at the intersection of each public and private street.



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- (c) A disclosure statement shall be present on all plats of the subdivision and/or individual lots and included in all sales contracts. The statement shall set forth the ownership of the streets, the rights of purchasers and others to use the streets, provisions and responsibilities for maintenance and liability, and the rights of purchasers to enforce said provisions. Further, the statement shall advise purchasers that the county governing authority is not responsible for the maintenance of private streets. Each lot owner shall have title to the centerline of the private street adjacent to his lot subject to the 60-foot easement described herein. An alternative is the establishment of a responsible association with the authority to maintain the private streets.

Streets constructed in planned developments shall be private and are subject to the design and construction requirements in the regulations. If private streets are petitioned for acceptance and are found deficient of county standards, the owner(s) must improve the streets to county standards at their expense or must petition and receive approval from the governing authority for improvements under a special assessment.

Section 6.7. Required improvement schedules.

The schedules below shall be followed for the required improvements of all subdivision plats and general development plans for planned developments.

Schedule 6.7.1: Improvement standards by development scale				
<i>Improvement</i>	<i>Minor (up to 10 lots)</i>	<i>Intermediate (11-49 lots)</i>	<i>Major (50 or more lots)</i>	<i>Planned Development</i>
Site grading	R	R	R	R
Street signs	R	R	R	R
Paved streets	R	R	R	R
Paved off-street parking	R	R	R	R
Storm drainage	R	R	R	R
Monuments & property markers	R	R	R	R
On-site sewerage disposal	R	R	R	R
Underground utilities ⁽¹⁾	R	R	R	R
Clustered mailboxes ⁽²⁾	C	R	R	R
Community water system ⁽³⁾	C	R	R	R
Fire hydrants ⁽³⁾	C	R	R	R
Buffers and landscaping	C	R	R	R
Streetlights ⁽⁴⁾	C	R	R	R
Open space	C	C	C	R



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Public water ⁽⁵⁾	C	C	C	C
Public sanitary sewer ⁽⁵⁾	C	C	C	C
Pedestrian ways ⁽⁶⁾	C	R	R	R
Curb and gutter	C	C	R	R

Required improvements (R). Required improvements are mandatory.

Conditioned improvements (C). The planning and zoning commission and the governing authority may require that the sub-divider install improvements as a condition of final development approval if it is specific and unique to the proposed development, provides amenities that fit the scale of the development, reduces nuisances, or improves the general health, safety and welfare of surrounding neighborhoods and the community.

- (1) Except for junction boxes, meters and existing overhead utility lines, underground utilities shall only be required where new internal streets are constructed.
- (2) If clustered mailboxes are required by the United States Postal Service, they will conform to such requirements, and locations where such mailboxes are required shall be installed on a separate parcel that is off of the right-of-way or travel lanes of roads or streets. Such location(s) shall provide adequate paved parking or queuing, and the access from the cluster box venue location shall be no closer than one hundred feet (100') from any public street intersection so as not to interfere with sight distances or traffic circulation. The location will be owned and maintained by the developer or a common interest element.
- (3) Not required in subdivisions with lots at 5 or more acres.
- (4) A County Streetlight Special District is required.
- (5) May be required to tie on to an existing municipal or county system pursuant to a county ordinance or intergovernmental agreement.
- (6) Reference 6.3.10 of this appendix (not required in AG-5, R-80, R-40, R-25).

Schedule 6.7.2: Improvement standards for street grading and surfacing

Phase	Standard	I	II
Sub-grade	Shall be compacted to 100% of the laboratory maximum dry density. See Schedule 10.1.1 for inspections and testing requirements.	X	X
Graded aggregate-base	Shall meet Georgia D.O.T. specifications and be no less than six (6) inches in depth. Any alternative materials shall be submitted to the County Engineer for approval. It shall be compacted to 100% of the maximum dry density. See Schedule 10.1.1 for inspections and testing requirements.	X	X
Asphalt mixtures	Shall be approved by the County Engineer and satisfy Georgia D.O.T. specifications. Surface course shall be 9.5 mm or 12.5 mm asphalt superpave unless otherwise approved by the County Engineer.		X
Job mix formula	A formula for hot mix asphalt shall be submitted to the county at least one (1) week prior to paving. All mixtures must contain hydrated lime or anti-strip additive. Minimum thickness shall be two (2) inches.		X



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Schedule 6.7.2: Improvement standards for street grading and surfacing			
<i>Phase</i>	<i>Standard</i>	<i>I</i>	<i>II</i>
Reflective markings	Blue reflective raised pavement markers shall be required to identify fire hydrant locations. All other pavement markings and road striping shall meet Georgia D.O.T. specifications.		X
I - Laboratory Testing: To verify the above items, testing shall be done for every 1,500 square yards of material placed. II – Subject to inspection and approval of county engineer or designee.			

Schedule 6.7.3: Monuments and property marker requirements	
Monuments: Location	Monuments shall be located in the ground at all angles in the boundaries of the subdivision; at the intersection lines of streets and at the intersection of the lines of streets with boundaries of the plat and at the intersection of alleys with the boundaries of the subdivision; at all points of curvature, points in the side lines of streets and alleys; and at all angles of an intermediate traverse line.
Monuments: Placement	It is not intended or required that monuments be placed within the traveled portion of a street to mark angles in the boundary of the subdivision if the angle points can be readily reestablished by reference to monuments along the side lines of the streets. All required monuments shall be placed flush with the ground where practicable. If the required location of a monument is in an inaccessible place, or where the location of a monument would be clearly impracticable, it is sufficient to place a reference monument nearby and the precise location thereof shall be clearly indicated on the plat and referenced to the true point.
Monuments:	All monuments used shall be made of a minimum of solid iron or steel bars at least



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Materials	one-half inch in diameter and 24 inches long. If a point required for a monument is on a bedrock outcropping, a steel rod at least one-half inch in diameter shall be drilled and grouted into solid rock to a depth of at least eight inches.
Monuments: Control Corners	Within each block of a subdivision at least two monuments designed and designated as control corners shall be installed. All control corners shall be constructed of concrete and shall be at least four inches in diameter or square and not less than three feet in length. Each monument shall have imbedded in its top or attached by a suitable means, a metal plate of noncorrosive materials and marked plainly with the point, the surveyor's registration number, the month and year it was installed and the words "control corner." Alternatively, the surveyor may provide Georgia East Zone, state plane coordinates on at least two corners within the subdivision with sufficient data to compute coordinates of all other corners. These coordinates shall be of the same accuracy as required by law for property surveys.
Property Markers	Property markers using steel or wrought iron pipe or the equivalent not less than one-half inch in diameter and at least 24 inches in length shall set all corners, except those located by monuments.
Subdivision Corner Tie	Subdivision corner tie. At least one corner of the subdivision shall be designated by course and distance (tie) from a readily discernible permanent reference marker. If a corner is within 2,000 feet of a U.S. Coast and Geodetic Station, U.S. Geological Survey, or Georgia Grid System coordinated monument, then this corner shall be marked with a monument so designated by computed X and Y coordinates which shall appear on the map with a statement identifying this station or monument to an accuracy of 1:10,000. When such a monument or station is not available, the tie shall be made to some permanent and readily recognizable landmark or identifiable point, physical object or structure. In subdivisions of more than ten lots, the information for this corner tie shall include elevation above sea level making it in effect a benchmark which can be used to determine if individual lots are in a flood prone area.



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ARTICLE VII – DESIGN STANDARDS

Section 7.1. Scope.

New subdivisions and planned developments, whether residential, commercial, industrial, or mixed-use, should be designed to respect the environment, carefully consider the scale and character of surrounding properties, and be an asset to the community. The design standards shall conform to the minimum requirements of the property's zoning designation and as outlined in the zoning ordinance. The following performance design standards shall be considered in the review and approval process.

Section 7.2. Streets.

Design standards on county or state roads shall be consistent with all state, federal, and local laws and applicable ordinances, including the Georgia Department of Transportation standards and all amendments or revisions in effect as of the date of the preliminary plat approval.

7.2.1. Conformity to existing maps, policies or plans. The location and width of all proposed streets shall (if applicable) be in conformity with official maps, policies and plans along with existing amended plans of the planning and zoning commission, and the governing authority.

7.2.2. Functional classification. The functional system of arterial, collector and local streets and roads are classified according to the service they are intended to provide. Each functional classification requires a different standard for right-of-way, intersections, grades and alignments, depending on the number of lanes and whether the roadway is divided or parkway. A development looking to locate along an existing roadway should be required to incorporate right-of-way guidelines into its site plan as either an easement or setback according to the functional classification of the roadway as defined by the county policies. Public agencies will benefit in this process through cheaper right-of-way purchases, and private businesses will benefit through minimal property disruptions due to future roadway improvements.

7.2.3. Continuation of adjoining street system. The proposed street layout shall be coordinated with the street system of the surrounding area. Existing streets shall be extended and aligned to adjoining properties, where possible.

7.2.4. Access to adjacent properties. Where it is desirable to provide for street access to adjoining property, proposed streets shall be extended by dedication to the boundary of such property and a temporary turnaround shall be provided. Houses fronting on minor streets shall have access from minor streets only. Streets carrying nonresidential traffic, especially truck traffic, shall not normally be extended to the boundaries of adjacent existing or potential residential areas. New commercial or multi-family residential development that abuts a planned, new or existing multi-family residential property or commercial property shall provide a sidewalk connecting the two uses, unless the administrative official determines that it is unnecessary to provide inter-parcel



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pedestrian access due to the unlikelihood of patrons walking among two or more existing or proposed uses on abutting or nearby sites. This provision shall require such developments to construct the required sidewalk to the property line so that it may be continued by the adjacent development for future connectivity.

- (a) Internal to each building site, non-single-family residential developments shall provide safe routes of pedestrian access between points of departure and destinations. Such provisions for pedestrian access shall be shown on plans, including site plans for development permits and building permits.
- (b) When multiple buildings are proposed, they shall be linked with on-site pedestrian walkways.
- (c) All walkways internal to the site shall be a minimum of five feet wide.
- (d) The internal sidewalk system shall connect to the public sidewalk system along streets and highways, where it exists or is planned.

7.2.5. *Street naming and signage.*

- (a) Any proposed street names must comply with Article III, *Road Naming and Property Numbering*, of the Bulloch County code of ordinances.
- (b) All new or existing roads within or accessing any new development shall have street sign conform to design and installation standards of the latest edition of the *Manual of Uniform Traffic Control Devices*. Materials and designs for signs shall be approved by the County Engineer.
- (c) Entrance signs or structures (whether placed within a median), if constructed, will be monument-based signs made of brick, stone or decorative masonry with night-time illumination and non-invasive landscaping, consistent with the architectural details and character of the development. Any entrance sign, structure, and landscaping shall not be maintained by the County.
- (e) Entrance signs or structures will be owned and maintained by a common interest element, and placement within the right-of-way shall not interfere with sight distance at intersections pursuant to Schedule 7.7.1., or be designed to be a roadway hazard.

7.2.6. *Minor streets.* Minor streets shall be so laid out that their use by through traffic will be discouraged.

7.2.7. *Trees.* It is recommended that as many trees as possible remain on the site during the initial clearing and grading and that trees normally remain unless they lie within a planned public right-of-way, within a planned building site or within the necessary paved areas surrounding or adjacent to the primary structure.

7.2.8. *Railroads and highways (freeways, expressways).* Railroad rights-of-way and limited access highways where so located as to affect the subdivision or planned development of adjoining lands shall be treated as follows:



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- (a) *Extended lot depth.* If applicable, in districts zoned for planned unit developments, commercial, or industrial uses, the nearest street extending parallel or approximately parallel to the railroad or highway shall, wherever practicable, be at a sufficient distance therefrom to ensure suitable depth for commercial or industrial sites.
- (b) *Centerline offsets at intersections parallel to railroads.* All residential streets parallel to the railroad, when intersecting a street which crosses the railroad at grade, shall be at least one hundred and fifty (150) feet from the railroad right-of-way. Such distance shall be determined with consideration of the minimum distance required for future separation of grades by means of appropriate approach gradients.

7.2.9. *Street rights-of-way, alignments and grades.* The design standards for street rights-of-way, alignments and grades for drainage are contained in Schedules 7.6 and 7.7.

7.2.10. *Intersections.* In addition to the requirements of Schedule 7.7.1, the following design standards shall also apply.

- (a) Not more than two (2) streets shall intersect at any one point, unless specifically approved by the planning and zoning commission.
- (b) Unless otherwise noted, required distances between streets shall be measured from centerline-to-centerline.
- (c) Proposed new access roads created by a new development should align with any existing intersections on the opposite side of such street and their alignments shall be continuous with regard to right-of-way width. If such alignment is determined not to be required, or if there is an existing road on the same side of the street as a new development, then the design standards in Schedule 7.7.1 shall govern.

7.2.11. *Cul-de-sacs.* Where natural topography and original tract composition allow, internal flow within a subdivision shall take precedence over the use of several, repeated or back-to-back cul-de-sacs. Cul-de-sacs should be kept to a minimum and used only to capture areas that cannot be reasonably developed with a through street. Lengths are limited to discourage speeding and to limit the number of people stranded if an emergency cuts or blocks off the road. The design standards for cul-de-sacs are contained in Schedule 7.7.2.

7.2.12. *Alleys.* Service alleys or drives may be required in multiple dwelling, commercial, and industrial developments and shall have a minimum width of fifteen (15) feet, but shall not be provided in one- and two-family residential developments unless the sub-divider provides evidence satisfactory to the need for alleys.

7.2.14. *Marginal access street.* Where a subdivision or planned development adjoins an arterial street or a collector street, a marginal access street may be required to control access from lots fronting on it. If required, points of access from a marginal access street to a collector or arterial street shall be spaced according to Schedule 7.7.1, and a reserve strip having a planted buffer according to Section 6.3.13. shall be provided between the marginal access street and higher order street.



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7.2.15. *Clear zone and guard rails.* The maximum possible clear zone within the proposed right-of-way shall be provided according to the AASHTO Policy for Geometric Design of Highways and Streets and any policies or design standards it refers to. Guardrails shall be provided if obstructions cannot be eliminated. Also, guardrails shall be provided at bridge ends, along slopes steeper than 4:1 exceeding ten (10) feet height, and at other hazardous locations.

Section 7.3. Easements and Utilities.

7.3.1. *Utilities.* Easements shall have a minimum width of fifteen (15) feet and be located along the side or rear lot lines and shall be provided as required for utility lines and underground mains and cables. Recommendations on the proposed layout of cable, telephone and electric company easements should be sought from all of the utility companies serving the area. It shall be the responsibility of the applicant to submit copies of the preliminary plat to all appropriate public utility companies. Whenever practicable, the utilities shall be placed underground, according to the standards of the appropriate utility company. Community water systems shall follow the basic design standards in Schedule 7.7.10 of this article.

7.3.2. *Storm Drainage.* Easements for storm drainage shall conform substantially with the lines of any natural water course, channels, streams or creeks which traverse the subdivision or for any new channel which is established to substitute for an existing natural watercourse, channel, stream or creek. Such easements shall be of sufficient width to provide an adequate area for maintenance but shall not be less than fifteen (15) feet. All stormwater infrastructure and easements outside the rights-of-way will be owned and maintained privately by the owner/developer, private property owners or a common interest element.

Section 7.4. Reserved

Section 7.5. Lots and Blocks.

Residential lots shall meet the minimum lot width and area requirements of the design standards of the zoning district in which the lot is located, unless reductions are approved as a part of a planned development or planned unit development.

7.5.1. *Orientation of lot lines.* Side lot lines shall be as nearly at right angles as possible to street lines.

7.5.2. *Lots abutting public streets.* Each lot shall abut upon a dedicated public street on which it has access.

7.5.3. *Reverse frontage lots.* Reverse frontage lots are prohibited. Access to a double frontage lot or lots is to be from an interior local road to be constructed, and buffers shall be provided along the rear property line(s).



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7.5.4. *Block design.* Blocks shall have sufficient width to provide for two (2) tiers of lots with appropriate depths. Exceptions to this prescribed block width shall be permitted in blocks adjacent to major streets, subdivision boundaries, railroads, or waterways.

7.5.5. *Block Lengths.* In order that there may be safe and convenient access between various parts of a subdivision, between the subdivision and surrounding areas, and to help prevent traffic congestion and traffic hazards, the length of blocks shall not exceed one thousand eight hundred (1,800) feet.

7.5.6. Reserved.

7.5.7. *Building setback lines.* A building line meeting the front yard setback requirements of this appendix shall be established on all lots.

7.5.8 *Non-residential lots and blocks.* Commercial and industrial lots should be designed for the type of development anticipated. The approving authority may impose requirements that depart from these standards when it is necessary to mitigate land use issues, to manage access or traffic or other practical design reasons arising from the proposed development. (Ord. of 11-4-97, § 7.4)

Section 7.6. General suitability.

7.6.1. *Soils.* The planning and zoning commission and the building and zoning official shall not approve a subdivision where the soil conditions have been determined not suitable for development by the Bulloch County Health Department pursuant to local, state, and federal laws, regulations and standards.

7.56.2. *Flooding.* Flood prone areas shall be consistent with the Bulloch County Flood Damage Prevention Ordinance.

7.6.3 *Stormwater and Drainage.* All new subdivisions and planned developments meeting required scales or development intensity shall comply with the latest edition of the Bulloch County Stormwater Ordinance.

Section 7.7. Design standards schedules.

The schedules below shall be followed for the design of subdivision plats and general development plans for planned developments.

Schedule 7.7.1: Intersection Design Standards	
<i>Approach Speed at Intersections Within Subdivision</i>	
Maximum Approach Speed (mph)	25
<i>Geometrics</i>	



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Vertical alignment with intersection	Crown on level terrain (flat grade); a leveling area shall be provided having not greater than two per cent (2%) rate at a distance of sixty (60) feet, measured from the nearest right-of-way line of the intersecting street	
Minimum angle of intersection streets	90 degrees with a minimum 100' foot long throat.	
Sight distance at intersections	Intersection sight distance shall be the design value as determined by AASHTO's A Policy on Geometric Design of Highways and Streets (Green Book).	
<i>Functional Class</i>	<i>Minimum Curb or Pavement Edge Radius (ft)</i>	<i>Minimum Centerline Offset of Adjacent Intersection (ft)</i>
Local or marginal access to local	20	125
Local or marginal access to collector	25	440
Collector to collector	30	660
Collector, marginal access to arterial	40	1,320

Schedule 7.7.2: Cul-de-sac Street Design Standards

<i>Cul-de-sac Street Type</i>	<i>Maximum Length of Street</i>	<i>Roadway Right-of-Way Diameter¹</i>
Permanent	800 linear feet	60'
Temporary (permitted as a segment of a continuous street only)	1,000 linear feet	60'

- (1) In turnaround area of cul-de-sac, pavement shall be 80-foot diameter with a right-of-way diameter of 120 feet.

Schedule 7.7.3: Right-of-Way Design Standards – Curb and Gutter

(flexibility regarding curb type shall be permitted as long as it accommodates the system of drainage proposed)

<i>Functional Class</i>	<i>Lanes</i>	<i>Pavement Width (in feet)</i>	<i>Right-of-Way Width (in feet)</i>
Marginal access	Two (2) lanes	20	50
	Two (2) lanes	20	60
Local	Two (2) lanes with parallel parking one side of street	30	60
	Two (2) lanes	20	60
Collector	Two (2) with left turn lane	30	60
	Two (2) with left turn and service lane	40	60
	Two (2) lanes	20	60



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Arterial	Four (4) lane	48	80
	Four (4) lane with service lanes	78	90
	Two (2) lanes	24	60
	Four (4) lane	48	80
	Four (4) lane with service lane	64	100
	Four (4) with left turn lane	68	100
	Four (4) with left turn lane and service lane	86	100

Schedule 7.7.4: Right-of-Way Design Standards – Unpaved Shoulder with Open Channels *(drainage swales may be used when it can be shown that soil or topography make their use favorable and where it is in the best interest of the community to preserve its rural character by using drainage swales)*

Functional Class	Lanes	Pavement Width (in feet)	Shoulder Width (in feet)	Ditch Slope Ratio (front and back)	Right-of-Way Width (in feet)
Marginal access	Two (2)	20	4	3:1	50
Local	Two (2)	20	4	3:1	60
	Two (2) with cul-de-sac	60	4	3:1	60 ¹
Collector and Arterial	Two (2)	22	8	3:1	80
	Four (4)	44	10	3:1	100
	Four (4) with left turn lane	55	10	3:1	120

1. In turnaround area of cul-de-sac, pavement shall be 80-foot diameter with a right-of-way diameter of 120 feet.

Schedule 7.7.5: Right-of-Way Design Standards – Inverted Crown *(may be used only for subdivisions with less than 20 lots; or planned developments where streets are not publicly dedicated)*

Functional Class	Lanes	Pavement Width (in feet)	Centipede Sodded Shoulder (in feet)	Right-of-Way Width (in feet)
Marginal access	Two (2) lanes	20	5	50
Local only	Two (2)	20	5	60
	Cul-de-sac turnaround area	80' Diameter	5	120' Diameter

Schedule 7.7.6: Alignments standards
Minimum Sight Distance at Vertical Curves



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<i>Functional Class</i>	<i>Design Speed (MPH)</i>	<i>Minimum Curve Radii (in feet)</i>	<i>Minimum Stopping Sight Distance (in feet)</i>
Local	30	275	200
Collector	50	350	350
Arterial	Determined by AASHTO		
<i>Minimum Radii of Centerline Curvature at Horizontal Curves</i>			
<i>Functional Class</i>	<i>Design Speed (MPH)</i>	<i>Minimum Curve Radii (in feet)</i>	
Marginal access	25	100	
Local	30	275 (1)	
Collector	35	390	
Arterial	Determined by Georgia DOT standards		
<i>Tangents between Reverse Curves</i>			
<i>Functional Class</i>	<i>Design Speed (MPH)</i>	<i>Minimum Curve Radii (in feet)</i>	
Marginal access	25	50	
Local	30	100	
Collector	35	100	
Arterial	Determined by Georgia DOT standards		

(1) For horizontal curves, the centerline radius of curvature shall not be less than two-hundred seventy-five (275) feet on local roads unless the topography of the land to be subdivided makes this impractical.

Schedule 7.7.7: Standard grades for streets and roadside drainage

<i>Minimum Curb Radius (ft)</i>	<i>Street (maximum)</i>	<i>Roadside Ditches (minimum)</i>
Marginal access	6.0%	0.5%
Local	6.0%	0.5%
Collector	6.0%	0.5%
Arterial	Determined by Georgia DOT standards	

Schedule 7.7.8: Pedestrian way design standards

<i>Type of Development or Pedestrian Way</i>	<i>Location</i>	<i>Minimum Width (in feet)</i>	<i>Thickness (in inches)</i>	<i>Materials and Strength</i>	<i>Slope</i>
Subdivision	Right-of-Way	5' + 3' Median	4	Portland cement concrete 28 day strength of 2,800 psi	1/4" per foot Maximum
Planned Development	Right-of-Way	5' + 3' Median	4		
Walking trail	Permanent private easement	6	2	Bituminous mixes, soil cement, stabilized earth, treated wood planking, and	Approved by the county engineer



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Schedule 7.7.8: Pedestrian way design standards					
				pavers	
Crosswalks	Intersections	8	NA	White, reflective	Meeting ADA Standards

Schedule 7.7.9 (a): Minimum number of public access points to a public street		
<i>Development Type and Intensity</i>	<i>Minimum Number (1)</i>	<i>Public Access by Functional Classification</i>
Residential, 50 units or less	1	Paved: Local
Residential, 50-239 units	2	Paved: Local, Collector
Residential, 240-400	3	Paved: Local, Collector, Arterial
Residential, 401 or more	4 + 1 per 120 additional lots	Paved: Local, Collector, Arterial
Non-residential, 50 parking spaces or less	1	Paved: Local, Collector, Arterial
Non-residential, 51 parking spaces or more	2	Paved: Local, Collector, Arterial

Schedule 7.7.9 (b): Separation of access points for streets and driveways	
<i>Posted Speed Limit of Road</i>	<i>Minimum Spacing (1)</i>
35 MPH or less	110 feet
36-45 MPH	230 feet
45-54 MPH	330 feet
55 MPH or more	440 feet

- (1) The County Engineer and Zoning Administrator may jointly grant an administrative variance to reduce or increase the minimum requirements for access points and spacing that adequately addresses the public health, safety and welfare, unless there are more restrictive requirements by a state or federal agency.

Schedule 7.7.10: Community water system standards	
<i>Element</i>	<i>Specification</i>
Water system: minimum flow	Minimum flow standards shall be capable of meeting the ISO Needed Fire Flow (NFF) of the largest structure within the subdivision, and no less than 500 gallons per minute, while sustaining a 20-psi residual pressure, for a period of 2 hours at the furthestmost point from the available water source(s). A Proof of Flow test, in accordance with NFPA 291, shall be provided to the Fire Chief, and annual flow test records for the water system. .
Water system: service lines	Subject to design requirements approved by the Georgia EPD. Water system distribution lines when located in the right-of-way, shall be installed to have a minimum depth of twenty-four (24) inches of continuous and uniform bedding. Water system distribution lines shall be installed to have a minimum depth of thirty-six (36) inches if located under any proposed new street. Service lines must be stubbed out to the



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	property line to serve each lot before the street is surfaced.
Fire protection, hydrants	Fire hydrants shall be no further than one thousand (1,000) feet apart measured along an improved surface navigable by a fire apparatus.
Well sites: lot layout	Wells sites should be of sufficient size to accommodate and adequately maintain the well and storage tank. Wells shall be established on separate lots of record that shall be a minimum of fifty (50') feet in depth and (50') feet in width. The minimum area of such lots shall be twenty-five hundred (2,500') square feet. The well shall be located no closer than fifty (50') feet to any exterior property line of the subdivision. Activities permitted on such lots shall be limited to those activities related to construction, operation, or maintenance of a well. Such lots shall be established only with direct access onto a public street or be served by an approved private vehicular access easement not less than twenty (20') feet in width.

(Ord. of 11-4-97, § 7.5)



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ARTICLE VIII – VARIANCES AND APPEALS

Section 8.1. Variances.

When, due to unnecessary or undue hardship experienced by an owner of a tract of land, it is impractical for a developer to comply with the interpretations of the design requirements of these regulations, the planning and zoning commission shall be authorized to vary such requirements provided the intent and purpose of these regulations are not violated. Such variations, and the reasons for granting them, shall be entered into the minutes of the planning and zoning commission. Provided, however, that the following variances must be approved by the board of commissioners upon recommendation from the planning and zoning commission: (a) any variance from the exemption from paving requirements stated in section 6.7; (b) any variance from the requirements from water supply and distribution systems stated in section 7.7.

Section 8.2. Appeals.

8.2.1. *Appealing a Decision of the Building and Zoning Official.* Any person aggrieved by a decision of the building and zoning official may appeal such decision to the planning and zoning commission. The appeal must be filed within thirty (30) days after the date on which the decision by the building and zoning official was made. Applications for appeal may be obtained from and submitted to the building and zoning official, who will transmit them to the planning and zoning commission for consideration. Appeals will be heard and decided by the planning and zoning commission at its next regular meeting after the appeal is received.

8.2.2 *Appealing a Decision of the Planning and Zoning Commission.* Any person aggrieved by a decision of the planning and zoning commission (including but not limited to decisions on variances or appeals) may appeal that decision to the board of commissioners. The appeal must be filed within thirty (30) days after the date on which the decision by the planning and zoning commission was made. Applications for appeal may be obtained from and submitted to the building and zoning official, who will transmit them to the board of commissioners for consideration. Appeals will be heard and decided by the board of commissioners at its next regular meeting at which zoning matters are routinely heard after the appeal is received.

(Ord. of 11-4-97, § 9.1, amended 2-6-01)



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ARTICLE IX – APPLICATION OF REGULATIONS

Section 9.1. Filing and recording.

No plat of a subdivision within Bulloch County shall be filed or recorded by the county clerk of the court until the final plat shall have been submitted to the building and zoning official and approved in accordance with these regulations.
(Ord. of 11-4-97, § 10.1)

Section 9.2. Unauthorized conveyances.

No lot, street, alley, improvement, easement, right-of-way or other property or property right of any kind shall be conveyed, by deed or otherwise, to the county, the governing authority or other public authority without its express acceptance of such conveyance as indicated by the signature of its authorized agent on such deed or other document of conveyance.
(Ord. of 11-3-92, § 10.2)

Section 9.3. Reserved.

Section 9.4. Reserved.

Section 9.5. Schedule of filing fees.

Fees as set forth in the schedule of fees and charges shall be paid in connection with application.
(Ord. of 11-4-97, § 10.5)



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ARTICLE X – CONSTRUCTION SCHEDULE

Section 10.1. Prior approval.

No construction or land disturbing activity of any kind, including grading, installation of improvements, or building shall begin on any land subject to these regulations without prior approval and implementation of the preliminary plat and soil erosion and sedimentation control plan where required by local, state or federal laws or regulations. All subdivisions and planned development projects shall construct and install all improvements in accordance with the requirements of these regulations. The steps for pre-construction review and approval and required inspections shall be followed accordingly.
(Ord. of 11-4-97, § 11.1)

10.1.1. *Procedures.* Prior to beginning development of the subdivision the sub-divider shall first obtain the following approvals:

- (a) *Preliminary plat or planned development approval required.* The sub-divider must first have a preliminary subdivision plat or general development plan approved by the county.
- (b) *Soil erosion and sedimentation control plan.* The sub-divider must have a soil erosion and sedimentation control plan in compliance with the Bulloch County Soil Erosion and Sedimentation Control Ordinance. The plan shall be reviewed and coordinated by the building and zoning official.
- (c) *Preconstruction conference.* Prior to grading, the sub-divider shall contact the building and zoning official to arrange a preconstruction conference. The preconstruction meeting shall include the results and discussion of departmental reviews of the soil erosion and sedimentation control plan, and the construction improvement plan (including street cross sections and profiles, construction specifications, procedures for inspections and testing, stormwater drainage and detention facilities, water/sewer facilities, and any other matters concerning the development). The sub-divider shall provide a list of names, telephone numbers, addresses, and business license numbers of all contractors and subcontractors employed on a job.
- (d) *Notice to Proceed with Construction Activities required.* A notice to proceed shall be issued by the building and zoning official only after the approval of the preliminary plat, general development plan for a planned development, soil erosion and sedimentation control plan, and if required a stormwater maintenance and drainage plan, traffic study, and the conclusion of a preconstruction conference. Site grading shall be limited only to those areas clearly defined on the approved plans. Any site grading which is done without an approved soil erosion control plan and notice to proceed is a violation of these regulations and shall result in enforcement penalties.

Section 10.2 Inspections.

10.2.1. *Inspections.* Inspections shall follow the procedures and requirements defined in the phases contained in Schedule 10.1.

10.2.2. *Work stoppage.* A stop-work order may be issued at any time if it is determined to be necessary due to failure of the sub-divider to comply with any of the requirements of this appendix, the zoning ordinance, or the soil erosion and sedimentation control ordinance. A stop-



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work notice shall be posted on the site and the sub-divider shall be notified in writing concerning the reasons for the stop-work order. Any work which proceeds in violation of a stop-work order shall subject the sub-divider to penalties as prescribed in applicable regulations.

10.2.3. *Work delays.* If construction during any phase of development is delayed due to inclement weather or for other reasons, the sub-divider shall notify the county prior to resuming construction activity.

Schedule 10.2.1: Construction inspections procedures and requirements	
<i>Construction Phase</i>	<i>Procedure</i>
Clearing/grubbing	After issuance of land disturbance permit and providing the required notice to the county, clearing of the rights-of-way may begin.
Street grading	Following inspection and approval of the street clearing and grubbing, and street grade stakes have been set by the project's engineer, the contractor may proceed with the grading of the streets. Compaction tests shall be made as required by the development inspector to determine that the required maximum dry density is achieved. At least one (1) test shall be made over each storm drain pipe after it has been covered with eighteen (18) inches of back fill material. Re-grading of ditches on existing county roads should be complete.
Sub-grade compaction	Following the completion and approval of the street sub-grade grading and installation of any curb and gutter or approved shoulder stabilization, the contractor may proceed with the preparation of the sub-grade. Proof-roll compaction tests shall be made on all areas of the finished sub-grade material with the County Engineer or designee in attendance. Laboratory testing for moisture content and density shall be performed by a Georgia DOT approved testing consultant at the minimum rate of one test per 1,500 linear feet per two lanes. Additional testing may be required by County Engineer or designee due to failing test results or site conditions.
Utility improvements	Following inspection and approval of the street grading and storm drainage by the development inspector, the contractor may proceed with utility improvements. The development inspector shall observe installation and review pipe material, manufacturer, class, and size for conformance with plans; observe pipe-laying operation to ensure that all joints are properly made, pipes are true to line and grade, compaction and back fill are done according to specifications; document the depth and type of bedding, trench conditions, compaction, the location of all service stub outs and connections, back filling and location of all utilities; and perform and document all final acceptance testing according to plans.
Curb and gutter (where applicable)	Following the installation of all proposed sanitary sewer and/or water lines and acceptance of the street grading the contractor may proceed with the construction of the curb and gutter.



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Schedule 10.2.1: Construction inspections procedures and requirements	
<i>Construction Phase</i>	<i>Procedure</i>
Base preparation	Following the inspection and approval of the street sub-grade, the contractor may proceed with the construction of the street pavement base. Proof-roll compaction tests of all areas of the finished base shall be performed with the County Engineer or designee in attendance. Laboratory acceptance testing of in-place density and thickness shall be made by a Georgia DOT-approved testing consultant at a minimum rate of one test per 1,500 linear feet per two lanes. Additional testing may be required by County Engineer or designee due to failing test results or site conditions.
Paving	After the road base has been inspected and approved, the contractor may proceed with the construction of the asphaltic concrete binder and/or surface courses. The proposed asphalt job mix formula shall be submitted to the County Engineer for approval at least two weeks prior to paving. The development inspector shall inspect and document the placement of asphalt pavement for compliance with material and weight specification and obtain from the contractor all records of asphalt mix and materials quantities. Laboratory testing of pavement thickness shall be done at a minimum rate of one test per 1,000 linear feet per two lanes. Additional testing may be required by County Engineer or designee due to failing test results or site conditions.
Soil erosion and sedimentation control	During all of the stages of inspection, soil erosion and sedimentation control measures shall be inspected at any time determined necessary to ensure compliance with the approved plan. The sub-divider is responsible for continued maintenance of all soil erosion and sedimentation control measures as required by the county ordinance.

Section 10.3. Developers' responsibilities.

10.3.1. *Inspection notification.* The sub-divider shall notify the county at least twenty-four (24) hours before any stage of construction begins, and before construction is commenced after it is stopped or delayed due to inclement weather or other reasons.

10.3.2. *Recordkeeping.* The sub-divider shall be responsible for maintaining documentation of all construction activity, materials, quantities, and test results used to construct the infrastructure for the subdivision. Asphalt tickets and other material records shall be made available to the development inspector when requested. It is recommended that the sub-divider retain a professional engineer to supervise, document, and inspect all construction of the subdivision.

Section 10.4. Sale and transfer.

No lot or parcel of land shall be sold or transferred or a building permit issued until the final plat, of which said lot or parcel is a part, shall have been approved and recorded as provided for



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in these regulations.
(Ord. of 11-3-92, § 11.5)

Section 10.5 Building construction standards.

A building or structure shall be considered substandard if or when it does not meet the requirements of the Uniform Building Code of Georgia, or any other code or ordinance adopted by the county or its governing authority.
(Ord. of 11-3-92, § 11.6)

Section 10.6 Building permits.

The building official shall not issue any permit for the construction of any building or structure to be located in any subdivision or planned development until the required plat has been approved and recorded as provided for in these regulations.
(Ord. of 11-4-97, § 11.7)

Section 10.7 Occupancy.

Within each phase of development, no building may be occupied for dwelling or other purposes nor shall an occupancy permit be issued for any building until all roads and required utility installations, including water supply and sanitary sewer systems, have been completed to the satisfaction of the building official.
(Ord. of 11-3-92, § 11.8.)



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ARTICLE XI – RECORDING OF FINAL PLATS

Section 11.1. Filing for recording.

. No developer or his agent shall file for recording any final plat of a subdivision without the approval required by these regulations, nor shall any sketch plan or preliminary plat be filed for recording as a “record” plat.

(Ord. of 11-4-97, § 12.1)

Section 11.2. Recording official.

The county clerk of court shall not accept, file, or record any sketch plan or any preliminary plat as a “record” plat, or any final record plat involving any area subject to these regulations which has not been approved according to these regulations. (Ord. of 11-4-97, § 12.2)

Section 11.3. Transfer of lots in unapproved subdivisions.

It shall be unlawful for the owner or agent of the owner of any land to be subdivided within the county to transfer or sell or agree to sell or negotiate to sell such land by reference to or exhibition of or by other use of a plat or subdivision of such land before such final plat has been duly approved and recorded in the office of the clerk of the court in and for the county. The description of metes and bounds in the instrument of transfer or other document used in the process of selling or transfer shall not exempt the transaction from the requirements of this subsection. The county may enjoin such transfer or sale or agreement by appropriate action.

(Ord. of 11-4-97, § 12.3)

Section 11.4. Erection of buildings.

Any building erected in violation of these regulations shall be deemed an unlawful structure, and the building official or other official designated by the board of commissioners may bring appropriate action to enjoin such erection or cause it to be vacated or removed.

(Ord. of 11-4-97, § 12.4)

Section 11.5. Street names.

It shall be unlawful for any person in laying out any new street or road to name such street or road on any plat, by any marking or in any deed or instrument, without first obtaining the approval of the governing authority.

(Ord. of 11-4-97, § 12.5)



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ARTICLE XII – VIOLATIONS, PENALTIES AND REMEDIES

Section 12.1. Penalties. Any person who violates any provision of this appendix or any amendment to this appendix, or who fails to perform any act required hereunder or commits any prohibited act, upon conviction thereof shall be subject to punishment as provided in section 1-11 of the Bulloch County Code of Ordinances. Each and every day for which any violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such hereunder.

Section 12.2. Equitable Remedies. *In addition to any other remedies it may have, the county may pursue an injunction or other appropriate equitable relief in a court of competent jurisdiction to stop or prevent any violation of any provision of this appendix.*

ARTICLE XIII – LEGAL STATUS PROVISIONS

Section 13.1. Interpretation.

The regulations expressed in this document shall be considered as the minimum provisions for the protection of the health, safety, economy, good order, appearance, convenience and welfare of the general public.
(Ord. of 11-3-92, § 13.1)

Section 13.2. Conflict with other laws, ordinances, or regulations.

Whenever the requirements made under authority of these regulations impose higher standards than are required in any other statute or local ordinance or regulation, provisions of these regulations shall govern.
(Ord. of 11-3-92, § 13.2)

Section 13.3. Separability.

Should any section or provision of this ordinance be declared by the courts to be unconstitutional or invalid, such a declaration shall not affect the ordinance as a whole, or any other part thereof other than the part so declared to be unconstitutional or invalid.
(Ord. of 11-3-92, § 13.3)

Section 13.4. Repeal of conflicting ordinances.



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All ordinances or parts of ordinances in conflict with any of the provisions of this ordinance are hereby repealed.
(Ord. of 11-3-92, § 13.4)

Section 13.5. Amendments.

The planning and zoning commission shall consider and make a recommendation to the board of commissioners on any amendment to these regulations. The planning and zoning commission, at its option, may hold a public hearing on any amendment to these regulations. Recommendations of the planning and zoning commission shall be forwarded to the board of commissioners. The board of commissioners shall hold a public hearing on any proposed amendment to these regulations prior to its adoption, notice of which shall be given not less than 15 days nor more than 45 days prior to the hearing date. The notice of the hearing shall be made in a newspaper of general circulation in the county.
(Ord. of 11-4-97, § 13.5)

Section 13.6. Savings provision.

These regulations shall not be construed as abating any action now pending under, or by virtue of, prior existing subdivision regulations, or as discontinuing, abating, modifying or altering any penalty accruing or about to accrue, or as affecting the liability of any person, firm or corporation, or as waiving any right of the county under any section or provision existing at the time of adoption of these regulations, or as vacating or annulling any rights obtained by any person, firm or corporation, by lawful action of the county or its governing authority except as shall be expressly provided for in these regulations.
(Ord. of 11-3-92, § 13.6)

Section 13.7. Effective date.

This appendix is adopted to replace and supersede the Bulloch County Subdivision Regulations previously adopted on November 3, 1992 ("the original ordinance") and any amendments thereto prior to the effective date of this appendix, except as provided herein. The effective date of this ordinance is April 4, 2023. Any subdivisions or other developments for which a sketch plan or conceptual site plan were approved prior to that date, and for which approval has not lapsed due to inactivity, shall be subject to the requirements of the subdivision regulations in effect immediately prior to that date, which subdivision regulations are included herein as Appendix B-1.
(Ord. of 11-4-97, § 13.7)



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Attachment: 9. Appendix B Subdivision Regulations for BOC (Appendix B Subdivision Regulations)



Bulloch County Departmental Review

ARTICLE XIV – PLANNING AND ZONING COMMISSION

Section 14.1. Organization.

The planning and zoning commission shall consist of seven members, appointed by the governing authority to serve for overlapping three-year terms or until their successor has been appointed. Any vacancy in the membership shall be filled for the unexpired term in the same manner as the initial appointment. Members shall be removable for cause by the governing authority upon written notice and an opportunity to be heard. The governing authority shall determine the amount of compensation, if any, to be paid to the members of the planning and zoning commission.

(Ord. of 11-4-97, § 14.1)

Section 14.2. Procedure.

The planning and zoning commission shall elect from its membership a chairman, vice-chairman, and a secretary, each of whom shall serve for one year or until he is re-elected or his successor is elected. The vice-chairman shall preside over meetings in the chairman's absence. The chairman (or, in the chairman's absence, the vice-chairman) may not introduce or second motions and shall not vote except in the case of a tie vote among the other members, the chairman then voting to break the tie. The planning and zoning commission shall adopt rules in accordance with the provisions of these regulations.

(Ord. of 11-4-97, § 14.2)

Section 14.3. Meetings.

Meetings of the planning and zoning commission shall be held monthly, at the call of the chairman, and at such other times as the planning and zoning commission determines. The planning and zoning commission shall keep minutes of its proceedings, show the vote of each member upon each question, or if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the office of the clerk of the board of county commissioners and shall be a matter of public record.

(Ord. of 11-4-97, § 14.3)

Section 14.4. Filing.

The planning and zoning commission shall require an applicant to furnish such additional information as it deems necessary when filing an application and may require specific forms to be used.

(Ord. of 11-4-97, § 14.4)



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Section 14.5. Interpretations.

The planning and zoning commission shall interpret requests in such a way as to carry out the intent and purpose of these regulations.
(Ord. of 11-4-97, § 14.5)

Section 14.6. Specific limitations of powers of the planning and zoning commission.

The planning and zoning commission does not have the power to amend these subdivision regulations, or to declare these regulations or any amendment hereto invalid, or to allow any use not permitted by these regulations.

The planning and zoning commission shall grant variances only as extraordinary circumstances shall require within the spirit and purpose of these regulations.

The fact that a financial hardship will be suffered if a variance is not granted is of itself insufficient grounds for granting a variance.
(Ord. of 11-4-97, § 14.6)

Section 14.7. Approvals.

The governing authority may uphold, reverse, add, delete, or modify with conditions any recommendation by the planning and zoning commission.
(Ord. of 11-4-97, § 14.7)

Adopted at a meeting of the Bulloch County Board of Commissioners held in compliance with Georgia's Open Meetings Act on the 4th day of April, 2023, at which meeting a quorum was present.

BOARD OF COMMISSIONERS OF
BULLOCH COUNTY, GEORGIA

By: _____
Roy Thompson, Chairman

Attest: _____
Venus Mincey-White, Clerk

(SEAL)

Attachment: 9. Appendix B Subdivision Regulations for BOC (Appendix B Subdivision Regulations)



Bulloch County Departmental Review

Agenda Item:	10	Meeting Date:	April 4, 2023 (BOC)
Application #:	<u>RZNE-2023-00095</u>	Application Type:	County Initiated Text Amendment
Request:	The Bulloch County Planning and Development Department proposes to amend the Official Zoning Ordinance of Bulloch County to modify, add, and delete various sections and text of the ordinance.		
Planning and Zoning Commission Recommendation:	The Planning and Zoning Commission recommends approval by a 6-0 vote.		

Attachment: 10. Appendix C Zoning Regulations (Appendix C Zoning)

**STATE OF GEORGIA
COUNTY OF BULLOCH**

**AMENDMENT TO THE CODE OF ORDINANCES OF
BULLOCH COUNTY, GEORGIA**

BE IT ORDAINED by the Bulloch County Board of Commissioners that Articles 1 through 25, inclusive, of Appendix C-Zoning of the Code of Ordinances of Bulloch County, Georgia is hereby amended to read as follows:

APPENDIX C – Zoning

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ARTICLE 1 – GENERAL

Section 101: Short Title.

This document is entitled "The Zoning Ordinance of Bulloch County, Georgia." It may also be known by and cited by the short title of "Bulloch County Zoning Ordinance."

Section 102: Authority.

The power of a local government to enact an ordinance such as this, which is intended to protect the public health, safety, and welfare, is provided by the provisions of the Constitution and Laws of the State of Georgia.

Section 103: Jurisdiction.

This ordinance applies to all land within the unincorporated areas of Bulloch County, Georgia.

Section 104: Purposes.

(a) The Zoning Ordinance of the county seeks to encourage the development of desirable land use patterns within the county in accordance with the County Comprehensive Plan. The promotion of sound land use patterns is intended to reduce or eliminate the occurrence of certain conditions that can threaten the general health, safety, and welfare of the residents of the county. This Ordinance should serve the following purposes:

- (1) Reduce the occurrence of hazardous traffic patterns and general congestion.
- (2) Secure safety from fire, panic, and other dangers.
- (3) Assure that adequate light and air is provided.
- (4) Prevent the overcrowding of land, urban sprawl, and undue concentration of population.
- (5) Facilitate the adequate provision of public utilities, the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements and facilities.
- (6) Promote adequate living conditions and sustained suitability of neighborhoods.
- (7) Protect property against blight and depreciation.
- (8) Promote the proper location, height, bulk, number of stories and size of buildings and other structures, the size of yards, courts, and the use of other open spaces, the use of buildings, structures, and land for trade, industry, residence, recreation, agriculture, forestry, conservation, sanitation, protection against floods, public activities, and other purposes.
- (9) Encourage the most appropriate use of land, buildings, and structures and for other purposes.

(b) Additional benefits to the public interest that can accrue from the development of sound land use patterns are as follows:

- (1) Efficient development and use of community utility networks.
- (2) Economy in governmental expenditures.
- (3) A higher level of convenience, order, prosperity, and aesthetics.

Section 105: Content.

This ordinance provides for the following:

- (a) Defines certain terms used in this Ordinance.

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- (b) Establishes certain land use districts and specifies the boundaries of those districts.
- (c) Provides procedures for administering and amending the Ordinance.
- (d) Regulates the erection, alteration, and use of buildings and structures.
- (e) Provides penalties for violation of this ordinance.

(f) Defines the powers and duties, as they relate to this Ordinance, of the Board of Commissioners, as well as such administrative officers, bodies, and agencies as the Board of Commissioners may establish for the efficient exercise of the zoning powers of the County under provisions specified in the Zoning Procedures Act O.C.G.A Chapter 36-66.

- (g) Repeals conflicting ordinances.

Section 106: [Reserved].

ARTICLE 2 – DEFINITIONS OF TERMS USED

Section 201: Interpretation of certain common terms.

Common terms. When used in this Ordinance, the following words and phrases have the meaning as defined in this article. Terms not defined here have the same meaning as is found in American Heritage College Dictionary, Copyright 1993, 3rd Edition, here consistent with the context. The terms "must," "will," and "shall" are mandatory in nature, indicating that an action has to be done. The term "may" is permissive and allows discretion regarding an action. When consistent with the context, words used in the singular number include the plural, and those used in the plural number include the singular. Words used in the present tense include the future. The word "developer" includes a "firm," "corporation," "co-partnership," "association," "institution," or "person." The word "lot" includes the words "plot" and "parcel." The word "building" includes the word "structure." The words "used" or "occupied" as applied to any land or building include in its meaning the words "intended," "arranged," or "designed," "to be used" or "occupied."

Section 202: General definitions.

Accessory Uses: A structure or use that is incidental and subordinate to and serves the principal structure or use located on the same lot, parcel or tract.

Administrative Variance: A variance which may be granted by the building and zoning official.

Adult Entertainment: As defined in Chapter 4.5 of the Code of Ordinances of Bulloch County, Georgia.

Agriculture: The production, raising, breeding, or maintenance of plants and animals including, but not limited to: forage and sod crops; grain and seed crops; dairy animals and dairy products; poultry and poultry products; livestock, including beef, cattle, sheep, swine, horses, or goats, game animals, exotic fish, and any mutations or hybrids thereof, including the breeding and grazing of any or all such species; bees and apiary products; fur animals; trees and forest products; fruit of all kinds, including grapes, nuts, berries; vegetables, nursery; floral, ornamental and greenhouse products; or land devoted to a soil conservation or forestry management program on tracts of land at least five (5) acres in size, including all associated activities. Retail selling of products raised on the premises is permitted provided that space necessary for the parking of customers' vehicles is provided off the public right-of-way. This does not include the commercial slaughter of poultry, livestock, or other animals.

- (1) In relation to the treatment of agricultural facilities and operations as nuisances, Georgia law provides in O.C.G.A. § 41-1-7(a) that "it is the declared policy of the state to conserve, protect, and encourage the development and improvement of its agricultural and forest land and facilities for the production or distribution of food and other agricultural products. When nonagricultural land uses extend into agricultural or agriculture-supporting industrial or commercial areas areas or forest land or when there are changed conditions in or around the locality of an agricultural facility or agricultural support facility, such operations often become the subject of nuisance actions. As a result, such facilities are sometimes forced to cease operations. Many others are discouraged from making investments in agricultural support facilities or farm improvements or adopting new related technology or methods. It is the purpose of this Code section to reduce losses of the state's agricultural and forest land resources by limiting the circumstances under which agricultural facilities and operations or agricultural support facilities may be deemed to be a nuisance."
- (2) The Code further states in O.C.G.A. § 41-1-7(d) that "no agricultural facility, agricultural operation, any agricultural operation at an agricultural facility, agricultural support facility, or any operation at an agricultural support facility shall be or shall become a nuisance, either public or private, if the facility or operation has been in operation for two years or more. The provisions of this subsection shall not apply when a nuisance results from the negligent, improper, or illegal

operation of any such facility or operation.”

- (3) The code further states in O.C.G.A. § 41-1-7(e) that “for purposes of this Code section, the established date of operation is the date on which an agricultural operation or agricultural support facility commenced operation. If the physical facilities of the agricultural operation or the agricultural support facility are subsequently expanded or new technology adopted, the established date of operation for each change is not a separately and independently established date of operation and the commencement of the expanded operation does not divest the agricultural operation or agricultural support facility of a previously established date of operation.”

Airport (public, private, commercial): A transportation terminal facility where aircraft take off and land. Standards include the following:

- (1) Applicant must comply with all federal and state laws and regulations and submits evidence of FAA approval or satisfactorily demonstrates that FAA approval is not required. In HI zoning district the definition includes: related facilities customarily found in airports, such as: car rental agencies, facilities for the servicing, repair and maintenance of aircraft, restaurants, newsstands, gift shops, when located within the passenger terminal building, warehouses, and storage buildings for air-freight and bulk storage for flammable liquids.

Airstrip (private): An area designated for the takeoff and landing of private, non-commercial aircraft, with no terminal facilities and no scheduled take-offs and landings. See Airport definition for applicable standards.

Antenna, Dish: An outside structure intended for receiving audio or video signals via a satellite orbiting the earth. It is constructed of a round or square surface that is parabolically curved focusing on a low-noise signal amplifier and the apparatus is mounted on a base. Such antennas must meet the following development standards as well as all other applicable regulations.

- (1) They must not exceed a size of eighteen (18) feet in diameter or exceed the height limitations for the district in which they are located.

Antenna (non-commercial): A vertical structure used for receiving and sending satellite, television or radio transmissions for personal use.

Appliance Repair and Maintenance: This use comprises establishments primarily engaged in repairing and servicing household appliances without retailing new appliances, such as refrigerators, stoves, washing machines, clothes dryers, and room air-conditioners.

Automotive Oil Change and Lubrication Shop: This use comprises establishments primarily engaged in changing motor oil and lubricating the chassis of automotive vehicles, such as passenger cars, trucks, and vans.

Automotive Parts Store: This use comprises of establishments known as automotive supply stores primarily engaged in retailing new, used, and/or rebuilt automotive parts and accessories [This use does not include the sales, dismantling, or storage of wrecked or junked vehicles]; and establishments selling new or used vehicles.

Automotive Repair: This use comprises establishments primarily engaged in providing: (1) a wide range of mechanical and electrical repair, including but not limited to body work and painting, maintenance and installation services for automotive vehicles, such as passenger cars, trucks, and vans, motorcycles, trailers, and accessories or (2) engine repair and replacement.

Automotive Sales and Rental Facilities: This use comprises establishments primarily engaged in retailing, renting or leasing of new and used motor vehicles in combination with activities, such as repair services, retailing used cars, and selling replacement parts and accessories. Motor vehicles include those that include but are not limited to all-terrain vehicles, passenger cars, trucks, truck tractors, buses, semi-trailers, utility trailers, boats or recreational vehicles.

Automotive Towing: This use comprises establishments primarily engaged in towing light or heavy motor vehicles, both local and long distance. These establishments may provide incidental services, such as storage and emergency road repair services. Any vehicle storage shall be fenced and screened.

Banking: This use comprises establishments primarily engaged in accepting demand and other deposits and making commercial, industrial, and consumer loans.

Bed and Breakfast Inn: This use comprises establishments primarily engaged in providing short-term lodging in facilities known as bed-and-breakfast inns. These establishments provide short-term lodging in private homes or small buildings converted for this purpose. Bed-and-breakfast inns are characterized by a highly personalized service and inclusion of a full breakfast in the room rate.

Board of Commissioners: The Board of Commissioners of the County.

Boarding House: An establishment, other than a hotel or motel, which furnishes lodging for compensation to more than four but fewer than twenty persons and which, for the period of occupancy, may serve as a principal residence. These establishments may also provide complementary services, such as housekeeping, meals, and laundry services; provided, however, that cooking must be done in a central kitchen and not in individual rooms or suites. These establishments include, but are not limited to, fraternity houses, sorority houses, rooming houses, and similar facilities.

Boat House: A house or shed for sheltering one or more boats which must be the property of the owner of the tract of land. (Shall conform to Accessory Building standards.)

Body Art Studio: Any permanent building or structure on a permanent foundation, holding a valid county occupational tax certificate and permit from the county board of health, wherein a tattoo/body piercing artist performs tattooing or body piercing.

Bonus Incentive: A bonus incentive provides an increase in allowed dwelling units per acre, and in floor area ratio (FAR) in exchange for providing certain amenities or meeting other public policy goals.

Buffer: A landscaped open area and/or screened area designed to separate incompatible uses.

Buildable Area: That portion of any lot which may be used or built upon in accordance with the regulations governing the given zoning district within which the particular lot is located, once the various front, side and rear yard setbacks required for the district have been subtracted from the total area.

Building: Any structure having a roof and intended for shelter, housing, or enclosure of persons, animals, or property of any kind.

Building, Accessory: A structure used for a purpose that is customarily incidental and subordinate to the principal use or structure, and located on the same lot as such a principal use or structure.

Building and Zoning Official: One or more persons, officers or officials or his authorized representative, whom the County Manager has appointed to administer and enforce individually or collectively, the building code, subdivision, and zoning ordinances.

Building Height: The vertical distance measured from the average elevation of the finished grade along the front of the building to that elevation equal to the elevation of the highest point of the building.

Building Line: A line extended along the foundation of a building from which is measured the distance

that a building must be set back to meet the minimum distance from the building line to the front, rear or side property line or in some cases, to the center line of an adjacent roadway.

Building Material Dealer: This use comprises establishments primarily engaged in retailing specialized lines of new building materials, such as lumber, fencing, glass, doors, plumbing fixtures and supplies, electrical supplies, prefabricated buildings and kits, and kitchen and bath cabinets and countertops to be installed.

Building, Principal: The building on a lot in which the principal use of the lot is conducted.

Building Site: The ground area of a building or buildings together with all open spaces surrounded by said building or buildings.

Bus Station / Taxi Service: This use comprises establishments primarily engaged in providing bus passenger transportation over regular routes and on regular schedules, as well as establishments primarily engaged in providing passenger transportation by automobile or van, not operated over regular routes and on regular schedules.

Camper: A motor home, tent, trailer, or other self-contained vehicle designed for recreational purposes. This type of vehicle shall not be considered as a permanent habitable space and shall not be connected to on-site sewer or water systems unless located in an authorized recreational vehicle park and campground or being used as an authorized temporary occupancy unit. See also the definition for *Recreational Vehicle*.

Cemetery: Land either already reserved for burial plots or which may, in the future, be so reserved; it may be maintained either by a family, a church or other place of worship, or a private corporation.

Center Line, Street: That line surveyed and monumented by the governing authority as the center line of a street, or if such a center line has not been surveyed, it is the line running midway between the outside curbs or ditches of the street.

Check Cashing and Small Loan Establishment: This use comprises establishments that provide financial services and other credit intermediation offering a range of simple transactions and consumer finance products, such as check cashing, money orders, electronic bill payment and small secured or unsecured loans. These companies also offer payday loans or advances, or may be combined with pawn shops.

Children's Playhouse: A structure including but not limited to a jungle gym, monkey bars or climbing frame, made of many pieces of thin material, such as metal pipe or rope, on which children can climb, hang, or sit. Also includes tree houses built and used for recreation.

Church: A building in which persons regularly assemble for religious worship, which is used for such purpose, along with any accessory activities, such as school, and as are customarily associated therewith. Churches shall include: synagogues, chapel, or other places of worship including educational buildings, parsonages, church-related nurseries or kindergartens, and other related uses.

City: Any incorporated municipality in the County.

Civic and Social Organization: This use comprises establishments primarily engaged in promoting the civic and social interests of their members [e.g., lodges and clubs]. AG-5 zoning district also allows places for an assembly of non-members groups provided such use is located on property that fronts a county, state or federal road or highway.

Commercial and Industrial Machinery and Equipment (except automotive and electronic) Repair and Maintenance: This use comprises establishments primarily engaged in the repair and maintenance of commercial and industrial machinery and equipment. Establishments in this industry either

sharpen/install commercial and industrial machinery blades and saws or provide welding (e.g., automotive, general) repair services; or repair agricultural and other heavy and industrial machinery and equipment (e.g., forklifts and other materials handling equipment, machine tools, commercial refrigeration equipment, construction equipment, and mining machinery).

Commercial and Industrial Machinery and Equipment Sales and Leasing: This use comprises establishments primarily engaged in sales, rental or leasing heavy vehicles or equipment without operators that may be used for construction, mining, agriculture or forestry, such as bulldozers, earthmoving equipment, well drilling machinery and equipment, cranes, or similar activities.

Commercial Vehicle Washing Facility: This use comprises establishments primarily engaged in the cleaning and detailing of passenger motor vehicles, but may also include trailers, recreational vehicles and buses. Facilities may be full serve or self-serve.

Community Center: This use comprises establishments primarily engaged in providing nonresidential social assistance services to improve the quality of life for the children, youth, elderly, persons diagnosed with mental retardation, or persons with disabilities. These establishments provide for the welfare of these individuals in such areas as nonmedical home care or homemaker services, social activities, group support, and companionship, adoption and foster care, drug prevention, life skills training, and positive social development. No community center building shall be located within 100 yards of any establishment that has been licensed for the sale or consumption of alcoholic beverages. Distance shall be measured by the most direct route of travel on the ground.

Community Office: This use includes establishments renting real estate to others and/or managing the property.

Conditional Use: A use, specifically designated in this Zoning Ordinance, that may cause harmful or undesirable effects on surrounding or nearby properties within a given zoning district, but would in the opinion of the Board of Commissioners promote the public health, safety, morals, welfare, order, comfort, convenience, appearance, prosperity, or general welfare if such uses were controlled as to number, area, location, or relation to the neighborhood or upon any other standard provided by this Zoning Ordinance.

Condominium: A lot developed in accordance with the provisions of the Georgia Condominium Act codified at Section 44-3-70 et seq. of the Official Code of Georgia Annotated.

Contractor: A person or firm that contracts to perform work, provide supplies, or contracts to erect buildings. A contractor is permitted to have open storage of materials and equipment when located in rear yard.

Conventional Construction: A dwelling unit constructed on the building site from basic materials delivered to the site. Each unit shall have a heated floor area of at least 975 square feet and be compatible with other conventional construction which may be permitted in the same general area, or existing development, or proposed development in the same zoning classification or area, or as set forth in the comprehensive plan of the county.

County: Bulloch County.

Curb Cut: The point at which vehicular access is provided to an adjoining street from a lot.

DCA: Georgia Department of Community Affairs.

Day Care Facility: A facility designed and intended to provide care for children under the age of fifteen (15) years, or adults, for not more than twelve (12) hours per day. The maximum number of children permitted at such center shall be the greater of six (6) or the maximum number permitted by the rules established by the Department of Human Resources for the State. Facility must comply with all applicable Georgia Department of Human Resources rules.

Deck/Patio: A flat surface capable of supporting weight, similar to a floor, but typically constructed outdoors, often elevated from the ground, and usually connected to a building.

Density: The number of units or buildings per acre, or the number of people per unit, building, acre or mile, the quantity of people, structures, or units within a specified area.

Display Advertising: This use comprises establishments primarily engaged in creating and designing public display advertising campaign materials, such as printed, painted, or electronic displays; and/or placing such displays on indoor or outdoor billboards and panels, or on or within transit vehicles or facilities, shopping malls, retail (in-store) displays, and other display structures or sites.

Domesticated Animal: An animal that is accustomed to living in or about the habitation of humans, including but not limited to cows, dogs, cats, fowl, horses, swine, goats, rabbits, caged wild animals, and exotic animals.

Domesticated Livestock: Means and includes horses, cows, goats, pigs, or any other hoofed animal used for pleasure or profit. Fowl and rabbits are expressly included within this definition.

Drive-Through Facility: A business establishment providing a driveway approach or parking spaces to serve patrons in a short time span passing through in motor vehicles. Such a facility may be a principal or accessory use and includes but is not limited to restaurants, pharmacy/drug stores, commercial vehicle washing facilities, gasoline pump islands, bank ATM's, ice vending and other similar uses.

Drycleaning and Laundry Service: This use comprises establishments primarily engaged in one or more of the following: (1) providing drycleaning services; (2) providing laundering services; (3) providing drop-off and pickup sites for laundries and/or drycleaners; and (4) providing specialty cleaning services for specific types of garments and other textile items (except carpets and upholstery), such as fur, leather, or suede garments; wedding gowns; hats; draperies; and pillows. These establishments may provide all, a combination of, or none of the cleaning services on the premises.

Dwelling: A building or portion thereof designed, arranged, or used principally for residential occupancy, not including motels, hotels, boarding houses, or rooming houses.

Dwelling, Accessory: A unit established within the principal building or in a separate structure, and on the same lot as the principal structure.

Dwelling, Apartment: Three (3) or more dwelling units, under a single ownership, designed for lease or rent and located on one (1) lot of land designed and intended for lease or rental.

Dwelling, Cluster: One of a series of attached or detached dwelling units developed under a single ownership.

Dwelling, Multiple-family: A building designed, constructed, altered or used for three (3) or more adjoining dwelling units. A multiple-family dwelling may be apartments or condominiums. Each unit shall have a heated floor area of at least 600 square feet per dwelling unit and be compatible with other conventional construction which may be permitted in the same general area, or existing development, or proposed development in the same zoning classification or area, or as set forth in the comprehensive plan of the county.

Dwelling, Single-family Detached (site built): A single site built residential detached building designed for or containing one (1) dwelling unit.

- (1) Each unit shall have a heated floor area of at least 975 square feet and be compatible with other conventional construction which may be permitted in the same general area, or existing development, or proposed development in the same zoning classification or area, or as set forth in the comprehensive plan of the county.

Dwelling, Two-family: A detached dwelling designed, constructed, altered, or used for two (2) adjoining dwelling units, with each dwelling unit having a party wall connecting it with the other dwelling unit, located on one lot; also known as a "duplex." Site-built and industrial homes shall have a heated floor area of at least 1,200 square feet. Each dwelling unit shall have a minimum of 600 square feet each.

Dwelling Unit: One (1) or more rooms within a dwelling forming a separate, independent housekeeping establishment for use of one (1) family involving owner or renter occupancy, with provisions for cooking, eating, and sleeping.

Easement: The right or privilege of using another's property, for purposes such as constructing and maintaining sanitary sewers, water mains, electric lines, telephone lines, storm sewers, gas lines, bicycle paths, pedestrian ways, ingress and egress.

Education or Training Facility: This use comprises establishments primarily engaged in offering an array of short duration courses and seminars. Training for career development may be provided directly to individuals or through employers' training programs; and courses may be customized or modified to meet the special needs of customers. Instruction may be provided in diverse settings, such as the establishment's or client's training facilities, educational institutions, the workplace, or the home, and through diverse means, such as correspondence, television, the Internet, or other electronic and distance-learning methods. The training provided by these establishments may include the use of simulators and simulation methods.

Electric Vehicle Charging Station (Private Restricted Use): A private parking space with no access to the general public that is served by battery charging station equipment for the purpose of transferring electric energy (by conductive or inductive means) to a battery or other energy storage device within an electric vehicle.

Electric Vehicle Charging Station (Public Use): A public parking space on a commercial or non-residential site that is served by battery charging station equipment for the purpose of transferring electric energy (by conductive or inductive means) to a battery or other energy storage device within an electric vehicle.

Facilities to Host Private and Public Functions: This use includes buildings for hosting private and public functions, including, but not limited to, weddings, receptions, dinners, festivals and socials.

Factory--built Housing: An obsolete term used to describe an industrialized building. See definition of industrialized building.

Family: Two or more persons occupying a single dwelling unit where all members are related by blood, marriage, adoption, or in foster care.

- (1) No single dwelling unit located in a single-family residential zoning district shall have more than four (4) unrelated individuals residing therein, nor shall any "family" have, additionally, more than four (4) unrelated individuals residing with said family.
- (2) When the dwelling is located in any zoning district other than a single-family residential district, one of the following is permitted:
 - a. Family related by blood, marriage, adoption or foster care may have two (2) additional unrelated individuals; or
 - b. Unrelated individuals not exceeding four (4).
- (3) In all cases, household employees employed on the premises may be housed on the premises without being counted as a separate family or unrelated individual. The term "family" does not include any organization or institutional group.

- (4) Any non-conforming use created by the adoption of this definition of "family" shall be permitted to continue for a period of one (1) year from November 4, 1994. After which period, the use of such dwellings(s) shall be in compliance herewith.

Farm: Any tract or parcel of land containing five (5) or more acres that is devoted to the raising of agricultural products, including, but not limited to, soil crops, livestock, dairying horticulture, poultry, fish, fowl, sod farming, farm forestry, and commercial timber and other similar bona fide agricultural enterprises (see "Agriculture") or use of land or structure regardless of the quantity or value of production.

Farm Supply Store: This use includes farm supply stores and agricultural related businesses, such as agricultural implements sales and service, auction facilities, feed and grain stores and other businesses not involving sales or services to the general public, that fronts on a county, state, or federal road or highway and provided such buildings or uses are not located within 100 feet of an abutting property zoned R or MHP, or utilized for single family residential or manufactured home use.

Farm Winery: As defined in Title 3, Chapter 6, Article 2 of the Official Code of Georgia Annotated, provided that a farm winery must maintain a farm winery alcohol license in accordance with Chapter 3 of the Code of Ordinances and must comply with the supplemental standards in Article 14 of this appendix.

Fence: A fence must meet the following standards:

- (1) The fence must not be over four feet in height if located in the front yard of the street that the front of the dwelling faces.
- (2) The fence must be chain link, decorative wood, decorative vinyl, or ornamental wrought iron.
- (3) Any other fencing materials must be approved by the building and zoning official.

Flag Lot: A lot with road frontage no greater in width than one-half the required lot width for the applicable zoning district and with access to the bulk of the lot provided by means of a narrow corridor. For purposes of this definition, the access to the lot shall be considered a "narrow corridor" if the lines of the corridor diverge ten degrees or less. Flag lots shall be subject to the following restrictions and conditions:

- (1) Flag lots are only allowed in the AG-5 zoning district.
- (2) No flag lot may be subdivided from a single lot or parcel of property with less than 500 feet of road frontage.
- (3) With the exception of adjacent flag lots, no more than one flag lot shall be permitted to front on the same side of the road every 500 feet when subdividing a single lot or parcel of property. Provided however, that this distance requirement shall not be applicable to flag lots that are created from separate lots or parcels of property. For purposes of this provision, the distance shall be measured along the road between the nearest property lines.
- (4) No more than two flag lots created from the same lot or parcel of property shall be permitted to be adjacent to one another.
- (5) The limitations regarding road frontage, distance, and adjacent flag lots in subsections (2), (3), and (4) shall not be applicable to flag lots created pursuant to the provisions of subsection 503(a)(15) of this chapter (the AG-5 Family Provision), provided that no more than five flag lots are created from a single lot or parcel pursuant to said provision.

Flea Market: This use comprises establishments primarily engaged in retailing merchandise via direct sale to the customer by truck or wagon sales, and portable stalls.

Floodplain: That area delineated on the flood insurance rate map, published by the Federal Emergency Management Agency (FEMA) and as amended from time to time, which shows the boundary of the 100-year floodplain.

Floor Area: The area of a dwelling exclusive of attic, basement, garage, carport, patios, and open porches measured from the exterior face of the exterior walls of a dwelling. Also, the gross leasable floor area for any business or industry based on interior dimensions.

Food Processing Facility: Industrial operations in which raw food is made suitable for consumption, cooking or storage. Such facilities include commercial slaughterhouses for poultry, livestock, or other animals, and egg farms.

Freight Trucking (Terminals, Storage and Parking): This use comprises establishments primarily engaged in providing local and long-distance general freight trucking that includes freight terminals and truck parking facilities primarily designed for either the unloading, loading, or temporary storage of trucks, semi-trailers, and shipping containers, or to provide rest for drivers who must observe federal hours-of-duty regulations. This does not include truck stops, fueling centers or manufacturing and distribution activities.

Fruit and Vegetable Market: This use comprises establishments primarily engaged in retailing fresh fruits and vegetables.

Funeral Homes and Funeral Service: This use comprises establishments primarily engaged in preparing the dead for burial or interment and conducting funerals (i.e., providing facilities for wakes, arranging transportation for the dead, selling caskets and related merchandise). Funeral homes combined with crematories are included in this industry.

Garage or Carport, Private: A covered space for the storage of one (1) or more motor vehicles belonging to the occupants of the principal use on the lot. No business, occupation or service may be conducted for profit within the private garage except a home occupation or a garage sale, provided the garage sale is not conducted on a regular basis as part of the occupation or business of the owner or occupant of the garage. In R3 district, garage shall not exceed the storage capacity of three automobiles per dwelling unit.

Garden (Non-Commercial): Includes greenhouse and other customary garden structures.

- (1) R80, R40, R25, R15, R8 and R2 districts: structures cannot be over twelve feet high.
- (2) R3 district: structures cannot be over eight feet high.

Gasoline Station with Convenience Store: This use comprises establishments engaged in retailing automotive fuels (e.g., diesel fuel and gasoline) in combination with convenience store or food mart items. These establishments may also sell alcohol for off-premise consumption.

General Business: Commercial uses providing a wide range of retail goods and services to meet the needs of a large segment of the community. Any retail business that falls within this general definition but is otherwise more specifically defined in this ordinance shall be subject to the requirements and restrictions imposed on the more specific definition.

Golf Course, Tennis Court and Country Club: This use comprises (1) establishments primarily engaged in operating golf courses (except miniature), (2) tennis courts and (3) establishments primarily engaged in operating golf courses, along with dining facilities and other recreational facilities that are known as country clubs. These establishments often provide food and beverage services, equipment rental services, and golf instruction services. Minimum standards for the golf course include:

- (1) It must be for daytime use only. A driving range may be lighted for night time use, unless it would constitute a nuisance to adjacent properties or a hazard to nearby public rights-of-way.
- (2) All buildings, greens, and fairways must be set back at least fifty (50) feet from any property line.

Government: Local, State, Federal: Includes buildings, facilities or property owned, operated or used by Bulloch County, the State of Georgia or the United States of America.

Grocery Store: A retail store that sells food, beverages, and other household implements and supplies.

Guard Living Quarters: Living quarters for security guard or caretaker associated with a manufacturing facility.

Heavy Manufacturing: Uses engaged in the basic processing and manufacturing of materials or products predominately from extracted or raw materials, or a use engaged in storage of or manufacturing processes using flammable or explosive materials, or storage or manufacturing processes that potentially involve hazardous or commonly recognized offensive conditions that include, but are not limited to, smoke, steam, noise, soot, dirt, vibration, odor, or any other by-product of the manufacturing process that is known to be detrimental to the human or natural environment. These activities may involve outdoor operations as part of their manufacturing process. Heavy manufacturing uses include, but are not limited to, storage of petroleum products; concrete or cement fabrication where raw materials and finished products are stored outside; pulpwood processing; asphalt manufacturing; recycling center; outdoor storage of solid waste; rock, sand, or gravel distribution or storage and other uses similar in nature. Any heavy manufacturing activity that falls within this general definition but is otherwise more specifically defined in this ordinance shall be subject to the requirements and restrictions imposed on the more specific definition.

Home and Garden Equipment Sale, Repair and Maintenance: This use comprises establishments primarily engaged in selling, repairing and servicing home and garden equipment [e.g. retailing new home and garden equipment, such as lawnmowers, handheld power tools, edgers, snow- and leaf-blowers, and trimmers].

Home Occupation (Residential): An occupation for gain or support conducted by members of a family residing on the premises, and other employees, entirely within the principal or accessory building(s).

Home Occupation (Cottage Industry): A small business enterprise or activity where the family unit who owns or operates the business resides, and, which is typically greater in scale or intensity than that of a home occupation, but, less than what would be required to be located in a Commercial or Industrial zoning district.

Hospice Care Facility: This use comprises establishments primarily engaged in providing inpatient nursing and rehabilitative services for terminally ill patients. The care is generally provided for an extended period of time to individuals requiring nursing care. These establishments have a permanent core staff of registered or licensed practical nurses who, along with other staff, provide nursing and continuous personal care services.

Hospital: This use comprises establishments known and licensed as general medical and surgical hospitals primarily engaged in providing diagnostic and medical treatment (both surgical and nonsurgical) to inpatients with any of a wide variety of medical conditions. These establishments maintain inpatient beds and provide patients with food services that meet their nutritional requirements. These hospitals have an organized staff of physicians and other medical staff to provide patient care services. These establishments usually provide other services, such as outpatient services, anatomical pathology services, diagnostic X-ray services, clinical laboratory services, operating room services for a variety of

procedures, and pharmacy services.

Hotel and Motel: This use comprises establishments primarily engaged in providing short-term lodging in facilities known as hotels, motor hotels, resort hotels, and motels. The establishments in this industry may offer food and beverage services, recreational services, conference rooms and convention services, laundry services, parking, and other services.

Hotel, Extended Stay: This use comprises establishments primarily engaged in providing longer-term lodging facilities containing 20 per cent or more of its rooms intended or designed to be used, rented or hired out to be occupied for overnight guests for up to 30 days during a 180-day period. Such facilities may typically provide the same services and amenities as a short-term hotel, but also offer in-room kitchen appliances for food preparation (stoves/ovens and hot plate, but not microwaves and coffee makers), self-serve laundries and other like amenities.

HUD: U.S. Department of Housing and Urban Development.

Industrialized Building: A home manufactured in accordance with the Georgia Industrialized Building Act and the Rules of the Commissioner of the Georgia Department of Community Affairs issued pursuant thereto. State approved buildings meet the State Building and Construction Codes and bear an insignia of Approval issued by the Commissioner.

Inert Landfill: Site must be Geotechnically suitable as defined by the State of Georgia Comprehensive Solid Waste Management Act 1990. An inert landfill shall comply with the applicable requirements of the Georgia Solid Waste Management Act of 1990, as amended. All inert landfills must obtain all State, Federal or Local permits that are applicable.

Intermediate Care Home: A facility that admits residents on medical referral. It maintains the services and facilities for institutional care and has a satisfactory agreement with a physician and dentist who will provide continuing supervision including emergencies. It otherwise complies with the rules and regulations contained in Chapter 290-5-9: Intermediate Care Homes (Rules of the Georgia Department of Human Resources).

ISO Intermodal Steel Container: Structure for the storage and maintenance of equipment and supplies used in maintaining the principal building and its grounds. Must meet the following standards:

- (1) The floor of the container is elevated at least one (1) foot off the ground.
- (2) The container must be adequately screened from view from any public road.
- (3) The container must be maintained in good condition, free of rust and holes (AG5, HC and GC districts only).
- (4) One container cannot be connected to another container; provided, however, that containers which are connected only by a roof or awning shall not violate this provision.
- (5) Two per five acres (maximum of 5 per lot) in AG district.

Junk Yard, Salvage Yard, and Auto Wrecking Yard: A place where waste, discarded or salvaged metals, structure materials, paper, textiles, used plumbing fixtures, used vehicles or equipment in inoperative condition, or similar items are bought, sold, exchanged or stored, baled or cleaned. Also includes the parking, storage or disassembly of three (3) or more junked vehicles, or wrecked or non-operable automobiles, trucks, or other vehicles that do not bear a current license plate.

Kennel (Commercial): The housing for four (4) or more dogs, cats, or other domestic animals for the purpose of providing an income or revenue for such activities as boarding, breeding, training or veterinary care.

Kennel (Private): The housing for four (4) or more dogs, cats, or other domestic animals for the purpose of private enjoyment for such activities as boarding, breeding, or training.

Laundromat: This use comprises establishments primarily engaged in (1) operating facilities with coin-operated or similar self-service laundry and drycleaning equipment for customer use on the premises and/or (2) supplying and servicing coin-operated or similar self-service laundry and drycleaning equipment for customer use in places of business operated by others, such as apartments and dormitories.

Light Manufacturing: Enterprises engaged in the processing, manufacturing, compounding, assembly, packaging, treatment, or fabrication of materials and products, from processed or previously manufactured materials, or materials fully encapsulated in a sealed container, including but not limited to, jars, cans, drums, or other container of a similar nature, to be stored inside. Light industry is capable of operation in such a manner as to control the external effects of the manufacturing process, such as smoke, steam, noise, soot, dirt, vibration, odor, or any other by-product of the manufacturing process that is known to be detrimental to the human or natural environment. Light manufacturing uses include, but are not limited to, machine shops, manufacturing of apparel, electrical appliances, electronic equipment and computer components, camera and photographic equipment, ceramic products, cosmetics and toiletries, business machines, food, paper products (excluding the manufacture of paper from pulpwood), medical appliances, tools or hardware, plastic products (excluding the processing of raw materials), pharmaceuticals or optical goods, and any other product of a similar nature. Any light manufacturing activity that falls within this general definition but is otherwise more specifically defined in this ordinance shall be subject to the requirements and restrictions imposed on the more specific definition.

Liquor Store: This use comprises commercial retail establishments that have the required state and local licenses for package sales of distilled spirits.

Loading Space: Space logically and conveniently located for pickup and delivery service, scaled to the vehicles expected to be used, and accessible to such vehicles at all times.

Lot: Parcel of land shown on a recorded plat or on the official county zoning maps or any piece of land described by a legally recorded deed.

Lot Width: The distance between side lot lines measured at the front building line. If the lot is a corner lot, the lot width shall be the distance between the lot lines measured along the front building line.

Machine Shop: This use comprises establishments known as machine shops primarily engaged in machining metal and plastic parts and parts of other composite materials on a job or order basis. Generally machine shop jobs are low volume using machine tools, such as lathes (including computer numerically controlled); automatic screw machines; and machines for boring, grinding, and milling.

Maintenance Building/Shed: This use includes a structure for storage of equipment and supplies used in maintaining the principal building and its ground.

Manufactured Home: A structure, transportable in one or more sections, which, in the traveling mode, is eight body feet or more in width or 40 body feet or more in length or, when erected on site, is 320 or more square feet and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities and includes the plumbing, heating, air-conditioning and electrical systems contained therein; except that such term shall include any structure which meets all the requirements of this paragraph except the size requirements and with respect to which the manufacturer voluntarily files a certification required by the Secretary of Housing and Urban Development and complies with the standards established under the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 U.S.C. 5401, et seq.

- (1) Manufactured homes are not permitted to be used as storage buildings.

- (2) Manufactured homes located on manufactured home sales lots shall have 60 days to meet the requirements of Section 9.5(e) of the Manufactured Home Ordinance.
- (3) In R80, R40, R25, R15, R2, and R3 districts, a manufactured home must have a heated floor space of at least 975 square feet and be compatible with conventional construction which may be permitted in the same general area, or existing development, or proposed development in the same zoning classification or area, or as set forth in the comprehensive plan of the county.
- (4) One parcel or contiguous parcels of land under single ownership which has been planned and improved for the placement of five or more manufactured homes for residential occupancy shall be considered a Manufactured Home Park and placed in a Manufactured Home Park zoning district.

Manufactured Home or Industrialized Home Dealer: This use comprises establishments primarily engaged in retailing new and/or used manufactured homes, industrialized homes, parts, and equipment.

Manufactured Home, Pre-HUD. Any manufactured home that was not constructed to the HUD code, which was adopted June 1976. All manufactured homes must be installed in accordance with O.C.G.A. § 8-2-160 et seq. No permit shall be issued for a pre-HUD manufactured home.

Manufactured Home Space: An area of land within a planned manufactured home community designed to accommodate one (1) manufactured home.

Manufactured Housing: A general term used to describe a type of housing that is produced, either completely or partially in a factory, including manufactured homes, modular homes, and industrialized buildings.

Manufacturing (commercial districts): Includes manufacturing in connection with the principal retail business or service on the lot in commercial zoning districts. The intent is to assure that activities which are primarily manufacturing in nature are directed away from commercial zoning districts and into manufacturing zoning districts. Standards include the following:

- (1) Occupies less than forty (40) percent of the floor area.
- (2) Employs no more than five (5) persons. (Establishments with five or fewer manufacturing employees in connection with a commercial activity are considered to be primarily commercial and compatible with a commercial district. Manufacturing activities with more than five employees would be considered large enough to belong in a manufacturing district with other such uses rather than in a commercial district.)

Marina (commercial): This use comprises establishments engaged in operating docking and/or storage facilities for pleasure craft owners, with or without one or more related activities, such as retailing fuel and marine supplies; and repairing, maintaining, or renting pleasure boats. A marina must be located on a minimum of 45,000 square feet.

Mini-warehouse and Self-Storage Units: This use comprises establishments primarily engaged in renting or leasing space for self-storage. These establishments provide secure space (i.e., rooms, compartments, lockers, containers, or outdoor space) where clients can store and retrieve their goods.

Mobile Home: A structure, transportable in one or more sections, which, in the traveling mode, is eight body feet or more in width or 40 body feet or more in length or, when erected on site, is 320 or more square feet and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities and includes the plumbing, heating, air-conditioning, and electrical systems contained therein and manufactured prior to June 15, 1976. (Ga. L. 1968, p. 415, § 2; Ga. L. 1973, p. 4, § 2; Code 1981, § 8-2-131; Ga. L. 1982, p. 1376, §§ 3, 7; Ga. L. 1989, p. 14, § 8; Ga. L. 1992, p. 2750, § 1.)

Mobile Home Park: A term used to describe a planned manufactured home park. See definition of planned manufactured home community.

Mobile Office: The use of a mobile office for construction administration is permitted in commercial and industrial districts during the construction of the principal use. The mobile office must be removed within 30 days of Certificate of Occupancy of the principal use.

Mobile Vendor: Shall mean a vendor that sells or attempts to sell any commodity, merchandise or thing of value from a vehicle, push cart, wheeled cart, or other mobile equipment or implement on a transient basis at one or more locations within the county. A temporary use permit is required.

Modular Home: A factory-fabricated single-family dwelling that is constructed in one (1) or more sections and complies with the definition of Industrialized- Building.

Multi-section Home: A term used to describe a manufactured home finished in two (2) or more sections.

Museum or Exhibit Area: Museum or exhibit area in conjunction with an area or use of recognized historical, aesthetic, or educational significance, provided that no commercial activities other than the possible collection of an admission fee, are associated with said museum or exhibit area.

National Manufactured Housing Construction and Safety Standards: The national building code for all manufactured homes built since June 15, 1976, written and administered by the U. S. Department of Housing and Urban Development; also known as the "HUD Code."

Natural Resource Development: Includes the removal of minerals and natural materials (includes appurtenant buildings and machinery). The owners or operators of the mine or quarry must present to the building and zoning official documentation which confirms that a permit has been issued in accordance with the Georgia Surface Mining Act of 1968, as amended.

Nursery, Garden Center, and Farm Supply Store: This use comprises establishments primarily engaged in retailing nursery and garden products, such as trees, shrubs, plants, seeds, bulbs, and sod. Also included in this industry are establishments primarily engaged in retailing farm supplies, such as animal (non-pet) feed. Farm supply stores are a conditional use in the AG-5 zoning district.

Nursing Home: A facility that admits patients on medical referral only and for whom arrangements have been made for continuous medical supervision. It maintains the services and facilities for skilled nursing care, rehabilitative nursing care, and has a satisfactory agreement with a physician and dentist who will be available for any medical and/or dental emergency and who will be responsible for the general medical and dental supervision of the home. It otherwise complies with the rules and regulations contained in Chapter 290-5-8: Nursing Homes (Rules of the Georgia Department of Human Resources).

Office Park: An area of land in which many office buildings are grouped together.

Open Space: An area that is intended to provide light and air and within which a structure is prohibited under the provisions of this Ordinance.

Outdoor Advertising Sign: A sign which conveys a commercial message directing attention to or promoting a business commodity, service or entertainment conducted, sold or offered at a location other than upon the premises on which the sign is located. Also referred to as a billboard.

- (1) Must comply with D.O.T. standards, if applicable, the county sign ordinance, and other applicable local ordinances.

Outdoor Seasonal Sales: Outdoor seasonal sales refer to temporary stands and structures used for the retail sales of seasonal items. Examples of seasonal items may include plants, Christmas trees fireworks, pumpkin stands. A temporary use permit is required.

Outdoor Storage: The storage of large quantities of materials or products associated with an industry or business. Such storage will often require a structure designed for and/or devoted to the containment of the item.

Parking Lot and Garage: This use comprises establishments primarily engaged in providing parking space for motor vehicles, usually on an hourly, daily, or monthly basis and/or valet parking services.

Parking Space: The storage space for one (1) motor vehicle.

Pawn Shop: An establishment that engages, in whole or in part, in the business of loaning money on the security of pledges of personal property, or other valuable things.

Personal Care Home: A building or group of buildings, a facility, or place in which is provided two (2) or more beds and other facilities and services—including rooms, meals, and personal care for non-family ambulatory adults. It otherwise complies with the rules and regulations contained in Chapter 290-5-35: Personal Care Homes (Rules of the Georgia Department of Human Resources). For the purpose of this Ordinance, Personal Care Homes are classified as follows:

- (1) **Family Personal Care Home:** A home for adults in a family type residence, non-institutional in character, which offers care to two (2) through six (6) persons.
- (2) **Group Personal Care Home:** A home for adult persons in a residence or other type building(s), non-institutional in character, which offers care to seven (7) through fifteen (15) persons.
- (3) **Congregate Personal Care Home:** A home for adults which offers care to sixteen (16) or more persons.

Planned Apartment Home Community: A lot used as a residential area occupied by apartment homes and conforming to an approved development plan, with appropriate and adequate community services, recreation facilities, utilities, streets, and sidewalks provided by the developer.

Planned Commercial Development, Large Scale: New principal single tenant or multi-tenant buildings or structures individually or collectively consisting of a minimum of 40,000 square feet that is primarily engaged in the sale, rental or leasing of retail goods and merchandise to the general public or by membership, and which may also render personal and business support services, hotels and motels, dining and entertainment, and indoor amusement. It also includes any permitted or conditional principal use or structure in a commercial district that is habitable for permanent human occupancy. It also includes automotive and equipment sales and rental facilities, automotive repair (including oil change and lubrication shops), building materials dealers, gasoline stations and convenience stores, manufactured home and prefabricated building dealers, professional office buildings (or office parks), shopping centers, variety stores and truck stops.

Planned Commercial Development, Medium Scale: New principal single tenant or multi-tenant buildings or structures individually or collectively consisting of 12,000 to 39,999 square feet that is primarily engaged in the sale, rental or leasing of retail goods and merchandise to the general public or by membership, and which may also render personal and business support services, hotels and motels, dining and entertainment, and indoor amusement. It also includes any permitted or conditional principal use or structure in a commercial district that is habitable for permanent human occupancy. It also includes automotive and equipment sales and rental facilities, automotive repair (including oil change and lubrication shops), building materials dealers, gasoline stations and convenience stores, manufactured home and prefabricated building dealers, professional office buildings (or office parks), shopping centers, variety stores and truck stops.

Planned Commercial Development, Small Scale: New principal single tenant or multi-tenant buildings or structures individually or collectively consisting of less than 12,000 square feet that is primarily

engaged in the sale, rental or leasing of retail goods and merchandise to the general public or by membership, and which may also render personal and business support services, hotels and motels, dining and entertainment, and indoor amusement.

Planned Manufactured Home Community: A lot used as a residential area occupied by manufactured homes and conforming to an approved development plan, with appropriate and adequate community services, recreation facilities, utilities, streets, and sidewalks provided by the developer, where the resident owns or rents the manufactured home and rents the manufactured home space. All manufactured homes located within a manufactured home community must be installed in accordance with O.C.G.A. § 8-2-160 et seq., and all manufactured home communities shall be designed in accordance with the applicable provisions of Article 9 of this Ordinance.

Planned Residential Development: A lot conforming to an approved development plan and used as a residential area occupied by single-family dwelling units with a minimum heated floor area of 975 square feet, two-family dwellings with a minimum heated floor area of 600 square feet per dwelling unit, multi-family dwellings with a minimum heated floor area of 600 square feet per dwelling unit, or some combination thereof. For purposes of this definition, the term “approved development plan” means the submission and approval of a sketch plan, preliminary plan, and final plat in accordance with the requirements for subdivisions in Appendix B-Subdivision Regulations. Density shall not exceed twelve (12) dwelling units per acre and individual buildings must be separated by not less than ten (10) feet. Ownership of dwelling units may be transferred. Ground areas must remain under common ownership of the developer or an association for purposes of maintenance and upkeep; provided, however, that ground areas around a dwelling unit may be transferred to the owner of the dwelling unit if the developer or association retains an easement for the purpose of maintaining and upkeeping the grounds. The developer or association must retain responsibility for maintenance and repair of septic systems serving more than one dwelling unit, either through ownership of the septic system or through an easement allowing the developer or association to maintain and repair the septic system.

Planning and Zoning Commission: The County Planning and Zoning Commission.

Plat: A map, plan, or layout of a county, city, town, section, or subdivision or lot indicating the location and boundaries of properties prepared and stamped by a registered surveyor.

Pre-fabricated Home: A general term used to describe any home constructed in a factory setting including manufactured homes, modular homes, and industrialized buildings.

Pre-fabricated Structures/Buildings (Other): A general term to describe permanent or portable accessory structures such as barns, sheds, decks, garages, gazebos, and playground sets that are usually manufactured off-site and are sometimes delivered and assembled on-site by the manufacturer or retailer.

Printing/Publishing: An establishment where printed material is produced, reproduced and/or copied by either a printing press, photographic reproduction techniques, or other similar techniques.

Professional Offices: A building providing office space for professional services (e.g., health care, financial, insurance, legal, real estate, etc.).

Public Sewer: Sanitary sewer service provided by the County or the City of Statesboro.

Public Water: Water service provided by the County, the City of Statesboro, the City of Brooklet, or a private water system approved by the Department of Natural Resources.

Radio Station: This use comprises establishments primarily engaged in broadcasting aural programs by radio to the public. Programming may originate in their own studio, from an affiliated network, or from external sources.

Rail Transportation: This use comprises establishments primarily engaged in providing specialized services for railroad transportation including servicing, routine repairing (except factory conversion, overhaul or rebuilding of rolling stock), and maintaining rail cars; loading and unloading rail cars; and operating independent terminals.

Recreation Facility, Outdoor Commercial: This use includes commercial unenclosed recreation facilities including but not limited to: archery ranges, fairgrounds, paintball fields/facilities, firearms shooting range, golf driving ranges, parks and trails for motorized or nonmotorized vehicles (including bicycles, and skateboards) and race tracks for animals or motorized vehicles.

Recreation Facility, Outdoor Private: A common area serving a planned single-family residential or multi-family residential development that is set aside for leisure activities that are usually formal in nature and intended for group participation. Such activities typically require equipment and take place at prescribed places, sites, or fields, including, but not limited to, swimming pools, tennis, volleyball, and basketball courts, and baseball, soccer, or other playing fields. This definition shall not be interpreted to include the following uses: archery ranges, fairgrounds, paintball fields/facilities, firearms shooting range, golf driving ranges, parks and trails for motorized or nonmotorized vehicles (including bicycles, and skateboards) and race tracks for animals or motorized vehicles.

Recreational vehicle: A motor home, tent, trailer, or other self-contained vehicle designed for recreational purposes. This type of vehicle shall not be considered as a permanent habitable space and shall not be connected to on-site sewer or water systems unless located in an authorized recreational vehicle park and campground or being used as an authorized temporary occupancy unit. See also the definition for *Camper*.

Recreational Vehicle Park and Campground: This use comprises establishments primarily engaged in operating sites to accommodate campers and their equipment, including tents, tent trailers, travel trailers, and RVs (recreational vehicles). These establishments may provide access to facilities, such as washrooms, laundry rooms, recreation halls and playgrounds, stores, and snack bars.

Recycling Center: A facility which may be held in public and/or private ownership and which is designated to sort and process materials (aluminum cans, glass, newspaper, tin, HPDE and PET plastics), which have been separated from waste normally discharged into sanitary landfills and sold for re-use in other markets (see Heavy Manufacturing).

Research and Technology Park: The facility which may be held in public or private ownership to facilitate the efficient transfer of technology, proprietary information, and inventions to the private sector.

Restaurant: A structure that prepares and serves food to customers, including sit down, fast food, drive-through, and drive-in facilities. Some establishments in this industry may provide these food services in combination with selling alcoholic beverages.

Right of Way Line: The boundary of a strip of land designed, reserved, dedicated, or acquired for the purpose of pedestrian or vehicular access.

Roadside Stand: This use comprises establishments primarily engaged in sale of agricultural products grown on the premises, with a floor area not exceeding 500 square feet.

Sawmill: This use comprises establishments primarily engaged in sawing dimension lumber, boards, beams, timbers, poles, ties, shingles, shakes, siding, and wood chips from logs or bolts. Sawmills may plane the rough lumber that they make with a planing machine to achieve smoothness and uniformity of size.

School: Schools must be located on either an arterial or collector road and the lot must have a minimum road frontage of 200 feet.

(1) Setbacks for schools include the following.

Setback	AG-5	R80, R40, R25	R15	R2, R3	MHP	HC, GC
Front Yard: Arterial Street/Collector Street	25'	80'/70'	70'/60'	60'/50'	80'/70'	50'
Side Yard	25'	150'	150'	150'	150'	50'
Rear Yard	25'	60'	50'	50'	60'	50'

(2) Schools in MHP must have a minimum of five (5) acres.

Sectional Home: A general term used to describe any home constructed in a factory setting, especially manufactured homes.

Security Service, Private: This use comprises establishments primarily engaged in providing guard and patrol services, such as bodyguard, guard dog, and parking security services.

Service Establishment Catering to Industry: This use includes services establishment catering to industry such as: advertising agencies, janitorial services, personnel agencies; data processing service; research, development and testing laboratories; private security agencies; rental and leasing services for all types of equipment.

Shopping Center: This use comprises establishments primarily engaged in acting as lessors of buildings (except mini-warehouses and self-storage units) that are not used as residences or dwellings. Included in this industry are: (1) owner-lessors of nonresidential buildings; (2) establishments renting real estate and then acting as lessors in subleasing it to others; and (3) establishments providing full service office space, whether on a lease or service contract basis. The establishments in this industry may manage the property themselves or have another establishment manage it for them.

Sign: Any fixture, placard, structure, or device illuminated or nonilluminated that uses any color, form, graphic, symbol, or writing which is visible to the general public, announcing a product, service, place, activity, person, institution, business, solicitation, or to convey information of any kind.

Site-built Home: See definition of conventional construction.

Solar Electric Power Generation: Comprises non-residential establishments primarily engaged in operating solar electric power generation facilities. These facilities use energy from the sun to produce electric energy. The electric energy produced in these establishments is provided to electric power transmission systems or to electric power distribution systems.

Solid Waste Landfill: This use comprises establishments primarily engaged in (1) operating landfills for the disposal of nonhazardous solid waste or (2) the combined activity of collecting and/or hauling nonhazardous waste materials within a local area and operating landfills for the disposal of nonhazardous solid waste. Such establishment shall comply with all applicable requirements of the Georgia Environmental Protection Division.

Stick-built Home: See definition of conventional construction.

Street or Road, Arterial: Shall mean a street of exceptional continuity that is intended to carry the greater portion of through traffic from one area of the county to another. This class of roadway describes a high capacity urban road that sits between interstate highways and collector roads on the road hierarchy in terms of traffic flow and speed. Such roadways are identified on a functional classification map from the most current version of Bulloch County's long-range transportation plan as rural or urban principal arterials and rural or urban minor arterials.

Street or Road, Collector: Shall mean those streets which are neither local streets nor arterial streets. Their location and design are such that they are of exceptional continuity, serve as routes passing through residential areas, serve as means of moving traffic from local streets and feeding it into arterial streets.

Street or Road, Local: Shall mean streets which provide only access to adjacent properties and by nature of their layout serve only vehicles with either origin or destination within the area.

Structure: Anything constructed or erected that requires a fixed location on the ground or which is attached to something having a fixed location on the ground.

Structure, Non-conforming: A structure which does not comply with the zoning district development standards of that district in which the structure is located.

Subdivision. The division of a lot of record into two or more lots, building sites, or other divisions for the purposes of sale, devise or development, whether immediately or in the future, except that a subdivision does not include either of the following:

- (1) The combination or recombination of portions of previously platted lots where the total number of lots is not increased and the resultant lots are at least equal to the standards of the zoning ordinance; and
- (2) The division of land where no new street is involved and where no new public or community water system or sanitary sewer system requiring permits by the Georgia Environmental Protection Division is involved; provided, however, that a division of land that was previously approved as a subdivision with a new street or streets or a public or community water or sanitary sewer system shall not come within this exception.

Swimming Beach: This use comprises areas along streams, rivers, ponds, or lakes for swimming or sunbathing.

Swimming Pool, Bath House or Cabana (private): An artificially enclosed body of water intended for swimming or water-based recreation. A pool can be built either above or in the ground, and from materials such as metal, plastic or concrete. A bath house or cabana is a permanent free-standing shade structure with traversing curtains, decorative drapes and/or solid walls.

Technical and Trade School: This use comprises establishments primarily engaged in offering job or career vocational or technical courses (except cosmetology and barber training, aviation and flight training, and apprenticeship training). The curriculums offered by these schools are highly structured and specialized and lead to job-specific certification.

Temporary Building for Storage of Materials: Permitted only in conjunction with construction of a building. Allowed either on the same lot where construction is taking place or on adjacent lots. Such a use must be terminated upon completion of construction.

Temporary Occupancy Unit: Manufactured homes, recreational vehicles, or campers shall be allowed as temporary occupancy units during the construction of a principal residential use subject to supplemental standards.

Temporary Use: Shall mean a use of a short-term nature or fixed duration, which do not require permanent construction. A temporary use permit shall be required for seasonal sales not to exceed 45 days, transient merchants and mobile vendors not to exceed 90 days.

Tennis Court and/or Basketball Facility (Private): If lighted, lights must be designed so that they do not intrude upon adjacent lots. Such a court may be surrounded by a fence up to ten (10) feet high.

Tobacco shops, vape shops and hookah lounges: A tobacco shop is a retailer whose business is exclusively or primarily involves the sale of tobacco products and related goods. A vape shop comprises

establishments primarily engaged in retailing electronic cigarettes and supplies, but may also retail cigars, tobacco, pipes, and other smokers' supplies. A tobacco shop or a vape shop does not include a tobacco department, or section of a larger commercial establishment, or of any establishment with a liquor permit, or of any restaurant. A hookah lounge is a smoking establishment whose business operation, whether as its primary use or as an ancillary use, is devoted to the on-premises use of hookahs.

Tower: Shall mean a vertical structure on which is or can be located one or more antennas, including but not necessarily limited to guy towers, lattice towers, and monopole towers. Towers can be used for cellular phone service, television transmission or radio transmission purposes.

Transfer Station: A facility used to transfer solid waste from one transportation vehicle to another for transportation to a disposal facility or processing operation.

Transient Merchant: Shall mean any person, firm, or corporation, whether resident or nonresident, who has no permanent, regular place of business within the county and who engages in the business of selling or offering to sell goods or services from a temporary fixed place of business located within the county. A temporary use permit is required.

Traffic Impact Study: A study conducted by a certified Professional Traffic Operations Engineer (PTOE) to analyze the development impact to the transportation network. Studies typically examine the trip generations from a site and determine improvements required; methodology to be used shall be approved by the county engineer. The GDOT Driveway and Encroachment Manual and Manual on Uniform Traffic Control Devices (MUTCD) are typically used.

Truck Stop: This use comprises establishments engaged in retailing automotive fuels (e.g., diesel fuel and gasoline) in combination with convenience store or food mart items. These establishments can either be in a convenience store (i.e., food mart) setting or a gasoline station setting. These establishments may also include overnight parking and provide automotive repair services.

Use: Any purpose for which a building or tract of land may be designed, arranged, maintained, or occupied; or any activity, occupation, business, or operation carried on in a building or structure or on a tract of land.

Use, Accessory: A use incidental or subordinate to the principal use and located on the same lot as the principal use.

Use, Nonconforming: A use of land or building, or both, that does not conform to the regulations and standards of the district in which either or both is located.

Use, Principal: The main purpose for which a lot is used.

Used Merchandise (e.g., Antique Stores): This use comprises establishments primarily engaged in retailing used merchandise, antiques, and secondhand goods (except motor vehicles, such as automobiles, RVs, motorcycles, and boats; motor vehicle parts; tires; and mobile homes).

Utility Substations: This use comprises a building or structure located above ground such as pump stations and equipment buildings used to transmit, distribute, or switch power, water, sewerage, natural gas, or communications signals.

Variance: An authorization granted by the Planning and Zoning Commission for construction or maintenance of a building or structure which is otherwise prohibited by this Ordinance, when such authorization will not be contrary to the public interest and where, owing to conditions peculiar to the property and not as a result of any action on the part of the property owner, a literal enforcement of this Ordinance would result in unnecessary or undue hardship; provided, however, that with the exception of a medical hardship variance, no variance will be granted which shall authorize a land use not otherwise permitted in a particular district.

Variety store: A retail sales use with a floor area less than twelve thousand (12,000) square feet that offers for sale a combination and variety of convenience and consumer shopping goods at a price typically less than ten dollars (\$10.00). Examples include but are not limited to Family Dollar, Dollar General, Dollar Tree, Five Below, dime stores or 5 and dime stores.

Veterinary Service: This use comprises establishments of licensed veterinary practitioners primarily engaged in the practice of veterinary medicine, dentistry, or surgery for animals; and establishments primarily engaged in providing testing services for licensed veterinary practitioners.

Warehousing and Storage: This use comprises establishments primarily engaged in operating merchandise warehousing and storage facilities. These establishments generally handle goods in containers, such as boxes, barrels, and/or drums, using equipment, such as forklifts, pallets, and racks. They are not specialized in handling bulk products of any particular type, size, or quantity of goods or products.

Wastewater Pre-treatment Facility: A facility which collects sludge from septic tanks and restaurant grease traps and uses a process to separate the solids from the liquids.

Wholesale Operation: A business engaged in the sale of goods in large quantities for resale purposes.

Wholesale Trade Agent and Broker (Auctions): This use comprises wholesale trade agents and brokers acting on behalf of buyers or sellers in the wholesale distribution of goods. Agents and brokers do not take title to the goods being sold but rather receive a commission or fee for their service. Agents and brokers for all durable and nondurable goods are included in this industry.

Wildlife Refuge: This use comprises establishments engaged in the preservation of natural areas or settings and/or establishments engaged in operating commercial hunting or fishing preserves (e.g., game farms).

Wood Kitchen Cabinet and Countertop Manufacturing: This use comprises establishments primarily engaged in manufacturing wood or plastics laminated on wood kitchen cabinets, bathroom vanities, and countertops (except freestanding). The cabinets and counters may be made on a stock or custom basis.

Yard: A required open space on a lot that is left unoccupied with structures and facilities, except as permitted in this Ordinance. A yard may also be known as a setback.

Yard, Front: The open space on a lot located between the right-of-way boundary of the abutting street and the front building line as extended to the lot lines to either side. Any yard lying between an abutting street and the building line is considered a Front Yard. For example, in the case of a corner lot which is abutted on two sides by streets, both yards abutting the streets would be Front Yards; setbacks and other development standards for Front Yards would apply to both of these yards.

Yard, Rear: The open space located between the rear property line and the rear building line as extended to the side lot lines.

Yard Sale: Sales of used household belongings by an individual at his/her principal residence or by a group of individuals combining such items for a group yard sale at one of their principal residences or the property of a non-profit entity. Such sales may be held no more than four times in a calendar year, with each individual sale lasting no more than three consecutive days. All merchandise must be the property of the person(s) holding the sale and not be purchased for the purpose of resale. The term also includes garage sales, basement sales, or other similar usage.

Yard, Side: The open space located between the side property line and the side building line as extended to the front and rear lot lines.

Section 203: [Reserved].

ARTICLE 3 – ESTABLISHMENT OF DISTRICTS

Section 301: Districts established.

(3) Districts: For the purposes of this Ordinance, the County is divided into districts as follows:

- (1) AG – 5 Agricultural – 5 acre minimum Article 5
- (2) Residential districts Article 6
- (3) [Reserved] Article 7
- (4) Commercial and industrial districts Article 8
- (5) [Reserved] Article 9
- (6) MHP Manufactured home park Article 10
- (7) [Reserved] Article 11
- (8) PUD – Planned Unit Development Article 12
- (9) [Reserved] Article 13
- (10) [Reserved] Article 14
- (11) [Reserved] Article 15
- (12) [Reserved] Article 16
- (13) [Reserved] Article 17
- (14) [Reserved] Article 18
- (15) [Reserved] Article 19
- (16) CP Conservation preservation district Article 20

Section 302: Districts explained.

(a) Districts are areas of land within the County to which different development requirements and standards are applied. These differences are intended to promote the separation of incompatible uses, encourage sound land use patterns, and retain the character of the community. Although this appendix established the locations of districts as indicated on the Official Zoning Map, a district may be changed in the future in accordance with the provisions of Section 414.

(b) In making the decision to change a district, the points contained in Section 414 must be considered by the Planning and Zoning Commission as well as the Board of Commissioners.

€ Zoning to apply when lot is divided by district boundary line. In the event that a district boundary line on the zoning map divides a lot of record held in one ownership on the date of the original passage of this ordinance (November 4, 1994), each part of the lot so divided shall be used in conformity with the regulations established by this appendix for the district in which each such parcel is located. However, if the property owner of such a lot so desires he may apply for an amendment to extend a use allowed in one district into the other provided that the other district is a like kind use district and that such extension is in accordance with setbacks and yard requirements of the district into which he is extending. Such extensions may only be considered upon review by the Board of Commissioners through the amendment process. Fee may be waived in such instances.

(d) Any parcel of land that is recorded as one parcel and is split by a road without a deeded right-of-way (public or private) for subdividing purposes shall be considered as one (1) parcel. Any parcel of land

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that is recorded as one parcel of land and is split by a public road with a right-of-way deeded to and accepted by a governmental entity shall be considered as two (2) parcels for subdividing purposes.

ARTICLE 4 – GENERAL PROCEDURES

Section 401: Initial information.

(a) Article 4 outlines the procedures to be followed in order to comply with the requirements of this appendix. Initial information about the appendix may be obtained from the building and zoning official.

(b) The building and zoning official will provide and maintain copies of the appendix for review and/or sale.

Section 402: Compliance with zoning ordinance required.

No building shall be erected, used, occupied, moved or altered nor shall any use be allowed that does not conform to the requirements specified for the district in which such building or use is located, except that all buildings or uses not in conformity with the district requirements which lawfully existed at a particular location at the time this appendix was originally adopted (November 4, 1994) may be continued but only as provided in Section 403, "Continuance of Nonconforming Uses."

Section 403: Continuance of nonconforming uses or structures.

A lawful use of or vested right to use any building, structure or land existing at the time of the original adoption of this appendix (November 4, 1994) or the adoption of any amendment thereto may be continued subject to the restrictions contained in this appendix even though such use does not conform with the regulations of this ordinance except that:

(a) A nonconforming use or structure shall not be changed to another non-conforming use or structure.

(b) A nonconforming residential or agricultural structure, provided the use therein is a permitted use, may be enlarged, provided it is an improvement, subject to building codes and regulations, to come into conformity with the zoning district development standards, after the date of original adoption of this appendix (November 4, 1994) or the adoption of any amendments thereto.

€ A nonconforming use shall not be reestablished after discontinuance for 6 months regardless of any reservation of an intent not to abandon.

(d) Any intended nonconforming use for which a vested right was acquired prior to the original adoption of this appendix (November 4, 1994) or the adoption of an amendment thereto shall be prohibited unless such is actually commenced within one year of the original adoption of this appendix (November 4, 1994) or the adoption of an amendment thereto regardless of the intent or expectation to commence or abandon such nonconforming use.

€ A nonconforming structure shall not be rebuilt, altered, or repaired except as provided herein:

(1) If the structure is altered or repaired, said alterations or repairs shall be an improvement and in conformity with the building codes and development standards (except for minimum lot area) in force at the time of said alteration or repair.

(2) If the structure is totally rebuilt, the replacement structure shall conform with all the requirements and development standards (except minimum lot area) of this appendix except as to the uses permitted in the particular district.

Section 404: Height of fences and walls in a residential zoning district.

No fence or freestanding wall, other than a retaining wall, in a required setback area for a residential zoning district shall be more than six (6) feet in height above finished grade, except as required for screening.

Section 405: Buffers, screening and landscaping, intent and general provisions.

- (a) Buffers, screening, and landscaping are necessary to visibly separate one use from another through screening and distance, to provide privacy and security, and to shield or block the effects of potential nuisances, including but not limited to noise, the glare of lights, dust, dirt, and litter.
- (b) Supplemental standards for specific uses may have more restrictive requirements.
- (c) Bona fide agriculture or silviculture use, commercial timber operations, and single-family subdivisions of 5 dwelling units or less are exempt from these requirements.
- (d) Existing natural vegetative buffers may be maintained to satisfy buffer, screening, and landscaping requirements provided the building and zoning official determines that it is appropriate. If existing natural buffers are intended to be cleared or removed in any manner, the developer must submit what is to be replaced in a landscape plan before development approval.
- (e) Exceptions and alternative methods of compliance may be authorized by the building and zoning official if site conditions such as lot shape and size and nearby physical features prohibit compliance. Financial hardship is not a justification for alternative compliance.
- (f) Buffers and screening devices used on side lot lines for side yards must extend from the rear lot line to the public right-of-way, and rear lot lines must extend from side yard to side yard.
- (g) Only approved roads, streets, site entrances, driveways, signs, utility and drainage structures, and easements may encroach on the required buffers.
- (h) Merchandise displays or storage of equipment shall not encroach on the buffers or landscape frontage buffer widths.
- (i) Chain-link fencing is only permitted in side or rear yards and must be dark vinyl coated if it is facing a street.
- (j) Dumpsters or trash enclosures in refuse areas shall be placed on a concrete foundation and screened from view from the street and adjacent parcels with an opaque wall or fence consisting of similar primary building materials as the principal building structure at a height that is no less than the height of the receptacle.
- (k) Screening devices can be combined to create a more decorative effect. Walls and fences can be combined with landscaping materials or berms, or landscaping materials can be combined with berms provided minimum and maximum height and opacity requirements can be met.
- (l) Landscape materials can be combined to include a dense mix of trees and massed low to medium-height shrubbery.
- (m) No certificate of occupancy or completion shall be issued for any principal residential structures, without foundation landscape bedding, a permanent stand of seeded turfgrass, sprigs or sod established for the front and side yards extending to the rear drip line exclusive of designated landscape beddings to abate soil erosion, and unless the current phase of development complies with County erosion control and sedimentation standards.
- (n) In non-residential subdivisions or planned developments, at least five percent (5%) of the interior parking area shall be landscaped with plantings, and at least one (1) tree for each ten (10) spaces shall be installed exclusive of any buffer.
- (o) Plantings shall be maintained in a manner appropriate for the specific plant species through the first growing season, with appropriate irrigation methods, and dead and dying plants shall be replaced by the applicant during the next planting season. Buffer areas shall be maintained and kept free of all debris, rubbish, weeds, and tall grass.
- (p) Trees and vegetation shall be located so that roots do not intrude into underground utilities, roads, and pedestrian ways. Branches shall not intrude into overhead utilities.
- (q) The building and zoning official is authorized to ensure inspection for all buffers, screening, and landscaping to assure compliance with a submitted landscape plan for correct installation and condition. No certificate of occupancy or additional or future phases of development shall be

approved if the installed landscaping materials in a previous phase have not been installed, have been poorly maintained, or require corrective action.

- (r) Any enforcement inspections required after the final inspection (for project release by phase) are subject to re-inspection fee schedules approved by the Board of Commissioners.
- (s) Buffers shall be designated as landscaped areas on the application for development approval, as landscape easements when shown on a subdivision plat, and shall be shown on the recorded plat of the property as a landscape buffer easement.

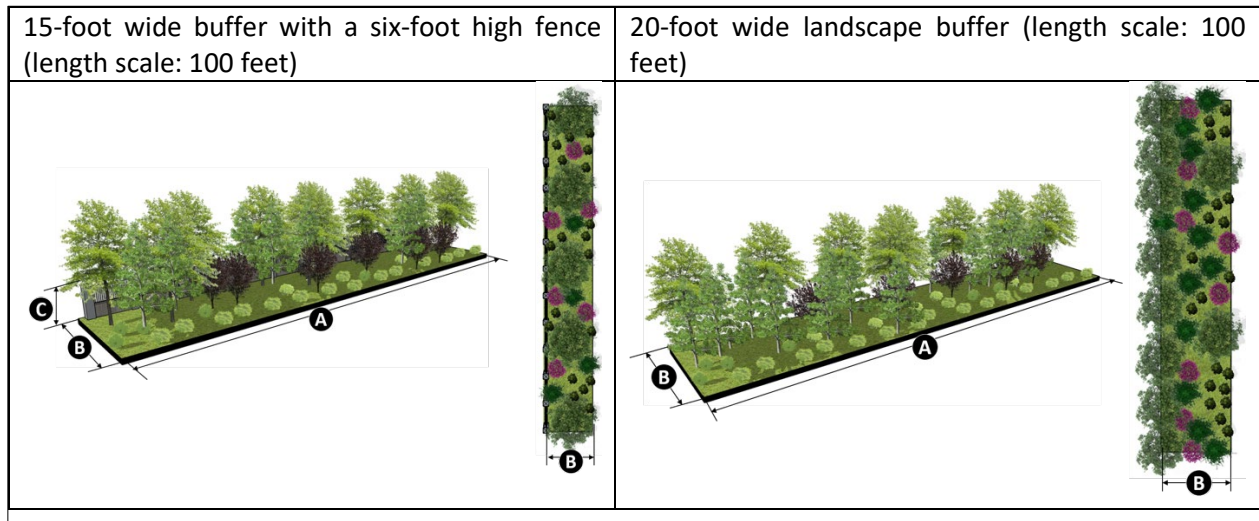
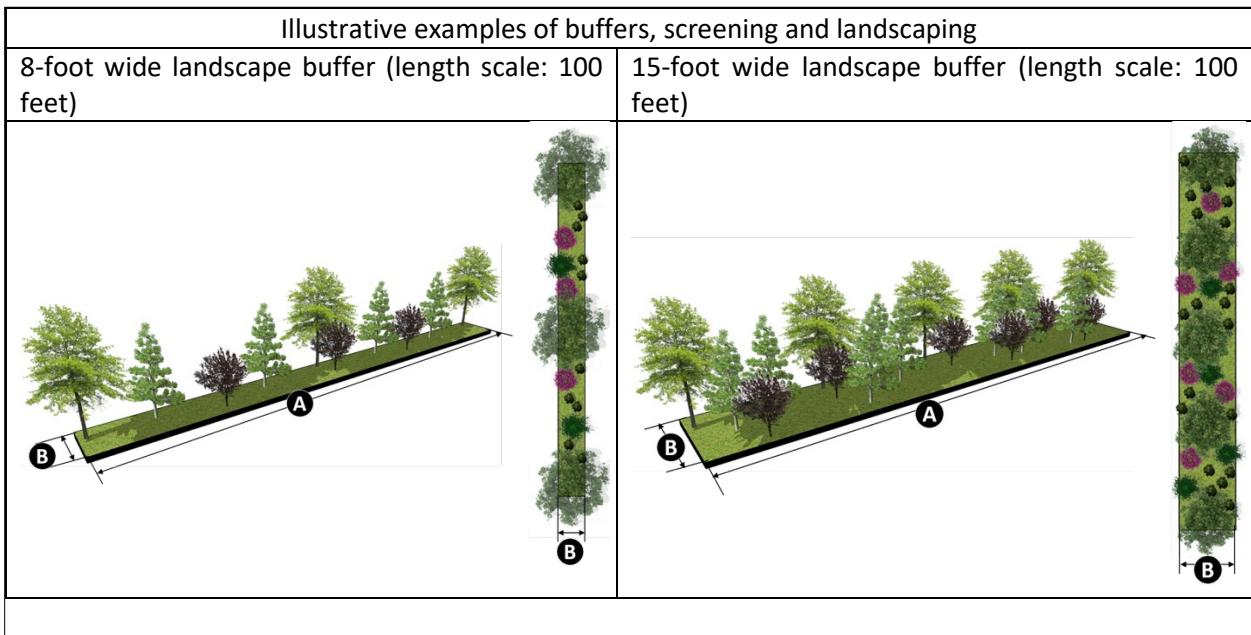
Section 406: Buffers, screening and landscaping; applicability.

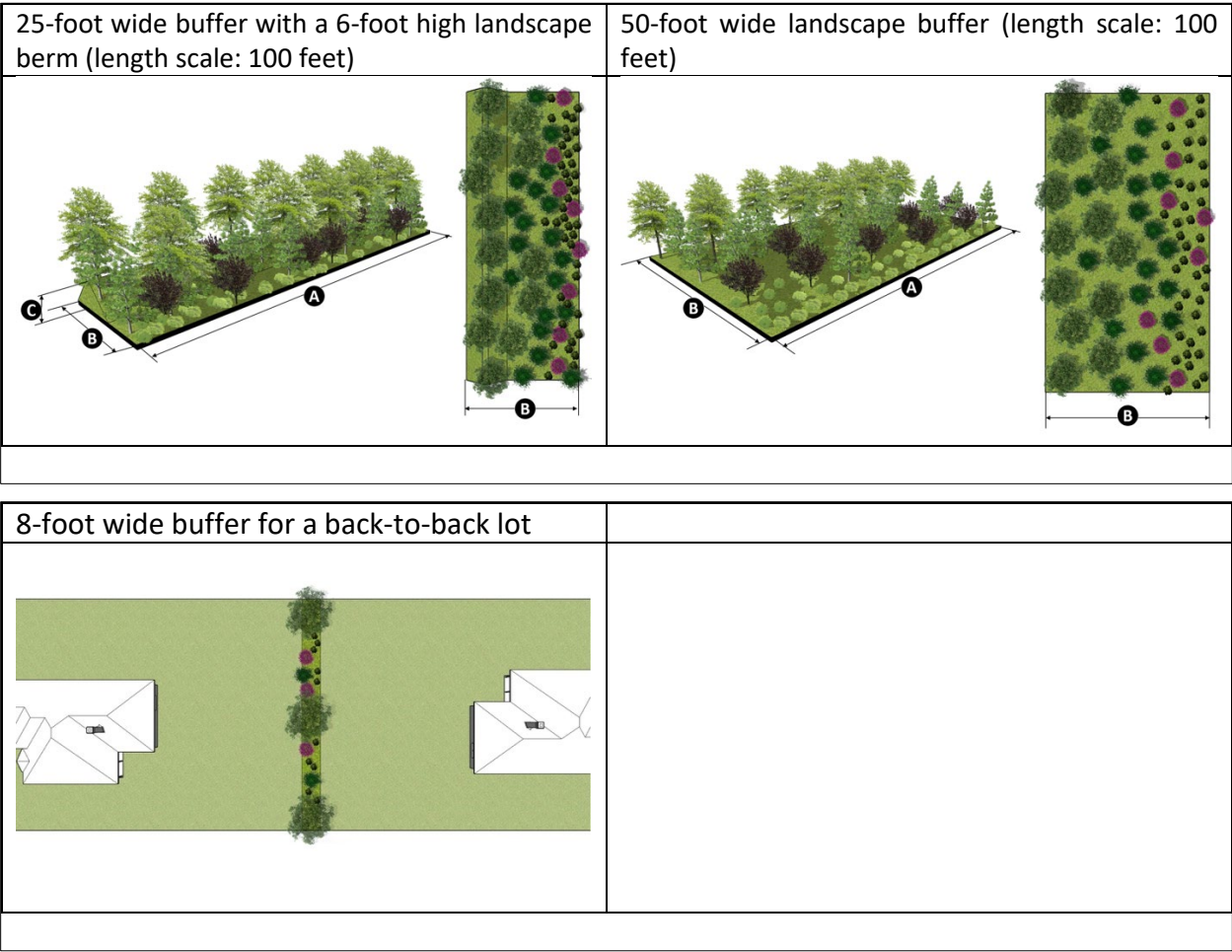
- (a) Buffers widths, screening devices by purpose and use, and applicable zoning districts are described in the table below.
- (b) Installation of approved landscape materials shall be external to fencing.

Required Buffer Setting	Minimum Landscape Buffer Width and/or Required Screening Device	Zoning Districts with Uses Where Buffer is Required
Back-to-back lots in multi-family developments	8' landscape buffer width from the rear of the building or structure, or a wall, fence or berm	R-3, PUD-2, PUD-3
Recreation Facility, Outdoor Private	8' landscape buffer width from the rear of the building or structure, or a wall, fence or berm	Planned Residential Districts
Off-street parking and circulation for any use with 10-50 spaces (3,250 s.f. – 16,250 s.f.)	8' landscape frontage buffer width when visible from a public street	R-3, HC, GC, NC, HI, LI, PUD-2, PUD-3
Off-street parking and circulation for any use with more than 50 spaces	15' landscape frontage buffer width when visible from a public street	R-3, HC, GC, NC, HI, LI, PUD-2, PUD-3
Service, loading and outdoor storage areas	An approved wall or fence	HC, GC, NC, HI, LI, PUD-2, PUD-3, MHP
Mechanical equipment	An approved wall or fence (roof mounted equipment shall be screened by a parapet or an enclosed wall)	HC, GC, NC, HI, LI, PUD-2, PUD-3
Refuse containers (dumpster)	An approved wall or fence	All zoning districts except AG-5
Community water system well (on-site)	8' landscape buffer width when visible from a public street or adjoining properties (or an approved wall, fence or berm)	All zoning districts except AG-5
Road frontage where new residential lots or units will have side or rear yards abutting a road	15' landscape frontage buffer width from back of right-of-way (or 8' with an approved fence or wall)	R-40, R-25, R-15, R-8, R-2, R-3, PUD, MHP
Road frontage for commercial and industrial uses	15' landscape frontage buffer width from right-of-way (or 8' with an approved wall, fence or berm)	HC, GC, NC, HI, LI, PUD-2, PUD-3

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Single and two-family planned residential development abuts AG-5, residences and vacant parcels	25' landscape buffer width along the side and rear property line of adjoining properties (or 15' with a wall, fence or berm)	R-80, R-40, R-25, R-15, R-8, MHP, PUD-1, PUD 2
Mixed use or higher residential density abuts lower density residential district, residences, AG-5, or vacant parcels	25' landscape buffer width along the side and rear property line of adjoining properties (or 15' with a wall, fence or berm)	R-2, R-3, MHP, PUD-1, PUD-2
Planned commercial or industrial development abuts AG-5, residential district, residences, mixed use or vacant parcels	25' landscape buffer width from side and rear property line of adjoining properties (or 15' with a wall, fence or berm)	HC, GC, NC, HI, LI, PUD-2, PUD-3





Section 407: Buffers, screening and landscaping, specifications and plan review.

(a) Specifications for screening and landscaping are described in the table below.

Screening Device	Height	Placement	Approved Materials	Opacity
Wall	6' maximum from ground-level not including posts or columns.	Interior side of buffer area	Durable masonry including decorative brick, stone or concrete	100%
Fence	6' maximum from ground-level not including posts or columns	Interior side of buffer area	Durable posts including brick, stone or decorative metal, with fence materials consisting of pressure-treated wood or composite, expanded metal or mesh, decorative metal, vinyl or composite, (dark vinyl-	75%

			coated chain link for side or rear yard storage only)	
Berm	6' minimum in height (in combination with formal landscaping) with 3:1 slope	Within the buffer area	Stabilized and sodded to prevent erosion, with minimum crown width of 2 feet	75%
Canopy and shade trees	6' minimum in height and one inch 1" caliper	One tree every 50 linear feet within the buffer	Bald cypress, crepe or wax myrtle, dogwood, magnolia, oak, palm redbud, river birch	75%
Evergreen shrubs	3' minimum that grows to no less than six feet 6' in height	Five shrubs every 50 linear feet within the buffer area	Azalea, camellia, cleyera, eleagnus, euonymous, holly, juniper, ligustrum	75%

- (b) A landscaping plan shall be prepared by a Georgia licensed landscape architect providing sufficient detail to determine whether the required amount and type of materials that best serve the intended function has been selected.
- (c) Landscape plans submitted for plan review shall include the following information for buffers and screening:
 - (1) Location of buffers, screening devices and landscape materials (minimum scale of 1" = 400).
 - (2) Show and label existing vegetation to remain or to be removed, and vegetation to be installed.
 - (3) Location, name, and size of all existing trees, shrubs, groundcover and other plant materials that are to be incorporated as part of the landscape plan but will not count toward required landscaping.
 - (4) A plant installation schedule to include scientific and common name, size at time of installation, method of containment (container size, etc.), quantity, and comments.
 - (5) Symbols designating type, size, and location, with center of each tree noted (shrubs and groundcover can be shown as a mass).
 - (6) Landscape beds and architectural planting surrounding existing and/or proposed structures on the site.
 - (7) A maintenance plan for the first growing season.
 - (8) Where applicable, location and sizes of irrigation facilities adequate to maintain the planting areas, including meters, wells, pumps and backflow prevention devices. The total square footage of irrigated area of each type of zone (turf, shrub or flower bed), shall be clearly indicated on the plan.

Section 407A: Minimum yard setback.

Wherever this ordinance requires a minimum setback between a property line and a building line, unless otherwise indicated, this shall mean the required minimum distance between any point on the property line to the nearest point on the corresponding building line, i.e., the minimum front building line shall be at least the required minimum distance from the front property line, the rear building line shall be

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a least the required minimum distance from the rear property line, etc.

Section 408: [Reserved]

Section 409: Appealing an action of the building and zoning official or planning and zoning commission.

(a) If the building and zoning official executes an action which the aggrieved party believes to be contrary to this ordinance, that action may be appealed. Such an appeal must be filed within thirty (30) days of the date on which the action by the building and zoning official was taken.

(b) The planning and zoning commission has jurisdiction for hearing appeals concerning actions of the building and zoning official related to this ordinance. Applications for appeal may be obtained from and submitted to the building and zoning official, who will transmit them to the planning and zoning commission for its consideration.

(c) When an action of the building and zoning official is appealed, all construction or other activity authorized by the appealed action must be stopped immediately. In certain cases, however, the building and zoning official may feel that the stopping of such construction or other activity authorized by the appealed action will cause imminent peril to life or property. Then, the building and zoning official may certify to the planning and zoning commission that, by reason of facts stated in the certificate, the halting of construction or other activity authorized by the appealed action would in his opinion cause imminent peril to life or property. In such cases, the construction or other activity authorized by the appealed action is allowed to continue unless the construction is halted by the planning and zoning commission or a restraining order is granted by a court of competent jurisdiction.

(d) When an application for appeal of an action of the building and zoning official is received, the planning and zoning commission will set a time and place for a public hearing on the appeal. Notice of the hearing must be published in a newspaper of general circulation in the county at least thirty (30) days before the hearing and, if the appeal concerns a variance, the building and zoning official shall post a sign on the subject property at least thirty (30) days prior to the hearing setting forth the purpose, date, time, and place of the scheduled public hearing. In addition, the parties to the appeal (including the owner of any property that is the subject of the proposed action) will be mailed notice of the date of the hearing by the planning and zoning commission at least thirty (30) days before the hearing. Any person may appear at the hearing or have a representative attend instead.

(e) The planning and zoning commission will make a decision concerning the appeal and record the decision in the minutes for that meeting. Any person aggrieved by any decision of the planning and zoning commission (including but not limited to decisions on appeals or variances) may appeal such decision to the county board of commissioners. Such an appeal must be filed in writing with the building and zoning official within thirty (30) days of the date of the decision being appealed. When an application for appeal of a decision of the planning and zoning commission is received, the board of commissioners will set a time and place for a public hearing on the appeal. Notice of the hearing must be published in a newspaper of general circulation in the county at least thirty (30) days before the hearing and, if the appeal concerns a variance, the building and zoning official shall post a sign on the subject property at least thirty (30) days prior to the hearing setting forth the purpose, date, time, and place of the scheduled public hearing. In addition, the parties to the appeal (including the owner of any property that is the subject of the proposed action) will be mailed notice of the date of the hearing by the board of commissioners at least thirty (30) days before the hearing. Any person may appear at the hearing, or have a representative attend instead.

(f) An application for appeal of an action of the building and zoning official may be withdrawn by the applicant as a matter of right until 5:00 p.m. the day prior to the meeting of the planning and zoning

commission or the board of commissioners at which such application is scheduled to be heard. Such withdrawal must be in writing and must be received by the building and zoning official by 5:00 p.m. the day before the scheduled meeting.

Section 410: Procedures: Variances, Conditional Uses and Amendments.

(a) Pre-application Conference

- (1) Pre-Application Conference: Recommended. Any applicant seeking approval for a proposed zoning action is advised to engage in a pre-application conference. Prior to filing an application, an applicant may meet with the building and zoning official and the county staff development review committee and discuss their intentions with regard to a given application and questions regarding the procedures or substantive requirements of this appendix. The applicant should bring sufficient information including sketch maps of the site, a description of the existing environmental, topographical and structural features on the site, the proposed project or use, graphics that illustrate the scale, location and design of any buildings or structures to the extent known, and a list of the issues to be discussed at the conference. No matters discussed at said meeting shall be binding on either the applicant or the County.
- (2) Pre-Application Conference: Mandatory. Any applicant seeking approval for a proposed zoning action involving 1) a residential use of more than 50 dwelling units; 2) a non-residential use that would generate an additional 500 or more vehicle trips per day as defined by the Institute of Traffic Engineers Trip Generation Manual; 3) a Planned Unit Development; or, 4) a Development of Regional Impact, is required to engage in a pre-application conference with the building and zoning official and the county staff development review committee at its regularly scheduled monthly meeting *or such other meeting as the building and zoning official may determine*. The building and zoning official may waive the pre-application conference requirement in cases where it is clear such a waiver is not detrimental to the applicant or the County.

(b) Application

- (1) The developer or owner submitting a request for a variance, conditional use, or an amendment to the official map or text of the zoning ordinance (hereinafter in this section collectively referred to as a "zoning request") must have at least fifty-one (51) percent ownership of the subject property or be the duly authorized agent of such a person, possessing notarized authorization in writing, under the owner's signature. The building and zoning official, the planning and zoning commission, or the board of commissioners (hereinafter collectively referred to as the "local government") may also propose a zoning request.
- (2) Application for a zoning request may be made with the building and zoning official. The building and zoning official will take the required information and transmit it to the planning and zoning commission for its consideration. The planning and zoning commission shall hold a public hearing on all variances and shall make the final decision on all variances, unless such decision is appealed to the board of commissioners in accordance with the provisions of Section 409. The board of commissioners shall hold a public hearing on all conditional uses and amendments and shall make the final decision on all conditional uses and amendments, after receiving a recommendation on the conditional use or amendment from the planning and zoning commission. The planning and zoning commission may at its option hold a public hearing on a conditional use or amendment prior to making its recommendation to the board of commissioners.
- (3) No application is to be accepted from any person in violation of the Bulloch County Code of Ordinances. If an applicant for a zoning request or any other action by the planning and zoning

commission is, at the time of such application, determined by the building and zoning official to be in violation of the Bulloch County Code of Ordinances, then the building and zoning official will be prohibited from accepting or processing any application from that applicant until the applicant voluntarily removes or changes the cause of the violation and ceases to be in violation. The applicant must notify the building and zoning official that he has ceased the violation and obtain a release from the building and zoning official as to the violation. When the applicant has ceased to be in violation of the Bulloch County Code of Ordinances, the building and zoning official will then accept the application for a zoning request. A receipt showing that all county ad valorem taxes on the subject property have been paid and that no delinquencies exist must be submitted with all applications for zoning requests. The building and zoning official may waive the requirements of this paragraph when the building and zoning official, in his discretion, determines that the enforcement of these requirements would cause an extraordinary and undue hardship on the applicant, and that the waiver of these requirements will not have a significant negative impact on the safety, benefit or welfare of the public.

- (4) A Traffic Impact Study (TIS) shall be required for any development which involves a use (or re-use) of a property which is determined to produce one-hundred (100) vehicle trips or more in the peak hour or five-hundred (500) vehicle trips or more per day. A preliminary determination of the anticipated vehicle trips shall be based on the guidelines of the Institute of Transportation Engineer's (ITE's) Trip Generation Manual. In certain cases, supplemental traffic data based on actual data from similar developments can be included and considered. The TIS shall include:
- a) Level of Service (LOS) and Capacity Analysis: Evaluate existing and proposed LOS or capacity conditions as applicable on roadways and intersections. The difference in operations shall be considered the site impacts. If the access point is on an arterial or collector road LOS should be recalculated as necessary. Roadway improvements shall be developed to address the proposed site impacts.
 - b) Sensitivity Analysis: In special circumstances, typically involving large developments or developments on critical roadways, the county may require either sensitivity testing or 10 to 20 year traffic projections. Sensitivity testing would entail capacity analyses on incremental (5% to 20%) traffic increases. Traffic projections would require evaluation of future traffic operations based on an agreed annual growth rate. Operational impacts as a result of background traffic increases (sensitivity testing or traffic projections) may not be required to be mitigated unless such is a result of a phased development.
 - c) Peak-hour Analysis: Existing and proposed AM (7:30-8:30) and PM (5:00 and 6:00) peak hour trips.
 - d) Trip Generation Analysis: Evaluate existing and proposed trip generation. It should be noted that often trip generation data is based on limited sample size and, therefore, application of such could have varying results. Additionally, some land uses may not lend well to direct application of the Manual and upward or downward adjustments may be justifiable. An example of such might include trip rate factors for apartments in which the ITE Trip Generation Manual bases such on national apartment profile characteristics. However, in the case of the county, many of the apartment complexes house 2 to 4 students in a single unit. This would result in a higher number of vehicles than expected (4 vehicles versus 2) and higher trip numbers per unit.
 - e) Trip Distribution Analysis: Existing and proposed 24-hour directional traffic count on a typical weekday for each roadway or access point.
 - f) Internal Circulation Analysis: Evaluation of driveway lengths for vehicular queuing and lane needs, which would affect the operation of the public roadway system, should be addressed as part of the site impacts.

- g) Traffic Impact Mitigation: Evaluation and recommendations of on-site and off-site roadway improvements to accommodate the additional predicted traffic to be generated by the site, including access management and safety improvements regarding warrants for additional turn lanes and channelization, medians and islands and signalization as provided in the GDOT Driveway and Encroachment Control Manual.
- h) The results of the traffic impact study submitted to the county are not automatically binding: The county, at its discretion, may review the traffic study and may overrule submitted recommendations.

(c) Notification

- (1) Notice of the hearing for a zoning request that is a variance must be published in a newspaper of general circulation in the county at least thirty (30) days but not more than forty-five (45) days before the hearing. Such notice will state the time, place and purpose of the hearing. If the zoning request for a variance is initiated by a party other than the local government, the building and zoning official shall also post a sign in a conspicuous place on the subject property at least thirty (30) days prior to the date of the scheduled public hearing. The sign should set forth the purpose, date, time, and place of the scheduled public hearing. In addition, the building and zoning official shall mail notice of the hearing to the applicant and property owner (if different from the applicant) at least thirty (30) days prior to the hearing.

(2) Notice of the hearing for a zoning request that is a conditional use or amendment must be published in a newspaper of general circulation in the county at least fifteen (15) days but not more than forty-five (45) days before the hearing. Such notice will state the time, place and purpose of the hearing. If the zoning request is for an amendment to rezone property from one district to another and is initiated by a party other than the local government, then the notice shall also include the location of the property, the present zoning district of the property, and the proposed zoning district of the property. If the zoning request for a conditional use or amendment is for a particular parcel or parcels of property and is initiated by a party other than the local government, the building and zoning official shall post a sign in a conspicuous place on the property at least fifteen (15) days prior to the date of the scheduled public hearing. The sign should set forth the purpose, date, time, and place of the scheduled public hearing, and the present and proposed zoning districts in case of a rezone.

- (3) The planning and zoning commission shall make its recommendation respecting a requested conditional use or amendment to the board of commissioners within sixty (60) days of its first meeting at which the application is heard. If the planning and zoning commission fails to send its recommendation to the board of commissioners within the aforesaid sixty (60) days, it shall mean that the planning and zoning commission recommends approval of the conditional use or amendment, including any conditions recommended by staff. Provided, however, that the planning and zoning commission may defer making its recommendation on a conditional use or amendment for more than sixty (60) days with the consent of applicant. After receipt of the recommendation of the planning and zoning commission, the board of commissioners shall conduct a public hearing on the proposed conditional use or amendment.

(d) General Guidelines

- (1) Any person desiring a transcript of the hearing must arrange for a court reporter at their own expense.
- (2) Zoning requests shall, as a general rule, be called in the order in which they are received by the County, provided that nothing shall prevent the commission or board from changing the order

of decisions reviewed at the time of the hearing for the convenience of the commission or board and the public.

- (3) The chairperson will read or cause to be read a summary of the proposed zoning request under consideration prior to receiving public input.
 - (4) As a general rule, the chairperson shall call each person who has signed up to speak on the zoning request in the order in which the persons have signed up to speak, except for the applicant, who will always speak first, or if the local government has brought a zoning request to the hearing, then a representative of the local government shall speak first.
 - (5) Nothing contained herein shall be construed as prohibiting the commission or board from taking reasonable steps necessary to insure that hearings are conducted in a decorous manner, and to assure that the public hearing on each zoning request is conducted in a fair and orderly manner.
 - (6) The planning and zoning commission and board of commissioners will make a decision concerning the zoning request and record the decision in the minutes for that meeting.
- (e) Public Comments
- (1) Written comments on the subject of the hearing may be submitted by any citizen or property owner at any time prior to the adjournment of the hearing.
 - (2) All persons who wish to address the planning and zoning commission or board of commissioners at a hearing concerning a zoning request shall first sign up on a form to be provided by the county prior to the commencement of the hearing. Only those persons signed up to speak prior to the commencement of the hearing shall be entitled to speak, unless the chairperson of the planning and zoning commission or board of commissioners, in his discretion, decides to make an exception at the time of the hearing, notwithstanding the failure of the person to sign up prior to the hearing.
 - (3) Each side will be allowed a minimum time period of ten (10) minutes to make its presentation. The length of time of oral presentations permitted to each speaker will be determined by the chairperson of the planning and zoning commission or board of commissioners, and will depend upon the number of persons present and desiring to speak and the complexity of the zoning request under consideration.
 - (4) All questions will be addressed to the chairperson of the planning and zoning commission or board of commissioners.
 - (5) Each speaker shall speak only to the merits of the proposed zoning request under consideration and shall address his or her remarks only to the members of the planning and zoning commission or board of commissioners.
 - (6) Each speaker shall refrain from personal attacks on any other speaker or from discussing facts or opinions irrelevant to the proposed zoning request under consideration.
 - (7) The chairperson of the planning and zoning commission or board of commissioners may limit or refuse a speaker the right to continue, if the speaker, after first being cautioned, continues to violate this subsection.
 - (8) Prior to speaking, the speaker will identify himself or herself and state his or her current address, and if an attorney or other designated agent, identify his or her principal.
 - (9) The merits of the zoning request shall include, but not necessarily be limited to, evidence or opinions regarding devaluation, fair market value, nuisance, environmental concerns, traffic,

noise, aesthetics and in general, the health, welfare and benefit of the community or county as it is affected by the zoning request. The speaker shall refrain from comment on unrelated zoning issues and unrelated tracts of land.

(f) Decisions

- (1) The board of commissioners is not bound by the recommendation of the planning and zoning commission. The board of commissioners may grant or deny the application for a zoning request and, if granted, establish such additional conditions and development standards as it deems appropriate for the protection and benefit of surrounding landowners and neighborhoods, to ameliorate the effects of the zoning request, and otherwise for the general public safety and welfare.
- (2) The planning and zoning commission may impose such additional conditions and development standards on variances and recommend such additional conditions and development standards on conditional uses and amendments as it deems appropriate for the protection and benefit of surrounding landowners and neighborhoods, to ameliorate the effects of the zoning request, and otherwise for the general public safety and welfare.
- (3) After reviewing the record of the public hearing and considering recommendations from the planning and zoning commission, the board of commissioners may approve or deny the requested amendment, reduce the land area for which the amendment is requested, change the district or land use category requested, or impose conditions which may restrict the use or development of the property in a manner not otherwise required by this appendix. Any such conditions imposed by the board of commissioners shall be incorporated into this appendix and shall become a part of the official zoning map, whether or not actually entered upon the official zoning map.
- (4) The power to approve a variance rests with the planning and zoning commission, except that in consideration of a rezoning of property from one zoning district to another or a conditional use the board of commissioners may approve a variance in connection with its approval of a conditional rezoning or conditional use.
- (5) The power to approve a conditional use and enact an amendment rests with the board of commissioners.

(g) Deferrals

- (1) Prior to the close of the hearing, the planning and zoning commission or board of commissioners shall announce whether it will vote on the zoning request at that same hearing or whether it will defer its vote for a period not to exceed forty-five (45) days. Provided, however, that the planning and zoning commission or board of commissioners may defer its vote on a zoning request for more than forty-five (45) days with the consent of the applicant.

(h) Withdrawals

- (1) An application for a zoning request or the appeal of the denial of a zoning request may be withdrawn by the applicant as a matter of right until 5:00 PM the day prior to the meeting of the planning and zoning commission or the board of commissioners at which such application is scheduled to be heard. Such withdrawal must be in writing and must be received by the building and zoning official by 5:00 PM the day before the scheduled meeting.

(i) Reapplication

- (1) If an application for a zoning request is for an amendment to rezone property and the zoning request is denied, then an application to rezone the same property may not be filed with the

building and zoning official until the expiration of at least six (6) months following the denial of the rezoning. If an application for a zoning request that is a variance or a conditional use is denied, then an application for a conditional use or a variance on the same property that is substantially the same may not be filed with the building and zoning official until at least six (6) months following the denial.

Section 411: Variances.

(a) A variance is a permit, issued by the Planning and Zoning Commission, which allows construction or maintenance of a building or structure in a way that varies from requirements for the district in which the property is located. A variance may be granted only in an individual case where unnecessary or undue hardship would result if all of the requirements of this appendix were applied stringently to a particular piece of property. Unnecessary or undue hardship means that owing to conditions peculiar to the property and not as a result of any action on the part of the property owner, a permitted use of a lot is not reasonable if all of the requirements of this appendix are to be met.

(b) A hardship may exist for medical reasons which would permit the temporary placement of a manufactured home, meeting applicable development standards, on the same parcel as the original principal dwelling. Such temporary dwelling shall be placed behind and within 300 feet of the principal dwelling whenever possible. Such temporary dwelling shall provide living quarters for an infirmed family member or provide living quarters for a family member or certified/registered assisted living employee to aid in the care of one or more infirmed family members living in the original principal dwelling. Variances approved for medical hardship cases shall be reviewed annually by the zoning administrator. When the medical hardship ceases to exist, the owner of the principal dwelling shall notify the zoning administrator. Such manufactured home shall be removed within 30 days, or subject the owner of the principal dwelling to fines and penalties as outlined in Section 418.

(c) With the exception of a medical hardship variance, a variance may be granted only for permitted uses in the zoning district in which the property in question is located. (For example, a two-family dwelling would not be allowed to be placed in an R15 district under a variance).

(d) Where a variance is granted for a construction activity requiring a building permit, the building permit must be obtained within twelve (12) months of the issuance of the variance. Otherwise, the variance expires after twelve (12) months.

(e) The planning and zoning commission will consider the following standards in arriving at a decision on the variance.

- (1) Will the variance cause substantial detriment to the public good or impair the purposes of this appendix?
- (2) Is the spirit of this appendix observed and the public safety and welfare secured?
- (3) Is the hardship related to conditions peculiar to the property and not a result of any action of the property owner?

(f) The building and zoning official shall have the power to grant administrative variances from the development standards of this appendix where, in the opinion of the building and zoning official, the intent of this appendix can be achieved and equal performance obtained by granting a variance. The authority to grant such variances shall be limited to variances from the following requirements:

- (1) Front yard or yard adjacent to public street setback: variance not to exceed twenty percent of the setback in the applicable zoning district.
- (2) Side yard setback: variance not to exceed twenty percent of the setback in the applicable zoning district.

- (3) Rear yard setback: variance not to exceed twenty percent of the setback in the applicable zoning district.
- (4) Height of building: variance not to exceed twenty percent of the setback in the applicable zoning district.
- (5) Extension of variance or conditional use for a construction activity requiring a building permit: variance to grant a maximum of two one-year extensions of the time limits in Sections 411(d) and 413(e) if the variance or conditional use is for a project requiring multiple building permits and at least one of the permits has been obtained and construction has begun under that permit.
- (6) Parking spaces: variance not to exceed ten percent of required in applicable zoning district.
- (7) Lot size: variance not to exceed five percent of the lot size in the applicable zoning district (minor subdivisions only – as determined by the subdivision ordinance).
- (8) Lot width: variance not to exceed ten percent of the lot width in the applicable zoning district (minor subdivisions only – as determined by the subdivision ordinance).
- (9) Minor amendments to conditions of approval established by the planning and zoning commission.
- (g) When an application for an administrative variance is received, the building and zoning official will set a time and place for a public hearing on the administrative variance. Notice of the hearing must be published in a newspaper of general circulation in the county at least thirty (30) days but not more than forty-five (45) days before the hearing. The building and zoning official shall also post a sign on the subject property at least thirty (30) days prior to the hearing setting forth the purpose, date, time, and place of the scheduled public hearing. In addition, the building and zoning official shall mail notice of the hearing to the applicant and property owner (if different from the applicant) at least thirty (30) days prior to the hearing. The building and zoning official shall allow the applicant and/or property owner the opportunity to speak at the hearing. The building and zoning official shall also allow anyone at the hearing who is opposed to the granting of the administrative variance the opportunity to speak. The building and zoning official may limit the time for speakers to no more than ten (10) minutes per side. The building and zoning official will make a decision to either grant or deny the administrative variance at the conclusion of the hearing.

Section 412: Developments of regional impact (DRI).

(a) Local zoning provision to allow for DRI review: For new developments proposed within the county which meet or exceed the minimum threshold identified in the Department of Community Affairs' Procedures and Guidelines for the review of Developments of Regional Impact (DRI), the county will comply with these intergovernmental review procedures. The county shall be allowed up to a maximum of thirty (30) days to complete the review process for large development projects that are likely to create impacts in other local jurisdictions. The county will not take any official action to further any such developments until the DRI Review Process is completed or a maximum of thirty (30) days has transpired from the date the completed DRI Request for Review Form was forwarded to the Regional Commission.

Section 413: Conditional use.

(a) Some zoning districts permit certain uses only upon approval of the board of commissioners after receiving a recommendation from the planning and zoning commission. These uses are identified in this

appendix as conditional uses and such uses are allowed only under the circumstances specified in this appendix.

(b) An applicant requesting a conditional use shall provide the building and zoning official any information as may be deemed appropriate to assist in the consideration of the request (e.g., sketch plan, traffic impact study).

(c) The planning and zoning commission and board of commissioners will consider the following standards in arriving at a decision on the conditional use:

- (1) Is the type of street providing access to the use adequate to serve the proposed conditional use?
- (2) Is access into and out of the property adequate to provide for traffic and pedestrian safety, the anticipated volume of traffic flow, and access by emergency vehicles?
- (3) Are public facilities such as schools, EMS, sheriff and fire protection adequate to serve the conditional use?
- (4) Are refuse, service, parking and loading areas on the property located or screened to protect other properties in the area from such adverse effects as noise, light, glare or odor?
- (5) Will the hours and manner of operation of the conditional use have no adverse effects on other properties in the area?
- (6) Will the height, size, or location of the buildings or other structures on the property be compatible with the height, size or location of buildings or other structures on neighboring properties?
- (7) Is the proposed conditional use consistent with the purpose and intent of the zoning ordinance?

(d) If the building and zoning official finds that any restrictions upon which a conditional use was granted are not being complied with, he/she may suspend the permit for the conditional use until such time as the applicant brings the conditional use into compliance with the restrictions imposed by the board of commissioners. Only work upon the conditional use may be allowed during suspension of the permit which is necessary to bring the conditional use into compliance with the restrictions imposed by the board of commissioners.

(e) Where a conditional use is granted for a construction activity requiring a building permit, the building permit must be obtained within twelve (12) months of the issuance of the conditional use. Otherwise, the conditional use expires after twelve (12) months.

Section 414: Amendments.

(a) Any landowner may request that the official map be amended from the existing zoning district to another as it applies to the owner's property. Also, any person affected by this zoning ordinance may propose an amendment to the text of this zoning ordinance under the provisions of this section. As used in this section, the term "amendment" shall mean both a change to the official map and a change to the text of this appendix unless otherwise indicated.

(b) An applicant requesting an amendment to the official map shall provide the building and zoning official the following:

- (1) Details of the specific proposed use(s) of the property, including but not limited to a sketch plan prepared by a licensed surveyor or engineer. Applications for speculative zoning without specific uses will not be accepted.
- (2) A copy of the recorded plat and legal description will be the minimum requirement for the planning and zoning commission.

- (3) Where the building and zoning official or the county staff development review committee has recommended the preparation of special studies pursuant to a pre-application conference or where the applicant elects to submit additional technical reports in support of the proposed development, such reports shall be submitted with the initial application form.
- (4) During review of any application, the Planning and Zoning Commission may determine that additional specific technical information is needed regarding any potential environmental, fiscal, or public service impacts. If such a determination is made, the Planning and Zoning Commission shall have the discretion to defer its recommendations concerning such an application upon preparation of a special study intended to analyze the potential impacts or any specific areas of concern.
- (5) Where preparation of a special study has been required, no application shall be recommended to be submitted to the Board of Commissioners for a public hearing until such study has been received and reviewed by the Planning and Zoning Commission. The cost of any special study shall be borne by the applicant, unless the Board of Commissioners approves the participation of public funds, as necessary, or being in the public interest.
- (6) Any other materials or information as may be deemed appropriate by the building and zoning official.

(c) When considering a proposal to amend the official map, the following standards shall be considered.

Standards:

- (1) Is the proposed use suitable in view of the zoning and development of adjacent and nearby property?
- (2) Will the proposed use adversely affect the existing use or usability of adjacent or nearby property?
- (3) Are there substantial reasons why the property cannot or should not be used as currently zoned?
- (4) Will the proposed use cause an excessive or burdensome use of public facilities or services, including but not limited to streets, schools, EMS, sheriff or fire protection?
- (5) Is the proposed use compatible with the purpose and intent of the Comprehensive Plan?
- (6) Will the proposed use be consistent with the purpose and intent of the proposed zoning district?
- (7) Is the proposed use supported by new or changing conditions not anticipated by the Comprehensive Plan?
- (8) Does the proposed use reflect a reasonable balance between the promotion of the public health, safety, morality, or general welfare and the right to unrestricted use of property?

(d) When considering a proposal to amend the text of the zoning ordinance, the following standards shall be considered.

Standards:

- (1) Is the proposed text amendment compatible with the purpose and intent of the Comprehensive Plan?
- (2) Is the proposed text amendment consistent with the purpose and intent of the Zoning Ordinance?

- (3) Will adoption of the amendment further the protection of the public health and safety or general welfare?

Section 415: Planning and Zoning Commission.

(a) The planning and zoning commission shall consist of seven (7) members, appointed by the board of commissioners to serve for staggered three-year terms or until their successor has been appointed. Any vacancy in the membership shall be filled for the unexpired term in the same manner as the initial appointment. Members shall be removable for cause by the board of commissioners upon written notice and an opportunity to be heard. The board of commissioners shall determine the amount of compensation, if any, to be paid to the members of the planning and zoning commission.

(b) The planning and zoning commission shall elect from its membership a chairman, a vice-chairman, and a secretary, each of whom shall serve for one year or until he is re-elected or his successor is elected. The vice-chairman shall preside over meetings in the chairman's absence. The chairman (or, in the chairman's absence, the vice-chairman) may not introduce or second motions and shall not vote except in the case of a tie vote among the other members, the chairman then voting to break the tie. The planning and zoning commission shall adopt rules in accordance with this ordinance and state law. Meetings of the planning and zoning commission shall be held at the call of the chairperson and every thirty (30) days or at other times as the planning and zoning commission may determine. The planning and zoning commission shall keep minutes of its proceedings, showing the vote of each member upon each question, and shall keep records of its examinations and other official actions, all of which shall be filed, upon official approval, in the office of the clerk of the board of commissioners and shall be a public record. All meetings and all records of the planning and zoning commission shall comply with O.C.G.A. Chapters 14 and 18, Title 50.

(c) The planning and zoning commission shall require the applicant to furnish such information as it deems necessary when filing an application.

(d) It shall be the responsibility of the planning and zoning commission to review and recommend to the board of commissioners its approval, disapproval, or approval with conditions on all requests for rezoning, map and text interpretations and other amendments submitted to the designated officials or initiated by any other individual or governmental unit.

(e) The planning and zoning commission does not have the power to amend any zoning ordinance, to rezone any land, or to allow any use not permitted by this ordinance.

Section 416: Designation of Officers for Service of Petitions and Appeals.

(a) The county manager or, in his absence, the assistant county manager, is designated as the officer who has the authority to approve or issue any form or certificate necessary to perfect the petition described in Title 5 of the Official Code of Georgia Annotated for review of lower judicatory bodies and upon whom service of such petition may be effected or accepted on behalf of the planning and zoning commission during normal business hours at the regular offices of the board of commissioners.

(b) The county manager or, in his absence, the assistant county manager, is designated as the officer who has the authority to accept service and upon whom service of an appeal of a quasi-judicial decision may be effected or accepted on behalf of the board of commissioners during normal business hours at the regular offices of the board of commissioners.

Section 417: Fees.

Fees shall be set forth in the Bulloch County schedule of fees and charges.

Section 418: Penalties.

Any person who violates any provision of this appendix or any amendment to this appendix, or who fails to perform any act required hereunder or commits any prohibited act, upon conviction thereof shall be subject to punishment as provided in section 1-11 of the Bulloch County Code of Ordinances. Each and every day for which any violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such hereunder.

Section 419: Remedies.

If any building or land is used or maintained in violation of this appendix, anyone, including the county, who would be harmed by such a violation, may initiate legal proceedings to obtain an injunction or other appropriate remedy to stop the violation or to prevent any act which would constitute such a violation. Other legal remedies are also available as provided by Georgia law.

ARTICLE 5 – AG-5 AGRICULTURAL AND RESIDENTIAL

Section 500: Statement of purpose.

The Agricultural districts are established as districts in which the principal use of land is for farming, dairying, forestry operations and other agricultural activities. For the agricultural districts, in promoting the general purposes of these regulations, the specific intent of this article is to protect land needed and used for agricultural pursuits from encroachment by untimely and unplanned residential, commercial, or industrial development, and to allow the continuation of existing agricultural pursuits in areas where, in accordance with the recommendations of the comprehensive plan, future agricultural, commercial, industrial, or residential development is anticipated, but where the present application of zoning controls for future more intensive land uses would be unreasonable and premature.

Section 501: Purpose.

AG-5 zoning districts are intended to establish and preserve low-to-medium density areas where agriculture is the primary land use. Residences, which may or may not be incidental to these activities, are also permitted. These districts are free from other uses which are incompatible with low-to-medium density agricultural and residential uses.

Section 502: Boundaries of AG-5 districts.

The official map (section 2301 of this ordinance) shows the boundaries of all AG-5 districts within the County. Article 23 also contains additional information concerning interpreting district boundaries, amending boundaries, etc.

Section 503: Permitted uses.

- (a) The following principal uses are permitted in AG-5 districts:
 - (1) Dwelling, Single-family Detached with a heated floor area of at least 975 square feet.
 - (2) Industrialized Building.
 - (3) Church (subject to supplemental standards).
 - (4) Farm.
 - (5) Fruit and Vegetable Market.
 - (6) Nursery, Garden Center, and Farm Supply Store.

- (7) Kennel (Commercial, subject to supplemental standards).
- (8) Cemetery (subject to supplemental standards).
- (9) School.
- (10) Government: Local, State or Federal.
- (11) Utility Substations.
- (12) Manufactured Home.
- (13) Single-family dwellings by farm owner, agricultural or seasonal workers and related to the agricultural operation of the farm on which it is situated and intended for the temporary or seasonal housing of farm workers. These shall be allowed at one manufactured home per 5 acres. However, no manufactured home shall be placed closer than 200 feet to another manufactured home. The planning and zoning commission shall be granted the power to allow a greater number / density of manufactured homes where it is deemed warranted by unique agricultural needs. Must comply to D.O.L. Standards for housing.
- (14) A landowner may deed to a family member a minimum of one acre from the previously recorded parcel for the construction or placement of a single-family dwelling, provided a minimum of one acre remain in the original parcel of land. This provision shall be allowed one (1) time per eligible family member. For purposes of this provision, the term "family member" means a child, grandchild, parent, grandparent, sibling or step-child. A single-family dwelling on a lot deeded under this provision shall be required to meet the minimum setback requirements of the R-80 zoning district as set forth in Section 606 of this ordinance. This provision shall not apply if the lot being deeded to the family member is five acres or greater in area.

(b) *Conditional uses (AG-5)*: The following conditional uses shall be permitted in this district upon approval by the board of commissioners pursuant to section 413:

- (1) Farm Supply Store.
- (2) Personal Care Home: Family Personal Care Home or Group Personal Care-Home (subject to supplemental standards).
- (3) Recreation Facility, Outdoor Commercial and Outdoor Private (subject to supplemental standards).
- (4) Airport (public, private, commercial) or Airstrip (private).
- (5) Facilities to Host Private and Public Functions (subject to supplemental standards).
- (6) Day Care Facility (subject to supplemental standards).
- (7) Golf Course, Tennis Court and Country Club.
- (8) Machine Shop.
- (9) Farm Winery (subject to supplemental standards).
- (10) Bed and Breakfast Inn (subject to supplemental standards).
- (11) Civic and Social Organization.
- (12) Solid Waste Landfill.
- (13) Natural Resource Development (subject to supplemental standards).

- (14) Manufactured homes, mobile offices, recreational vehicles or camping trailers shall be allowed as temporary occupancy units during the construction of a principal residential use (subject to supplemental standards).
 - (15) Tower.
 - (16) Solar Electric Power Generation (subject to supplemental standards).
 - (17) Boarding House (subject to supplemental standards).
- (c) The following accessory uses are permitted in AG-5 districts:
- (1) Garage or Carport, Private.
 - (2) ISO Intermodal Steel Container.
 - (3) Children's Playhouse.
 - (4) Swimming Pool, Bath House or Cabana (private).
 - (5) Tennis Court and/or Basketball Facilities (private).
 - (6) Garden (non-commercial).
 - (7) Deck, Patio, Barbecue Grill, or Other Such Facility.
 - (8) Fence, wall, exterior lighting fixture, or other general landscaping and site development facility.
 - (9) Antenna (non-commercial).
 - (10) Temporary Building for Storage of Materials.
 - (11) Roadside Stand.
 - (12) Home Occupation (Residential) (subject to supplemental standards).
 - (13) Temporary occupancy unit.
 - (14) Electric vehicle charging stations (private restricted use).
 - (15) Dwelling, Accessory (subject to supplemental standards).
- (d) The following accessory uses are allowed as conditional uses in AG-5 districts:
- (1) Home Occupation, Cottage Industry (if located outside subject to supplemental standards).
 - (2) Electric vehicle charging stations, public use (subject to supplemental standards).
- (e) All uses not permitted within AG-5 district by this section are specifically prohibited, except as may be allowed by other provisions of this ordinance.

Section 504: Development standards for AG-5 districts.

The following standards are required within AG-5 districts:

- (1) Minimum lot area: As specified by the county health department, but in no case less than 5 acres; however a lot of record lawfully existing at the time of the original passage of this ordinance (November 4, 1994) and having an area which does not conform to the above standards may nevertheless be developed with a use which is permitted within an AG-5 district if approved by the county health department.

- (2) Minimum lot width: 200 feet.
- (3) Minimum front-yard setback: 100 feet from property line.
- (4) Minimum side-yard setback: 30 feet.
- (5) Minimum rear-yard setback: 50 feet.
- (6) Maximum bldg. height: 45 feet; however, this height limit does not apply to projections not intended for human habitation. For buildings and structures with such projections, the minimum required yards must be increased 1 foot for every 2 feet (or part of 2 feet) of height greater than 45 feet.
- (7) Applicability to land and open space: No building, structure or land may be used or occupied—and no building or structure or part of a building or structure may be erected, constructed, reconstructed, moved, or structurally altered—unless in conformity with all of the regulations specified for the district in which it is located.
- (8) Every use must be on a lot: No building or structure may be erected or use established unless upon a lot as defined by this ordinance.
- (9) Only one principal building per lot: Only 1 principal building and its accessory buildings may be erected on any lot, except for planned developments or as otherwise provided.
- (10) Open space not to be encroached upon: No open space may be encroached upon or reduced in any manner except in conformity with the yard, setback, off-street parking spaces, and other such required development standards contained in this ordinance. Shrubbery, driveways, retaining walls, fences, curbs, and buffers are not considered to be encroachments of yards. Open space areas as required by this ordinance must be permanently maintained as open space in accordance with the requirements of this ordinance.
- (11) Reduction of yards or lot area: Except as otherwise provided in this ordinance, a lot existing at the time of the original passage of this Ordinance (November 4, 1994) may not be reduced, divided, or changed so as to produce a tract of land which does not comply with the minimum dimension or area requirements of this ordinance for the district in which it is located unless that reduction or division is necessary to provide land which is needed and accepted for public use.
- (12) Lots with multiple frontage: In the case of a corner lot or double frontage lot, front yard setback requirements apply to all lot lines abutting a street.
- (13) Street frontage: No principal building may be erected on any lot which has less than 30 feet of immediate frontage on at least 1 public street. For purposes of this provision, the term “frontage” includes the width of an easement from a public street to otherwise land locked property.
- (14) Yards and other spaces: No part of a yard, other open space, off-street parking, or loading space required for another building may be included as a part of the yard, off-street parking, or loading space required for another building, except as specifically provided for in this ordinance.
- (15) Substandard lots: When a lot has an area or frontage which does not conform with the requirements of the district in which it is located, but was a lot of record at the original effective date of this ordinance (November 4, 1994), such a lot may be used for any use allowed in the zoning district in which it is located as long as all other requirements of this ordinance are met.
 - a. Adjoining lots in same ownership: When 2 adjoining lots are in the same ownership, they may be utilized as one (1) lot without being replatted.

- (16) Encroachment on public rights of way: No building, structure, service area, required off-street parking, or loading/unloading facilities are permitted to encroach on public rights-of-way.
- (17) Physical design standards: Minimum design standards for driveways, loading areas, and other such physical site improvements are contained in applicable development regulations of the county. Consult that document for specific requirements.
- (18) Off-street parking and service requirements: Minimum standards for off-street parking and service requirements are contained in the county standard for off-street parking and service facilities (appendix G).
- (19) Other applicable development regulations: Information concerning any other applicable development regulations may be obtained by consulting the zoning administrator.
- (20) Residential structures and non-residential structures designed or intended for human occupancy shall not be allowed to locate any closer than the height of the tower to any existing tower. See Sections 2602 and 2605 of Article 26-Standards for Towers and Wireless Telecommunications Facilities.

ARTICLE 6 – RESIDENTIAL DISTRICTS

Section 601: Purpose.

R-80 Single Family Residential (minimum lot size – 80,000 square feet)

R-80 zoning districts are intended to establish and preserve quiet, relatively low-density neighborhoods of single-family residences as desired by large number of people. These districts are free from uses which are incompatible with single-family homes.

R-40 Single Family Residential (minimum lot size – 40,000 square feet)

R-40 zoning districts are intended to establish and preserve quiet, relatively low-density neighborhoods of single-family residences as desired by large number of people. These districts are free from uses which are incompatible with single-family homes.

R-25 Single Family Residential (minimum lot size – 25,000 square feet)

R-25 zoning districts are intended to establish and preserve quiet, relatively low-density neighborhoods of single-family residences as desired by large number of people. These districts are free from uses which are incompatible with single-family homes.

R-15 Single Family Residential (minimum lot size – 15,000 square feet)

R-15 zoning districts are intended to establish and preserve quiet, relatively low-density neighborhoods of single-family residences as desired by large number of people. These districts are free from uses which are incompatible with single-family homes.

R-8 Single Family Residential (minimum lot size – 8,000 square feet)

R-8 zoning districts are intended to provide locations for single-family dwellings on small individual lots, based on the availability of both public water and public sewerage systems to serve the development. These districts are free from uses which are incompatible with single-family homes.

R-2 Two Family Residential (minimum lot size – 15,000 square feet)

R2 zoning districts are intended to establish and preserve quiet, relatively low to medium density neighborhoods of two family residences. These districts are free from other uses which are incompatible with single family homes.

R-3 Multiple Family Residential (minimum lot size – 15,000 square feet)

R-3 zoning districts are intended to: 1) encourage the development of land as planned neighborhoods or communities, 2) preserve the natural amenities of the land by encouraging scenic and functional open areas within residential areas, 3) provide for efficient use of land resulting in smaller networks of utilities and streets as well as lower development and housing costs, and 4) provide an environment of stable character which is compatible with surrounding residential areas.

Section 602: Residential – Principal Uses.

	R80	R40	R25	R15	R8	R2	R3
Boarding House	C						
Cemetery	C,S	C,S	C,S	C,S	C,S	C,S	
Church	C,S	C,S	C,S	C,S	C,S	C,S	C,S
Condominium							P
Day Care Facility	C,S	C,S	C,S	C,S	C, S		
Dwelling, Multiple-family							P
Dwelling, Single-family Detached (Site Built)	P	P	P	P	P	P	P
Dwelling, Two-family						P	P
Golf Course, Tennis Court and Country Club	C	C	C	C	C		
Government: Local, State, Federal	P	P	P	P	P	P	P
Hospice Care Facility	C	C	C	C	C	C	C
Manufactured Home	P	C	C	C			
Nursing Home	C	C	C	C	C	C	C
Personal Care Homes: Family or Group	C,S	C,S	C,S	C,S	C,S	C,S	C,S
Planned Apartment Home Community						P	P
Planned Residential Development	P,S	P,S	P,S	P,S	P,S	P,S	P,S
Recreation Facility (Private)	P,S	P,S	P,S	P,S	P,S	P,S	P,S
School	C	C	C	C	C		
Utility Substations	P	P	P	P	P	P	P

P – Permitted Use.
 C – Conditional Use.
 S – Supplemental Standards.

Attachment: 10. Appendix C Zoning Regulations (Appendix C Zoning)

Section 603: Residential – Accessory Uses.

	R80	R40	R25	R15	R8	R2	R3
Animals (Domesticated Livestock)	P,S	P, S					
Antenna (Non-commercial)	P	P	P	P	P	P	P
Children’s Playhouse	P	P	P	P	P	P	P
Deck, Patio, Barbecue Grill, or Other Such Facility	P	P	P	P	P	P	P
Dwelling, Accessory	P,S	P,S	P,S				
Electric Vehicle Charging Stations (Private Use)	P	P	P	P	P	P	C,S
Electric Vehicle Charging Stations (Public Use)							C,S
Fence, Wall, Exterior Lighting Fixture, or Other General Landscaping and Site Development Facility	P	P	P	P	P	P	P
Garage or Carport, Private	P	P	P	P	P	P	P
Garden (Non-commercial)	P	P	P	P	P	P	P
Home Occupation Conducted within an Accessory Building, Excluding Automotive Repair	C	C	C	C	C	C	
Home Occupation Conducted within the Principal Building, Excluding Automotive Repair	P	P	P	P	P	P	P
Laundromat						P	P
Maintenance Building/Shed	P	P	P	P	P	P	P
Sign	P	P	P	P	P	P	P
Swimming Pool and Bath House or Cabana (Private)	P	P	P	P	P	P	P
Temporary Building for Storage of Materials	P	P	P	P	P	P	P
Temporary Occupancy Unit	C	C	C	C	C		
Tennis Court and/or Basketball Facilities (Private)	P	P	P	P	P	P	P

P – Permitted Use.
 C – Conditional Use.
 S – Supplemental Standards.

Section 604: Reserved.

Section 605: Reserved.

Attachment: 10. Appendix C Zoning Regulations (Appendix C Zoning)

Section 606: Development Standards.

Requirements	R-80	R-40	R-25	R-15	R-8	R-2	R-3
Heated Area (Minimum)¹							
Single Family	975'	975'	975'	975'	975'	975'	975'
Two Family						600'	600'
Multi Family							600'
Lot Size (Minimum)²							
	80,000'	40,000'	25,000'	15,000'	8,000'	15,000'	15,000'
Lot Width (Minimum)							
No Water/Sewer	125'	125'	125'	125'	125'	125'	125'
Water/No Sewer	100'	100'	100'	100'	100'	100'	100'
Water/Sewer	80'	80'	80'	80'	70'	80'	80'
Front-yard Setback/With Public Sewer (Min.)						40'/35'	40'/35'
Street or Road, Arterial	80'	80'	80'	80'	80'		
Street or Road, Collector	60'	60'	60'	60'	60'		
Street or Road, Local	40'	40'	40'	40'	40'		
Lots with Multiple Frontage – Setbacks							
Side-yard Setback/With Public Water (Min.)							
						25'/12' ³	25'/12' ₄
Street or Road, Arterial	20'	20'	20'	20'	20'		
Street or Road, Collector	15'	15'	15'	15'	15'		
Street or Road, Local	10'	10'	10'	10'	10'		
Rear-yard Setback (Minimum)							
Street or Road, Arterial	20'	20'	20'	20'	20'	25'	25'
Street or Road, Collector	10'	10'	10'	10'	10'	25'	25'
Street or Road, Local	10'	10'	10'	10'	10'	25'	25'
Building Height (Maximum)							
Habitable ⁵	35'	35'	35'	35'	35'	35'	35' ⁶
Street Frontage (Minimum)⁷							
	30'	30'	30'	30'	30'	60'	60'

Attachment: 10. Appendix C Zoning Regulations (Appendix C Zoning)

¹ Square feet.
² Square feet. Lot size as specified by the Bulloch County Health Department, but in no case less than listed. A lot of record lawfully existing at the time of the original passage of this Ordinance (November 4, 1994) and having an area which does not conform to the above standards may be developed with a use which is permitted within the district if approved by the county health department.
³ Minimum side yard setback shall not apply to the common wall separating the individual dwelling units of a two-family dwelling.
⁴ Minimum side yard setback shall not apply to the common wall separating the individual dwelling units of a two-family dwelling or a multi-family dwelling.
⁵ This height limit does not apply to projections not intended for human habitation. For building and structures with such projections, the minimum required yards must be increased 1 foot for every 2 feet (or part of 2 feet) of height greater than maximum habitable building height.
⁶ Height limit does not apply to projections not intended for human habitation except for satellite, television, and radio antennas, to which this limit does not apply.
⁷ No principal building may be erected on any lot which has less than the minimum street footage of immediate frontage on at least 1 public street. For purposes of this provision, the term "frontage" includes the width of an easement to a public street from otherwise land locked property.

- (1) Conversion of dwellings: The conversion of any building into a dwelling, or the conversion of any dwelling so as to accommodate an increased number of dwelling units or families, shall be permitted only within a district in which a new building for similar occupancy would be permitted under this ordinance, and only when the resulting occupancy will comply with the requirements governing new construction in such district with respect to minimum lot size, lot area per dwelling unit, percentage of lot coverage, dimensions of yards and other open spaces. Not applicable in R2 and R3 zoning districts.
- (2) Applicability to land and buildings: No building, structure or land may be used or occupied—and no building or structure or part of a building or structure may be erected, constructed, reconstructed, moved, or structurally altered—unless in conformity with all of the regulations specified for the district in which it is located.
- (3) Every use must be on a lot: No building or structure may be erected or use established unless upon a lot as defined by this ordinance.
- (4) Only one principal building per lot: Only 1 principal building and its accessory buildings may be erected on any lot, except for planned developments or as otherwise provided. Not applicable in the R3 zoning district.
- (5) Open space not to be encroached upon: No open space may be encroached upon or reduced in any manner except in conformity with the yard, setback, off-street parking spaces, and other such required development standards contained in the ordinance. Shrubbery, driveways, retaining walls, fences, curbs, and buffers (see definition in Article 2) are not considered to be encroachments of yards. Open space areas as required by this ordinance must be permanently maintained as open space in accordance with the requirements of this ordinance.
- (6) Reduction of yards or lot area: Except as otherwise provided in this ordinance, a lot existing at the time of the original passage of this Ordinance (November 4, 1994) may not be reduced, divided, or changed so as to produce a tract of land which does not comply with the minimum dimension or area requirements of this ordinance for the district in which it is located unless that reduction or division is necessary to provide land which is needed and accepted for public use.
- (7) Yards and other spaces: No part of a yard, other open space, off-street parking, or loading space required for another building may be included as a part of the yard, off-street parking, or loading space required for another building, except as specifically provided for in this Ordinance.
- (8) Substandard lots: When a lot has an area or frontage which does not conform with the requirements of the district in which it is located, but was a lot of record at the original effective date of this ordinance (November 4, 1994), such a lot may be used for any use allowed in the zoning district in which it is located as long as all other requirements of this ordinance are met. Not applicable in the R3 zoning district.
 - a. Adjoining lots in same ownership: When 2 adjoining lots are in the same ownership, they may be utilized as one (1) lot without being replatted.
- (9) Encroachment on public rights of way: No building, structure, service area, required off-street parking, or loading/unloading facility is permitted to encroach on public rights-of-way.
- (10) Physical design standards: Minimum design standards for driveways, loading areas, and other such physical site improvements are contained in the county subdivision regulations.
- (11) Off-street parking and service requirements: Minimum standards for off-street parking and service requirements are contained in the county standard for off-street parking and service facilities (appendix G).

- (12) Other applicable development regulations: Information concerning any other applicable development regulations may be obtained by consulting the zoning administrator.
- (13) Residential structures and non-residential structures designed or intended for human occupancy shall not be allowed to locate any closer than the height of the tower to any existing tower. See Sections 2602 and 2605 of Article 26-Standards for Towers and Wireless Telecommunications Facilities.
- (14) The building and zoning official may authorize a bonus incentive of 15% for increased floor area ratio or net density, provided that the new development meets performance standards and offers amenities according to sections 1212 and 1213 of this appendix.

ARTICLE 7 – (RESERVED)

ARTICLE 8 – COMMERCIAL AND INDUSTRIAL DISTRICTS

Section 801: Purpose.

Highway Commercial (HC)

HC zoning districts are intended to establish and preserve business areas that are motor vehicle oriented, rather than pedestrian oriented. HC districts provide areas that are convenient and attractive for retail activities, business transactions, and services to the public designed primarily to meet the day-to-day shopping and services needs not only of residents of the county, but of surrounding communities as well. Off-street parking and minimum yards are required. Properties in this district must be located on major arterial roadways.

General Commercial (GC)

GC zoning districts are intended to provide adequate space for various types of general commercial business uses, including the retailing of major goods and services of larger scale than allowed in NC districts and other types of more intensive commercial activities involving non-industrial use of chemicals, outdoor displays, sales and storage and establishments that rely on highway-oriented passerby traffic.

Neighborhood Commercial (NC)

NC zoning districts are intended to establish and preserve small business areas of a limited nature that serve primarily the residential neighborhood in which they are located. Development standards for NC districts are designed to promote compatibility with the surrounding residential neighborhood. In order to promote such business development so far as is possible and appropriate in each area, uses are prohibited which would create hazards, offensive or loud noises, vibrations, smoke, glare, heavy truck traffic, or late hours of operation. The intent of this district is also to encourage the concentration of local business areas in locations proposed in the comprehensive plan to the mutual advantage of both consumers and merchants and thereby promote the best use of land at certain strategic locations.

Light Industrial (LI)

LI zoning districts are intended to establish and preserve physically and aesthetically desirable areas in which clean, low-intensity manufacturing activities may locate and be protected from the intrusion of incompatible land uses. By having such areas available, both new and existing industries may operate and undertake expansion of facilities with the least possible adverse effect on other types of activities which might be incompatible with manufacturing. The elimination of non-manufacturing activities from LI districts benefits manufacturing activities by removing some possible obstacles to their smooth operation and expansion.

This district is intended for firms that assemble or fabricate manufactured products that are ready for retail sale. Processing of certain types of agricultural products is allowed in this district. Firms that utilize substantial quantities of water in manufacturing are not permitted in this district.

Heavy Industrial (HI)

HI - zoning districts are intended to establish and preserve physically and aesthetically desirable areas in which clean, higher intensity manufacturing activities may locate and be protected from the intrusion of incompatible land uses. By having such areas available, both new and existing industries may operate and undertake expansion of facilities with the least possible adverse effect on other types of activities which might be incompatible with manufacturing. The elimination of non-manufacturing activities from HI district benefits manufacturing activities by removing some possible obstacles to their smooth operation and expansion.

Section 802: Commercial and Industrial – Principal Uses.

	HC	GC	NC	LI	HI
Adult Entertainment	C	C			
Agriculture				P	P
Airport or Airstrip (public, private, commercial)				C	C
Appliance Repair and Maintenance	P	P		P	P
Asphalt Plant (permanent)					P,S
Automotive Oil Change and Lubrication Shop	P,S	P,S		P,S	
Automotive Repair	C,S			P,S	P,S
Automotive Parts and Accessories Store	P,S	P,S		P,S	
Automotive Sales and Rental Facilities	P,S	C,S		C,S	P,S
Automotive Towing	P,S	C,S		C,S	P,S
Banking	P	P	C		
Bed and Breakfast Inn	P,S	P,S	C,S		
Body Art Studio	C,S	C,S			
Building Material Dealer ¹				P	P
Bus Station / Taxi Service	P	P			
Cemetery	C	C	C		
Church	C	C	P	C	C
Civic and Social Organization	C	C	C		
Commercial and Industrial Machinery and Equipment (except Automotive and Electronic) Repair and Maintenance					P,S
Commercial and Industrial Machinery and Equipment Sales and Leasing	P,S	C,S		C,S	P,S
Commercial Vehicle Washing Facility	P,S	C,S		P,S	
Community Center	C	C	C		
Concrete Plant (permanent)					P,S
Contractor	C,S	C,S		P,S	P,S
Day Care Facility	P,S	P,S	C,S		
Display Advertising	P	P		P	P
Drive-Through Facility	C,S	C,S	C,S	C,S	C,S
Drycleaning and Laundry Service	P	P	C	P	P
Dwellings, Multiple-family	C	C	C		
Dwellings, Single-family Detached	C	C	C		
Dwellings, Two-family	C	C	C		
Education or Training Facility	P	P	C	P	P
Facilities to Host Private and Public Functions	C,S	C,S	C,S		
Flea Market	C	C			
Food Processing Facility	C			C	P
Freight Trucking	C,S			C,S	C,S
Funeral Homes and Funeral Service	C	C			
Gasoline Station with Convenience Store	P,S	C,S	C,S		
General Business	C	C	C		
Government: Local, State, Federal	P	P	P	P	P
Grocery Store	P	P	C		
Heavy Manufacturing					C
Home and Garden Equipment Sale, Repair, and Maintenance	C	C		P	P

	HC	GC	NC	LI	HI
Hospice Care Facility	P	P			
Hospital	P	C			
Hotel and Motel	P	P			
Hotel, Extended Stay	C,S				
Inert Landfill	C			C	C
Intermediate Care Home	P	P			
Junk Yard, Salvage Yard, and Auto Wrecking Yard					C,S
Kennel (Commercial)	C,S	C,S		P,S	
Light Manufacturing				C	C
Manufactured Home	C	C	C		
Manufactured Home or Industrialized Homes Dealer	P,S				
Mini-warehouses and Self-Storage Units	C,S			P,S	
Mobile Office	P	P		P	P
More Than One Principal Use and/or More Than One Principal Building on a Single Lot ²	C	C	C	C	C
Natural Resource Development				C	C
Nursery, Garden Center, and Farm Supply Store	P	P	C		
Nursing Home	P	P			
Office Park	C,S			P	
Outdoor Advertising Sign	P	P		P	P
Outdoor Storage	P,S	P,S			
Parking Lot and Garage	P	P		P	P
Pawn Shop	C,S	C,S			
Personal Care Home: Group or Congregate	P	P	C		
Retail and Commercial Center (Large-Scale)	C,S				
Retail and Commercial Center (Medium-Scale)	C,S	P,S			
Retail and Commercial Center (Small-Scale)	C,S	P,S	P,S		
Pre-fabricated Structure/Building (Other) Dealers	P,S				
Printing/Publishing	P	P		P	P
Radio Station	P	P			
Railroad Transportation					P
Recreation Facility (Commercial)	C,S				
Recreational Vehicle Park and Campground	C,S				
Restaurant	P	P	C		
Sawmill				P	P
School	P	P			
Service Establishments Catering to Industry				P	
Shopping Center	C	C			
Technical and Trade School	P			P	
Tobacco Shop, Vape Shop and Hookah Lounge	C,S				
Tower	C	C	C	C	C
Transfer Station					C
Truck Stop	P			P	
Used Merchandise (e.g., Antique Stores)	P	P	C		
Utility Substations	P	P	P	P	P
Variety Store	C,S	C,S			

	HC	GC	NC	LI	HI
Veterinary Service	P,S			P,S	
Warehousing and Storage	P	P		P	P
Wastewater Pre-Treatment Facility				C	C
Wholesale Operation	P	P		P	P
Wholesale Trade Agent and Broker (Auctions)	P	P			P
Wood Kitchen Cabinet and Countertop Manufacturing	C			P	P

¹ If in LI zoning district, must be entirely enclosed by a fence that is at least six (6) feet high and screens the yard from view.

² Except for planned developments. Ownership of individual units on a single lot may be transferred, provided that ground areas remain under common ownership.

P – Permitted Use.

C – Conditional Use.

S – Supplemental Standards.

Section 803: Commercial and Industrial – Accessory Uses.

	HC	GC	NC	LI	HI
Customarily Appurtenant to Those Uses Permitted in the District (Determined by the Zoning Administrator)	P	P	P	P	P
Drive-Through Facility	C,S	C,S	C,S	C,S	C,S
Electric Vehicle Charging Stations (Public Use)	C,S	C,S	C,S	C,S	C,S
Fences	P	P	P	P	P
Guard Living Quarters				P	P
ISO Intermodal Steel Container	C	C		P	P
Manufacturing (commercial districts)	P	P			

P – Permitted Use.
 C – Conditional Use.
 S – Supplemental Standards.

Section 804: Reserved.

Section 805: Reserved.

Attachment: 10. Appendix C Zoning Regulations (Appendix C Zoning)

Section 806: Development Standards.

Requirements	HC	GC	NC	LI	HI
Heated Area (Minimum)¹					
Single Family (per dwelling unit)	975'	975'	975'		
Two-Family (per dwelling unit)	600'	600'	600'		
Lot Area (Minimum)²					
Private Water and Sewer	30,000'	30,000'	30,000'	1 Acre	1 Acre
Public Water and Sewer	12,000'	12,000'	12,000'	1 Acre	1 Acre
Public Water Only	20,000'	20,000'	20,000'	1 Acre	1 Acre
Lot Width (Minimum)	100'	100'	100'	100'	100'
Front-yard setback (Minimum)	35'	35'	60'	70'	70'
Lots with Multiple Frontage – Setbacks	Corner or double frontage lot – front yard setback requirements apply to all lot lines abutting a street.				
Side-yard Setback (Minimum)					
Interior	15'	15'	15'	15'	30' adjoins HI / 100' adjoins other district
Street	35'	35'	35'		
Rear-yard Setback (Minimum)	15'	15'	35'	25'	35' adjoins LI or HI / 100' adjoins other district
Building Height (maximum)					
Habitable	45'	45'	35'	35'	
Non-Habitable ³	1' for every 2' greater than 45'	1' for every 2' greater than 45'	1' for every 2' greater than 35'	1' for every 2' greater than 35'	100' ⁴
Flag Lot – Road Frontage					
One Flag Lot	500'	500'	500'	500'	500'
Two Flag Lots	1,000'	1,000'	1,000'	1,000'	1,000'
Lot Coverage (Maximum)	80%				
Street Frontage (Minimum)⁵	60'	60'	60'	60'	60'

¹ Square feet.
² Square feet or as specified by the Health Department.
³ 1' for every fraction of 2'.
⁴ If over 35', a Fire Control Plan must be approved, in writing, by the County Public Safety Director.
⁵ No principal building may be erected on any lot which has less than the minimum street footage of immediate frontage on at least 1 public street. For purposes of this provision, the term "frontage" includes the width of an easement to a public street from otherwise land locked property.

Attachment: 10. Appendix C Zoning Regulations (Appendix C Zoning)

- (1) Applicability to land and buildings: No building, structure or land may be used or occupied—and no building or structure or part of a building or structure may be erected, constructed, reconstructed, moved, or structurally altered—unless in conformity with all of the regulations specified for the district in which it is located.
- (2) Open space not to be encroached upon: No open space may be encroached upon or reduced in any manner, except in conformity with the yard, setback, off-street parking spaces, and other such required development standards contained in the ordinance. Shrubbery, driveways, retaining walls, fences, curbs, and buffers (see definition in article 2) are not considered to be encroachments of yards. Open space areas as required by this ordinance must be permanently maintained as open space in accordance with the requirements of this ordinance.
- (3) Reduction of yards or lot area: Except as otherwise provided in this ordinance, a lot existing at the time of the original passage of this ordinance (November 4, 1994) may not be reduced, divided, or changed so as to produce a tract of land which does not comply with the minimum dimension or area requirements of this ordinance for the district in which it is located, unless that reduction or division is necessary to provide land which is needed and accepted for public use.
- (4) Yards and other spaces: No part of a yard, other open space, off-street parking, or loading space required for another building may be included as a part of the yard, off-street parking, or loading space required for another building, except as specifically provided for in this ordinance.
- (5) Substandard lots: When a lot has an area or frontage which does not conform with the requirements of the district in which it is located, but was a lot at the original effective date of this ordinance (November 4, 1994), such a lot may be used for any use allowed in the zoning district in which it is located as long as all other requirements of this ordinance are met.
 - a. Adjoining lots in the same ownership: When 2 adjoining lots are in the same ownership, they may be utilized as one (1) lot without being replatted.
- (6) Encroachment on public rights of way: No building, structure, service area, required off-street parking, or loading/unloading facility is permitted to encroach on public rights-of-way.
- (7) Physical design standards: Minimum design standards for driveways, loading areas, and other such physical site improvements are contained in applicable development regulations of the county. Consult the zoning administrator for specific requirements.
- (8) Off-street parking and service requirements: Minimum standards for off-street parking and service requirements are contained in the county standard for off-street parking and service facilities (appendix G).
- (9) Yards abutting railroads: Side yards and rear yards are not required adjacent to railroad right-of-way.
- (10) Other applicable development regulations: Information concerning any other applicable development regulations may be obtained from the zoning administrator.
- (11) Residential structures and non-residential structures designed or intended for human occupancy shall not be allowed to locate any closer than the height of the tower to any existing tower. See Sections 2602 and 2605 of Article 26-Standards for Towers and Wireless Telecommunications Facilities.
- (12) The building and zoning official may authorize a bonus incentive of 15% for increased floor area ratio or net density, provided that the new development meets performance standards and offers amenities according to sections 1212 and 1213 of this appendix.

Section 807: Industrial Performance Standards (LI and HI districts only).

- (1) Automatic screw machine: Permitted only when operated with noise silencers, and when located not less than 300 feet from any zoned residential district.
- (2) Control of noise: Shall be muffled so as not to become objectionable due to intermittence, beat frequency, or shrillness. Noise as measured at the street or property line may not exceed 60 decibels, and must comply with requirements of the County's Code of Ordinances.
- (3) Control of gases, smoke, dust, dirt and fly ash: Such emission shall in no manner be unclean, destructive, unhealthful, hazardous or deleterious to the general welfare. Such emission shall be in strict conformance with all applicable health laws as pertaining to air pollution and smoke abatement.
- (4) Control of glare and heat: Glare and heat from arc welding, acetylene torch cutting or similar processes shall be performed behind solid walls or frosted glass adjacent to the structure concerned.
- (5) Safety hazards: The storage and handling of flammable liquids, liquefied petroleum gases, and explosives shall comply with all governmental rules and regulations.
- (6) Sewage wastes: Industrial sewage wastes shall comply with all applicable requirements of the governing body and the State of Georgia.

ARTICLE 9 – (RESERVED)

Attachment: 10. Appendix C Zoning Regulations (Appendix C Zoning)

ARTICLE 10 – MHP MANUFACTURED HOME PARK

Section 1001: Purpose.

Encourage the development of land as planned manufactured home communities and to provide efficient networks of utilities to service these communities.

Section 1002: Boundaries of MHP districts.

The official map (section 2301 of this ordinance) shows the boundaries of all MHP districts within the county. Article 23 also contains additional information concerning interpreting district boundaries, amending boundaries, etc.

Section 1003: Permitted Uses.

(a) The following principal uses are permitted in MHP districts:

- (1) Manufactured Home (subject to supplemental standards).
- (2) Utility Substations (subject to supplemental standards).
- (3) Community Offices.
- (4) Laundromat.
- (5) Maintenance Building/Shed.
- (6) Recreation Facility (private).

(b) The following conditional uses are permitted in MHP Districts:

- (1) Church (subject to supplemental standards).
- (2) School.
- (3) Day Care Facility (subject to supplemental standards).
- (4) Home Occupation (Residential).
- (5) Golf Course, Tennis Court, and Country Club.

Section 1004: Development standards of MHP districts.

(a) All parks shall meet the following requirements:

- (1) The minimum park size shall be five (5) acres.
- (2) No manufactured home park shall be occupied by a greater number of manufactured homes than authorized in the approved plan submitted pursuant to the requirements of the Bulloch County Manufactured Home Ordinance. No manufactured home park shall be enlarged or extended unless a modification to the original plan has been approved by the planning and zoning commission.
- (3) No manufactured home site permit may be issued unless the park layout has been reviewed and approved by the planning and zoning commission.
- (4) Each manufactured home shall be provided with utility access.
- (5) If located in a flood hazard area, the following additional requirements apply for the new communities:

- a. Manufactured lots must be elevated on compacted fill, or on piers, so that the lowest floor of the manufactured home will be at or above two (2) feet above base flood elevation or if base flood elevation is not determined it shall be three (3) feet above the adjacent property or crown of the road whichever is higher.
- b. Surface drainage must be adequate and a hauler must provide for easy access.
- c. When elevated on piers, lots must be large enough to permit steps: pier foundations must be placed on stable soil no more than ten (10) feet apart and steel reinforcement must be provided for piers more than six (6) feet high.
- d. Existing Manufactured Home Parks which are located in flood hazard areas must take the following actions: install ground anchors and tie downs as provided by law, notify each purchaser, renter or lessee that the manufactured home is located in a flood hazard area, prepare an evacuation plan to be used in case of flood and file it with disaster preparedness authorities in the Public Safety Division.

Section 1005: Infrastructure

- (a) All parks shall meet the following requirements:
 - (1) *Water Supply.* An adequate, safe and potable supply of water shall be provided for the manufactured home. The source of water supply shall be through a community water system. The construction drawings shall be prepared by an engineer licensed in the state of Georgia. Water mains shall provide a minimum flow of water of 500 gallons per minute for four minutes or 250 gallons per minute for two hours at the furthestmost point from the tank. Fire hydrants shall be provided at distances not greater than 1,000 feet from the most distant manufactured home. The water main may be located in the right-of-way but may not be located under the pavement. Water lines three-fourths inch in size shall be stubbed out to each lot before the street is surfaced. The water system shall be a permitted community water system as required by the state of Georgia Safe Water Drinking Act. An approved, signed copy from EPD (Environmental Protection Division) of the water system plans must be submitted prior to final approval. A letter of certification is required from a licensed engineer stating the water system has been installed according to the plans and that it meets the fire flow stated above.
 - (2) *Refuse.* The storage, collection, and disposal of refuse for the manufactured home community shall be so conducted as to prevent health hazards, rodent harborage, or insect breeding areas.
 - (3) *Sanitary Sewage.* If a sanitary sewer is installed in a development, sanitary sewers shall be installed to the plans and specifications approved by and in accordance with the rules and administrative regulations of the County Health Department. When the sewer line is located in a street right-of-way and it will be necessary to cut into the street surface to serve the abutting lots, a connection shall be stubbed-out to the property line to serve each lot prior to surfacing the street.
 - (4) *Sewage Disposal Systems.* Prior to the construction of any community sewage disposal system, such as private septic tanks, an oxidation pond or other facility, the location, size, plans and specifications of such a facility shall be approved by and be in accordance with the rules and administrative regulations of the Board of Commissioners and the County Health Department.
 - (5) *Natural Gas.* Gas lines will not be allowed in a right-of-way.
 - (6) *Lot/Site Drainage.* The ground surface shall be graded and equipped to drain all surface or storm water in a safe, efficient manner.

- (7) *Topsoil.* Topsoil shall not be removed from lots or used as spoil, but shall be redistributed so as to provide at least six inches of cover on the lots and at least four inches of cover between sidewalks and curbs, and shall be stabilized by seeding or planting.
- (8) *Storm Drainage.* An adequate drainage system, including necessary open ditches, pipes, culverts, storm sewers, intersectional drains, drop inlets, bridges and other necessary appurtenances shall be installed by the developer according to plans and specifications approved by the County Engineer.
- (9) *Curb and Gutters.* If concrete curbs or paved valley type gutters are required, they shall be installed in accordance with plans and specifications prepared by an engineer, registered surveyor or architect, and approved by the County Engineer or the Board of Commissioners or its designee.
- (10) *Street Grading and Surfacing.* Street grading, base preparation, and surfacing shall be carried out by the developer according to plans and specifications approved by the County and the Georgia Department of Transportation.
- (11) *Street Name Signs.* Street name signs shall be installed at all intersections within a development. The location and design shall be approved by the Board of Commissioners or its designee.
- (12) *Entrances.* The entrance and exit street(s) shall be designed to provide safe and convenient access between the public street and the community interior street system. At the sketch plan stage, the Planning and Zoning Commission may limit the number of entrances, driveways, or curb cuts. At the preliminary and final plat stages, the zoning official shall coordinate with the County Manager, County Engineer, and Public Safety Director with respect to entrances, driveways, or curb cuts. Design standards on county or state roads shall be consistent with all state, federal, and local laws and applicable ordinances, including the Georgia Department of Transportation Rules and all amendments or revisions in effect as of the date of the preliminary plat approval. At the sketch plan stage, the Planning and Zoning Commission may consider safety as well as require available alternatives for reducing or increasing the number of entrances, driveways or curb cuts.
- (13) *Identification Signs.* An identification sign, including the name of the manufactured home park, and the name of the owner/manager or another designated individual who can act for the owner/manager, measuring not less than ten square feet, and no more than sixteen (16) square feet, shall be placed on private property, close to the entrance of the park and readily visible from both directions of the public right-of-way. Signs may be located within the setback area. Signs shall not exceed a combined total of one hundred fifty (150) square feet per park. The signs may be illuminated.
- (14) *Fencing.* A six-foot high opaque fence shall be erected along all property lines which abut a residential district.
- (15) *Lot Identification.* Each manufactured home lot shall be clearly defined by means of concrete, steel, or iron pipe markers placed at all corners. Lot identification numbers must be clearly visible from the lot to the road accessing it.
- (16) *Recreation Area.* At least two hundred (200) square feet per manufactured home lot shall be developed in one or more locations for community playground and recreation purposes.
- (17) *Sidewalks and driveways.* Sidewalks, walkways, driveways, parking spaces, roads, streets and similar areas on private property shall be kept in proper state of repair and maintained free from hazardous conditions.

(b) Street System:

- (1) In all developments, regardless of size, paving will be required for all streets, including private streets, within the development. All roads inside the development must be paved with either concrete or asphalt approved by the County Engineer and zoning official.
- (2) There shall be a minimum of twenty (20) feet totally unobstructed between the center of any two-way roadway and any manufactured home or accessory building.
- (3) There shall be a minimum of fifteen (15) feet totally unobstructed between the center of any one-way roadway and any manufactured home or accessory building.
- (4) No access roadway shall be located closer than one hundred fifty (150) feet to any public street intersection.
- (5) Parks with less than one hundred (100) feet frontage are only allowed one (1) combination ingress and egress road.
- (6) Roadway intersections within the Manufactured Home Park shall be at least one hundred fifty (150) feet apart.
- (7) All dead-end roadways shall terminate in a cul-de-sac with adequate turn-around room (must be approved by the County Engineer).
- (8) Each site shall be accessible from abutting streets for all essential and emergency uses by vehicular equipment, including equipment used by public protective agencies (i.e., fire, police, ambulance services).
- (9) Traffic control signs (i.e., stop, yield, and speed limit), shall be placed throughout the community where necessary.
- (10) Each street shall have a permanent sign installed with a designated name or number identifying each street. (All street names must be approved by E911 prior to naming the streets).
- (11) Maintenance of streets and parking areas shall be the responsibility of the operator/manager of the Manufactured Home Park; and the same shall be maintained in a condition suitable for emergency vehicle ingress and egress.

(c) Paved Parking:

- (1) Off-street parking areas or on-street parking lanes shall be provided for the use of park occupants and guests.
- (2) Each lot/site shall have a minimum of four hundred (400) square feet of parking to accommodate two (2) automobiles. The four hundred (400) feet shall not be considered a portion of the required lot size for manufactured homes. A minimum of two (2) paved parking spaces shall be provided for each manufactured home. Parking spaces shall be within thirty (30) feet of the manufactured home. All parking spaces within a manufactured home community must also be paved with either concrete or asphalt approved by the County Engineer and zoning official. Paved parking is not required for a Travel Trailer Park or Campground.
- (3) Driveways shall have a minimum width of ten (10) feet.
- (4) All off-street parking areas shall have direct access to an interior street. A direct driveway access shall not be permitted between the manufactured home lot and any exterior street.

Section 1006: Setbacks.

(a) No manufactured home shall be located closer than ten feet to any lot line, except that no manufactured home shall be located closer than 20 feet to a right-of-way.

(b) All manufactured homes and all buildings and structures within a Manufactured Home Park shall have a forty (40) foot front setback, from any street or highway, based on an approved survey by a licensed surveyor.

(c) The minimum distance between any two manufactured homes or between any manufactured home and any other building in the park shall be 20 feet. Manufactured homes shall be at least twelve (12) feet from any common building.

(d) Residential structures and non-residential structures designed or intended for human occupancy shall not be allowed to locate any closer than the height of the tower to any existing tower. See Sections 2602 and 2605 of Article 26-Standards for Towers and Wireless Telecommunications Facilities.

Section 1007: Lot regulations.

(a) All Manufactured Home Park lots shall have a minimum area of ten thousand square feet.

(b) All manufactured home, travel trailer or campground lots shall front upon a roadway.

(c) A manufactured home shall not cover more than thirty-five percent (35%) of the lot on which it stands.

(d) There shall be no storage of liquid or gas fuels within a Manufactured Home Park, except as authorized by the local fire department or its authorized representative.

(e) No pets shall be sheltered in the crawl space under the manufactured home.

(f) Every Manufactured Home shall be numbered by a means to provide ready visibility from a roadway with three (3) inches in height numbering made of a durable, clearly visible material and shall contrast with the color of the manufactured home. The numbering shall be placed next to the roadway, not more than ten (10) feet away from the road access for the Manufactured Home Park.

Section 1008: Accessory structures.

All accessory buildings shall be located in the rear or side yard only. No accessory building shall be located closer than twelve (12) feet from the manufactured home or closer than ten (10) feet from the side or rear lot lines.

Section 1009: Permit requirements.

Any Manufactured Home Park owner that allows the placement of a manufactured home without a permit being issued shall be in violation of this ordinance. Such violation can result in a citation being issued to be heard in the Magistrate Court of Bulloch County.

Section 1010: Owner Responsibilities.

The owner and/or occupant of the property shall maintain all structures and properties in compliance with the requirements in the Manufactured Home Ordinance Section 9.33 – General Safety and Aesthetic Standards, except as otherwise provided for. A person shall not occupy as owner-occupant or permit another person to occupy premises which does not comply with the requirements of these standards.

Section 1011: Review Process.

Manufactured home park developments must submit for review, consideration and approval a Sketch Plan, Preliminary Plat and Final Plat as contained in the Bulloch County Subdivision Ordinance.

ARTICLE 11 – (RESERVED)

Attachment: 10. Appendix C Zoning Regulations (Appendix C Zoning)

ARTICLE 12 – PLANNED UNIT DEVELOPMENTS

Section 1201: Purpose.

A Planned Unit Development (PUD) is a type of land use planning option that is intended to provide a more flexible approach to permitting unified developments on a larger scale and to encourage the best possible site plans and building arrangements. It is the purpose of the PUD district to encourage the development of compatible land uses within the framework of a master development plan for residential and nonresidential land uses within an environmentally compatible setting. In addition to the natural environment, such developments take into consideration different architectural styles, relative scales of various structures, the network efficiency of streets and utilities, and the larger community setting, and the goals and objectives of the Bulloch County Comprehensive Plan.

Section 1202: Definitions.

(a) The definitions set forth in Article 2 of this appendix shall apply to this article. In addition, for the purposes of this article, the following terms shall have the meanings given in this section:

- (1) *Master development plan.* A written and graphic submission for a planned development which represents a tract of land, proposed subdivision, the location and bulk of buildings and other structures, density of development, public and private streets, parking facilities, common open space, public facilities and all covenants relating to use thereof. The master development plan is submitted in conjunction with a rezoning application for the PUD district.
- (2) *Open space.* Land within or related to a development, not individually owned or dedicated for public use, which is designed and intended for the common ownership and use by the residents of the developments and may include complementary structures and improvements as are necessary and appropriate.
- (3) *Residential land uses.* Any variety of residence types as permitted within respective separately zoned areas of the PUD, and as shown on the approved master development plan.
- (4) *Nonresidential land uses.* Those designated areas which are not residential land uses, which includes but is not limited to: commercial or industrial zoned land, common open space, private streets, drives, service and parking areas, recreation and other open space areas.
- (5) *Ownership types.* These include all types of residential development including, but not limited to, single-family, duplex, apartments, townhouses, rental, such that ownership may be fee simple, lease purchase, leased or rented, and common ownership of open spaces, recreation facilities, streets and parking areas.
- (6) *Net land area.* The area calculated in terms of net acres, or the land devoted to residential, commercial or industrial use exclusive of streets, rights-of-way, flood hazard areas and public lands.
- (7) *Maximum allowable net density.* The total number of dwelling units or housing structures per unit of land based on the net land area.
- (8) *Preliminary concept plan.* A preliminary plan of the proposed planned development, of sufficient accuracy to be used for purpose of reviewing the proposed land uses and general layout.
- (9) *Comprehensive land use plan.* The comprehensive long-range plan containing policies to guide the growth and development of Bulloch County, which includes the analysis, recommendations and proposals for the county's population, economy, housing, transportation, community facilities and land use.

- (10) *Professional consultant.* The person who is a registered and or certified engineer, architect or planner who prepared the plan, within the scope of their respective legal responsibilities.
- (11) *Zero Lot Line.* A development concept that allows a setback for: 1) a single family detached dwelling, where the dwelling is situated on a side property line that is common to another parcel; 2) a two-family, multifamily or other attached dwelling, where the duplex that is constructed and intended to be divided, thereby creating two zero lot line dwellings. For single family detached dwellings, a copy of proposed deed restrictions, conditions, or covenants, providing a maintenance easement of at least four (4) feet in width, which will allow for the maintenance of exterior dwelling walls facing a zero setback line, and a requirement that dwelling walls facing a zero setback be windowless. Zero side yard lot requirements are not applicable to accessory buildings.

Section 1203: Boundaries of PUD districts.

The official map (section 2301 of this ordinance) illustrates the boundaries of all PUD districts within the county. Article 23 also contains additional information concerning interpreting district boundaries, amending boundaries, etc.

Section 1204: Types of PUD Districts permitted.

(a) Planned Residential Development (PUD-1): This is a planned development concept that concentrates buildings in specific areas on a site to allow the remaining land to be used for recreation, common open space, and the preservation of environmentally sensitive areas. A mix of residential dwelling unit types is also desirable in this concept to promote a balanced community. Innovative concepts such as zero lot lines, townhouse-condominiums, traditional neighborhoods, villages, cluster-type or conservation subdivisions are encouraged.

(b) Planned Mixed Use Development (PUD-2): This is a planned development concept that calls more than one type of use in a building or set of buildings, including some combination of residential and selective non-residential uses such as commercial, office and institutional uses.

(c) Planned Business Center Development (PUD-3): This is a planned development concept for commercial, office, institutional and light industrial centers typically concentrated at or readily accessible to major arterial roads. This concept shall have a building composition with a unified architectural style and is planned, developed, analyzed as a unit, related in location, size and type of business establishments to the trade area that the unit serves.

Section 1205: General criteria.

(a) A PUD shall be defined as having a minimum area of twenty (20) acres.

(b) A PUD is to be planned, developed, operated, and maintained as a single entity (whether by a single owner or under unified control) containing one or more structures to accommodate residential, commercial and industrial uses, or an appropriate mix thereof, and appurtenant common areas and other uses incidental to the predominant uses.

(c) A PUD shall be located on roads with a minimum classification or status of Major collector.

Section 1206: Review criteria.

(a) Relationship of the proposed PUD to the Bulloch County Comprehensive Plan and Future Land Use Map.

(b) Adequacy and arrangement of vehicular traffic access, convenience, safety and design.

(c) Adequacy and arrangement of pedestrian traffic access, convenience, safety and design.

- (d) Location, arrangement, appearance and sufficiency of off-street parking and loading.
- (e) Location, arrangement, size and placement of buildings(s), lighting and signs.
- (f) Arrangement of landscape features and buffer areas.
- (g) Adequacy of water, wastewater and stormwater management facilities.
- (h) Adequacy of structures and roadways in areas with moderate to high susceptibility to flooding, ponding or erosion.
- (i) Preservation of architectural, scenic, historic or natural areas.

Section 1207: Master Development Plan approval.

(a) The application for approval of a PUD master development plan is treated as an application for an amendment to this ordinance (rezoning), and thus shall follow the procedures contained in section 414 and 2302 of this ordinance. The applicant shall submit with other materials in an application for zoning map amendment the following exhibits:

- (1) A statement of objectives that describes the following:
 - a. The general purpose and character of the proposed development including types and uses.
 - b. Tables or calculations illustrating conformance with PUD performance development standards.
 - c. A table of projected building sizes by land use.
 - d. A proposed phasing schedule for each area or development pod.
 - e. A description of water, wastewater, and stormwater facilities to be provided.
 - f. Any special studies recommended or required by the county staff development review committee.
- (2) A master plan sketch map drawn to approximate scale showing proposed street networks, land uses, open spaces, buffers, lot sizes and building footprints, parking areas (non-residential only) and phasing areas or development pods.

(b) The proposed PUD may depart from strict conformance with the requirements of zoning and subdivision requirements to the extent specified in the master development plan and documents authorizing the PUD so long as tangible benefits are provided to the neighborhood or community in which it is located. These benefits shall be in the form of provisions of exceptional amenities, design excellence, etc. The waiver of any requirement shall be the direct cause of accrual of positive benefits to the residents of the development as well as to the general community (e.g., waiver of yard requirements might result in more usable open space). Departure from any requirement specified in this ordinance or other County ordinances and regulations is a privilege, and shall be granted only upon recommendation of the Planning and Zoning Commission and approval by the Board of Commissioners, as applicable in this article.

Section 1208: Final Development Plan approval.

(a) If the rezoning approval for the PUD is granted, the applicant shall submit a conceptual site plan for each phase or pod of development, as prescribed in Section VIII of the Bulloch County Subdivision Regulations, to the Planning and Zoning Commission. The applicant shall also submit with other materials in an application for final development plan approval the following exhibits:

- (1) An illustration on the conceptual site plan where open space, landscaping and buffers will be located.

- (2) An illustration on the conceptual site plan showing the delineation and layout of proposed residential and non-residential areas by mix or type including location by land use, building unit types, total number of building units, and total number of lots,
- (3) An illustration on the conceptual site plan showing the proposed layout and dimensions of lots within each proposed phasing area or development pod.
- (4) A statement describing the general substance of proposed covenants, grants, easements (except for utility easements) or other restrictions to be imposed on the use of land buildings or structures, including what open space or common interest elements will be dedicated and maintained by a homeowner's association or similar conduit.
- (5) A statement with tables or calculations illustrating conformance with PUD performance standards and consistency with the approved master development plan.
- (6) A request for minor modifications from the requirements of the approved PUD master development plan, if any, [for] the applicable phasing area or development pod being requested.

(b) The Planning and Zoning Commission may approve proposed minor modifications by the applicant to the master development plan during conceptual site plan review provided that such modifications meet any approved zoning conditions or the general intent of development standards of this section or ordinance as a whole. Upon subsequent approval by the Planning and Zoning Commission, subsequent minor changes or deviations from the approved Conceptual Site Plan which do not affect the intent or character of the development shall be reviewed by the Planning Director. Minor changes may include, but are not limited to:

- (1) Change in alignment, location direction, or length of a local street.
- (2) Adjustments, shifts or transfer, not resulting in increased overall density or land use intensity.
- (3) Reorientation or slight shifts in building locations.

(c) No land disturbing activity permit shall be granted for any portion of a proposed PUD until the final development plan has been approved. No final plat or building permit shall be granted until the appropriate local, state or federal agencies shall approve all proposed lot size reductions for on-site, public, or community sewerage.

Section 1209: Amendment of a Planned Unit Development.

Any proposed major and substantial change in the approved master development plan which affects the intent and character of the development, rearrangement of lots, the density or land use pattern, the location or dimensions of arterial or collector streets, or similar substantial changes, shall be reviewed by the Board of Commissioners in the same manner of the initial zoning application. A request for an amendment of the PUD master development plan shall be supported by a written statement and by revised sketch plans or maps.

Section 1210: Planned Unit Development time limitations.

If substantial construction, as determined by the Planning Director, has not begun within two (2) years after approval of the PUD, the approval of the PUD will expire. The Planning Director may extend the period for beginning construction, at the request of the owner for not more than 3 months after approval of the final development plan. If the PUD expires under this provision, the Planning Director shall petition the Board of Commissioners for the PUD district to be removed from the official zoning map and to reinstate the zoning district which was in effect prior to the approval of the PUD. The Board of Commissioners shall hold a public hearing on the Planning Director's petition to amend the map in accordance with Section 409. It shall not be necessary for the Planning and Zoning Commission to make

a recommendation on the Planning Director’s petition to amend the map because of an expiring PUD prior to the Board of Commissioners making a final decision on said petition.

Section 1211: Permitted Uses.

All uses not permitted within PUD districts by this section are specifically prohibited, except as may be allowed by other provisions of this ordinance.

Use	PUD-1	PUD-2	PUD-3
Accessory Uses (incidental to principal uses)	P	P	P
Banking		P	P
Church	P		
Day Care Facility	P	P	P
Dwelling, Multiple-family	P	P	
Dwelling, Single-family Detached	P	P	
Dwelling, Two-family	P	P	
Golf Course, Tennis Court and Country Club	P	P	P
Government: Local, State, Federal	P	P	P
Hotel and Motel		P	P
Light Manufacturing (no outdoor storage)		P	P
Office Park		P	P
Open Space	P	P	P
Professional Office		P	P
Research and Technology Park		P	P
Restaurant and Service Establishment (serving the development)		P	P
School	P	P	P
Security Service, Private (serving the development)	P	P	P
Shopping Center		P	P

Section 1212: Development Performance Standards.

The following performance standards set forth criteria by which the design, bulk, area and location of buildings shall be evaluated upon that place the responsibility for sound design upon the applicant based on the PUD concept selected.

Standard	PUD-1	PUD-2	PUD-3
Floor Area Ratio (non-residential) (max.)		70%	70%
Floor Area Ratio (residential) (max.)	30%	30%	
Impervious Surface Ratio (max.)	30%	50%	70%
Net Density Per Acre (w/o approved sewer) (max.)	2.0	2.0	
Net Density Per Acre (with approved sewer) (max.)	10.0	10.0	
Open Space Ratio (min.)	20%	25%	25%

Formulas for calculating density and land use intensity ratios:
Floor Area Ratio = Gross Floor Area of a Structure / Lot Size
Impervious Surface Ratio = Total Area of all Impervious Surfaces / Net Buildable Area
Net Buildable Area = Total Land Area of Tract – Right-of Ways, Easements and Open Space
Net Density Ratio = Proposed Number of Dwelling Units / Net Buildable Area
Open Space Ratio = Total Amount of Open Space / Net Buildable Area

Section 1213: Bonus Incentives.

The following bonus incentives shall be granted beyond the performance standards if the applicant provides a single amenity or combination of amenities below. The amount of the bonus incentive shall

Attachment: 10. Appendix C Zoning Regulations (Appendix C Zoning)

not exceed 15%.

Amenity	Density	Floor Area Ratio	Parking Space Ratio Reduction	Specifics
Electric Vehicle Charging Station, Public Use	5%	5%	5%	Minimum of five (5) charging station per development but not more than fifteen (15) maximum.
Open Space	5%	5%	5%	Permanent open space used for passive recreation or resource protection that is freely accessible to users of the site.
Pedestrian Sidewalk System	5%	5%	5%	A comprehensive system linking uses and building sites.
Recreational Facility	5%	5%	5%	Jogging or walking trails, clubhouse, swimming pool or other facility serving the site.
Public Use Site (as determined by the County needs)	5%	5%	5%	Dedication of one acre site or more for future law enforcement, fire, emergency medical services, or other essential facilities.
Public Pedestrian Plaza	5%	5%	5%	An open area with benches, landscaping, monuments or public art.

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ARTICLE 13 – (RESERVED)

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ARTICLE 14 – SUPPLEMENTAL STANDARDS FOR SPECIFIC USES

Section 1401: Purpose.

The purpose of this article is to establish supplemental standards for specific uses and activities that are permitted or conditionally permitted in several or all districts. These standards intend to minimize the impacts of these uses and activities on surrounding properties and to protect the health, safety, and welfare of their occupants and of the general public.

Section 1402: Applicability.

Each land use and activity covered by this article shall comply with the requirements of the section applicable to the specific uses or activities, in addition to any applicable standard required in the base or overlay district where the use or activity is proposed. Prior to a certificate of occupancy being issued, proof of the following must be submitted to the Administrative Officer:

- (a) Except for single-family and two-family residential developments, a contract or subscription with a private waste hauler is required.
- (b) The facility must meet all building, fire safety, health and safety and local tax compliance codes.
- (c) A right-of-way encroachment permit shall be applied for with the County Engineer's Office for approval of driveway access, design and construction.
- (d) Upon completion of forty (40) percent of a residential planned development, any required amenities shall be completed or installed.

Section 1403: Accessory Uses.

- (a) They may not be located closer than ten (10) feet to any property line in AG5, R80, R40, R25, R15, and R8 zoning districts or five (5) feet in R2, R3, PUD, HC, GC, NC, LI and HI zoning districts; however, this requirement does not apply to fences.
- (b) Accessory buildings not attached to the principal building must be located at least twelve (12) feet from the principal building on the lot.
- (c) They must be located in the rear or side yard; however, this requirement does not apply to fences. Not applicable in HC, GC, LI and HI zoning districts. Also, not applicable to lots of 5 acres or more in the AG-5 zoning district.
- (d) Accessory structures shall not be erected on a lot prior to the construction of the principal structure.
- (e) Accessory structures shall not be used as a dwelling unit, except as provided in Section 1404 which sets forth standards for accessory dwellings.

Section 1404: Accessory Dwellings

- (a) Accessory dwellings include, but are not limited to, site-built constructed structures including basement apartments, garage apartments, caretaker or other employee quarters, guesthouses, and other accessory dwellings.
- (b) Accessory dwellings are permissible within the principal dwelling or as a freestanding dwelling in the following zoning districts: AG5, R80, R40, and R25 provided it is in a planned residential subdivision.
- (c) There shall be no more than one (1) accessory dwelling unit per lot. Accessory dwellings contained within a principal dwelling shall comply with the following standards:
 - a. There shall be no more than one (1) accessory dwelling in a principal dwelling unit.
 - b. The accessory dwelling shall not exceed twenty-five (25) percent of the habitable floor area of the principal dwelling.
 - c. One (1) additional off-street parking space shall be provided to serve the accessory dwelling.

- d. The accessory dwelling shall comply with all building and health code standards.
- (c) Freestanding accessory dwellings shall comply with the following standards:
 - a) The accessory dwelling unit may be located in a second floor over a detached garage or may be a separate structure.
 - b) The accessory dwelling shall be located only within the side or rear yard.
 - c) Façade materials shall be identical to the principal structure.
 - d) The lot shall comply with the minimum lot area standards set forth in Section 606.
 - e) One (1) additional off-street parking space shall be provided to serve the accessory dwelling unit.
 - f) An accessory dwelling located in the AG5 district shall be 750 (conditioned space) square feet or greater but shall not exceed sixty (60) percent of the primary structure square footage up to 1,500 square feet, whichever is less.
 - g) Accessory Dwellings located in residential districts shall be 750 (conditioned space) square feet or greater but shall not exceed sixty (60) percent of the primary structure square footage up to 1,200 square feet, whichever is less.

Section 1405: Animals (Domesticated Livestock).

- (a) Horses, cows, pigs, ponies, donkeys and other domestic livestock may be kept, raised or bred for home use and enjoyment shall be allowed on tracts of two acres or more, but limited to one animal per acre.
- (b) Buildings or other structures which are located in residential districts and are used to accommodate or restrain animals noted in this section shall be located no less than 50 feet from all property lines and no less than 250 feet from any residence.
- (c) 4' landscape buffer width and fence from the rear of the primary building along the side and rear parcel boundaries or; a wall, or 100% opaque fence
- (d) The keeping, breeding, or training of any animals or fowl for monetary gain or profit shall be deemed a commercial business and is expressly prohibited in all residential districts except where such operations may qualify as a home occupation.
- (e) The killing, slaughtering and/or butchering of livestock, fowl or other domestic or farm animals, whether for personal consumption or for resale or gift, is expressly prohibited in all residential districts
- (f) Residential Fowl Restrictions
 - a. No more than 8 hens shall be kept on a residential lot as a non-commercial accessory use
 - i. Residential lots greater than 8 acres may keep one additional hen per every whole acre over 8 acres.
 - b. No rooster shall be kept upon the property.

Section 1406: Asphalt or concrete plant (temporary or permanent).

- (a) All buildings or structures shall be 1,000 feet from any residence.
- (b) Minimum lot size of 5.0 acres.
- (c) The buffer width shall be 2.0 times the minimum required with an approved fence, wall or berm.
- (d) Access shall only be from an arterial road.
- (e) Hours of operation are limited to 7:00 a.m. to 7:00 p.m., Monday through Saturday.
- (f) All outdoor lighting fixtures must be recessed and downcast and shall not produce glare or a nuisance to drivers or the surrounding properties.
- (g) An operation plan containing the following information shall be submitted as part of the application for conditional use:
 - 1) Date of commencement of the operation and its expected duration.

- 2) A description of the method of operation, including a description of the equipment to be used in the manufacturing process and transport of materials.
- 3) A traffic impact study shall be submitted as part of the application for conditional use approval identifying any state or county-maintained road or bridge within or adjacent to the property, and shall state any repaving, alterations, turning lanes, signalization, or other road additions or improvements necessary to accommodate the potential increase of traffic volume or weight occasioned by the proposed operations.

Section 1407: Automotive sales and rental facilities, and commercial and industrial machinery and equipment sales and leasing facilities.

- (a) Buildings or structures shall be 250 feet from any residence.
- (b) Minimum lot size of 1.0 acre for automotive sales and rental facilities.
- (c) Minimum lot size of 3.0 acres for commercial and industrial machinery and equipment sales and leasing facilities.
- (d) The buffer width shall be 2.0 times the minimum required with an approved fence, wall or berm.
- (e) Minimum road frontage of 200 feet.
- (f) Access shall only be from an arterial road.
- (g) All outdoor lighting fixtures must be recessed and downcast and shall not produce glare or a nuisance to drivers or the surrounding properties.
- (h) Temporary or portable structures for offices or storage is prohibited.
- (i) Service bays with overhead doors shall not face a public road (unless provisions are made for screening them, or there is no reasonable alternative).
- (j) Vehicles and equipment not on display but approved for repair or service shall be parked and stored on a paved asphalt or concrete surface in a fully screened location on the rear or side lot with an opaque wall or fence, or within a building.
- (k) Vehicles and equipment areas shall not encroach a buffer area or a public right-of-way and segregated from employee or service area parking.
- (l) Adequate access and circulation space must be allocated, specifically identified on a site plan, and reserved on the site for the unloading of vehicles and equipment brought to the site by carriers.
- (m) All accessory merchandise shall be displayed and sold indoors.
- (n) All service work, maintenance and repair and vehicle washing shall be conducted in an enclosed building that is a permanent structure.

Section 1408: Automotive repair, and automotive oil change and lubrication shop.

- (a) Buildings or structures shall be 250 feet from any residence.
- (b) Minimum lot size of 1.0 acre.
- (c) Hours of operation are limited to 7:00 a.m. to 9:00 p.m.
- (d) Minimum road frontage of 200 feet.
- (e) Access shall only be from an arterial road.
- (f) All service work, maintenance and repair, sales of accessory merchandise, body work, and vehicle washing shall be conducted in an enclosed building that is within a permanent structure.
- (g) All outdoor lighting fixtures must be recessed and downcast and shall not produce glare or a nuisance to drivers or the surrounding properties.
- (h) Temporary or portable structures for offices or storage is prohibited.
- (i) Service bays with overhead doors shall not face a public road (unless provisions are made for screening them, or there is no reasonable alternative).
- (j) Outside storage of parts, supplies and junk, or parking of non-operable vehicles or vehicles with body damage is prohibited.

- (k) Vehicles and equipment approved for repair or service shall be parked and stored on a paved asphalt or concrete surface in a fully screened location on the rear or side lot, or within a building. They shall not encroach a buffer area or a public right-of-way, and be segregated from employee or service area parking.
- (l) Adequate space must be allocated, specifically identified, and reserved on the site for the unloading of vehicles and equipment brought to the site by carriers.
- (m) Vehicles for sale, limited to three, shall be parked in designated parking spaces that do not encroach buffers or in public right of ways.

Section 1409: Bed and breakfast inn.

- (a) Minimum lot size of 1.0 acre.
- (b) Minimum building size shall be 4,000 square feet, with a maximum of 8,000 square feet.
- (c) Minimum of 4 guest rooms, and a maximum of 8 guest rooms.
- (d) All outdoor lighting fixtures must be recessed and downcast and shall not produce glare or a nuisance to drivers or the surrounding properties.
- (e) One name plate sign is allowed for the establishment limited to sixteen (4) square feet.
- (f) The establishment must be a permanent residence for the owner.
- (g) Food service shall be limited to breakfast only, which shall be served only to guests taking lodging. Guest rooms shall not contain cooking facilities.
- (h) Cooking shall be done in a central kitchen for overnight guests only. Food preparation and service shall comply with all requirements of the County Health Department.

Section 1410: Boarding house.

- (a) No new establishment shall be located within 1.0 mile of an existing establishment measured across a straight line from property line to property line.
- (b) Minimum lot size of 2.0 acres.
- (c) Outdoor play or passive recreation areas shall be provided in a rear or side yard consisting of 50 square feet per person, and shall be enclosed by a solid wall or fence at least six feet in height.
- (d) No basement, attic, or accessory building shall be used for boarding house purposes.
- (e) Parking shall be in the side or rear yard, and shall be 25 feet from any property line.
- (f) No room shall be occupied as a sleeping room by any person unless there are at least 120 square feet of bedroom space, exclusive of wardrobe and closet space, for each and every person occupying any such room.
- (g) All sleeping quarters shall be served by working heating and cooling facilities and a bed with a mattress for each registered occupant.
- (h) Cooking shall be done in a central kitchen for overnight guests only. Food preparation and service shall comply with all requirements of the County Health Department.
- (i) At least one flush water closet, lavatory basin, and bathtub or shower, connected to a water and sewerage system and in good working condition, shall be supplied for each eight persons or fraction thereof residing within a home. All such facilities shall be located within the dwelling so as to be accessible from a common hall or passageway to all persons sharing such facilities. Every lavatory basin and bathtub or shower shall be supplied with hot and cold water at all times.

Section 1411: Body Art Studio.

- (a) No new establishment shall be located within 1.0 mile of an existing establishment measured across a straight line from property line to property line.
- (b) Body art studios shall not be located within 300 feet, measured property line to property line, from a school (public or private), family day care home, child-care facility, youth center,

community center, recreational facility, park, church or religious institution, hospital, or other similar uses where children regularly gather.

- (c) The buffer with shall be 2.0 times the minimum required with an approved fence, wall or berm.
- (d) All storefronts shall contain transparent glass windows that allow for views into the establishment from the nearest public right-of-way.
- (e) All canopy lighting shall be recessed into its ceiling.
- (f) Temporary or portable structures for offices or storage is prohibited.
- (g) The establishment shall comply with Chapter 8 Article 6 of the Bulloch County Code of Ordinances.

Section 1412: Building Material Dealers.

- (a) Buildings or structures, including parking, circulation and storage areas shall be 250 feet from any residence.
- (b) The buffer width shall be 2.0 times the minimum required with an approved fence, wall or berm.
- (c) Access shall only be from an arterial road.
- (d) Use of sound amplification devices is prohibited.
- (e) All outdoor lighting fixtures must be recessed and downcast and shall not produce glare or a nuisance to drivers or the surrounding properties.
- (f) Temporary or portable structures for offices or storage is prohibited.
- (g) Storage areas shall be fully enclosed with a fence or a wall and not used as a retail sales area.
- (h) Adequate access and circulation space must be allocated, specifically identified on a site plan, and reserved on the site for the unloading of vehicles and equipment brought to the site by carriers.
- (i) Merchandise displayed shall be stored in a fully screened location on the rear or side lot with an opaque wall or fence, or within a building.

Section 1413: Cemeteries.

- (a) A cemetery must be located on a lot with a minimum size of 1/8 acre and a maximum size of 1/2 acre; provided, however, that a cemetery may be located on the same lot as a church, synagogue, chapel or other place of religious worship.
- (b) The property line of the lot on which a cemetery is located must be set back a minimum of 100 feet from any public road, street, right-of-way, or adjacent property line.
- (c) A cemetery must maintain a permanent non-illuminated sign identifying the name of the cemetery.
- (d) A cemetery must be enclosed by a chain-link or wooden fence at least four feet in height.
- (e) All graves in a cemetery must be identified with permanent grave markers.
- (f) Provided, however, that these development standards shall not apply to cemeteries governed by the Georgia Cemetery and Funeral Services Act of 2000 codified at Chapter Section 14 of Title 10 of the Official Code of Georgia Annotated.

Section 1414: Church or place of worship.

- (a) It must be located on either an arterial or collector road.
- (b) The lot must have a minimum road frontage of 200 feet (except in a MHP district).
- (c) No church building shall be located within 100 yards of any establishment that has been licensed for the sale or consumption of alcoholic beverages. For purposes of this subsection, distance shall be measured by the most direct route of travel on the ground.
- (d) In R80, R40, R25, R15, R2, R3 and MHP districts, the lot must have an area of at least two and one-half (2½) acres, unless a cemetery is adjacent then five (5) acre lot size is required.
- (e) In R80, R40, R25 and R15 districts, off street parking shall be provided as set forth in the parking section of this ordinance.

(f) Setbacks for churches (where no cemetery is developed).

Setback	R80, R40, R25	R15, R8	R2, R3	MHP	HC, GC, NC	AG5
Front Yard: Arterial Street / Collector Street	80'/70'	70'/60'	60'/50'	80'/70'	50'	100'
Side Yard	150'	150'	150'	150'	50'	50'
Rear Yard	60'	50'	50'	60'	50'	50'

Section 1415: Commercial Cryptocurrency Mining Operation.

- (a) Prior to approval of the certificate of completion or occupancy, the applicant shall provide written verification from the electrical service provider stating the following:
 - 1) Adequate capacity is available on the applicable supply lines and substation to ensure that the capacity available to serve the other needs of the service area is consistent with the normal projected load growth envisioned by the provider.
 - 2) Utility supply equipment and related electrical infrastructure are sufficiently sized and can safely accommodate the proposed use.
 - 3) The use will not cause electrical interference or fluctuations in line voltage on and off the operating premises.
- (b) Prior to approval of the certificate of completion or occupancy, the applicant shall provide the County with written verification that the electrical work has passed a third-party final inspection.
- (c) All principal and accessory structures used for cryptocurrency mining operations, server farms, and/or data centers, shall be arranged, designed and constructed to be harmonious and compatible with the site and with the surrounding properties. If pre-fabricated, pre-engineered or modular structures are installed, the following standards are required:
 - 1) All structures shall have concrete foundations.
 - 2) All exterior facades shall have muted earth tone colors, and shall not be defective, decayed or corroded.
 - 3) If intermodal shipping containers are utilized such installation shall comply with the requirements of the most recent edition of Industrialized Building Rules and Bulletins of the Georgia Department of Community Affairs.
- (d) The operations shall not cause the dissemination of vibration or noise in excess of the maximum environmental noise level established by Bulloch County Code of Ordinances Chapter 10, Article VI. The operators shall not cause, allow, or permit the operation of any source of sound which creates at an occupied residential building or defined sensitive receiver, as may exist at the time of the issuance of a certificate of completion or occupancy, a sound level that exceeds a daytime continuous sound level of 50 dBA or a nighttime continuous sound level of 45 dBA, for any 15-minute measurement interval unless otherwise permitted.
- (e) The operators shall not cause, allow, or permit the operation of any source of sound which creates a pure tone where the one-third (1/3) octave band sound pressure level in the band of interest exceeds the arithmetic average of the sound-pressure levels for the two adjacent one-third octave bands by the corresponding decibel (dB (Flat)) values as follows:
 - 1) 5 dB for center frequencies of 500 Hertz and above,
 - 2) 8 dB for center frequencies between and including 160 and 400 Hertz, and
 - 3) 15 dB for center frequencies less than or equal to 125 Hertz.
 - 4) A pure tone shall be deemed present by measurement.

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- (f) For permitting and compliance purposes, measurements shall be performed using a calibrated Type 1 Sound Level Meter, configured to log and record 1/3 octave flat-weighted equivalent sound pressure levels, and A-weighted equivalent level (Leq), slow time weighting, with a 15-minute averaging interval. Measurements shall be made proximate to, but no closer than, 100' from an occupied residential structure or other designated sensitive receiver. Transient background sounds must be excluded from the measurement period by post-processing or other means. Compliance is indicated if the noise solely generated by the operator cannot be discriminated from the equivalent-continuous background sound pressure level, or if the noise levels solely generated by the operator otherwise conform to the requirements of Section e and Section f.
- (g) Prior to the issuance of a certificate of completion or occupancy, a report with noise level test results shall be submitted for approval by the applicant from a qualified acoustical professional for the purpose of demonstrating compliance.
- (h) A noise reduction barrier or device may be required at the discretion of the Zoning Administrator when it is conclusive that noise level tests do not conform to sections e. and f.
- (i) Terminology as used herein related to acoustic levels and measurements follow American National Standard ANSI S12.9: "Quantities and Procedures for Description and Measurement of Environmental Sound – Part 1: Basic Quantities and Definitions," and ANSI S12.9: "Quantities and Procedures for Description and Measurement of Environmental Sound. Part 3: Short-term measurements with an observer present".
- (j) The limitations of Section e and Section f herein shall not apply to any residential or sensitive receiver that is established after the date of issuance of a certificate of completion or occupancy for the applicant's operation.
- (k) The equipment used in any Commercial Cryptocurrency Mining operation shall be housed in a metered electrically grounded and pre-engineered metal-encased structure with a fire rating designed to resist an internal electrical fire for at least 30 minutes. The containment space shall contain baffles that will automatically close in the event of fire independent of a possible electric system failure.
- (l) Any use or activity producing air, dust, smoke, glare, exhaust, heat, or humidity in any form shall be carried on in such a manner that it is not perceptible at or beyond the property line.
- (m) Any use of cargo containers or ISO shipping containers or similar as housing, whether horizontally combined or independent of other structures for the commercial cryptocurrency mining operation, shall not be vertically combined to exceed a height greater than nine (9) feet.
- (n) Each Commercial Cryptocurrency Mining operation shall provide a 24-hour emergency contact signage visible at the access entrance. Signs shall include company name if applicable, owner/representative name, telephone number, and corresponding local power company and telephone number.
- (o) All outdoor lighting fixtures must be recessed and downcast and shall not produce glare or a nuisance to drivers or the surrounding properties.
- (p) The buffer width shall be 4.0 times the minimum required with an approved fence, wall or berm.
- (q) Any Commercial Cryptocurrency Mining operation that is not operated for a continuous period of 12 months and for which there are no applications pending for permitted use of the structure at the end of such 12-month period, shall be considered abandoned, whether or not the owner or operator intends to make use of the device(s). The owner of an abandoned server farm or data center, and the owner of the property where the abandoned server farm and data center are located shall be under a duty to remove such facilities. If such facilities are not removed within a reasonable time, not to exceed three months, after receipt of notice from the governing authority notifying the owner(s) of such abandonment, the

governing authority may remove such facilities and place a lien upon the property for the costs of removal. The governing authority may pursue all legal remedies available to it to ensure that abandoned device(s) are removed. Delay by the governing authority in acting shall not in any way waive the governing authority's right to act.

Section 1416: Commercial vehicle washing facilities.

- (a) Supplemental standards for drive-through facilities shall be observed in addition to the standards below.
- (b) Principal and accessory uses must be 100 feet from a public right-of-way.
- (c) The buffer width shall be 2.0 times the minimum required with an approved fence, wall or berm.
- (d) If the facility is an accessory use, the facility must comply with building setbacks for a principal use.
- (e) The number of washing and drying/detailing bays shall be limited to 10.
- (f) Vehicle washing activities other than drying must occur inside a building or bay.
- (g) All outdoor lighting fixtures must be recessed and downcast and shall not produce glare or a nuisance to drivers or the surrounding properties.
- (h) Where public sanitary sewer is available, wastewater must be filtered, recycled, or otherwise cleansed to minimize the discharge of soap, wax and solid matter into public sewers.
- (i) Temporary or portable structures for offices or storage is prohibited.
- (j) At all times solid waste generated must be contained and disposed of in an approved on-site solid waste container.
- (k) Automated drive-through wash facilities shall have a by-pass lane for passing vehicles.
- (l) The operations shall not cause the dissemination of vibration or noise in excess of the maximum environmental noise level established by Bulloch County Code of Ordinances Chapter 10, Article VI. The operators shall not cause, allow, or permit the operation of any source of sound which creates at an occupied residential building or defined sensitive receiver, as may exist at the time of the issuance of a certificate of completion or occupancy, a sound level that exceeds a daytime continuous sound level of 50 dBA or a nighttime continuous sound level of 45 dBA, for any 15-minute measurement interval unless otherwise permitted.
- (m) The operators shall not cause, allow, or permit the operation of any source of sound which creates a pure tone where the one-third ($\frac{1}{3}$) octave band sound pressure level in the band of interest exceeds the arithmetic average of the sound-pressure levels for the two adjacent one-third octave bands by the corresponding decibel (dB (Flat)) values as follows:
 - a. 5 dB for center frequencies of 500 Hertz and above,
 - b. 8 dB for center frequencies between and including 160 and 400 Hertz, and
 - c. 15 dB for center frequencies less than or equal to 125 Hertz.
 - d. A pure tone shall be deemed present by measurement.
- (n) For permitting and compliance purposes, measurements shall be performed using a calibrated Type 1 Sound Level Meter, configured to log and record 1/3 octave flat-weighted equivalent sound pressure levels, and A-weighted equivalent level (Leq), slow time weighting, with a 15-minute averaging interval. Measurements shall be made proximate to, but no closer than, 25' from an occupied residential structure or other designated sensitive receiver. Transient background sounds must be excluded from the measurement period by post-processing or other means. Compliance is indicated if the noise solely generated by the operator cannot be discriminated from the equivalent-continuous background sound pressure level, or if the noise levels solely generated by the operator otherwise conform to the requirements of Section e and Section f.
- (o) Prior to the issuance of a certificate of completion or occupancy, a report with noise level test results shall be submitted for approval by the applicant from a qualified acoustical professional for the purpose of demonstrating compliance.

- (p) A noise reduction barrier or device may be required at the discretion of the Zoning Administrator when it is conclusive that noise level tests do not conform to sections e. and f.
- (q) Terminology as used herein related to acoustic levels and measurements follow American National Standard ANSI S12.9: "Quantities and Procedures for Description and Measurement of Environmental Sound – Part 1: Basic Quantities and Definitions," and ANSI S12.9: "Quantities and Procedures for Description and Measurement of Environmental Sound. Part 3: Short-term measurements with an observer present".
- (r) The limitations of Section e and Section f herein shall not apply to any residential or sensitive receiver that is established after the date of issuance of a certificate of completion or occupancy for the applicant's operation.

Section 1417: Contractor.

- (a) Buildings or structures shall be 250 feet from any residence.
- (b) Minimum lot size of 1.0 acre.
- (c) Service bays with overhead doors shall not face a public road (unless provisions are made for screening them, or there is no reasonable alternative).
- (d) All maintenance and repair work shall be conducted within an enclosed building.
- (e) Vehicles, parts and implements, and any equipment associated with the establishment shall be stored within a building, or in a side or rear yard of the lot, fully screened from view of all public roads and nearby properties via buildings and/or a solid, opaque wooden fence or masonry wall at least six feet in height.
- (f) All outdoor surfaces where vehicles are parked or stored or where parts, implements, or any equipment associated with the establishment is stored outside, shall be on a paved asphalt or concrete surface.
- (g) All outdoor lighting fixtures must be recessed and downcast and shall not produce glare or a nuisance to drivers or the surrounding properties.
- (h) Temporary or portable structures for offices or storage is prohibited.

Section 1418: Day care facility, residential zone.

- (a) Minimum lot size of 2.0 acres.
- (b) No new establishment shall be located within 1,000 feet of an existing establishment measured across a straight line from property line to property line.
- (c) A buffer area and screening are required on side and rear lot lines.
- (d) Hours of operation are limited to 8:00 a.m. to 8:00 p.m., including all deliveries.
- (e) There is no external signage or other evidence of the use of the dwelling as other than a residential dwelling unit.
- (f) Outdoor play or passive recreation areas shall be provided in a rear or side yard consisting of 50 square feet per person, and shall be enclosed by a solid wall or fence at least six feet in height.
- (g) The facility shall provide adequate areas for the safe drop-off and pick-up of children in a driveway, turnaround or parking area.

Section 1419: Drive through facility (principal and accessory).

- (a) Drive through facilities should be included in a parking and circulation plan submitted to the Administrative Officer.
- (b) Drive-through lanes shall not be any closer than fifty feet 50' to a residential zoning district.
- (c) The buffer with shall be 2.0 times the minimum required with an approved fence, wall or berm.
- (d) Stacking spaces shall not impede on-site or off-site traffic.
- (e) No drive through lane shall cross an access easement on the lot.
- (f) No drive through window shall be permitted on the front façade of a building.

- (g) Each drive-through aisle shall be separated from the circulation routes necessary for ingress or egress from the property, or access to a parking space.
- (h) Pedestrian walkways should not intersect the drive-through drive aisles, but where they do the walkways shall have clear visibility and shall be delineated by textured and colored paving.
- (i) Speakers associated with drive-through facilities must be located and designed to minimize noise levels on nearby uses. Sound attenuation walls, landscaping or other mitigation measures may be required to ensure that the facility will not have adverse noise-related impacts on nearby residential uses.
- (j) All outdoor lighting fixtures must be recessed and downcast and shall not produce glare or a nuisance to drivers or the surrounding properties.
- (k) Menu/order boards shall be a maximum of 30 square feet, with a maximum height of 6 feet and shall be shielded from view from any public street.
- (l) Vehicle stacking lanes shall be a minimum of 8 feet wide, and 160 feet in length for food service establishments, and 80 feet in length for all other uses.
- (m) A stacking lane is not required for accessory facilities where vehicles do not routinely queue up while waiting for the service. Examples are window washing, air compressor and vacuum cleaning stations.

Section 1420: Electric vehicle charging station (public use).

- (a) Any EV charging station installed shall be either a Level 2 or Level 3 charger and meet National Electrical Code standards.
- (b) If a charging station has more than one (1) port, each port shall count as a charging station.
- (c) The proposed EV charging station and parking spaces shall be located within the side or rear yard of a principal building and shall not front on a public right-of-way, unless setback at least 200 feet.
- (d) The designated parking space(s) for EV chargers shall be above the minimum number of parking spaces required for the entire site, but comprising no more than 10% of total parking spaces.
- (e) The parking space dimensions for an EV charging station are a minimum of 10 feet wide by 20 feet long when new spaces are installed for such use.
- (f) Each parking space designated for an EV charging station shall be clearly marked as reserved for EV charging only.
- (g) The charging station/equipment shall be setback 24 inches from the face of the parking space, and be protected by wheel stops, curbs or bollards.
- (h) Charging station equipment shall not exceed eight (8) feet in height.
- (i) Charging stations shall not include overhead canopies.
- (j) There shall be no appurtenances attached to the charger other than what is necessary for operation.
- (k) Cords or connectors shall be configured so that they do not cross a driveway, sidewalk or passenger unloading area.
- (l) The location, legend, and mounting height details for any proposed electric vehicle parking sign shall be included on the plans and submitted with the building permit application.
- (h) Adequate security and lighting for use of the charging station shall be provided. All outdoor lighting fixtures must be recessed and downcast and shall not produce glare or a nuisance to drivers or the surrounding properties.
- (m) Any electric vehicle charging station or combination of stations that is not operated for a continuous period of 90 days and for which there are no applications pending for permitted use of the structure at the end of such 90-day period, shall be considered abandoned, whether or not the owner or operator intends to make use of the station. The owner of an electric vehicle charging station and the owner of the property where the abandoned station is located shall be

under a duty to remove such station. If such station is not removed within a reasonable time, not to exceed three months, after receipt of notice from the governing authority notifying the owner(s) of such abandonment, the governing authority may remove such device(s) and place a lien upon the property for the costs of removal. The governing authority may pursue all legal remedies available to it to ensure that abandoned device(s) are removed. Delay by the governing authority to act shall not in any way waive the governing authority's right to do so.

Section 1421: Family or group personal care home (agricultural-residential zone, or residential zone).

- (a) Minimum lot size of 2.0 acres in residential districts, and 5.0 acres in the AG-5 agricultural-residential.
- (b) No new establishment shall be located within 1,000 feet of an existing establishment measured across a straight line from property line to property line.
- (c) There is no external signage or other evidence of the use of the dwelling as other than a residential dwelling unit.
- (d) The managing caregiver must be the owner of the property and a full-time resident of the facility.
- (e) Outdoor play or passive recreation areas shall be provided in a rear or side yard consisting of 50 square feet per person, and shall be enclosed by a solid wall or fence at least six feet in height.

Section 1422: Farm winery.

- (a) Minimum lot size of 30.0 acres.
- (b) Must produce no less than 2,000 gallons of wine annually.
- (c) In granting a conditional use permit for a farm winery, the board of commissioners may specify allowable uses related or complementary to the operation of the farm winery other than the production and sale of wine. A farm winery that is granted a conditional use permit is prohibited from engaging in any use not specified in the conditional use permit (or otherwise allowed as a permitted use in the AG-5 zoning district) without applying for and being granted a modification of the conditional use permit by the board of commissioners. The following list of related or complementary uses that may be specified in a conditional use permit for a farm winery is not intended to be exhaustive but is merely illustrative of the types of uses the board of commissioners may consider in granting or modifying the conditional use permit:
 - (1) Facilities to host private and public functions, including, but not limited to, weddings, receptions, dinners, festivals and socials.
 - (2) Principal dwellings.
 - (3) Parks or open space which is privately owned, operated or maintained.
 - (4) Bed and breakfast inn.
 - (5) Restaurant.
 - (6) Wedding chapel.

Section 1423: Freight Trucking Facility

(a) Standards applicable to all freight facilities:

- 1) Unless located in an existing planned industrial park, no new establishment shall be located within 2.0 miles of an existing establishment measured across a straight line from property line to property line.
- 2) All new establishments must be located within 1.5 miles of Interstate 16.
- 3) Buildings or structures, including vehicle and container storage, parking and circulation areas shall be 300 feet from any residence.
- 4) A road frontage buffer and landscape strip are required.

- 5) The buffer width shall be 2.0 times the minimum required with an approved fence, wall or berm.
 - 6) Perimeter fencing is required and must be decorative metal or dark vinyl-coated chain link with landscaping external to fencing.
 - 7) A solid fence or wall is required to screen truck headlights contiguous to any residential property.
 - 8) Minimum lot size of 10.0 acres.
 - 9) Access shall only be from an arterial road, unless within a planned industrial park.
 - 10) All access, circulation and designated parking areas shall be on a paved asphalt or concrete surface.
 - 11) All outdoor lighting fixtures must be recessed and downcast and shall not produce glare or a nuisance to drivers or the surrounding properties.
 - 12) A stormwater management plan is required for review and approval.
 - 13) Vehicle gates or access control features shall not be installed within 150 feet of the public right-of-way.
 - 14) Truck stop electrification equipment must be provided for a minimum of 25 percent of the parking spaces.
 - 15) Maximum vertical stacking for intermodal shipping containers is limited to two containers in height.
 - 16) The following uses or activities are prohibited:
 - a. Temporary or portable structures for offices or storage.
 - b. Vehicle repairs or dismantling
 - c. Maintenance or sales of any kind.
 - d. Long-term storage of parts.
 - e. Non-operable, salvaged or abandoned vehicles.
 - 17) Containers will be stacked in a "pyramid" appearance along the front of the site. Corner lots shall be treated as having two front property lines. The initial row shall not exceed one container in height, with such successive interior row gaining one container in height to a maximum of two containers in height. For the sides beyond the front area, the "pyramid" appearance shall not be required.
 - 18) If containers or container trailers are to be stacked, a stacking plan must be approved by the administrative official. Such plan shall, at a minimum, show the location of all abutting streets and sidewalks, all internal travel-ways, a stacking schedule, and the proposed maximum stacking height, and shall indicate how it meets all of the requirements of this section.
- (b) *Standards applicable to freight terminals:*
- 1) Outdoor storage except for trailers waiting to be loaded or unloaded is prohibited.
 - 2) All loading docks shall be screened from view of the public right-of-way.

Section 1424: Gasoline station with convenience store.

- (a) Buildings or structures shall be 250 feet from any residence.
- (b) Fuel pumps must be located at least 50 feet from any public right-of-way or lot line.
- (c) Maximum building size of 7,500 square feet, unless the use is within or attached to a multi-tenant building, the floor area cannot exceed fifteen percent (15%) of the gross floor area of the entire building or 5,000 square feet, whichever is greater.
- (d) Minimum lot size of 2.0 acres.
- (e) Vehicle repair or service is prohibited.
- (f) All outdoor lighting fixtures must be recessed and downcast and shall not produce glare or a nuisance to drivers or the surrounding properties.
- (g) Drive-under canopies shall only utilize recessed lighting.
- (h) Earth tone colors complimentary to building design shall be required.

- (i) The color of the canopy sign should be compatible with the color or trim of the building façade or signage.
- (j) Merchandise for sale shall be inside of the building except for secured items such as ice coolers, propane gas or similar goods customary to convenience store sales. All such goods shall be attached to or contiguous to the principal building.
- (k) Temporary or portable structures for offices or storage is prohibited.
- (l) Outside vending machines except for tire pumps, water and vacuum cleaners are prohibited.
- (m) Ground floor front window paintings and signage shall cover no more than 25 percent of the total window and door area.
- (n) For all new buildings constructed after April 1, 2023, and existing buildings which expand the gross square footage of the buildings by more than 50 percent, the minimum ground floor transparency shall be 50 percent on the front façade consisting of windows and doors, and 20 percent on all other ground floor street facing facades.
- (o) Supplemental standards for drive-through facilities and small-scale retail and commercial service centers shall be observed.

Section 1425: Home occupation, cottage industry.

- (a) The following list of uses allowable as cottage industries is illustrative only and is not intended to be exhaustive: sales of antiques and collectibles, art or photography studios, computer software development, handicrafts, ironworking or blacksmith shop, construction or trades office, furniture repair or refinishing, pottery shop, real estate sales office, small equipment repair, woodworking shop, excavating contractors, small engine and boat repair.
- (b) Cottage industries are appurtenant and accessory uses.
- (c) The cottage industry shall conform to the development standards in the applicable zoning district, except as provided below.
- (d) The cottage industry must be owned and operated by the owner of the property upon which the cottage industry is to be located, or the business owner must have written approval of the owner of the property, if the applicant is a tenant.
- (e) The appurtenant and accessory structure used as a cottage industry shall not occupy a total area greater than 2,400 square feet.
- (f) All activity related to the conduct of the business or industry, except for activities related to the growing and storing of plants, shall be conducted within an enclosed structure or be sufficiently screened from view of adjacent residences. A buffer may be required by the Administrative Officer if it is determined that the use needs to be sufficiently screened from view of adjacent residences, using site location, topography, landscaping, fencing, the retention of native vegetation, or a combination thereof.
- (g) No cottage industry shall be located on a lot less than 80,000 square feet in size, regardless of whether the lot was a lot of record at the time of the original passage of this section (November 4, 1994).
- (h) Except for outside storage of materials or equipment, all business operations, activities, and transactions associated with the cottage industry shall be conducted entirely within the primary dwelling unit and/or in an accessory building located on the same lot. No business operations, activities, or transactions shall be conducted in any portion of the lot not approved for cottage industry use by the county.
- (i) Business traffic (either by the business operators or business customers) is permitted only between the hours of 8:00 a.m. and 6:00 p.m. The use shall not generate pedestrian or vehicular traffic beyond that normal in the neighborhood in which it is located. Traffic generated by the cottage industry shall not exceed the level of service adopted for the public roadway which accesses the use, nor generate significant traffic in excess of that normally generated by typical uses found within the particular district.

- (j) No business may provide drive-through service.
- (k) The use of more than six general purpose and/or heavy-duty vehicles and the employment of more than six employees for exclusive use of the business are prohibited. In approving the conditional use, the number of vehicles that may be parked on the premises at any time may be limited and vehicles may be required to be kept behind an enclosed fenced or buffered area.
- (l) A permitted cottage industry shall maintain a service agreement with a competent waste handler chosen from a list provided by the hazardous waste management section of the Georgia Environmental Protection Division of the Georgia Department of Natural Resources, for the periodic removal and recycling of any batteries, gasoline, oil, transmission fluid, brake fluid, and other solvents and chemical agents. Interim storage of such materials shall be in a manner satisfactory to the county health department. The county public safety director shall verify the use or absence of hazardous materials for the cottage industry upon registration.
- (m) There shall be no parking or storage of damaged vehicles except on a temporary basis which is not to exceed 72 hours. Junk parts and junk vehicles shall not be kept outside the building.
- (n) No nuisances shall be produced including but not limited to smoke, glare, vibrations, noises, or odors that may be discernable by neighbors proximate to the dwelling unit.
- (o) There shall be no structural, electrical or plumbing alterations necessary for the cottage industry which are not customarily found in dwellings or residential accessory structures.
- (p) There shall be no outdoor display of merchandise on the premises.
- (q) All noise-generating operations shall be buffered.
- (r) All lights shall be directed on site and shielded to reduce glare to adjacent areas.
- (s) Business operations shall not cause any visual or audible interference with radio or television reception.
- (t) One sign is permitted advertising the cottage industry, not exceeding two square feet, that is nonmoving, and which has illumination, if any, which is non-flashing.

Section 1426: Home occupation, residential.

- (a) The following and similar uses shall be considered home occupations, but are not limited to this list: accountant, addressing service, architect, art instructor, beauty shop (with no more than one operator), drafting, dressmaking, insurance agent, manufacturing agent, music instruction, (students: limited to two (2) students at a time), teacher, notary public, photographer, real estate agent, and tax consultant.
- (b) The following and similar uses are considered appropriate uses of accessory buildings for home occupations: artist or craftsman's work area, photographic darkroom, clock repair shop, gunsmith shop, laboratory, pottery shop, and basket weaver's shop.
- (c) The following uses are prohibited as home occupations: auto sales or auto repair, restaurants, animal hospitals, veterinary clinics, funeral homes, retail or wholesale shops, machine shops or manufacturing.
- (d) The home occupation shall be operated by a resident of the home.
- (e) No home occupation shall employ more than two (2) persons who do not reside in the dwelling located on the premises.
- (f) The home occupation must be incidental and subordinate to the residential use of the dwelling and must not change the residential character of the property.
- (g) No internal or external alterations shall be permitted which would change the fire rating for the structure.
- (h) The home occupation shall be limited to 25 percent of one floor of the square footage of the principal structure.
- (i) If an accessory structure is used for the business, the size of the accessory structure is limited to 25 per cent of the square footage of the residential building. It shall be located behind the

residential building with setback requirements of no less than 20 feet from the property line and 30 feet from the side yard.

- (j) No display of products shall be visible from the street.
- (k) One (1) non-illuminated name plate, not more than two (2) sq. ft. in area may be attached to the building which shall contain only the name of the occupation conducted on the premises.
- (l) A home occupation shall be operated in such a manner as not to be a nuisance to adjacent residential structures. This shall apply to noise, lighting, traffic, and unsightly outside storage, where applicable.
- (m) No outside storage of materials or supplies used in connection with the home occupation shall be permitted.
- (n) All parking for the home occupation shall be located on the property and only on the side or rear yards.
- (o) Only vehicles designed and used primarily as passenger vehicles (including pickup trucks) shall be used in connection with home occupations in residential zoning districts.

Section 1427: Hotel, extended stay.

- (a) Buildings or structures shall be 250 feet from any residence.
- (b) Minimum lot size of 2.0 acres.
- (c) Extended stay hotels shall be classified as upper mid-scale or higher by the Smith Travel Report Chain Scales Report.
- (d) Management must be on the property 24 hours a day, seven days a week.
- (e) Daily maid service must be included in the standard room rate.
- (f) No extended stay hotel, motel, or facility shall provide lodging at an hourly rate.
- (g) No more than 25 guest rooms per acre shall be permitted.
- (h) Each guest room must have a minimum area of 240 square feet.
- (i) The facility must contain a lobby area of at least 750 square feet.
- (j) The facility must contain an enclosed, heated and air-conditioned laundry space containing a minimum of one clothes washer and one clothes dryer for each 10 guest rooms.
- (k) All outdoor lighting fixtures must be recessed and downcast and shall not produce glare or a nuisance to drivers or the surrounding properties.
- (l) Extended stay hotels, motels, or facilities must have a minimum of 25 percent of the lot area dedicated to either active or passive open space with a minimum size of 750 square feet. The open space shall include active recreation, such as a children's playground area, and/or passive recreation, such as green space and walking paths.
- (m) All vehicles parked at any extended stay hotel, motel, or facility must be in good working order.
- (n) Temporary or portable structures for offices or storage is prohibited.

Section 1428: Junk yard, salvage and auto wrecking yard.

- (a) Buildings or structures, including parking and circulation areas, shall be 750 feet from any residence, and five hundred feet from any property line.
- (b) Buildings or structures, including parking and circulation areas shall be 1,000 feet from any water body or flood zone.
- (c) The buffer width shall be 2.0 times the minimum required, with an opaque wall or fence of 8 feet in height, and 100 percent opacity.
- (d) All outdoor lighting fixtures must be recessed and downcast and shall not produce glare or a nuisance to drivers or the surrounding properties.
- (e) Materials or vehicles stored shall not exceed the height of the fence or wall.
- (f) There shall be no temporary or permanent storage outside of any fence or wall.
- (g) Objectionable smoke, noise, odors or other adverse impacts on adjoining properties is prohibited.

- (h) Any draining of fluids or removal of batteries from wrecked or towed vehicles must be completed in an enclosed structure on a concrete pad or floor or other impervious surface. Any drained fluids shall be disposed of in a manner consistent with state or federal regulations.
- (i) The ground surface in the outdoor work/storage area shall be covered with gravel, asphalt or concrete or other material as approved by the Administrative Official.
- (j) Vehicles may not be stored at an outdoor work/storage area for longer than 12 months.
- (k) Towing and wrecker service businesses are a separate type of business from salvage yards and junk yards. Towing and wrecker service businesses that store and resell used vehicle parts or dismantle, demolish, and abandon inoperable vehicles shall comply with all county ordinances that are applicable to salvage and junk yards.

Section 1429: Liquor stores.

- (a) The buffer width shall be 2.0 times the minimum required with an approved fence, wall or berm.
- (b) All storefronts shall contain transparent glass windows that allow for views into the establishment from the nearest public right-of-way.
- (c) All outdoor lighting fixtures must be recessed and downcast and shall not produce glare or a nuisance to drivers or the surrounding properties.

Section 1430: Manufactured home and prefabricated structure/building dealers.

- (a) Buildings or structures shall be 250 feet from any residence.
- (b) The buffer width shall be 2.0 times the minimum required with an approved fence, wall or berm.
- (c) All display units shall be setback 100 feet from the public right-of-way and a landscaped frontage strip or screening device is required.
- (d) Hours of operation are limited to 7:00 a.m. to 7:00 p.m.
- (e) Minimum lot size of 2.0 acre.
- (f) Minimum road frontage of 200 feet.
- (g) Access shall only be from an arterial road.
- (h) All outdoor lighting fixtures must be recessed and downcast and shall not produce glare or a nuisance to drivers or the surrounding properties.
- (i) The sale of vehicles is prohibited.
- (j) No outside storage of parts or parking of non-operable vehicles or vehicles with body damage is prohibited.
- (k) Units on display shall not encroach a buffer area or a public right-of-way and shall be segregated from employee or service area parking.
- (l) An area shall be designated for employee and customer parking on such area shall be on a paved asphalt or concrete surface.
- (m) Adequate space must be allocated, specifically identified, and reserved on the site for the unloading of units and equipment brought to the site by carriers.
- (n) All access, circulation and designated parking areas shall be on a paved asphalt or concrete surface.
- (o) All accessory merchandise shall be sold indoors.
- (p) Temporary or portable structures for offices or storage is prohibited.
- (q) A permanent building or structure for sales or other business activities is required. Such building or structure shall be constructed or installed according to local building codes prior to occupancy.

Section 1431: Mini-warehouses and self-storage units.

- (a) Buildings or structures shall be 100 feet from any residence.
- (b) The buffer with shall be 2.0 times the minimum required with an approved fence, wall or berm.
- (c) The minimum lot size shall be 2.0 acres.

- (d) Access shall only be on an arterial road, unless located in a planned industrial park.
- (e) Overhead access doors of individual bays shall not face any road frontage, unless provisions are made for screening them.
- (f) Building facades shall have muted earth tone colors.
- (g) All outdoor lighting fixtures must be recessed and downcast and shall not produce glare or a nuisance to drivers or the surrounding properties.
- (h) Storage buildings or structures shall have gabled roofs with a 2:12 slope.
- (i) No individual building shall exceed 200 feet in length.
- (j) There shall be a minimum separation of 20 feet between buildings.
- (k) The minimum aisle width shall be 18 feet for one-way traffic and 36 feet for two-way traffic.
- (l) Traffic flow patterns in the aisle ways shall be clearly marked with directional signage and painted lane markings with arrows.
- (m) To assure appropriate access and circulation by emergency vehicles and equipment, a minimum turning radius for all aisle ways and access roads within the development will be determined by the Fire Chief and County Engineer.
- (n) The maximum size of a storage bay shall be one thousand 1,000 square feet.
- (o) The facility shall be fenced along the entire perimeter boundary.
- (p) Fencing adjacent to a road frontage or abutting a residential use shall be a decorative with a minimum height of six feet, and shall be placed interior to any required landscape strip.
- (q) Storage units shall not be used to manufacture, fabricate, or process goods; service or repair vehicles, boats, small engines or electrical equipment, or to conduct similar repair activities; conduct garage sales or retail sales of any kind; rehearsing or practicing utilizing band instruments; conversion to an apartment or dwelling unit; or to conduct any other commercial or industrial activities, or for the storage of hazardous materials, toxic substances, flammable liquids, or highly combustible or explosive materials.
- (r) Open storage of recreational vehicles, boats, trailers, recreational equipment and similar vehicles of the type customarily maintained by private individuals for their personal use shall be permitted subject to the total area devoted to open storage shall not exceed 25 percent of the site.
- (s) No vehicle maintenance, washing, or repair shall be permitted within the open storage area.
- (t) Abandoned, wrecked or junked vehicles are prohibited.
- (u) A leasing, management, and/or security office shall be permitted in conjunction with a self-service storage facility. Within such office, the sale or rental of items related to moving and storage such as moving boxes, packing supplies and hand trucks shall be permitted.
- (v) Temporary or portable structures for offices is prohibited.

Section 1432: Natural resource development.

- (a) No activities conducted shall be within 500 feet of any residence, or within 250 feet of the lot line of a property with any other use.
- (b) Activities shall be setback 250 feet from any public road.
- (c) Minimum lot size of 10.0 acres.
- (d) The buffer width shall be 2.0 times the minimum required with an approved fence, wall or berm.
- (e) Hours of operation are limited to 7:00 a.m. to 7:00 p.m., Monday through Saturday.
- (f) Activities having greater than one acre of disturbed area must obtain state and local permits.
- (g) Surety in the form of a bank letter of credit is required as a guarantee against the damages of any publicly maintained roads and shall remain in place until operations have ceased, and all reclamation activities have been completed.
- (h) An operation plan containing the following information shall be submitted as part of the application for conditional use:
 - 1) Date of commencement of the operation and its expected duration.

- 2) A description of the method of operation, including the disposition of topsoil, overburden and by-products.
- 3) A description of the equipment to be used in the extraction process.
- 4) A statement regarding the intended use of explosives, if any, or other hazardous materials, if any, and the methods and procedures proposed for handling, use, storage and disposal of the materials.
- 5) A plan for reclamation of the land upon completion of mining, quarrying, or other excavation.
- 6) An analysis by a licensed civil engineer containing the following information shall be submitted as part of the application for conditional use approval identifying any state or county-maintained road or bridge within or adjacent to the property, and shall state any repaving, alterations, turning lanes, signalization, or other road additions or improvements necessary to accommodate the potential increase of traffic volume or weight occasioned by the proposed operations.

Section 1433: Outdoor seasonal sales, transient merchants and mobile vendors.

- (a) A temporary use permit shall be required from the planning and development office.
- (b) Permit requirements are exempted for such activities if conducted by the following organizations for fund raising or special events:
 - a. Bona fide religious institution
 - b. K-12 school
 - c. 501-c3 non-profit or civic organization.
 - d. Roadside stands selling agricultural products grown on site
 - e. Authorized special events held on public property are exempted.
- (c) No sales of merchandise shall be permitted on vacant private lots.
- (d) Evidence of permission of the property owner, and/or all tenants of a group development is required.
- (e) The location of any merchandise, vehicles and equipment or displays shall be a minimum of 15 feet from the edge of any driveway, utility box or vaults, ADA required ramp or parking space, building entrance, sidewalks, fire lane or fire hydrant.
- (f) The location of any merchandise, vehicles and equipment shall not interfere with pedestrian or vehicular traffic movements, and shall not be in the public right-of-way or buffer areas.
- (g) Hours of operation are limited to 6:30 a.m. to 9:30 p.m.
- (h) All vehicles, equipment, parking, and customer seating areas associated with a mobile business must be located on an improved surface, such as asphalt, concrete, or gravel.
- (i) Evidence of a current occupational tax certificate with Bulloch County or another jurisdiction is required.
- (j) Free standing signage, flashing or moving lights or a sound amplification device is prohibited.
- (k) If electricity is used for operation, the electrical connection must be of a type which can be quickly disconnected and must comply with all applicable laws, including National Electrical Code Chapter 550.
- (l) Recreational Vehicles shall be allowed as temporary occupancy units for the duration of a temporary seasonal sales use permit.
- (m) At all times solid waste generated must be contained and disposed of in an approved on-site solid waste container.
- (n) If food is prepared or served, a permit is required by the County Health Department.

Section 1434: Pawn shop, check cashing and small loan establishments.

- (a) No new establishment shall be located within 1.0 mile of an existing establishment measured across a straight line from property line to property line.

- (b) Pawn shops, check cashing and small loan establishments shall not be located within 300 feet, measured property line to property line, from a school (public or private), family day care home, child-care facility, youth center, community center, recreational facility, park, church or religious institution, hospital, or other similar uses where children regularly gather.
- (c) The buffer with shall be 2.0 times the minimum required with an approved fence, wall or berm.
- (d) All outdoor lighting fixtures must be recessed and downcast and shall not produce glare or a nuisance to drivers or the surrounding properties.
- (e) All storefronts shall contain transparent glass windows that allow for views into the establishment from the nearest public right-of-way.
- (f) Onsite storage or sales of vehicles or equipment is prohibited.
- (g) Temporary or portable structures for storage is prohibited.

Section 1435: Planned commercial development, large-scale

- (a) Buildings or structures, including parking, circulation and storage areas shall be 250 feet from any residence.
- (b) The buffer width shall be 2.0 times the minimum required with an approved fence, wall or berm.
- (c) Primary access shall be from an arterial road.
- (d) Supplemental standards for drive-through facilities, and seasonal, transient merchants and mobile vendors shall be observed.
- (e) The use of sound amplification devices is prohibited.
- (f) Primary building materials and finishes shall consist of 75%, brick, brick veneer, stacked stone, marble, split face block/concrete masonry unit, finished concrete tilt up, concrete masonry unit, or finished concrete block.
- (g) Secondary materials permitted for trim and accents can include natural wood, metal, aluminum, stucco, exterior insulation and finish systems, engineered fiber cement board, or composite vinyl siding.
- (h) Buildings that are located on outparcels including accessory buildings shall be constructed of materials complimenting the principal buildings.
- (i) Where pre-engineered steel buildings are constructed all building facades shall consist of primary and secondary materials to minimize the static appearance.
- (j) The use of muted and earth tone colors as the predominant colors on the façade is preferred. Building trim, accent areas, and entrance doors into the units may feature brighter colors.
- (k) Facades over 100 feet in length shall provide wall projections or recesses with a minimum of three feet in depth and a minimum of 20 contiguous feet in length for each 100 feet.
- (l) 25 percent of the facades visible from a public street shall use arcades, display windows (real or faux), entry areas and awnings, or any combination thereof.
- (m) Parapets, gable and hip roofs or dormers shall be used to conceal flat roofs and roof top equipment from public view.
- (n) Areas for outdoor storage, truck parking, loading and unloading, refuse collection or compaction or similar uses shall not be visible from a public right-of-way, and have approved screening devices.
- (o) Temporary or portable structures for offices or storage is prohibited.
- (p) Landscape plans shall be prepared by a landscape architect, architect, or engineer legally registered under the laws of this state regulating the practice of landscape architecture, architecture, or engineering, and shall affix their seal to such plan.
- (q) Retail shopping centers and big-box retail facilities shall provide at a ratio of 10 percent of the building space shall include a public amenity including one or more of the following: a common area or green, a park, sitting areas, playground, or a plaza.
- (r) All plant material shall be of native plant species and nursery grown meeting number 1 grade American Nursery and Landscape Association standards.

- (s) 5% of the entire area devoted to parking spaces, aisles and connecting driveway shall be formally landscaped with any combination of trees, shrubs, grass or ground cover.
- (t) Interior landscape islands with raised curbing is required for parking lots of 20 or more spaces, and shall be designed having a minimum width of 10 feet, and a minimum length of the required parking space(s).
- (u) The landscape frontage strip must be 20 feet wide for sites containing 50 or more parking spaces.
- (v) 40 percent of the parking and circulation space shall be on the sides of the building frontage.
- (w) Uses that propose night lighting other than incidental security lighting shall be required to submit a photometric plan to enable the evaluation of impacts from illumination and that are compliance with the outdoor lighting requirements.
- (x) Parking lot lighting poles and fixtures that are constructed shall complement the overall site architecture and design in terms of scale, color, and style, and shall not exceed 20 feet in height.
- (y) Roof mounted lighting or backlit awnings are prohibited.
- (z) All outdoor lighting fixtures must be recessed and downcast and shall not produce glare or a nuisance to drivers or the surrounding properties. All canopy lighting shall be recessed into its ceiling.

Section 1436: Planned commercial development, medium scale

- (a) Buildings or structures, including parking, circulation and storage areas shall be 150 feet from any residence.
- (b) Primary access shall be from an arterial road.
- (c) Supplemental standards for drive-through facilities, and seasonal, transient merchants and mobile vendors shall be observed.
- (d) The use of sound amplification devices is prohibited.
- (e) Primary building materials and finishes shall consist of 75%, brick, brick veneer, stacked stone, marble, split face block/concrete masonry unit, finished concrete tilt up, concrete masonry unit, or finished concrete block.
- (f) Secondary materials permitted for trim and accents can include natural wood, metal, aluminum, stucco, exterior insulation and finish systems, engineered fiber cement board, or composite vinyl siding.
- (g) Buildings that are located on outparcels including accessory buildings shall be constructed of materials complimenting the principal buildings.
- (h) Where pre-engineered steel buildings are constructed all building facades shall consist of primary and secondary materials to minimize the static appearance.
- (i) The use of muted and earth tone colors as the predominant colors on the façade is preferred. Building trim, accent areas, and entrance doors into the units may feature brighter colors.
- (j) Facades over 100 feet in length shall provide wall projections or recesses with a minimum of three feet in depth and a minimum of 20 contiguous feet in length for each 100 feet.
- (k) 25 percent of the facades visible from a public street shall use arcades, display windows (real or faux), entry areas and awnings, or any combination thereof.
- (l) Parapets, gable and hip roofs or dormers shall be used to conceal flat roofs and roof top equipment from public view.
- (m) Areas for outdoor storage, truck parking, loading and unloading, refuse collection or compaction or similar uses shall not be visible from a public right-of-way, and have approved screening devices.
- (n) Temporary or portable structures for offices or storage is prohibited.

- (o) Landscape plans shall be prepared by a landscape architect, architect, or engineer legally registered under the laws of this state regulating the practice of landscape architecture, architecture, or engineering, and shall affix their seal to such plan.
- (p) All plant material shall be of native plant species and nursery grown meeting number 1 grade American Nursery and Landscape Association standards.
- (q) 5% of the entire area devoted to parking spaces, aisles and connecting driveway shall be formally landscaped with any combination of trees, shrubs, grass or ground cover.
- (r) Interior landscape islands with raised curbing is required for parking lots of 20 or more spaces, and shall be designed having minimum width of 10 feet, and a minimum length of the required parking space(s).
- (s) The landscape frontage strip must be 20 feet wide for sites containing 50 or more parking spaces.
- (t) 40 percent of the parking and circulation space shall be on the sides of the building frontage.
- (u) Uses that propose night lighting other than incidental security lighting shall be required to submit a photometric plan to enable the evaluation of impacts from illumination and that are compliance with the outdoor lighting requirements.
- (v) Parking lot lighting poles and fixtures that are constructed shall complement the overall site architecture and design in terms of scale, color, and style, and shall not exceed 20 feet in height.
- (w) Roof mounted lighting or backlit awnings are prohibited.
- (x) All outdoor lighting fixtures must be recessed and downcast and shall not produce glare or a nuisance to drivers or the surrounding properties. All canopy lighting shall be recessed into its ceiling.

Section 1437: Planned commercial development, small scale

- (a) Buildings or structures, including parking, circulation and storage areas shall be 100 feet from any residence.
- (b) Primary access shall be from an arterial road, or a collector road if in a General Commercial or Neighborhood Commercial zoning district.
- (c) Supplemental standards for drive-through facilities, and seasonal, transient merchants and mobile vendors shall be observed.
- (d) The use of sound amplification devices is prohibited.
- (e) Primary building materials and finishes shall consist of 75%, brick, brick veneer, stacked stone, marble, split face block/concrete masonry unit, finished concrete tilt up, concrete masonry unit, or finished concrete block.
- (f) Secondary materials permitted for trim and accents can include natural wood, metal, aluminum, stucco, exterior insulation and finish systems, engineered fiber cement board, or composite vinyl siding.
- (g) Where pre-engineered steel buildings are constructed all building facades shall consist of primary and secondary materials to minimize the static appearance.
- (h) The use of muted and earth tone colors as the predominant colors on the façade is preferred. Building trim, accent areas, and entrance doors into the units may feature brighter colors.
- (i) Facades over 50 feet in length shall provide wall projections or recesses with a minimum of one and one-half feet in depth and a minimum of 10 contiguous feet in length for each 50 feet.
- (j) 25 percent of the facades visible from a public street shall use arcades, display windows (real or faux), entry areas and awnings, or any combination thereof.
- (k) Parapets, gable and hip roofs or dormers shall be used to conceal flat roofs and roof top equipment from public view.

- (l) Areas for outdoor storage, truck parking, loading and unloading, refuse collection or compaction or similar uses shall not be visible from a public right-of-way, and have approved screening devices.
- (m) Temporary or portable structures for offices or storage is prohibited.
- (n) Landscape plans shall be prepared by a landscape architect, architect, or engineer legally registered under the laws of this state regulating the practice of landscape architecture, architecture, or engineering, and shall affix their seal to such plan.
- (o) All plant material shall be of native plant species and nursery grown meeting number 1 grade American Nursery and Landscape Association standards.
- (p) 5% of the entire area devoted to parking spaces, aisles and connecting driveway shall be formally landscaped with any combination of trees, shrubs, grass or ground cover.
- (q) Interior landscape islands with raised curbing is required for parking lots of 20 or more spaces, and shall be designed having minimum width of 10 feet, and a minimum length of the required parking space(s).
- (r) The landscape frontage strip must be 20 feet wide for sites containing 50 or more parking spaces.
- (s) 40 percent of the parking and circulation space shall be on the sides of the building frontage.
- (t) Uses that propose night lighting other than incidental security lighting shall be required to submit a photometric plan to enable the evaluation of impacts from illumination and that are compliance with the outdoor lighting requirements.
- (u) Parking lot lighting poles and fixtures that are constructed shall complement the overall site architecture and design in terms of scale, color, and style, and shall not exceed 20 feet in height.
- (v) Roof mounted lighting or backlit awnings are prohibited.
- (w) All outdoor lighting fixtures must be recessed and downcast and shall not produce glare or a nuisance to drivers or the surrounding properties. All canopy lighting shall be recessed into its ceiling.

Section 1438: Planned residential developments with multi-family dwellings, including mixed-use or mixed residential developments.

- (a) Multi-family buildings or structures including parking and circulation areas, shall be 75 feet from any property line or public right-of-way.
- (b) The buffer with shall be 2.0 times the minimum required with an approved fence, wall or berm.
- (c) Access shall only be from an arterial or collector road.
- (d) Sidewalks, curb and gutter are required on all internal public streets.
- (e) No less than 5 percent of the net buildable area must be set aside as open space that includes an amenity such as a clubhouse, pool, athletic court(s), active playground, walking trail, pedestrian plaza with benches, a passive use recreation area (fishing, boating/dock, picnicking, etc.), or any combination thereof.
- (f) All interior roads, sidewalk systems and open space set asides shall remain private and maintained by a common interest element.
- (g) No more than 12 attached dwelling units per floor shall form a single building for apartments.
- (h) No more than 8 attached dwelling units shall form a single building for a townhouse or condominium.
- (i) Townhomes and condominium dwellings shall not front face-to-face, or back-to-back less than 50 feet apart, and the front of a dwelling shall not face the rear of another dwelling unless separated by 100 feet.
- (j) Dwelling units shall have private open space including enclosed balconies, sundecks, patios equivalent to 10 percent of the floor area of the unit served.

- (k) Primary materials and finishes are required to consist of 50%, natural wood, brick, brick veneer, stacked stone, marble, unglazed tile, split face block/concrete masonry unit, finished concrete tilt up, concrete masonry unit, or finished concrete block.
- (l) Secondary materials permitted for trim and accents can include metal, aluminum or vinyl siding stucco or EIFS, engineered fiber cement board, composite vinyl siding.
- (m) All buildings shall provide articulated building planes along each elevation, containing variations of mass to voids in a coordinated rhythm. Acceptable variations include fluctuations in the building plane on each elevation, which incorporate architectural elements such as building projections, roof lines, material changes, windows, canopies, arcades, eaves, and other decorative features that enhance the building's appearance. A flat unarticulated wall with just windows and doors serving as voids is prohibited.
- (n) A minimum of 10 percent of the total buildable area in any parcel shall be devoted to formal landscaping (including ground cover, grass, or sod), in addition to any required landscape buffers.
- (o) Ground and roof mounted equipment shall be screened from view with landscaping or solid fencing.
- (p) Parking lot lighting poles and fixtures, if constructed, shall complement the overall site architecture and design in terms of scale, color, and style, and shall not exceed 20 feet in height.
- (q) Night-time intersection lighting at primary entrances will be required, with the cost for installation and maintenance to be borne by the developer or a common interest element.
- (r) All outdoor lighting fixtures must be recessed and downcast and shall not produce glare or a nuisance to drivers or the surrounding properties.
- (s) Uses that propose night lighting other than incidental security lighting shall be required to submit a photometric plan to enable the evaluation of impacts from illumination and that are compliance with the outdoor lighting requirements.
- (t) Temporary or portable structures for offices or storage is prohibited.

Section 1439: Planned residential developments with single-family and/or two-family dwellings, including mixed-use and mixed-use residential developments.

- (a) There should be distinctly different front façade designs for each dwelling unit including variation in width or height, roof planes, location and proportion of front porches and garages. Mirror images or repetition of the same configuration of each dwelling are prohibited.
- (b) Except for trim, each dwelling unit should have a primary and secondary material coverage on the front and side building façade.
- (c) If the primary materials and finishes except for trim and accents include aluminum or vinyl siding, then secondary materials and finishes are required to consist of 25% natural wood, brick, brick veneer, stacked stone, unglazed tile, fiber-cement, or a combination thereof.
- (d) Street lighting within the development will only be allowed under a county streetlight special tax district.
- (e) Night-time intersection lighting at primary subdivisions entrances will be required, with the cost for installation and maintenance to be borne by the developer or a common interest element.
- (f) All outdoor lighting fixtures must be recessed and downcast and shall not produce glare or a nuisance to drivers or the surrounding properties.

Section 1440: Private and public event facilities.

- (a) *Standards for all zoning districts:*

- 1) Buildings and structures, including parking and circulation areas shall be set back 150 feet from the property line and 500 feet from any residence.
 - 2) The buffer width shall be 2.0 times the minimum required.
 - 3) Hours of operation are limited to 9:00 a.m. to 11:00 p.m.
 - 4) No outdoor amplified sound or entertainment is allowed between 11 p.m. and 9 a.m.
 - 5) All outdoor lighting fixtures must be recessed and downcast and shall not produce glare or a nuisance to drivers or the surrounding properties.
 - 6) The following information must be submitted to the administrative officer with any conditional use application:
A site plan, survey or sketch drawing depicting the location of event structures, signage in compliance with the county sign ordinance, parking and traffic circulation for guests and staff, emergency vehicle access route, location of sanitation and refuse facilities, including portable toilets or restrooms connected to the sanitary sewer system.
 - 7) A right-of-way encroachment permit shall be applied for with the County Engineer's Office for approval of driveway access, design and construction.
 - 8) Prior to each event, where applicable proof of the following must be submitted to the Administrative Officer:
 - 9) Catered alcohol service shall have a proper license issued by the County.
 - 10) Catered food service is subject to proper permitting issued by the County Health Department.
- (b) *Standards for commercial zoning districts:*
- 1) The minimum lot size is 3.0 acres.
 - 2) Maximum number of guests is 300.
 - 3) All driveways, parking and circulation areas shall be on a paved asphalt or concrete surface.
- (c) *Standards for the Agricultural-Residential (AG-5) zoning district:*
- 1) The venue in whole or in part must be on property used for bona fide agricultural purposes and contains land that is classified as such by the County's Property Appraiser (agricultural exemption).
 - 2) Minimum lot size is 10.0 acres.
 - 3) Maximum number of guests is 300.
 - 4) Parking and circulation areas for event patrons must be on a surface that is flat and durable enough to withstand the event traffic except where required by off-street parking standards and should not be a fire hazard.
 - 5) Commensurate with the number of guests, portable toilets must be provided, unless the property has adequate restroom facilities that are connected to the sanitary sewer or septic system.

Section 1441: Recreation facility, outdoor commercial.

- (a) Buildings and structures, including parking and circulation areas shall be set back 150 feet from the property line and 1,000 feet from any residence.
- (b) The buffer width shall be 2.0 times the minimum required, with a noise barrier for activities that generate over 50 decibels.
- (c) Minimum lot size of 10.0 acres.
- (d) Hours of operation are limited to 8:00 a.m. to 10:00 p.m., including all deliveries.
- (e) All outdoor lighting fixtures must be recessed and downcast and shall not produce glare or a nuisance to drivers or the surrounding properties.
- (f) Prior to a certificate of occupancy or other development permit being issued, proof of the following must be submitted to the Administrative Official:
 - 1) A site plan, survey or sketch drawing depicting the location of event structures, signage in compliance with the county sign ordinance, parking and traffic circulation for guests and

staff, emergency vehicle access route, location of sanitation and refuse facilities, including portable toilets or restrooms connected to the sanitary sewer system.

- (g) Prior to each event, where applicable proof of the following must be submitted to the Administrative Officer:
- 1) Catered alcohol service shall have a proper license issued by the County.
 - 2) Catered food service is subject to proper permitting issued by the County Health Department.

Section 1442: Recreation facility, outdoor private

- (a) Buildings or structures shall be 100 feet from any residence.
- (b) Hours of operation are limited to 8:00 a.m. to 10:00 p.m.
- (c) An adequate fire access route shall be reviewed and approved by the Fire Chief.
- (d) A parking and circulation plan are required.
- (e) If proposed as part of a residential subdivision or multi-family development, a community recreation facility must be built during the first phase if the development has phases, and no more than 40 percent of first phase of the dwelling units authorized within the development or subdivision phase will be granted building permits until the community recreation facility is completed.

Section 1443: Recreational vehicle park and campground.

- (a) Buildings or structures shall be 500 feet from any residence.
- (b) All campers, tents, trailers and vehicles shall be fifty 50 feet from a public road or right-of-way.
- (c) Every vehicle or trailer must be parked at least 20 feet apart from each other.
- (d) The buffer width shall be 4.0 times the minimum required with an approved fence, wall or berm.
- (e) Minimum lot size of 10.0 acres.
- (f) Minimum of camping site size of 360 square feet for tents, 720 feet for campers, and 1,200 square feet for recreational vehicles.
- (g) Minimum 100 feet of road frontage is required.
- (h) All outdoor lighting fixtures must be recessed and downcast and shall not produce glare or a nuisance to drivers or the surrounding properties.
- (i) Only passive recreational activities are permitted, such as hiking, bicycling, walking, picnicking, canoeing, fishing and wildlife observation, etc.
- (j) Recreational vehicle parks shall be connected to a public water supply and a public sanitary sewer system or a community water system and on-site sewage management system approved by the County Health Department.
- (k) All access roads within the development shall be private with a minimum easement width of 40 feet and on a paved asphalt or concrete surface with a minimum pavement width of 20 feet, and lighted with a minimum spacing of 200 feet each between streetlights.
- (l) At least 20 percent of the park must be set aside as open space or for recreation purposes.
- (m) No recreational vehicle or space shall be rented or occupied for a period of more than 30 days.
- (n) Management offices, active indoor or passive outdoor recreational facilities, toilets, showers, laundry facilities and other uses and structures customarily incidental to the operation of a recreational vehicle park are permitted as accessory uses, provided use is restricted to the occupants of the park.
- (o) A copy of the park management rules and regulations must be submitted to the Administrative Official for approval prior to a certificate of occupancy. The park operator will be responsible for ensuring that visitors comply with the rules and regulations.

Section 1444: Solar electric power generation.

- (a) Buildings or structures shall be 500 feet from any residence.
- (b) Inverters, transformers and similar noise producing equipment (not including arrays or panels) shall be placed a minimum of 75 feet away from properties abutting adjacent residential properties.
- (c) Minimum lot size is 10.0 acres.
- (d) The buffer width shall be 2.0 times the minimum required with an approved fence, wall or berm.
- (e) Screened chain-link or pressure treated lumber security fencing will be required at a minimum height of 6 feet, but not at a greater height than 8 feet around the perimeter of the facility inside the required setbacks, and it shall be regularly maintained.
- (f) All mechanical equipment (including arrays and panels) and outdoor lighting fixtures shall be limited to a height of 15 feet.
- (g) All outdoor lighting fixtures must be recessed and downcast and shall not produce glare or a nuisance to drivers or the surrounding properties.
- (h) Solar panels shall not be placed in the vicinity of any airport in a manner that would interfere with airport flight patterns.
- (i) A right-of-way encroachment permit shall be applied for with the County Engineer's Office with design and construction providing for a paved asphalt or concrete surface driveway and apron leading to any access gate upon completion of the project.
- (j) The developer shall be able to graphically demonstrate to the Administrative Officer through the use of renderings, photographs or similar credible media that proposed solar collection devices, or combination of devices, shall be designed and located to avoid glare or reflection onto adjacent properties and adjacent roadways and shall not interfere with traffic or create a safety hazard.
- (k) Textured glass and/or anti-reflective coating shall be used on solar panels to minimize glare.
- (l) Any solar collection device or combination of devices that is not operated for a continuous period of 12 months and for which there are no applications pending for permitted use of the structure at the end of such 12-month period, shall be considered abandoned, whether or not the owner or operator intends to make use of the device(s). The owner of an abandoned solar collection device and the owner of the property where the abandoned solar collection device is located shall be under a duty to remove such device. If such device is not removed within a reasonable time, not to exceed three months, after receipt of notice from the governing authority notifying the owner(s) of such abandonment, the governing authority may remove such device(s) and place a lien upon the property for the costs of removal. The governing authority may pursue all legal remedies available to it to ensure that abandoned device(s) are removed. Delay by the governing authority to act shall not in any way waive the governing authority's right to do so.
- (m) The developer of any solar collection device or combination of devices shall provide the following documentation to the Administrative Official before any land development begins:
 - 1) A recorded plat creating a new parcel containing the boundaries of the facility and showing the panel locations within a properly fenced area.
 - 2) Name, address, phone number and contact information of the owners of the installed solar infrastructure which shall be submitted the County Tax Appraiser's office for personal property tax purposes.
 - 3) Proof of adequate project financing, along with insurance or surety.
 - 4) Proof of compliance with regard to interconnection requirements with appropriate public utilities or public utilities regulatory agencies.
 - 5) A letter from the Georgia Department of Natural Resources that there are no adverse impacts on historical or cultural resources.

- 6) Submission of a site plan that meets the requirements of the county soil erosion and sedimentation ordinance, and a drainage plan approved by the county engineer.

Section 1445: Temporary occupancy unit during single family building construction

- (a) There shall be an additional permit required for placement of a temporary occupancy unit with a fee as prescribed in the County's Schedule of Fees. Subject to any other conditions of expiration herein, a temporary occupancy permit shall be valid for one year. The zoning administrator may grant a one-year extension of the permit if, in the zoning administrator's opinion, the permittee has made a good-faith effort to construct the principal residential use.
- (b) If a valid building permit for a dwelling serving as a principal use on the subject lot, parcel or tract is not maintained, the temporary permit shall become void on the day the building permit lapses.
- (c) No more than one (1) temporary occupancy unit may be occupied per parcel.
- (d) The temporary occupancy unit may be occupied either by the permanent occupants of the principal use under construction, or any work crew employed by the owner-occupant(s) whose purpose is for the construction of the principal use of the subject lot, parcel or tract. At no time shall any temporary occupancy unit be leased or rented for other residential or occupancy purposes.
- (e) The temporary occupancy unit must be removed no later than thirty (30) days after receiving an approved certificate of occupancy for the principal residential structure, unless such unit is for the recreational use of the owner-occupant of the principal structure.
- (f) The temporary occupancy unit shall comply with all other applicable requirements of the zoning ordinance, including but not limited to setback and height requirements.
- (g) All recreational vehicles and campers shall be built to American National Standards Institute Code (ANSI).
- (h) If the temporary occupancy unit has restroom facilities that are used, the temporary occupancy unit must be attached to an on-site sewage disposal system (septic tank) approved by the County Health Department.
- (i) Heating systems shall be maintained in accordance with the manufacturer's requirements. Any additional or new solid or liquid-fuel burning appliances to be used in a recreational vehicle or camper shall be installed, used and maintained in accordance with the listing for the appliance and the manufacturer's requirements, including provisions allowing their use in recreational vehicles or campers.
- (j) LP-gas storage and delivery systems shall be maintained in accordance with the manufacturer's requirements. In lieu of complying with the manufacturer's requirements, additional storage of LP-gas is permitted provided the storage and delivery systems comply with the current editions of the Uniform Fire, Building and Mechanical Codes.
- (k) The recreational vehicle and campers shall be set up in compliance with the manufacturer's minimum specifications and shall remain mobile. No ancillary structures may be permitted with regard thereto for the temporary occupancies provided for herein.
- (l) The application for the placement and use of a manufactured home or mobile office for the purpose(s) herein may require the applicant to post a bond in the form of a surety bond, cash or irrevocable letter of credit in the amount not to exceed three thousand dollars (\$3,000.00) per unit to ensure the removal of the temporary occupancy unit within the specified time frame.
- (m) Upon request of a County code enforcement officer investigating any complaint, satisfactory evidence shall be presented of continuing compliance with the applicable standards for temporary occupancy or the occupancy shall cease.

Section 1446: Tobacco shops, vape shops and hookah lounges.

- (a) No new establishment shall be located within 1.0 mile of an existing establishment measured across a straight line from property line to property line.
- (b) These establishments shall not be located within 300 feet, measured property line to property line, from a school (public or private), family day care home, child-care facility, youth center, community center, recreational facility, park, church or religious institution, hospital, or other similar uses where children regularly gather.
- (c) The buffer with shall be 2.0 times the minimum required with an approved fence, wall or berm.
- (d) All storefronts shall contain transparent glass windows that allow for views into the establishment from the nearest public right-of-way.
- (e) Temporary or portable structures for offices or storage is prohibited.
- (f) These establishments shall post clear signage stating that minors may not enter the premises unless accompanied by a parent or legal guardian. At least one such sign shall be placed in a conspicuous location near each public entrance to the smoke shop and tobacco store. It shall be unlawful for a smoke shop and tobacco store to fail to display and maintain, or fail to cause to be displayed or maintained, such signage.
- (g) Except for hookah lounges, no smoking shall be permitted indoors at any time.
- (h) No sales may be solicited or conducted on the premises to persons under the age of 21.

Section 1447: Transfer station.

- (a) Such facility must receive a permit from and comply with the rules of the Environmental Protection Division of the Georgia Department of Natural Resources for transfer stations.
- (b) The buffer shall be 2.0 times the minimum required with an approved fence, wall or berm.
- (c) Solid waste shall be confined to the interior of transfer stations, and not allowed to scatter to the outside. Waste shall not be allowed to accumulate, and floors, shall be kept clean and well drained.
- (d) All outdoor lighting fixtures must be recessed and downcast and shall not produce glare or a nuisance to drivers or the surrounding properties.
- (e) Sewage solids shall be excluded from transfer stations.
- (f) Dust, odors and similar conditions resulting from transfer operations shall be controlled at all times.
- (g) Rodents, insects and other pests shall be controlled.
- (h) Any contaminated runoff from wash water shall be discharged to a wastewater treatment system and, before final release, shall be treated in a manner approved by EPD.
- (i) Hazardous waste: no person owning or operating a transfer station shall cause, suffer, allow, or permit the handling of regulated quantities of hazardous waste.

Section 1448: Utility substation.

- (a) Minimum setbacks. Utility substations, including any required fencing, must be set back a minimum of 60 feet from all public rights-of-way and from adjacent property lines of any lot on which a residence is located, and 30 feet from all other adjacent property lines.
- (b) Minimum lot size. The lot on which a utility substation is located must be of sufficient size to meet the minimum setback requirements; however, in no case shall the lot on which a utility substation is located be less than 1/4 acre.
- (c) Utility substations, including any woven wire fencing, shall be completely enclosed by decorative fencing such as, but not necessarily limited to, brick, stone or wood. Utility substations must also be enclosed by a woven wire fence at least eight (8) feet high with bottom of fence either flush with the ground or with a masonry footing; however, the requirement for woven wire fencing may be waived if the applicant reasonably demonstrates that the utility substation does not pose a hazard to the public. If the requirement for woven wire fencing is waived, then the zoning administrator may waive the requirement for the building to be completely enclosed by

decorative fencing if the zoning administrator determines that such waiver would not negatively impact the aesthetic quality of the building. However, all equipment located outside the building, such as but not limited to generators and tanks, shall be enclosed by decorative fencing.

- (d) All outdoor lighting fixtures must be recessed and downcast and shall not produce glare or a nuisance to drivers or the surrounding properties.
- (e) No vehicles or equipment may be stored on the lot.
- (f) A buffer a minimum of 25 feet wide must be maintained along the side and rear property lines. If any decorative fencing requirements are waived, the zoning administrator may require additional landscaping to preserve the aesthetic quality of the site.
- (g) Any building at a utility substation site must be architecturally compatible with adjacent properties.
- (h) The applicant must submit a site plan to the administrative officer, showing the proposed location and design of any buildings, the proposed location and type of any exterior equipment, the proposed location and design of all fencing, any proposed landscaping, the means of ingress and egress, the uses of adjacent property, and the distance of all improvements from adjacent property lines and rights-of-way. The site plan must be approved by the administrative officer prior to the issuance of a permit, and the zoning administrator may require any modifications to the site plan necessary to achieve compliance with the standards and spirit of this Ordinance.
- (i) The development standards in each district shall not apply to utility substations.

Section 1449: Variety store.

- (a) No new establishment shall be located within 1.0 mile of an existing establishment measured across a straight line from property line to property line.
- (b) Buildings or structures shall be 250 feet from any residence.
- (c) Hours of operation are limited to 7:00 a.m. to 9:00 p.m., including all deliveries.
- (d) Maximum building size of 12,000 square feet.
- (e) Minimum lot size of 2.0 acres.
- (f) No merchandise for sale including vending machines shall be permitted outside of the building.
- (g) The buffer width shall be 2.0 times the minimum required with an approved fence, wall or berm.
- (h) Access shall only be from an arterial or collector road.
- (i) Use of sound amplification devices is prohibited.
- (j) A minimum of 20 percent of the site shall be landscaped, not including buffers.
- (k) Facades over 50 feet in length shall provide wall projections or recesses with a minimum of one foot in depth and a minimum of 10 contiguous feet in length for each 100 feet.
- (l) A minimum of twenty-five percent (25%) of facades visible from a public street shall consist of window (real or faux) and door openings.
- (m) Parapets, gable and hip roofs or dormers shall be used to conceal flat roofs and roof top equipment from public view.
- (n) Temporary or portable structures for offices or storage is prohibited.
- (o) Seasonal, transient merchants and mobile vendors shall follow requirements of this ordinance.

Section 1450: Veterinary services, and commercial and private kennels.

- (a) All buildings, structures, and outdoor runs shall be 200 feet from all property lines.
- (b) Minimum lot size of 2.0 acres where commercial kennels or outdoor runs are present.
- (c) The buffer width shall be 2.0 times the minimum required with an approved fence, wall or berm.
- (d) Animal boarding shall take place entirely within an enclosed building. Buildings shall be designed and constructed to mitigate noise to limit negative impacts on adjacent properties. Additional noise mitigation shall be required for existing buildings not originally built for the

- boarding of animals, including the use of acoustical tiles, caulking to seal penetrations made in floor slabs for pipes, and spray on noise insulation
- (e) Odors shall be controlled by means of an air filtration system or an equivalent measure.
 - (f) Buildings housing animals shall have a drain connected to an approved sanitary facility, and shall not be located in a front yard, or buffer areas.

Section 1451: Wastewater pre-treatment facility.

- (a) The facility shall either be connected to a municipal wastewater treatment system for final treatment of wastewater created from the de-watering process, or the wastewater created from the de-watering process shall be discharged into a remote lift station of a municipal wastewater treatment system which is approved by the municipality. The facility shall be subject to the rules of the accepting municipality.
- (b) Minimum lot size shall be 5 acres.
- (c) No facility shall be within 1,000 feet of a residential dwelling.
- (d) No facility shall be within 100 feet of a floodplain or wetland.
- (e) No facility shall be within 300 feet of an individual or public water supply source or well.
- (f) No facility shall be within 300 feet of any water impoundment, lake, stream, pond or any permanent or intermittent waterbody considered waters of the State.
- (g) No facility shall be located in an unconfined aquifer which is used or may be used as a principal source of potable water.
- (h) Odor control methods must be used.
- (i) A 25' landscaped buffer consisting of trees capable of growing to a height of no less than 40' feet shall be installed and maintained along the side and rear property lines. If the facility is visible from the road accessing the property, either the aforementioned standard of landscaping or opaque fencing of no less than six, but not greater than eight feet in height shall be installed within the front setback.
- (j) Access to the property shall be on a paved public road with all driveway aprons being paved to the edge of the right of way.
- (k) All interior parking and circulation within the facility shall consist at a minimum of a gravel or similarly compacted pervious or impervious surface to minimize on-site erosion and runoff.
- (l) All outdoor lighting fixtures must be recessed and downcast and shall not produce glare or a nuisance to drivers or the surrounding properties.
- (m) All on-site and off-site drainage shall be installed so as to minimize the potential for any pollution run-off and shall be compliant with NPDES requirements.
- (n) All collected solid waste must be deposited only in an EPD permitted solid waste handling facility authorized to receive the applicable waste types.
- (o) Wastewater pre-treatment facilities shall be paved and enclosed.
- (p) Vehicles or containers used for the collection and transportation of wastes shall be covered, substantially leakproof, durable, and of easily cleanable construction.
- (q) Solid waste collection and transportation vehicles shall be cleaned frequently and shall be maintained in good repair.
- (r) Vehicles or containers used for the collection and transportation of solid waste shall be loaded and moved in such a manner that the contents will not leak or spill therefrom.
- (s) All wastewater from cleaning of vehicles must be handled in a manner which meets all applicable environmental laws and regulations.
- (t) The facility shall be maintained in a clean and sanitary condition.
- (u) The facility shall receive all permits required by the State of Georgia.
- (v) No business that pumps or hauls waste from grease traps or septic tanks whose primary place of business is located outside of Bulloch County would be allowed to utilize this facility or transfer waste to a truck owned by a business in Bulloch County.

ARTICLE 15 – (RESERVED)

ARTICLE 16 – (RESERVED)

ARTICLE 17 – (RESERVED)

ARTICLE 18 – (RESERVED)

Attachment: 10. Appendix C Zoning Regulations (Appendix C Zoning)

ARTICLE 19 – IGO, INTERSTATE GATEWAY OVERLAY DISTRICT

Section 1901: IGO district boundaries.

The boundaries of the Interstate Gateway overlay district correspond to the boundaries of the Tax Allocation District #1 - I-16/U.S. 301 Interstate Gateway Redevelopment Area, as adopted by the Board of Commissioners and shown on the Official Zoning Map of Bulloch County, and as may be amended from time to time in accordance with the procedures of this Zoning Ordinance. The Tax Allocation District #1 - I-16/U.S. 301 Interstate Gateway Redevelopment Area is referred to herein as the “Interstate Gateway Redevelopment Area,” and the Redevelopment Plan adopted for the Interstate Gateway Redevelopment Area is referred to as the “Interstate Gateway Redevelopment Plan.”

Section 1902: IGO district design standards; intent.

(a) The intent of the IGO district is to maintain high quality, long-lasting and sustainable development within the Interstate Gateway Redevelopment Area and such other areas as may be designated by the Bulloch County Board of Commissioners from time to time. The standards established by the IGO district are intended to enhance the visual aspect, livability and economic vitality of the areas included within the overlay district; foster common design themes and architectural diversity and interest; and achieve and maintain a consistent, durable and pleasing aesthetic/visual quality.

(b) It is further the intent of the IGO district to implement the Interstate Gateway Redevelopment Plan through consistency with or as guided by the design standard concepts and the future land use, infrastructure and transportation plans adopted as part of the Interstate Gateway Redevelopment Plan, and such plans as may be amended by the Board of Commissioners from time to time.

(c) The IGO district does not change the underlying zoning district of a property, but rather adds provisions that enhance, change or replace certain requirements as specified in this Article that otherwise apply to the underlying zoning district.

Section 1903: IGO district design standards; applicability.

(a) Construction activities subject to the IGO design standards.

(1) The design standards contained in this Article apply to all new nonresidential, multifamily and mixed-use buildings and projects to be issued building or development permits within the IGO overlay district, regardless of the underlying zoning of the property, and to any construction activity that results in the change of the principal use of a building or property.

(2) The design standards contained in this Article do not apply to additions, renovations or maintenance of buildings or land uses that existed prior to the adoption of the IGO district, provided that such activities do not involve or result in a change of the principal use of the building or property.

(b) Uses allowed in the IGO district.

All principal and accessory uses allowed by right or by conditional use approval in the underlying zoning district on a property are similarly allowed within the IGO district, except signs that are regulated under Section 1907, below.

(c) All other standards, requirements and provisions of this Zoning Ordinance shall apply in accordance with the underlying zoning on a property except as modified, added to or superseded by the provisions of this Article 19 for a building or development project within the IGO district.

(d) Additional and individual standards may be established through conditional zoning approval for any property within the IGO district by the Board of Commissioners.

Section 1904: Development enhancements.

Development in the underlying zoning districts within an IGO district shall be developed under the following enhanced provisions in lieu of regulations established in other articles and sections of this Zoning Ordinance:

- (a) Condominium or multi-family projects.
 - (1) A condominium or multi-family project, where otherwise allowed by the zoning of the property, may be developed at a maximum density of no more than 8 dwelling units per acre; except as allowed under the following Section 1904(a)(2).
 - (2) A condominium or multi-family project otherwise allowed under the property's zoning may be developed at a maximum density of no more than 12 dwelling units per acre provided that community recreation amenities are provided that meet or exceed the following guidelines:
 - a. A community recreation amenity area or areas must be provided to serve the development. The minimum recreational facilities shall be based on the number of dwelling units served in accordance with Table 19.1, which may be met through the provision of one or more amenity areas.
 - b. All amenities must be completed and available for use prior to issuance of a certificate of occupancy on more than 50% of the dwellings served by the recreational amenity in the development.
 - c. The recreation amenity may be designed to serve the entire development or separate amenity areas may be provided for specific residential development areas. If multiple recreation amenity areas are provided, the total of all amenities shall be no less than the total required by Table 19.1 based on the entire development as a whole, distributed proportionally to each development area based on the number of dwelling units each amenity area serves.
- (b) A hotel, motel or resort hotel located within the IGO district, where otherwise allowed by the zoning of the property, shall meet or exceed the following provisions:
 - (1) Each guest unit must contain a minimum square footage per unit of 300 square feet.
 - (2) At least 15 square feet of gross floor area per guest unit must be provided for one or more of the following:
 - a. A restaurant, deli or other sit-down food service area for breakfast service or dining;
 - b. A health spa operated in accordance with state law (O.C.G.A §10-1-392 et seq.) staffed with massage therapists that are available on site full-time or by appointment and licensed in accordance with O.C.G.A § 43-24A-a et seq.;
 - c. A retail store such as a convenience, travel accessory, tourist or sports shop;
 - d. A business or concierge center for guests; and/or
 - e. Meeting rooms or convention facilities.
 - (3) Common areas for recreational use by guests collectively containing a minimum of 15 square feet of area per guest unit must be provided. In computing the total square footage provided, swimming pools, fitness or work-out centers and other recreational or leisure facilities available to all guests may be used in determining the square footage; check-in, lobby and waiting areas shall not be included.
 - (4) Management must be on the property 24 hours a day, seven days a week.

(5) Daily maid service must be included in the standard room rate.

(c) In the LI and HI zoning districts, the minimum front yard setback may be reduced by the Zoning Official to no less than 35 feet if the entire area between the building and the adjoining street is landscaped to the standards for frontage landscape strips under Section 1911.

Table 19.1: Recreation Amenities				
Amenity Required	Number of Dwellings in the Development			Standard
	25 to 99	100 to 249	250 or more	
Active Play Area ¹	Min. ½ acre total	Min. 1 acre total	Min. 2.3 acres total	Total area: 400 sf per dwelling unit (d/u).
Athletic Courts ²	Min. 1 court	Min. 1 court + 1 per 100	Min. 3 courts + 1 per 100	Minimum shown + 1 court per additional 100 d/u's (rounded down). ³
Swimming Pool ⁴		Min. 1,800 sf (30 x 60)	Min. 2,250 sf (30 x 75)	Total water surface area: Minimum shown + 9 sf per d/u >250, to a maximum 4,500 sf (45 x 100).
Clubhouse			Min. 2,500 sf	Total floor area: 10 sf per d/u

¹ Children's play area including active play equipment. Multiple play areas are allowed, but none less than ½ acre in size. This area may also be occupied by athletic courts and swimming pools as required herein, and by other recreational amenities.

² Any combination of tennis, basketball or volleyball courts.

³ For instance, 100-149 dwellings = 1 court; 150-249 dwellings = 2 courts; 250-299 dwellings = 3 courts; 300-399 dwellings = 4 courts.

⁴ Pools shall meet or exceed ANSI/NSPI-1 standards for Class B public pools and maintain compliance with construction and operating permits issued by the Health Department.

Note: "sf" stands for "square feet."

Attachment: 10. Appendix C Zoning Regulations (Appendix C Zoning)

Section 1905: Streets and roads.

- (a) Public streets and roads within a development must meet the design and construction requirements for all such public roads established by Bulloch County.
- (b) Private streets and roads may be approved with alternate design and construction standards intended to foster "smart growth" concepts and accepted principles of "new urbanism." Such an alternate design must be approved by the Development Services Staff, and may require curb and gutter to justify reductions from the right-of-way width required for a public street. Alternate designs may include but are not limited to:
 - (1) Roundabouts and traffic circles.
 - (2) On-street parking refuges with landscaped "bulb-outs."
 - (3) Traffic calming strategies such as central landscaped islands, speed tables and undulating lanage created by variations in curb lines.

(4) Alternate decorative paving materials at entrances and for pedestrian crossings.

(c) While traffic signs and other traffic control devices must conform to the Federal Highway Administration’s Manual on Uniform Traffic Control Devices, street name signs may be decorative in nature when used throughout a development, subject to approval by the Development Services Staff for readability and ease of identification for emergency vehicles.

(d) US 301 corridor access.

Any new construction or change in the principal use on a property within the IGO district having frontage on US 301 must comply with the following design standards.

(1) Along those portions of US 301 where a highway median is installed or planned:

- a. Full-service vehicular driveway access directly from US 301 shall be located only at median breaks where left-turning movements are allowed or planned and a left-turning lane in the median is or will be installed.
- b. Between installed or planned median break locations, vehicular driveway access directly from US 301 shall be limited to right-in/right-out movements and shall be located no closer to any other vehicular driveway access on the same side of the highway than 350 feet (measured centerline-to-centerline of each driveway).

(2) Along those portions of US 301 where a highway median is not installed or planned, vehicular driveway access directly from US 301 shall be located no closer to any other vehicular driveway access on the same side of the highway than 350 feet (measured centerline-to-centerline of each driveway).

(3) Properties having frontage on US 301 shall provide service road access to all abutting properties in accordance with Section 1906 as a condition of issuance of a building permit or development approval, whether or not such properties have independent access to US 301.

(4) All driveway connections to US 301 must be approved by and issued permits by the Georgia Department of Transportation prior to construction. County driveway requirements that are more restrictive than those of the Georgia DOT shall prevail.

Section 1906: US 301 corridor road and utility access.

(a) Intent and purpose of this Section.

(1) The intent of this Section is to:

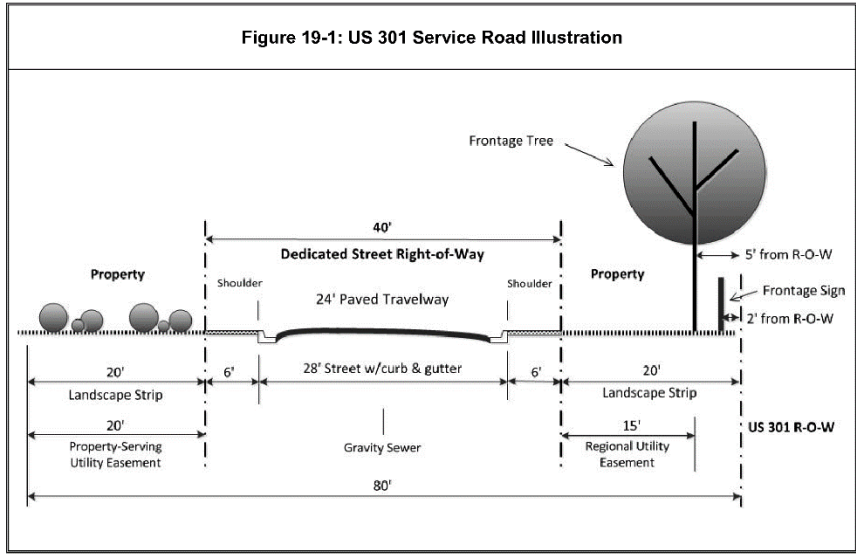


- a. Create a continuous service road serving all properties that are adjacent to (or otherwise would obtain their access from) US 301 in order to provide vehicular access for all such properties adjacent to or served by this limited access state highway;
 - b. Provide vehicular access to properties that are to the rear of properties adjacent to US 301 and that have no alternate access from a public street;
 - c. Provide for the placement of utilities serving properties that provide or are provided access to US 301; and
 - d. Provide signage and landscaping enhancements that encourage economic development of the area.
- (2) The purpose of this Section is to protect the public health, safety and welfare by:
- a. Providing for equal economic development opportunities for all properties within the US 301 corridor;
 - b. Providing for safe vehicular movements between US 301 and adjacent properties;
 - c. Protecting the operational efficiency and safety of US 301 traffic, in compliance with access restrictions imposed by the Georgia Department of Transportation;
 - d. Providing for uniformity and equal access to public and private utilities serving the area and each property;
 - e. Allowing special signage to be placed on each property abutting US 301 for enhanced visibility of businesses and development from the highway; and
 - f. Providing for the aesthetic quality of the US 301 corridor through the provision of landscaping to a higher standard than that required of other properties in the IGO district.
- (b) Service road and easements required.
- (1) For any property that has frontage on US 301, as a condition of issuance of a development or building permit, property owners shall provide a publicly dedicated service road and grant utility easements and frontage landscape strips across their property, as described in this Section, to each abutting property that also has frontage on US 301 and to any other abutting property that has no access from a public street.
 - (2) The service road shall permit vehicular access between abutting properties and to driveway connections with US 301 located in accordance with the provisions of this Article, planned road improvements contained in the I-16 / US 301 Redevelopment Plan, and the standards imposed by the Georgia Department of Transportation.
 - (3) Each required utility easement shall be granted as a permanent, fully-assignable easement to Bulloch County, which may be assigned by Bulloch County for the placement of public and private utilities such as, but not limited to, water, sewer, telephone, cable, natural gas and electrical service.
- (c) Design and improvement standards.
- (1) Any service road and its associated utility easements and landscaping strips, as required by Section 1906(b)(1), collectively shall be no less than 80 feet in width.
 - (2) The service road shall occupy a publicly dedicated right-of-way of no less than 40 feet in width, and shall be improved with a roadway no less than 28 feet in width (including raised curbs and a 24-foot wide travelway) in order to accommodate two-way vehicular traffic to and from the

adjoining properties. The paved travelway and curbs shall be centered within the right-of-way. (See Figure 19-1, below.)

- (3) A service road and utility easements running through a property that has frontage on US 301 to a property located to the rear that has no public street access, shall be located by the County in consultation with the property owners involved.
- (4) The service road travelway shall be paved and constructed to the public road cross-sectional standards contained in the Bulloch County Subdivision Regulations under Section 7.1, paragraphs (a) through (j) or as most recently amended. Curbing shall be raised concrete curb and gutters and provided in accordance with Section 6.2.5 of the Bulloch County Subdivision Regulations. The roadway shall be provided with a 6-foot wide shoulder behind each curb. After the service road has been inspected and accepted by Bulloch County, the owner(s) shall convey fee simple title to the service road right-of-way to Bulloch County.
- (5) A 20-foot wide frontage landscape strip shall be provided along each side of the service road. See Section 1911 for landscaping requirements in frontage landscape strips in general, and specifically Section 1911(c)(5) relating to the placement of frontage trees along the US 301 right-of-way.
- (6) Utility easements shall be granted as follows:
 - a. A 15-foot wide utility easement shall be located within the required 20-foot wide frontage landscape strip between the service road right-of-way and the right-of-way of US 301, parallel and adjacent to the service road right-of-way. (See Figure 19-1, below).
 - b. In all other cases, a 20-foot wide utility easement shall be located within the required 20-foot wide frontage landscape strip parallel and adjacent to the service road right-of-way, extending into the property to be developed.
- (7) A frontage sign may be placed within the landscape strip adjacent to the US 301 right-of-way in accordance with Section 1907(b)(2).
- (8) Driveways connecting development on a property to the service road shall be no more than 24 feet wide for two-way traffic and shall be no less than 100 feet from any other two-way or one-way driveway (measured centerline-to-centerline). One-way paired driveways shall be no more than 12 feet wide and shall be separated by at least 50 feet (measured centerline-to-centerline).
- (9) Construction of the service road, extension of utilities and placement of landscaping material shall be done in conjunction with the development or construction approved on the property, and their completion shall be required prior to issuance of a Certificate of Occupancy for such development or construction.
- (d) Modifications and relief.
 - (1) Prior to its construction, the County Manager or their designee shall have the power and authority to determine or modify the location, layout, design or improvement of a service road or utility easement on a property, in order to preserve or enhance the integrity, character or safety of traffic operations; its aesthetic characteristics; or the installation of public or private utilities within or crossing the property.
 - (2) For service roads that terminate at the right-of-way of I-16, improvements shall be modified to provide vehicular access only as needed to serve development on the property and to serve abutting properties that otherwise have no public street access.

Figure 19-1: US 301 Service Road Illustration



Section 1907: Signage.

All provisions of Article 22 of this Zoning Ordinance pertaining to signs and sign permit requirements apply to properties within the IGO district, with the following exceptions:

(a) Interstate signs.

In addition to the freestanding signs allowed under Article 22, one Interstate Sign is allowed on each property that adjoins or lies within 660 feet of the right-of-way of I-16, and is occupied by a commercial, office or industrial use, under the following provisions:

- (1) Such a sign shall be a minimum of 120 feet and a maximum of 180 feet in height;
- (2) Such a sign may include a total of 150 square feet of sign area for all signage on the sign structure;
- (3) Such a sign shall be no closer than 200 feet from any other Interstate Sign (measured in all directions); and
- (4) Such a sign shall be no closer to the I-16 right-of-way than 50 feet.

(b) Frontage signs along US 301.

On any property that has frontage on US 301:

- (1) Signs that are otherwise allowed under Article 22 of this Zoning Ordinance, including billboards, shall not be located within any utility easement or within a landscape strip that lies between a service road right-of-way and the right-of-way of US 301; and
- (2) One sign (in addition to the signs that are allowed under Article 22) may be located on the property within a landscape strip (but not within a utility easement) that lies between a service

road right-of-way and the right-of-way of US 301. Such frontage sign must be a monument sign of no more than 120 square feet in area, must be 6 feet in height, and its nearest edge must be parallel to and located 2 feet from the US 301 right-of-way.

(c) Interstate signs (allowed under Subsection (a), above) and billboards shall not be located within any minimum required front, side or rear yard.

Section 1908: Architectural design guidelines.

(a) The use of a common palate of building materials for a specific nonresidential or multi-family project shall be maintained for all building façades to create a consistent and themed architectural identity. For large commercial/retail buildings, variations in façade, roofline and depth must be provided to lend the appearance of multi-tenant occupancy.

(b) Terms used in this Section:

Arcade: A covered walkway or structural canopy extending along the entire length of the front façade of a commercial building.

Building types:

- (1) *Multi-Family Residential:* A residential building containing three or more dwelling units.
- (2) *Commercial or Office:* A building occupied by one or more business establishments that are primarily engaged in the sale of goods; the provision of personal, professional, business, entertainment or other commercial services; the management of a business enterprise; or the provision of temporary housing to the traveling public (such as a motel).
- (3) *Mixed-Use:* A building occupied by both commercial stores or offices and residential dwelling units.
- (4) *Industrial:* A building occupied by one or more business establishment that are primarily engaged in the fabrication, manufacture or production of durable or non-durable goods.
- (5) *Institutional:* A building occupied by a nonprofit religious, recreational or philanthropic organization, club or private school.

Façade: A vertical exterior face or elevation of a building.

- (1) *Front Façade:* Any façade with a public entry that faces a public right-of-way. "Facing" a right-of-way shall include being angled 60 degrees or less toward a right-of-way.
- (2) *Rear Façade:* Any façade without a public entry that does not face a public right-of-way. Such façades may form the "sides" of a building if not facing a right-of-way.
- (3) *Side Façade:* Any façade without a public entry but facing a public right-of-way or any façade with a public entry but not facing a public right-of-way. A side façade typically connects a front façade with a rear façade.

Net Square Footage of Wall Area: The total area in square feet of a single building façade, less the total area of windows and doors contained within the façade.

Nonresidential Use or Development: A property that contains or is intended to contain a commercial, office, industrial or institutional building as its principal use (as defined in this Zoning Ordinance), or a mixed-use building that exclusively contains commercial, office, industrial or institutional uses on its first or ground floor.

Obscured from View: The imposition of structural or natural materials between an observer and an object such that the features of the object become visually indistinguishable.

(c) Building plans:

- (1) All building plans submitted as an application for a building permit within the IGO district must clearly indicate all of the proposed building materials and colors for each façade as described herein. The plans must clearly show the location and calculate the amount/percentages of all building materials per façade.
- (2) Groups of buildings on the same parcel of land may be reviewed and permitted as a single project rather than individual buildings. Grouping of similar buildings is encouraged to minimize the number of reviews required and to allow for originality and design flexibility.

(d) General architectural requirements.

- (1) All ground mounted mechanical, HVAC and like systems shall be obscured from view on all sides by an adequately opaque wall, fence or lattice made of materials compatible with the building's materials, or with dense evergreen landscaping.
- (2) For all commercial or office buildings, roof mounted mechanical, HVAC and like systems shall be obscured from view from any public street.
- (3) Permanent mounted exterior neon lights shall not be allowed. Under-canopy lighting shall be recessed and not directly visible from any public street.
- (4) In a nonresidential development with out-parcels, buildings located on the out-parcels shall be constructed of the same primary building material as the principal building with which they are associated.
- (5) Back-lit awnings, roof mounted lights, and/or roof mounted flag poles are not allowed. Satellite dishes shall be located and painted to blend with the background as much as practical.
- (6) Overhead doors for nonresidential uses are not allowed to face a public street or highway.

(e) Building materials.

The following building materials may be used and combined to create a consistent, attractive, interesting and long-lasting building design. The quantity and type of building materials are described below.

(1) Allowed Building Materials:

- a. Brick or brick veneers.
- b. Stone or stone veneers of natural stone such as, but not limited to, granite, limestone and marble are allowed building materials. Terra Cotta and/or Cast Stone, which simulate natural stone, are also acceptable. Painted stone is not allowed.
- c. Tilt/Architectural Pre-Cast Concrete.
- d. High Grade Stucco. Simulated or artificial stucco products are not acceptable.
- e. Painted Concrete Block.
- f. Split-Face Block/Concrete Masonry Unit (CMU).
- g. Natural Wood and cement-based artificial wood siding.
- h. Structural glass or glass curtain wall.

i. Pre-engineered metal buildings.

(2) Ratios and amounts of allowed building materials.

The following Table 19.2 outlines the allowed building materials for specific types of uses that apply to each façade.

Table 19.2: Allowed Building Materials					
	Building Type ¹				
	Multi-Family	Commercial or Office	Mixed-Use	Industrial	Institutional
Brick	Yes	Yes	Yes	Yes	Yes
Stone	Yes	Yes	Yes	Yes	Yes
Glass	No	Yes	Yes	Yes	Yes
Tilt/Precast	No	No	No	Yes	No
Stucco					
Front/Side	Max. 50%	Max. 25%	Max. 25%	Max. 25%	Yes
Rear ²	Max. 50%	Max. 50%	Max. 50%	Max. 50%	Yes
Concrete Block					
Front/Side	No	No	No	No	No
Rear ²	No	Yes	Yes	Yes	Yes
CMU/Split-Face Block					
Front/Side	No	No	No	Yes	Yes
Rear ²	No	Yes	Yes	Yes	Yes
Metal Building	No	Yes ³	No	Yes ³	Yes ³
Wood Siding					
Front/Side	Max. 50%	Max. 25%	Max. 25%	No	Yes
Rear ²	Max. 50%	Max. 50%	Max. 50%	No	Yes

¹ See the descriptions of building types under Section 1908(b).

² Rear façades that are visible from a public or private street, or face the front or side of an adjacent building, must meet the standards for a front/side façade.

³ Any façade of a pre-engineered metal building visible from and within 200 feet of the right-of-way of US 301 may not be exposed metal siding, and must be covered with an alternate building material allowed by this Section.

Attachment: 10. Appendix C Zoning Regulations (Appendix C Zoning)

(3) Accent/trim exterior building material.

Small amounts of building materials such as wood, tile, etc., may be used to enhance the elevation of the building or for decorative elements but must not exceed 10% of total wall area per façade.

(4) Façade calculations

- a. With the exception of accent/trim materials, there shall be no more than two primary building materials used on any one façade. When a material is restricted as a percentage in Table 19.2, such as stucco, siding, etc., the building material may not be combined with another restricted building material. The allowed façade materials shall not apply to windows, glass-front windows, entry doors and/or roll-up doors.
- b. The amount of permitted material shall be calculated using the net square footage of wall area per façade. A building material that is allowed (such as brick) may be used in any percentage throughout the structure. A material that is restricted (such as stucco) is allowed as a maximum percentage.

For example, a commercial building has a front façade with a gross façade area of 1,200 square feet with 400 square feet consisting of windows and doors. Begin with the net square footage of wall area of 800 square feet (1,200 minus 400) for required building material calculations. In this case, the front façade of a commercial building with a net wall area of 800 square feet shall have no more than 200 square feet of stucco on the front façade ($800 \times 25\% = 200$). The balance must be brick or another allowed material without a percentage restriction.

(f) Roof requirements.

(1) Sloped roofs.

Sloped roofs must be covered with shingles, tiles, standing seam metal, or other material with similar appropriate texture and appearance. Tar paper and corrugated metal roofs are not allowed on sloped roofs.

(2) Mansard roofs.

Mansard roofs shall have a minimum pitch of 2:1 (60°) and a maximum pitch of 90° (vertical), with a minimum 4-foot vertical surface rise. The top story of a building may simulate a mansard roof but the minimum and maximum pitches will apply.

(3) Canopies.

Drive under canopies for gasoline pumps may have a flat roof with vertical or factory formed facing of finished sheet metal.

(4) Arcade for multi-tenant commercial building.

For any multi-tenant commercial shopping center or strip retail/service center, a covered arcade shall be provided along the front façade of the building. Arcades are covered walkways connected to or separate from the principal building. They should be designed in a manner that provides architectural depth to the building and includes covered areas for relief from the weather. The arcade must be a minimum of five feet in width.

(g) Alternate standards.

- (1) The architectural design standards of this Section 1908 are intended to be followed as outlined above. In the event the intent of these standards can be achieved with minor deviations that do not substantially affect the purpose and intent of this Section, the County Manager or their designee has the authority to modify the specific provisions on a case-by-case basis.
- (2) If substantial modifications or changes to the architectural design standards of this Section 1908 are desired for a particular property or building, the property owner may apply for a variance to

modify these standards. Any application for an alternate architectural design standard shall be accompanied with proposed elevations, building material descriptions and renderings necessary for the Planning and Zoning Commission to make a determination whether the alternate proposal meets the intent of these requirements. A variance approval may be granted with conditions, modifications or requirements deemed necessary to maintain the high level of development quality intended by the IGO district.

Section 1909: Exterior lighting.

(a) Definitions of terms used.

Direct Light: Light emitted directly from the lamp, off of the reflector or reflector diffuser, or through the refractor or diffuser lens, of a luminary.

Luminary: A complete lighting system, including a lamp or lamps and a fixture. This term shall be interpreted broadly as applying to all outdoor electrically powered illuminating devices, outdoor lighting or reflective surfaces, lamps and similar devices (permanently installed or portable), used for illumination or advertisement.

Luminary, Full Cut-off: Outdoor light fixtures shielded or constructed so that no direct light rays are emitted by the installed fixture at angles above the horizontal plane of the lowest part of the luminary.

(b) Purpose and intent.

This Section is intended to reduce the problems created by improperly designed and installed outdoor light fixtures, eliminate problems of glare, and minimize light trespass, with regulations that avoid unnecessary direct light from shining onto abutting properties or streets.

(c) Direction of luminaries.

- (1) Light must be directed away from residential buildings and motor vehicles on public roadways.
- (2) Any luminary that is aimed, directed, or focused such as to cause direct light from the luminary to be directed toward residential buildings on adjacent or nearby land, or to create glare perceptible to persons operating motor vehicles on public roadways, shall be redirected or its light output controlled or shielded as necessary to eliminate such conditions.

(d) Luminaries adjacent to residential districts.

For any commercial use adjacent to an area zoned AG-5, R-80, R-40, R-25, R-15, R-2, R-3 or MHP, or residential portions of a PUD, all luminaries, hereafter installed for outdoor lighting shall be full cut-off luminaries, as defined by this Section, or another luminary that does not emit any direct light above the horizontal plane of the lowest part of the luminary.

(e) Prohibited lighting.

The following types of outdoor lighting are prohibited:

- (1) Searchlights for advertising purposes;
- (2) Laser source light, or any similar high intensity light, used for any purpose.

Section 1910: Landscaping.

The landscaping requirements of the IGO district are in addition to the buffer and screening requirements of Article 4 of this Zoning Ordinance.

(a) Purpose.

The purpose of the landscaping requirements of the IGO district is to improve the aesthetic qualities of the district and to protect and preserve the appearance, character and value of its neighborhoods and business areas by:

- (1) Providing for quality and consistency in the design and location of landscaping;
- (2) Providing for a “signature look” for the area to establish a unique sense of place; and
- (3) Providing for increased economic development opportunities through an enhanced aesthetic setting attractive to customers and employees alike.

(b) Definitions related to landscaping.

Caliper: The diameter of a tree (usually nursery stock) measured at a point 6 inches above the ground or top of root ball for up to and including 4-inch caliper trees, and at a point 12 inches above the ground or top of root ball for larger sizes.

Deciduous: A plant with foliage that is shed annually.

Evergreen: A plant with foliage that persists and remains green year-round.

Ground cover: Low growing, spreading plants, other than turf grass, such as but not limited to ivy, liriop, juniper, mondo grass or sedge.

Landscape materials: Any combination of living plant materials and nonliving materials such as rocks, pebbles, wood chips, mulch and pavers, and decorative features, including sculpture, patterned walks, fountains, and pools. Synthetic landscaping materials acceptable to the Zoning Official may also be used.

Mulch: Pine straw, pine or cypress bark, pebbles, lava rock or synthetic landscaping materials acceptable to the Zoning Official.

Shrub: A self-supporting woody plant that normally reaches a height of less than 15 feet, such as but not limited to azalea, boxwood, yew, hydrangea, holly, nandina or camellia.

Tree: A large, woody plant that has one or several self-supporting stems or trunks and numerous branches, and that normally reaches a height of 15 feet or more. May be classified as deciduous or evergreen.

Tree, shade: A broadleaf tree that has a single trunk and which will reach at least 35 feet in height and 35 feet in spread at maturity. In defining such trees, reference may be made to the latest editions of Landscape Plant Materials for Georgia (Cooperative Extension Service, The University of Georgia College of Agriculture, Bulletin No. 625) and the Manual of Woody Landscape Plants (Michael Dirr, 1983, Castle Books).

Section 1911: Frontage landscape strips.

(a) Frontage landscape strips; where required.

- (1) Single-family residential subdivisions and lots are exempt from the requirements of this Section 1911.
- (2) All properties having frontage on US 301 shall provide landscape strips along US 301 and along their respective service roads, located as described in Section 1906(c)(5).
- (3) For all other properties having frontage on a public street other than US 301, multi-family, office, institutional, commercial and industrial projects located in the R-3, PUD, MHP, GC, NC, LI or HI

zoning districts shall provide and maintain a continuous 20-foot wide frontage landscape strip (exclusive of driveways) adjacent to all public street rights-of-way.

- (4) All minimum required landscape strips shall be landscaped in accordance with the requirements of this Section and shall be provided with an installed irrigation system. The location and detail of all required landscaping shall be depicted on the site landscaping plan required under Section 1913.
- (b) Location of structures in frontage landscape strips.

If a frontage landscape strip is required, it shall contain no structures, parking areas, patios, non-landscaped or wet pond storm water detention facilities, or any other accessory uses except for the following:

- (1) Retaining walls or earthen berms constructed as part of an overall landscape design.
- (2) Pedestrian-oriented facilities such as sidewalks.
- (3) Underground utilities and fire hydrants.
- (4) Driveways required to access the property.
- (5) Signs otherwise permitted by the IGO district and this Zoning Ordinance.
- (c) Landscaping required in frontage landscape strips.

- (1) All portions of a required frontage landscape strip shall be covered by landscape materials, as defined in this Article, except for those ground areas that are covered by permitted structures. A minimum of 50% of the required landscape area shall be covered with living plant materials.
- (2) Shrubs are to be provided within the frontage landscape strip at the rate of 3 shrubs for every 10 linear feet of street frontage, or portion thereof (excluding driveways). Shrubs must be at least 18 inches tall at the time of planting, and be of a species that will normally exceed 2 feet in height at maturity.
- (3) Trees may be planted in a frontage landscape strip in lieu of shrubs in a ratio of 1 tree = 6 shrubs. Such trees must be of a type that is suitable to local growing conditions. Upon planting, new deciduous trees shall have a caliper of no less than 2 inches and new evergreen trees shall be at least 6 feet tall.
- (4) Plant materials may be clustered for decorative effect following professional landscaping standards for spacing, location and design, except for trees required for tree-line planting along US 301.
- (5) Along US 301, within the frontage landscape strip adjacent to the highway, trees shall be planted in a line 5 feet from the right-of-way line of US 301. Trees shall be spaced 40 feet on center and located in multiples of 40 feet from the nearest intersection of the rights-of-way of US 301 and I-16 on the same side of the highway as the frontage landscape strip.

a. Such trees along US301 must be one or any combination of the following species.

- 1. Japanese Cryptomeria;
- 2. Leyland Cypress; or
- 3. Bald Cypress.
- b. An alternate but equivalent tree species approved by a Georgia Registered



Attachment: 10. Appendix C Zoning Regulations (Appendix C Zoning)

Landscape Architect for growing conditions on a particular property may be considered for approval by the Zoning Official under the provisions of Section 1913(c)(2).

Section 1912: Parking lot plantings.

(a) Parking lot internal planting areas.

The following requirements of this Section apply to any parking lot designed or intended to accommodate 5 motor vehicles or more for residents, employees, customers or visitors in the R-3, PUD, MHP, GC, NC, LI or HI zoning districts within the IGO district. Parking lots designed and intended for the storage of vehicles owned by the business on site overnight (such as a company fleet), or maintains a stock of vehicles as part of its business activities (such as a car sales lot, a salvage and wrecking yard, car rental agency, etc.), are not subject to the requirements of this Section 1912.

(c) Trees required in parking lots.

At least one shade tree or evergreen tree (as defined in this Article), occupying a planting space of at least 150 square feet each, shall be furnished for each 10 parking spaces in the parking lot.

- (1) Trees must be placed in or around the parking lot such that every parking space is within 50 feet of a tree. The 50-foot distance is measured from the center of the tree to any point within the parking space.
- (2) New shade trees shall have a caliper of no less than 2 inches upon planting, or a height of no more than 6 feet for evergreens, and shall be maintained in good condition. Trees that must be removed as a result of disease, damage or death, must be replaced.



(c) Standards for parking lot planting areas.

- (1) Landscape islands, strips or other planting areas shall be located within the parking lot and shall constitute at least 10% of the entire area devoted to parking spaces, aisles and connecting driveways.
- (2) Landscape islands, strips or other planting areas shall be landscaped with any combination of such plant materials as trees, shrubs, grass or ground cover, except for those areas that are mulched. Such planting areas shall be well drained and contain suitable soil; and shall be provided with an installed irrigation system.

- (3) As a minimum, a landscaping island shall be located at the end of every parking bay between the last parking space and an adjacent travel aisle or driveway. The island shall extend the length of the parking bay and shall be no less than 8 feet wide for at least one-half the length of the adjacent parking space.
- (4) Landscape islands between side-by-side parking spaces shall be no less than 8 feet in width and extend for at least one-half the length of the adjacent parking space. Landscaping strips between head-to-head parking spaces shall be no less than 8 feet in width without wheel stops, or 5 feet in width when provided with wheel stops in the parking spaces such that no vehicular overhang is permitted.



Section 1913: Landscaping plans; plant materials.

- (a) Landscaping plans; when required.
 - (1) The provisions of this Section do not apply to landscaping of any kind that exceeds or is otherwise not required by the landscaping requirements of this Article.
 - (2) Site landscaping plans are required upon application for a development permit or for a building permit for new construction of buildings or any development to which landscaping requirements of this Article apply.
 - (3) Site landscaping plans shall be required for only that phase of development for which the development permit or building permit is being requested.
 - (4) In cases where approval of the required landscaping plans would cause harmful delay to the start of construction, the Zoning Official may issue footing and foundation permits for the project so that construction may proceed, pending approval of the landscaping plans.
 - (5) Authorization for construction beyond the footing and foundation shall not be issued until the required site landscaping plans have been submitted and approved.
- (b) Landscaping plans; specifications.

All site landscaping as required by this Article for frontage landscape strips and parking lot plantings shall be illustrated on plans as described in this Subsection.

- (1) Scale at 1 inch = 20 feet to 50 feet, as needed to clearly illustrate the proposed plantings. Multiple sheets keyed to an index sheet may be used.
- (2) Caption:
 - a. The name of the development and its total acreage (or square footage if less than an acre).
 - b. Name, address, telephone and fax numbers of the property owner and developer.
 - c. Name, address, telephone and fax numbers of the applicant.
 - d. Name, address, telephone and fax numbers of the individual or company responsible for the design. The name, registration number and seal of the professional under whom the plan was prepared, if any, shall be stamped on the plan and signed.

- e. Date of survey, north point and graphic scale, source of datum, date of plan drawing, and revision dates, as appropriate.
- (3) The location and size of all underground or aboveground utilities within the landscaping area, including the limits of any public or private utility easements and storm water detention areas.
- (4) The outline of all existing (to remain) and proposed buildings and structures.
- (5) The boundaries of all areas required to remain undisturbed.
- (6) The location and details of any buffer or other screening required under Article 4 of this Zoning Ordinance.
- (7) The boundaries of each required landscape frontage strip and parking lot planting area.
- (8) A planting plan showing the location, size, and the botanical and common names of proposed plant materials.
- (9) The location, size and common name of all existing plant materials to be retained that contribute to meeting the minimum requirements of this Article for landscape strips or parking lot landscaping.
- (c) Acceptable plant materials.

The following are the minimum plant sizes and conditions to be used in satisfying the requirements of this Article. Acceptable plant materials for landscaping shall be as approved by a Georgia registered Landscape Architect if deviations from these standards are desired by the developer.

- (1) New plant materials.
 - a. Medium shrubs (those having a mature height of 4 feet or less), 18 x 24 inch balled and burlapped meeting the American Standard for Nursery Stock ANSI Z60.1 (2004 or latest adopted edition).
 - b. Large shrubs (those having a mature height greater than 4 feet), 24 x 30 inch balled and burlapped meeting the American Standard for Nursery Stock ANSI Z60.1 (2004 or latest adopted edition).
 - c. Ground cover, 2½ inch pot.
 - d. Deciduous trees, minimum 2-inch caliper.
 - e. Evergreen trees, minimum 6 feet high at the time of planting.

The American Standard for Nursery Stock, published by the American Association for Nurserymen, may be referred to for the determination of plant standards.

- (2) Approval of plant materials.

Approval of a proposal to use a specific landscaping material shall be subject to a determination by the Zoning Official that the proposed material is approved by a Georgia Registered Landscape Architect as the most appropriate for:

- a. The specific location, given surrounding land uses on nearby properties, and
- b. The specific topography, soil, existing vegetation, and other factors that may influence the effectiveness of a landscaping material.

(d) Installation and maintenance of plant materials.

(1) Installation of plant materials.

Plant materials, as required by the provisions of this Article, shall be installed prior to issuance of a certificate of occupancy. The Zoning Official may allow up to one planting season in a twelve-month period in which the installation of plant materials shall be completed, subject to the performance surety requirements, below.

(2) Performance surety.

- a. In such cases as when planting stock availability is low or weather conditions are not appropriate for planting, the project owner may postpone planting until the next planting season; provided that performance surety is posted with Bulloch County in accordance with the following criteria:
 1. Surety shall be in cash held in escrow or an irrevocable letter of credit submitted to the Zoning Official, with the appropriate documentation.
 2. Surety shall be provided in an amount equal to 110 percent of the cost of plant materials, installation and 2-year guarantee as demonstrated by a signed contract between the owner and their landscape contractor, and as approved by the Zoning Official.
- b. An inspection shall be made by the Zoning Official of all landscape plantings to assure compliance with plan requirements prior to release of the performance surety. The performance surety will be drawn upon by Bulloch County at the time of expiration if the planting requirements have not been fulfilled, or if the owner has not requested an extension. One 3-month extension may be permitted with documented justification acceptable to the Zoning Official. Any inspections performed after the final inspection (for project release) are subject to re-inspection fee schedules.

(3) Maintenance surety.

- a. Prior to issuance of a certificate of occupancy, or prior to release of a performance surety provided under this Section (whichever last occurs), a maintenance surety in the form of a letter of credit or cash escrow account in a form acceptable to the Zoning Official is required for all plant materials installed as a result of the requirements of this Article. The developer shall be responsible for maintenance of all such plant materials for 2 years from the date of acceptance of the maintenance bond.
- b. The value of the maintenance surety shall be equal to 25 percent of the actual cost of installation of the plant materials. The cost of installation shall be evidenced by copies of contractor agreements or actual invoices paid, or as otherwise determined by the Zoning Official in accordance with generally established costs for the industry.

(4) Maintenance of required plant materials.

- a. The owner, tenant and their agent, if any, and their successors and assigns shall be jointly and severally responsible for the maintenance in good condition of the plant materials used to meet the minimum landscaping requirements of this Article. This responsibility is in addition to and survives the release of any maintenance surety provided for the property by the developer.

- b. Plants that are diseased, unsurvivalably damaged or are dead, shall be removed and replaced with a plant of the same species, variety or cultivar, as acceptable to the Zoning Official.
- c. Other landscape materials shall be maintained in proper repair and shall be kept clear of refuse and debris.

Section 1914: Water and Sewer.

(a) For purposes of this section, the following terms shall have the following meanings:

- (1) Planned Development refers to new private or public land developments within or partially within the IGO district approved by the County according to a development plan and consisting of residential subdivisions of five (5) or more lots, commercial subdivisions of two (2) or more lots, two-family or multi-family developments with a net density of two (2) units per acre or greater, planned unit developments as provided for in Article 12 of Appendix C - Zoning, Sections 1201 et seq. of the Code of Ordinances of Bulloch County, Georgia, or a single unit commercial or industrial development with an estimated usage of one thousand (1,000) gallons per day or more of wastewater calculated pursuant to the City of Statesboro's Aid-to-Construction Fee ordinance in accordance with City of Statesboro Code Section 82-176.
- (2) New Development refers to new private or public land developments within or partially within the IGO district that are not a Planned Development, a farm, or a single family residential property.

(b) Planned Developments or New Developments located on property within or partially within the IGO district shall be required to connect to the City of Statesboro's water and sewer infrastructure pursuant to Water/Sewer Agreement "A" for Tax Allocation District #1, included herein as Appendix 19.1, if any portion of the Planned Development's property or New Development's property is located within one thousand (1,000) linear feet of any component of the City of Statesboro's water and sewer infrastructure capable of providing the Planned Development or New Development water and sewer service, or if due to expansion of the City of Statesboro's water and sewer infrastructure the Planned Development's property or New Development's property becomes located within one thousand (1,000) linear feet of any component of the City of Statesboro's water and sewer infrastructure capable of providing the Planned Development or New Development water and sewer service.

(c) If a Planned Development or New Development located on property that is within or partially within the IGO district is not located within one thousand (1,000) linear feet of any component of the City of Statesboro's water and sewer infrastructure capable of providing the Planned Development or New Development water and sewer service, then the Planned Development or New Development may install a private water system and sewer disposal system in anticipation of future connection to the City of Statesboro's water and sewer infrastructure pursuant to the terms and conditions in Water/Sewer Agreement "B" for Tax Allocation District #1, included herein as Appendix 19.2.

(d) The City of Statesboro and the County reserve the right to grant a joint waiver of a Planned Development's or New Development's obligation imposed by the County on Planned Developments or New Developments within the IGO district to connect to the City of Statesboro's water and sewer infrastructure. The County and the City of Statesboro shall act in good faith in considering a request for waiver, and the grant of a waiver shall not be unreasonably withheld by either the County or the City of Statesboro.

APPENDIX 19.1
WATER/SEWER AGREEMENT "A" FOR
TAX ALLOCATION DISTRICT #1

GEORGIA, BULLOCH COUNTY

THIS AGREEMENT entered into this ____ day of _____, 20____ by and between the **MAYOR AND CITY COUNCIL OF STATESBORO**, a municipal corporation, its assigns and successors, hereinafter referred to as "City" and _____, their heirs, assigns and successors, hereinafter referred to as "Developer", the developer of the project known as _____.

WHEREAS, in regard to extending and making additions to the City's water and/or sanitary sewer systems and also to the construction of water distribution and/or sanitary sewer collection and disposal systems to serve the property known as _____; located at _____ and

WHEREAS, the engineering design for said water and sanitary sewer systems will be accomplished by competent, professional engineers registered in the State of Georgia;

NOW THEREFORE, the City and _____ covenant and agree as follows:

1. City shall approve the designation of the engineer who shall be responsible for the engineering design and inspection in connection with the installation of said water and sanitary sewer systems. The Developer shall be responsible for providing resident inspection during construction and for insuring the engineer's conformance to area planning, adequacy of design, and conformance to City requirements regarding location, size and depth of lines, capacity and arrangements of lift stations and quality of construction. The Developer shall provide to the City a statement from the project engineer certifying that the materials and workmanship including pipes, bedding, thrust blocks, valves, fire hydrants, manholes, lift station equipment and other related materials and work meet the approved specifications and plans. Upon request of the City, the certification shall be substantiated by material affidavits from suppliers and by applicable test results for inflow/infiltration, exfiltration, deflection, pressure, leaks, bacteria, compaction and other tests required by the City. All construction, engineering and inspection costs in connection with these systems shall be borne by the Developer. The City will provide only the sewage treatment facility and the water supply facility.
2. The Developer will pay a five hundred (\$500.00) dollar non-refundable fee to the City of Statesboro to cover the costs for the City's Consulting Engineers to review plans for compliance with the City's Long Range Water and Sewer Master Plan as well as the Long Range Water and Sewer Master Plan adopted for Tax Allocation District One by BULLOCH COUNTY BOARD OF COMMISSIONERS and the MAYOR AND CITY COUNCIL OF STATESBORO. This fee will also cover the costs for said Engineer to update the Water and Sewer Master Plan as per the development and to update the City's water/sewer location maps to include this extension of mains. The Developer covenants and agrees to reimburse the City for additional inspection time on unfamiliar contractors until such time as the contractor is approved by the City.
3. Both parties covenant and agree that if the project is located outside the City Limits, but is not contiguous to the City Limits, in order to receive utilities from the City, the Developer will comply with the City's Water and Sewer access, design and construction standards. Except for the City's water and sewer access, design and construction standards, the County's developmental regulations, e.g. the County's comprehensive plan, the district redevelopment plan, land development standards, zoning, permitting, regulations and review processes not in conflict with the City's water and sewer access, design and construction standards shall apply.
4. The Developer shall hold the City harmless and indemnify City against any damages due to work associated with the tie on of existing water or sanitary sewer lines.
5. Both parties covenant and agree that upon completion of the systems and all related facilities, including all associated water and sewage fees being fully paid for by the Developer (except the sewage treatment facility and the water supply facility) and after the submission of "as built" drawings (one electronic copy in a format acceptable to the City and two blueprint plans), the City will, subject to approval of the City Engineer, accept title thereto and assume responsibility for maintenance and operation of those portions located within public easements or rights of

Attachment: 10. Appendix C Zoning Regulations (Appendix C Zoning)

way. The acceptance shall include all rights, title and interest that the Developer has in the water and sanitary sewer systems servicing the said project and also all easements and/or rights of way required for the purpose of maintenance thereof. Developer agrees to execute any further documentation, such as a Bill of Sale and/or Easement, upon request of the City as may be necessary to transfer title to the systems. The Developer shall bear the costs for the proper recording of all water and sewer easements. Those portions of the facilities not so conveyed by the Developer such as single use lines, shall remain the responsibility of the Developer or its assigns as to the ownership and maintenance.

6. The Developer warrants the water and sanitary sewer systems to include all parts, piping and pumping devices that make up the water or sewer system against defects and improper installation for a period of one (1) year from the date the City accepts the system. During the one (1) year warranty any repairs to the system will be made at the expense of the Developer and any street repairs necessitated for the maintenance and repair of the water system and/or sanitary sewer systems will also be at the expense of the Developer.

7. The Developer agrees to, whenever possible, acquire and dedicate right-of ways and/or easements necessary to connect the project to the City's water and sewer infrastructure. In the event the developer cannot acquire and dedicate rights of ways and/or easements necessary to connect to the City's water and sewer infrastructure, and the City's subsequently acquires the needed rights of ways and/or easements necessary to connect to the City's water and sewer infrastructure, then the owner or developer shall reimburse that Party for all costs associated with acquiring the needed rights of ways and/or easements.

8. Upon approval engineering and design plans by the City, and if no rights of ways, easements or other property rights must be obtained to connect to the City's water and sewer infrastructure the Developer must connect the project to the City's water and sewer infrastructure within the District within ONE HUNDRED AND EIGHTY (180) days.

9. Upon approval of the engineering and design plans by the City, and if rights of ways, easements or other property rights must be obtained to connect to the City's water and sewer infrastructure the Developer must connect the project to the City's water and sewer infrastructure within the District within THREE HUNDRED AND SIXTY FIVE (365) days.

10. In the event the Developer sells any or all of the property containing the project prior to connecting to the City's water and sewer infrastructure, the developer shall upon sale include appropriate deed restrictions requiring all subsequent owners of the property to connect to the City's water and sewer infrastructure.

11. Both parties covenant and agree that all costs, including construction, land, legal and engineering, in connection with the addition and/or installation of the system shall be borne by the Developer. It shall be the Developer's responsibility to obtain all the necessary regulatory permits and approvals. It is understood and agreed by and between the parties that the City's sole responsibility will be to provide the sewage treatment facility, the water supply facility and any water and sewer mains that may already be in place.

12. Developer acknowledges that there is an Aid to Construction fee (ATC) for each gallon of sewage accepted by the City from Developer for treatment. This fee shall be imposed in accordance with the current City rates in effect and shall be paid by Developer to the City upon execution of this Agreement. The current rate is \$_____ per gallon per day of sewage accepted by the City for treatment. The City calculates that _____ gallons per day of sewage from the Project will be treated by the City. The Developer, therefore, tenders the amount of \$_____ to the City in payment of this fee. If it becomes apparent that the amount of sewage to be treated by the City will exceed the amount set forth above, Developer shall immediately tender such payment of the ATC fees to the City as is required. It shall be the responsibility of the City to correctly calculate the gallons of sewage from the Project to be treated by the City. The City's calculations shall be consistent with the City's schedule of contributory load factors. The ATC fee is payable upon execution of the agreement.

13. It is understood and agreed by and between the parties that there shall be a sanitary sewer connection fee and a separate water connection fee in accordance with the current City rates in effect. The connection fees shall be paid upon issuance of a building permit.

14. Developer acknowledges that the City shall be the sole provider of water for consumption or irrigation and covenants and agrees not to obtain a private well or obtain water from any source other than the City.

15. This agreement may not be transferred or assigned in whole or of any part by Developer without prior written consent of the City and any violation of this agreement shall terminate the City's obligation hereunder.

16. This agreement is to be governed by Georgia Law and it is understood and agreed by and between the parties that all provisions of both state and federal law now or hereafter in effect relating to water and sewage service shall be applicable to this Agreement.

IN WITNESS WHEREOF all parties have set their hands and seals on this _____ day of _____, 20____.

MAYOR AND CITY COUNCIL OF STATESBORO

BY: _____

ATTEST: _____

Signed, sealed and delivered
in the presence of:

Witness

Notary Public

DEVELOPER

BY: _____

ATTEST: _____

Signed, sealed and delivered
in the presence of:

Witness

Notary Public

SECTION 20 – CONSERVATION PRESERVATION DISTRICT

Section 2001: Purpose.

It is the intent of this section that the CP district be established and maintained to preserve and/or control development within certain land, marsh, and/or water areas of the county which:

- (1) Provide needed open space for the health and general welfare of the county's inhabitants;
- (2) Are utilized for outdoor recreation purposes;
- (3) Possess great natural beauty or are of historical significance;
- (4) Are subject to periodic flooding.

The regulations which apply within this district are designed to reserve such areas for the purposes outlined herein and to discourage any encroachment by residential, commercial, industrial, or other uses capable of adversely affecting relatively undeveloped character of the district.

Section 2002: Boundaries of CP districts.

The official map (section 2301 of this ordinance) shows the boundaries of all CP districts within the county. Article 23 also contains additional information concerning interpreting district boundaries, amending boundaries, etc.

Section 2003: Permitted uses.

- (a) The following uses shall be permitted in any CP district:
 - (1) Boat House or non-commercial dock (private).
 - (2) Government: Local, State, Federal.
 - (3) Farm.
 - (4) Wildlife Refuge, including caretakers' residence as an accessory use.
 - (5) Swimming Beach.
 - (6) Utility substations.
- (b) The following are considered conditional uses in the CP district:
 - (1) Marina (commercial).
 - (2) Museum or Exhibit Area.

ARTICLE 21 – PROTECTION OF RIVER CORRIDOR

Section 2101: Purposes.

(a) This article provides for the protection of river corridors and the regulation of activities in or adjacent to those corridors; provides for the powers and duties of the county and other governmental entities; provides for goals, guidelines, practices, procedures, policies, rules, and regulations; provides for minimum standards for regulated activities within river corridors and their buffers which natural resources of the county are of vital importance to this county and its citizens; provides for enforcement; prohibits certain activities or actions; provides for civil and other penalties; repeals conflicting ordinances; and for other purposes.

(b) The state has determined that its river corridors are of vital importance in that they help preserve those qualities that make a river suitable as a habitat for wildlife, a site for recreation, and a source for clean drinking water. River corridors are fragile natural resources subject to flood, erosion, soil-bearing capacity limitation, and other natural and human induced hazards. In their natural state, they serve multiple functions for pollution control, aquifer recharge and discharge, storage and passage of flood water, and erosion and sedimentation control, as well as wildlife habitat, education, scientific study, open space and recreation, and scenic and aesthetic beauty.

(c) The Comprehensive Planning Act of 1989 provides for the development of coordinated and comprehensive planning by municipal and county governments. Such comprehensive plans shall consider the natural resources, environments, and vital areas within the jurisdiction of the local governments. Additionally, O.C.G.A. § 12-2-8 authorizes the department of natural resources to develop minimum planning standards and procedures for the protection of river corridors in the state and requires local governments to use these minimum standards in developing and implementing local comprehensive plans. The method mandated in O.C.G.A. § 12-2-8 for protecting river corridors is establishing a natural vegetative buffer bordering each protected river.

(Ord. of 7-6-99)

Section 2102: Definitions.

For purposes of this article, the terms listed below shall be defined as follows.

(a) *Board*. Bulloch County Board of Commissioners.

(b) *Buffer or buffer area*. A landscaped open area and/or screened area designed to separate incompatible uses. See also "river corridor."

(c) *Comprehensive plan*. The Joint Comprehensive Plan for Bulloch County, the Town of Brooklet, the Town of Portal, and the Town of Register, Georgia, dated April 1993, and as may be amended.

(d) *Contaminant*. Any "regulated substance," as defined by the federal Resource Conservation and Recovery Act, as in effect on the date of passage of this article and as amended from time to time, and all petroleum products, including gasoline, oil, waste oils, and other fuels as well as their hazardous constituents.

(e) *County*. Bulloch County, Georgia.

(f) *Hazardous material*. Any "contaminant" as defined in this article, and any hazardous chemical for which a material safety data sheet must be filed under 42 USC 11021 and 11022.

(g) *Hazardous waste*. Any solid waste which has been defined as a hazardous waste in regulations promulgated by the administrator of the United States Environmental Protection Agency according to federal act, which are in force and effect on February 1, 1988, codified as 40 CFR § 261.3.

(h) *Land-disturbing activity.* Any activity which may result in soil erosion from water or wind and the movement of sediments into state waters or onto lands within the state, including, but not limited to, clearing, dredging, grading, excavating, transporting, and filling of land but not including agricultural practices as described in section 6.5-28, paragraph 5, of the Bulloch County Soil Erosion and Sedimentation Control Ordinance, 1992, as amended.

(i) *Land uses existing prior to the effective date of this article.* Any land use or land disturbing activity, including all human endeavors directly associated with such use or activity, which falls within one of the following categories prior to the effective date of this article (July 6, 1999):

- (1) The use or activity is completed;
- (2) The use or activity is under construction;
- (3) The use or activity is fully approved by the county;
- (4) All materials for the use or activity have been submitted for approval by the county; or
- (5) The property is zoned for such use or activity and expenditures in excess of \$2,500.00 have been made in preparation for construction in accordance with such zoning.

(j) *Natural vegetative buffer or buffer area.* A river corridor containing the flora native to that area. Natural vegetative buffers are areas within 100 feet on either side of the banks of a protected river. The natural floras for specific areas are described in Georgia Geologic Survey Bulletin 114, "The Natural Environments of Georgia." Habitats for endangered and threatened species may require human management of the river corridor in order to maintain those species.

(k) *Perennial river.* A river or section of a river that flows continuously throughout the year.

(l) *Person.* Any individual, partnership, firm, association, joint venture, public or private corporation, trust, estate, commission, board, public or private institution, utility, cooperative, state agency, municipality, or other political subdivision of this state, any interstate body or any other legal entity.

(m) *Protected river.* Any perennial river or watercourse with an average annual flow of at least 400 cubic feet per second as determined by appropriate U.S. Geological Survey documents. In the county, the Ogeechee River is a protected river.

(n) *Public utility or utilities.* A service or services provided by a public utility company or a private entity which provides such service or services and including all equipment and structures necessary to provide such services.

(o) *River bank.* The rising ground, bordering a river, which serves to confine the water to the natural channel during the normal course of flow.

(p) *River corridor.* All land, including islands, not regulated under the Metropolitan River Protection Act, O.C.G.A. § 12-5-440 et seq., or the Coastal Marshland Protection Act, O.C.G.A. § 12-5-280 et seq., in areas of a protected river and being within 100 feet horizontally on both sides of the river as measured from the river banks. The 100-foot buffer shall be measured horizontally from the uppermost part of the river bank usually marked by a break in slope. Although not within the measured 100-foot wide buffer, the area between the top of the bank and the edge of the river shall be treated by local governments in the same manner as the river corridor. Because stream channels move due to natural processes such as meandering, river bank erosion, and jumping of channels, the river corridor may shift with time. For the purpose of this article, the river corridor shall be considered to be fixed at its position at the beginning of each review period for the local comprehensive plan as established by the department of community affairs. Any shift in the location of the protected river after the start of the review period will require a revision of the boundaries of the river corridor at the time of the next review by the department of

community affairs.

(q) *Sensitive natural area*. Any area, as identified now or hereafter by the department of natural resources, which contains one or more of the following:

- (1) Habitat, including nesting sites, occupied by rare or endangered species;
- (2) Rare or exemplary natural communities;
- (3) Significant landforms, hydroforms, or geological features; or
- (4) Other areas so designated by the department of natural resources, and which are sensitive to physical or biological alteration.

(r) *Single-family dwelling*. A single residential detached building, manufactured home or site-built, designed for or containing one dwelling unit.

(s) *Surface mining*. Any activity constituting all or part of a process for the removal of minerals, ores, and dimension stone, and other solid matter for sale or for processing or for consumption in the regular operation of a business.

(Ord. of 7-6-99)

Section 2103: Applicability.

The standards and procedures detailed in this article shall be applicable to unincorporated Bulloch County and all state owned or administered land. The protected river corridor applies to land adjacent to the Ogeechee River.

(Ord. of 7-6-99)

Section 2104: Protection criteria.

The following protection criteria shall apply within the river corridor:

(a) A 100-foot natural vegetative buffer shall be maintained adjacent to the river corridor except as otherwise provided herein.

(b) Septic tanks and septic tank drainfields are prohibited within the river corridor, except as provided in section 2105 of this article.

(c) The natural vegetative buffer shall be restored as quickly as possible following any land-disturbing activity within the river corridor.

(Ord. of 7-6-99)

Section 2105: Permitted activities within the river corridor.

Unless otherwise prohibited in the zoning district in which the property is located, the following uses and activities shall be permitted within the river corridor:

(a) Detached single-family dwellings and their customary appurtenances subject to the following conditions:

- (1) The dwelling and its customary appurtenances shall comply with all development standards for the particular zoning district in which the property is located (including lot size), building codes, and any other local regulations.
- (2) The dwelling must be located on a tract of land containing two acres. Where a tract includes any portion of the protected river, the area between the river banks cannot be counted towards

the two-acre minimum tract size. (Note: the minimum lot size may be greater than two acres depending on the zoning district in which the property is located.)

- (3) Only one dwelling is permitted on each two acre or larger tract.
- (4) Septic tank or tanks serving the dwelling may be located within the buffer.
- (5) Septic tank drainfields shall not be located within the buffer.

(b) Construction of road crossings and utility crossings provided that the construction meets all requirements of the Erosion and Sedimentation Control Act of 1975, as amended, and any applicable local ordinances pertaining to soil erosion and sedimentation control.

(c) Industrial and commercial land uses existing prior to the effective date of this article (July 6, 1999) are exempt from the protection criteria of this article, provided that:

- (1) The use of the river corridor does not impair the drinking quality of the river water; and
- (2) The activity within the river corridor meets all state and federal environmental rules and regulations.

(d) Timber production and harvesting provided that the activity is consistent with the state forestry commission's best management practices and the activity does not impair the drinking quality of the river water as defined by the Clean Water Act, as amended.

- (e) Wildlife and fisheries management activities consistent with the purposes of O.C.G.A. § 12-2-8.
- (f) Waste water treatment.

(g) Recreational usage consistent with either the maintenance of a natural vegetative buffer or with river-dependent recreation.

(h) Natural water quality treatment or purification.

(i) Agricultural production and management provided that the activity is consistent with the state soil and water conservation commission's best management practices and the activity does not impair the drinking quality of the river water as defined by the Clean Water Act, as amended. Additionally, the activity must be consistent with all other state and federal laws and state department of agriculture regulations.

(j) Any other uses permitted by the department of natural resources or under § 404 of the Clean Water Act.

(Ord. of 7-6-99)

Section 2106: Prohibited activities within the river corridor.

Irrespective of the zoning district in which the property is located, the following uses and activities shall be prohibited within the river corridor:

- (a) Hazardous waste or solid waste landfills, or construction and demolition (C&D) landfills.
- (b) Commercial or industrial uses that involve handling hazardous materials other than wastes.
- (c) Handling areas for the receiving and storage of hazardous waste.
- (d) Construction within the river corridor is prohibited unless permitted in section 2105 of this article.
- (e) Surface mining activities.
- (f) Any other use or activity not specifically permitted in section 2105 of this article.

(Ord. of 7-6-99)

Section 2107: Variances.

Variances to the requirements of this article may be granted in accordance with section 411 of this appendix.

(Ord. of 7-6-99)

Section 2108: Penalties and enforcement.

Penalties for violation of this article and the enforcement of this article shall be in accordance with sections 418 and 419 of this appendix.

(Ord. of 7-6-99)

Section 2109: Permit requirements and enforcement.

Prior to the commencement of any development activities, the permitting process outlined in section 408 of this appendix must be followed.

(Ord. of 7-6-99)

Section 2110: Miscellaneous provisions.

(a) *Severability*. If any section, subsection, sentence, clause, phrase or portion of this article is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

(b) *Conflicting provisions*. In the event of a conflict between the provisions of this article and any other provisions of this Code, including appendix C, the provisions of this article shall govern and the other conflicting provisions shall be deemed repealed insofar as they would otherwise apply to the subject of this article.

(c) *Effective date*. This article shall take effect immediately upon its adoption.

(Ord. of 7-6-99)

ARTICLE 22 – SIGNS

Section 2201: Purposes.

The Bulloch County Board of Commissioners have determined that it is in the best interest of the health, safety and welfare of the citizens of the county that a comprehensive and balanced system of control and regulation be enacted as to the placement, maintenance and removal of signs within the limits of the county, said determination having been derived from, but not limited to the following concerns:

(a) The safe and efficient flow of motor vehicle, bicycle and pedestrian traffic through the county which may otherwise be impeded by the indiscriminate proliferation of signage erected to attract the attention of the traveling public, and which if left unregulated, may result in hazards to travelers through the erection of increased numbers of larger, brighter or more distracting signs by owners attempting to convey competing messages;

(b) The protection of property values, both public and private, by assuring the compatibility of signs with surrounding land uses while balancing the community's variant interests of enhancing the commercial and economic atmosphere of the county with the desire to maintain a tranquil aesthetic environment that eliminates visual clutter and blight through the management of hardscape features, including signage;

(c) The interference with the ability of property owners to enjoy or use their property without undue visual obstruction, distraction or hazard;

(d) The preservation and protection of properties and areas having historic, recreational, educational, cultural, or religious values and environments, and prominent community gateways and major thoroughfares which, through orderly design and maintenance of the built environment—including signage—provide for community pride and exhibit clear community expectations that promote investment through a predictable development pattern;

(e) The elimination of potential hazards arising during times of inclement weather or other natural disaster;

(f) The provision of some signage that has the targeted purpose of promoting public safety but is difficult to describe without referring to its incidental function, such as address numerals or subdivision or major development entrance signage, which signage is a tool for enabling the traveling public and emergency personnel to locate point of ingress and egress during visitation or emergency call response. While such signage is referenced based upon the function it serves within the context of this ordinance, the provisions of this ordinance are unrelated to the content of the speech provided and allow maximum expressive potential to sign owners;

(g) The control of the proliferation and placement of signs in an indiscriminate manner so as to pose a threat to the aesthetic and environmental values and qualities of life within Bulloch County;

(h) Increasingly vibrant and distracting signs, including those incorporating LED and similar technology, cause unique and substantial hazards to traffic caused by a higher level of distractability, are inconsistent with the standards established for major community thoroughfares and gateways, and demand greater diligence and resources in enforcing proper use and display than those signs not incorporating such technology; and,

(i) In addition to the other concerns stated within this section, specific districts, thoroughfares and gateways throughout the community, due to traffic volumes, population density, proximity to major community facilities, or other similar factors, may—absent the provision of reasonable land management regulations—be more susceptible to the proliferation of signage, banners and other similar displays than other parts of the county; certain of these districts, thoroughfares and gateways that have otherwise been

determined by the community to be of significant importance in maintaining an orderly, moderated and consistent development pattern and a community character free of visual clutter include, but are not limited to, the following:

- (1) *Veterans Memorial Highway*. The county's principal by-way alternatively serves as a community greenway, providing for areas of natural landscape; and, where flanked by development, a soft transition between the natural and built environment. With few direct vehicular access points to adjacent property, abutting properties will remain rural or develop in a residential manner. Signs on this thoroughfare must remain limited in number and scale to avoid the inadvertent placement of signage in proximity to the county's neighborhoods and greenspaces that would not otherwise be permitted in residential areas and on residential streets. The allowance for unregulated signage will further reduce the highway's function as a community parkway, contradicting the community interest of providing for an orderly visual environment.

Section 2202: Definitions.

Words and phrases used in this article shall have the meanings set forth in this section. All other words and phrases shall be given their common, ordinary meaning, unless the context clearly requires otherwise. Section headings or titles are for reference purposes only and shall not be used in the interpretation of this article.

Aggregate sign area. The combined sign area of all permanent signs on a single lot that require a permit except for billboards, including portions of any signs that are changeable copy or electronic message centers; or, where specified, all permanent permitted signs of a particular category on a single lot. For example, the aggregate sign area of all freestanding signs on a lot is the sum total of the sign areas of all freestanding signs on such lot.

Animated sign. A sign that utilizes moving structural elements, flashing or sequential lights, lighting elements, or other automated methods to create movement, the appearance of movement, or other special effects. Signs meeting the definition of and regulations governing changeable copy signs and traffic control devices and warning signs meeting the standards of the Manual of Uniform Traffic Control Devices are not considered animated signs.

Banner. Any sign printed or displayed on lightweight fabric or other flexible material with or without frames and that is mounted to a pole or building at more than one (1) edge. When mounted, banners shall remain stationary and not flap or wave in a manner similar to a flag or pennant. Flags and pennants shall not be considered banners.

Beacon. Any light with one or more beams directed into the atmosphere or directed at one or more points not on the same lot as the light source; also, any light with one or more beams that rotate or move.

Billboard. A freestanding sign having a sign area of greater than 150 square feet.

Building sign. Any sign attached to any part of a building.

Bulloch County. As used in this article, the term Bulloch County means the unincorporated areas of Bulloch County, Georgia.

Canopy or awning. A structure made of cloth, metal, or other material affixed to a building and/or supported by the ground.

Canopy sign. Any sign that is part of or attached to an awning, canopy, or other fabric, plastic, or other structural protective cover over a door, entrance, window, or outdoor service area. A marquee is not a canopy.

Changeable copy sign. A sign designed to allow the changing of letters, words, logos, or symbols

through manual means without altering the face or surface of the sign, or creating movement or the appearance of movement.

Electronic message center sign. A sign capable of displaying words, symbols, figures or images that can be electronically or mechanically changed by remote or automatic means.

Flag. Any fabric, banner or bunting containing distinctive colors, patterns, or symbols.

Flashing sign. A sign utilizing a pattern of changing light illumination where the sign illumination alternates suddenly between illuminated and non-illuminated for the purpose of drawing attention to the sign.

Frame effect. The use of movement or some element thereof, to depict action or create a special effect or scene.

Freestanding sign. A sign which is attached to, or part of, a completely self-supporting structure. The supporting structure shall be set firmly in or below the ground surface and shall not be attached to any building or any other structure. Freestanding signs may take the form of either monument or stanchion signs as defined herein.

Incidental sign. A sign of no more than two (2) square feet that serves the purpose of guiding safe traffic movements onto, from or on property, and without which there is an increased risk of incompatible traffic movements or obstructions. Examples of incidental signs include but are not limited to “stop,” “no parking,” “entrance,” “loading zone” and other similar traffic related directives.

LED sign. Any sign or portion thereof that utilizes light emitting diode technology or other similar semiconductor technology to produce an illuminated image, picture, or message of any kind whether the image, picture, or message is moving or stationary. This type of sign includes any sign that uses LED technology of any kind whether conventional (using discrete LEDs), surface mounted (otherwise known as individually mounted LEDs), transmissive, organic light emitting diodes (OLED), light emitting polymer (LEP), organic electro polymer (OEL), or any other similar technology. For purposes of this article, a LED sign is not considered to be a form of changeable copy sign.

Lot. Any piece or parcel of land, the boundaries of which have been established by a legal instrument of record, and that meets the requirements of the zoning ordinance.

Marquee. A permanent roof-like structure projecting beyond a building or extending along and projecting beyond the wall of the building, but not supported by the ground, and constructed of durable material to provide protection from the weather.

Monument sign. A freestanding sign which forms a solid structure from the ground to the top of the sign.

Nonconforming sign. Any sign which, while legal at the time of erection, does not comply with the requirements of this article.

Normal grade. The lower of existing grade prior to construction or the newly established grade after construction, exclusive of any filling, berming, mounding, or excavating for the purpose of locating the sign.

Pennant. Any lightweight fabric or other similar material, message or no message, suspended from a rope, wire, or string, usually in a series, designed to move in the wind.

Person. Any individual, firm, partnership, association, corporation, company, or organization, singular or plural, of any kind.

Pole sign. See stanchion sign.

Portable sign. Any sign which because of its design or construction was originally intended to be portable, whether or not such sign has been attached or affixed to the ground or other permanent structure. The term portable sign includes but is not limited to portable changeable copy signs, signs designed to be transported by means of wheels, signs converted to A- or T-frames, menu and sandwich board signs, and signs attached to or painted on vehicles or trailers parked and visible from the public right-of-way unless said vehicle or trailer is regularly used for some other significant purpose consistent with the purposes for which it was designed in the normal day-to-day operations of the business.

Principal building. The main or principal building located upon a lot; the building in which the principal use of the premises is conducted. Lots with multiple principal uses may have multiple principal buildings. However, storage buildings, garages, and other clearly additional uses shall not be considered principal buildings.

Projecting sign. Any sign affixed to a building or wall and its leading edge extends beyond the line of such building or wall or beyond the surface of that portion of the building or wall to which it is affixed by more than 12 inches.

Roof sign. Any sign erected, constructed, or maintained in whole or in part upon, against, or above the eave of a peaked roof or parapet line of a flat roof.

Setback. The distance from the property line to the nearest part of the applicable building, structure, or sign, measured perpendicularly to the property line.

Sign. Any fixture, placard, structure, or device illuminated or nonilluminated that uses any color, form, graphic, symbol, or writing to convey information of any kind and which is visible to the public from streets and/or public property.

Special event sign. See temporary sign.

Spectacular sign or device. Signs or devices, whether permanent or temporary, utilizing out of the ordinary materials, configurations or devices, including, but not limited to (i) balloons; (ii) animated animal forms; and (iii) other attention-getting devices. "Spectacular sign or device" does not include banners, flags or pennants meeting the standards of this ordinance.

Stanchion sign. A freestanding sign that is mounted on a pole or other vertical support such that the bottom of the sign face is elevated above ground level and there is no visual obstruction other than the vertical support between the ground and the bottom of the sign face.

Standard informational sign. A sign with an area not greater than four and one-half (4½) square feet, with a sign face made for short term use, containing no reflective elements, flags or projections and which, when erect, stands at a height not greater than three (3) feet and is mounted on a stake or metal frame with a thickness or diameter not greater than one and one-half (1½) inches.

Street. A strip of land or way, subject to vehicular as well as pedestrian traffic, that provides direct or indirect access to property, including, but not limited to, alleys, avenues, lanes, highways, roads, or other thoroughfares.

Street frontage. The distance for which a lot adjoins a public street, from one lot line intersecting said street to the furthest distant lot line intersecting the same street.

Suspended sign. Any sign which is suspended from the underside of a horizontal plane surface and is supported by such surface.

Temporary sign. Any sign that by its design and construction is intended to be used only temporarily and is not permanently mounted or anchored. This definition excludes "portable signs" and "standard informational signs," which are separately defined under this article.

Tri-vision sign. A sign designed with a series of slats that mechanically rotate in sequence with one another to show multiple different sign messages in sequence. For purposes of this article, a tri-vision sign is not a changeable copy sign.

Wall sign. Any sign painted on or erected within twelve (12) inches and parallel to an exterior wall of any building or structure, which is supported by such wall or building, and which displays only on one sign surface.

Window sign. Any writing, pictures, symbols, or combination thereof, attached to, placed upon, or painted on the interior of a door or window or upon the window panes or glass and visible from the exterior of the window or door.

Section 2203: Permit procedures.

(a) *Applications.* All applications for sign permits of any kind shall be submitted to the zoning administrator on an application form prescribed by the county. The applicant must be the property owner or the lessee of the lot on which the sign will be located, or an agent or representative of the property owner or lessee.

(b) *Permit for new sign or for sign modification.* An application for construction, creation, or installation of a new sign or for modification of an existing sign shall be accompanied by a detailed illustration of the dimensions, design, structure, and location of each sign in the format prescribed within the official application form.

(c) *Fees.* Fees shall be set forth in the Bulloch County schedule of fees and charges.

(d) *Action.* Within 15 business days of the submission of an application for a sign permit, including required and accompanying materials as provided in section 2203(b) of this ordinance, the zoning administrator shall either:

- (1) Issue the permit where it is found that such sign application is complete and the proposed sign adheres to the standards of this article and other applicable requirements of county ordinances and state law; or
- (2) Deny the permit where the application is incomplete, contains false material statements or where the proposed sign would violate standards of this ordinance or other ordinances or state laws regulating signage. Any denial of a permit shall be in writing and shall include a specification of the section(s) of the ordinance, or applicable provision of other county ordinances or state laws with which the sign is inconsistent. The denial shall be based upon and shall cite to the specific articulated standards in this article, or other law, and shall not be based upon or cited to the general concerns contained in section 2201 herein. A denied application later resubmitted in conformity with this ordinance shall be deemed to have been submitted on the date of resubmission, rather than on the date of original submission. A decision to deny a permit shall be in writing and shall be served on the permit applicant either by hand delivery or by first class mail to the address provided by the applicant no later than 15 business days after initial receipt of the application.

(e) *Lapse of permit.* If construction of a sign for which a permit has been issued has not begun within six months of the issuance of the permit, the permit shall lapse and become null and void. Thereafter, the applicant shall be required to obtain another permit prior to constructing or modifying the sign.

(f) *Inspections.* Upon substantial completion of the construction or modification of a billboard or other permanent sign for which a permit has been issued, the permittee shall notify the developmental services division and request an inspection. If the construction is substantially complete, but not in full compliance with this ordinance and other applicable codes, the zoning administrator or his designee shall give the

owner or applicant notice of the deficiencies and shall allow an additional thirty (30) days from the date of such inspection for the deficiencies to be corrected. If deficiencies are not corrected by such date, the permit shall lapse. If the permit lapses, the zoning administrator may require the owner or applicant to remove the sign or obtain another permit to correct the deficiencies.

(g) *Appeals*. In the event of denial of an application for a permit, the applicant may appeal the decision in accordance with the procedures set forth in Section 409 of this appendix.

(h) *Work without permit issuance*. If any person, owner, authorized agent or contractor commences any work before securing permits required by this article, fees upon application shall be doubled.

(i) *Revocation*. In the event it is determined that a permit was issued in violation of this ordinance or other ordinance or law regulating the sign at issue or where the sign has been erected in violation of such standards, the zoning administrator may issue the permit holder a written notice of revocation of the permit, stating the grounds for such revocation action. The zoning administrator's decision to revoke a permit may be appealed in accordance with the procedures set forth in Section 409 of this appendix.

(j) *Multiple lots*. If several lots of record which are contiguous and adjacent have been combined for a single purpose, then the lots shall be considered as a single lot in determining the size, height and use requirements as set forth by this ordinance.

(k) *Display of permit*. The permit holder shall be responsible for maintaining the permit for every sign constructed, erected or maintained for which a permit is required by this article. Such permit shall be kept on the premises served by the sign and shall be exhibited promptly upon request of county officers and employees.

(l) *Assignment of sign permits*. A current and valid sign permit shall be freely assignable to a successor as owner of the property or holder of a business license for the same premises, subject to any filing of such applications as the zoning administrator may require; no fees shall be charged for filing an assignment with the county. The assignment shall not require county approval. However, a modification of the sign by an assignee shall require a permit and payment of fee as for a new sign.

Section 2204: Signs exempt from permit.

The following signs shall be exempt from the permit requirements of this article, provided that such signs or devices erected or placed are located on property of the person who erects such signs or on property whose owner has given permission for such placement, and provided further that all other standards of this ordinance concerning the physical placement or dimensions of the sign are observed:

(a) Any public notice or warning required by a valid applicable law, regulation, or ordinance.

(b) Official traffic control signs and devices meeting the standards of the Manual of Uniform Traffic Control Devices.

(c) Address numerals not exceeding four (4) inches in height on residential properties or eight (8) inches in height on non-residential properties.

(d) Incidental signs and other signs on private property directing traffic, such as "Stop" or "Yield," that meet state department of transportation standards.

(e) Signs on the same premises as the business to which they relate; provided, however, that the sign is completed prior to issuance of a certificate of occupancy for the building in which the business is located.

(f) Flags are limited to twenty-four square feet and, if attached to a flag pole, shall be flown on a pole not exceeding 25 feet in height in Sign Districts 1 and 3. Flags in Sign District 2 shall not exceed 60

square feet in size nor be flown on poles higher than 40 feet. Two flags per property are permitted without permit. Additional flags are subject to permitting as “banners” under section 2207 of this section.

(g) Window signs are allowed in all Sign Districts. Window signs shall cover no more than 50 percent of any window or door pane area.

(h) Individual businesses are allowed one (1) non-illuminated portable sidewalk sign of an A-frame or easel construction per public street frontage during business hours. Such signs shall be located within three (3) feet of the entrance to the business. Such signs shall not impede pedestrian or vehicular traffic or obstruct the view of drivers entering or existing property or intersecting streets. Such signs shall further not exceed five (5) feet in height or two (2) feet in width and shall be removed by the owner at the end of each business day.

(i) Each owner and/or occupant of a lot in the county shall be allowed to erect two standard informational signs on that owner/occupant’s property without first obtaining a permit.

(j) Political campaign signs shall be allowed in accordance with the provisions of O.C.G.A. § 16-7-58.

(k) Spectacular signs or devices are allowed in Sign Districts 2 and 3; provided, however, that the zoning administrator may require the removal and discontinuance of any spectacular sign or device if he determines that such spectacular sign or device is endangering the health, safety, or welfare of the public.

Section 2205: Prohibited signs.

The following types of signs are prohibited in all zoning districts of Bulloch County:

(a) No sign shall be constructed, erected or maintained that uses the words, "Stop," "Emergency" or "Danger," or uses emergency colors of red, blue or amber, in such a manner as to imply danger or emergency, or which is a copy or imitation of an official traffic-control sign or device.

(b) No signs are permitted within any street or highway right-of-way, except for traffic signs and signals, informational signs erected by a public agency, and approved signs identifying subdivisions or commercial/industrial developments.

(c) Signs attached to, drawn or painted on trees, rocks, or utility poles.

(d) Beacons; animated signs.

(d) Signs within three hundred (300) feet of any officially designated historical site or monument, except signs pertaining to that particular site or monument.

(e) Fluttering ribbons or pennants (excluding flags permitted under section 2204(f) or banners permitted on a temporary basis under section 2207).

(f) Roof signs, except on the facings of mansard roofs where the slope of the roof does not terminate in a unified ridge line, and when no other space is available for the mounting of signs. Supports for roof signs on such mansard roofs shall be attached to the structural supports of the roof, and shall not project above the peak of the roof.

(g) Illuminated signs from which direct rays of light are projected onto a lot other than on the lot where the illumination occurs.

(h) Signs displaying any obscene message or obscenity as defined by U.S. Supreme Court decisions.

(i) Portable signs, except as allowed under Section 2204(h) of this article.

(j) Projecting signs.

(k) Suspended signs.

Section 2206: Nonconforming signs.

(a) *Existing nonconforming signs.* Any permanent sign existing as of the date of the adoption of this article (April 5, 2011), which sign was legal when erected but does not comply with all the requirements of this article, shall be exempt from the requirements of this article so long as it remains in continuous use without any renovation or modification other than routine maintenance and repair. The mere changing of the advertisement or message on an existing nonconforming sign, without any structural alteration to the sign, shall not be considered a renovation or modification that results in the loss of exempt status.

(b) *Maintenance of nonconforming signs.* Nonconforming signs that are exempt from the requirements of this article must nonetheless be maintained in good condition and not allowed to become dilapidated or structurally unsafe. If the zoning administrator or his designee determines that a nonconforming sign has been allowed to deteriorate to the point that it is structurally unsafe, the sign must be removed and cannot be replaced unless it is with a sign that complies with the requirements of this article.

(c) *Conforming and nonconforming signs.* No conforming sign or advertising device shall be erected on a lot if the permit holder or applicant maintains an existing nonconforming sign on the lot until the nonconforming sign has been removed.

(d) *Incentives for removal of nonconforming signs.* In the event a nonconforming sign is removed and replaced with a sign in conformance with this ordinance, the owner of the property on which the sign is placed shall be allowed a waiver of all permit fees associated with the new conforming sign.

Section 2207: Temporary signs and banners.

(a) Permits for temporary signs or banners on private property shall be allowed upon issuance of a temporary sign permit, which shall be subject to the application procedures required by section 2203 of this ordinance, and the following additional requirements:

- (1) A temporary sign permit shall be permitted for a period up to 90 days.
- (2) No more than three permits shall be issued for a lot in any calendar year.
- (3) The application shall specifically describe the sign and device as to construction and/or composition and location on the property.
- (4) Permitted temporary signs or banners shall adhere to the applicable standards of this ordinance which would otherwise apply to a sign intended to be erected on a permanent basis, including but not limited to size, height, setback, placement on a building elevation, etc.
- (5) Permitted temporary signs or banners shall not include any illumination or any feature or characteristic which would also meet the definition of a changeable copy sign.
- (6) Permitted temporary signs or banners shall pose no significant threat to person or property in the event of inclement weather.
- (7) Each temporary sign and banner shall not exceed thirty-two (32) square feet.

Section 2208: Changeable copy signs and electronic message center signs.

(a) Changeable copy signs and electronic message center signs are permitted as an integral part of any permanent signs which meet all other requirements of this article, and further subject to the following restrictions:

- (1) The changeable copy or electronic message center portion of the sign shall not exceed fifty (50) percent of the overall display surface area of the sign.
- (2) The total display area of any sign containing changeable copy panels shall not exceed the size limitations imposed elsewhere in this article.
- (3) Changeable copy signs and electronic message center signs will only be allowed as part of the original construction and erection of a sign which complies with the specifications required by this article or as part of a significant structural alteration to an existing sign.
- (4) Electronic message center signs may only display static images lasting for at least eight (8) seconds before transitioning to another static image. Transitions from one static image to the next may utilize frame effects so long as animation and flashing is prohibited.
- (5) All electronic message center signs shall come equipped with automatic dimming technology that automatically adjusts the sign’s brightness in direct correlation with natural ambient light conditions.
- (6) No electronic message center sign shall exceed a brightness level of 0.3 foot candles above ambient light as measured using a foot candle (Lux) meter at a preset distance depending on sign area, measured as follows:

Area of Sign (sq. ft.)	Measurement Distance (ft.)	Area of Sign (sq. ft.)	Measurement Distance (ft.)
10	32	45	67
15	39	50	71
20	45	55	74
25	50	60	77
30	55	65	81
35	59	70	84
40	63	75	87

Section 2209: Illuminated signs.

Where internal or external illumination of signs is permitted within this article, no lighting arrangement shall impair the vision of the traveling public in any way.

Section 2210: Reflective surfaces.

Sign faces shall not incorporate reflective surface materials, which may obstruct, impair or interfere with the vision of the traveling public in any way.

Section 2211: Location, number and dimension of permitted signs.

(a) *Sign districts.* Signs of certain types, characteristics, numbers and dimensions are permitted in specific locations, and according to standards established by this section and other applicable sections of this article. For the purposes of categorizing suitable signs by location in the county, the following sign districts are established:

- (1) Sign District 1 includes the AG-5 district and any Residential District (AG-5, R-80, R-40, R-25, R-15, R-2, R-3, & MHP).
- (2) Sign District 2 is the HC, GC, NC, PUD, HI, and LI Zoning Districts on State and Federal Highway

Systems, except for those specific State and Federal highway segments identified and included within Sign District 3.

(3) Sign District 3 is the HC, GC, NC, PUD, HI, and LI Zoning Districts on thoroughfares not part of the State or Federal Highway system.

(b) *Exempt and prohibited signs.* Certain signs are exempt from permit requirements pursuant to Section 2204 of this article, and certain signs are prohibited pursuant to Section 2205 of this article. These exempt and prohibited signs are not listed in Table 1, and any exempt signs on a lot should not be included in computing the maximum sign areas in Tables 2, 3, and 4.

(c) *Type, number, and maximum area of signs.* The type, number, and maximum area of signs shall be as set forth in Tables 1, 2, 3, and 4 as follows:

Table 1: Permitted Signs by Type and Sign District					
Sign Type	Sign District 1			Sign District 2	Sign District 3
	Residence on an individual lot	Residential development or subdivision	Nonresidential property		
Freestanding					
Billboard	Prohibited	Prohibited	Prohibited	Needs a permit	Prohibited
Monument	Prohibited	Needs a permit	Needs a permit	Needs a permit	Needs a permit
Stanchion	Prohibited	Prohibited	Prohibited	Needs a permit	Needs a permit
Building					
Canopy	Prohibited	Prohibited	Prohibited	Needs a permit	Needs a permit
Marquee	Prohibited	Prohibited	Prohibited	Needs a permit	Needs a permit
Roof ¹	Prohibited	Prohibited	Prohibited	Needs a permit	Needs a permit
Wall	Prohibited	Needs a permit	Needs a permit	Needs a permit	Needs a permit
Changeable Signs					
Changeable Copy Signs	Prohibited	Prohibited	Prohibited	Needs a permit	Needs a permit
Electronic Message Center Signs	Prohibited	Prohibited	Prohibited	Needs as permit	Needs a permit
Miscellaneous²					
Banner	Needs a permit	Needs a permit	Needs a permit	Needs a permit	Needs a permit
Temporary	Needs a permit	Needs a permit	Needs a permit	Needs a permit	Needs a permit

¹ Roof signs, where permitted, shall be subject to the provisions of section 2205(f).

² Signs listed as "miscellaneous" within this Table do not form part of the "aggregate sign area" for a parcel as defined in section 2202, or Tables 2, 3, and 4 as provided within this article.

Table 2: Sign District 1 – Residential District (AG-5, R-80, R-40, R-25, R-15, R-2, R-3, MHP)

	Residence on an Individual Lot ¹	Residential Development or Subdivision ²	Non-residential Use
AGGREGATE SIGN AREA³:			
Maximum Number of Total Square Feet (SF)	N/A	Varies (All signs within a residential development or subdivision must be constructed of brick, stone, masonry, wood, or equal architectural material)	80 square feet
FREESTANDING SIGNS:⁴			
1. Freestanding Sign Maximum Square Feet	N/A	40 square feet (Per development entrance sign) 18 square feet (Per sign identifying a development common area or facility)	40 square feet
2. Maximum Height	N/A	6 feet	8 feet
3. Setback Requirements	N/A	5 feet	5 feet
4. Number of Freestanding Signs Allowed	N/A	Two (2) sign structures per entrance to the development or subdivision. ⁵	One sign structure per road frontage not to exceed the maximum allowable square footage & a total of two (2) such signs
BUILDING SIGNS:			
1. Maximum Number of Total Square Feet	N/A	18 square feet	40 square feet
2. Maximum Height	N/A	Building Elevation	Building Elevation
3. Number of Building Signs Allowed	N/A	One per building serving as the principal structure in a common area or facility.	One per building elevation with street frontage.

¹Per the purposes of this article, "residences on an individual lot" refers to any individual lot principally serving as a single-family residential dwelling [attached, detached, townhouse, etc.] or a duplex.

²Per the purposes of this article signage related to a "residential development or subdivision" includes all common entry signage into the development, and all signage related to common areas and facilities.

³As provided in Section 2202 and Table 1 herein, "aggregate sign area" includes the combined sign area of all permanent signs that require a permit except for billboards, including portions of any signs that are changeable copy or electronic message centers.

⁴Excludes billboards. Billboards shall be subject to the provisions of section 2212 of this article.

⁵Unless incorporated into the street right-of-way as part of landscaped entryway feature – in which case only one (1) sign structure may be located at the entrance.

(NOTE: Illumination of freestanding or building signs is prohibited on any individual lot principally serving as single-family residential dwelling [attached, detached, townhouse, etc.] or a duplex. Land uses within Sign District 1 which may otherwise utilize illumination shall not incorporate internal illumination.)

Table 3: Sign District 2 – HC, GC, NC, HI, LI, PUD Zoning Districts on State & Federal Highway Systems			
	Sign for an Individual Establishment on an Individual Lot	Major Sign for Planned Commercial or Industrial Center or Development	Individual Establishments, Shops, etc., within a Planned Commercial or Industrial Center
Aggregate Sign Area:¹			
Maximum number of Total Square Feet (SF)	250 square feet	Sign is based upon the overall floor space of the center as follows: 0-50,000sf = 100 sf 50,000 sf = 150sf	Not Applicable
FREESTANDING SIGNS:²			
1. Maximum square feet	150 square feet	Size is based upon the overall floor space of the center as follows: 0-50,000 sf=100 sf >50,000 sf=150 sf	Not Applicable
2. Maximum Height	20' on St. or Fed. Frontage 10' on Local Frontage	25' on St. or Fed. Front 15' on Local Frontage	Not Applicable
3. Setback Requirements	10 feet from property line	10 feet from property line	Not Applicable
4. Number of Freestanding Signs allowed ¹	One sign structure per road frontage not to exceed the maximum allowable square footage & a total of two such signs	One sign structure per road frontage not to exceed the maximum allowable square footage & a total of two such signs	Not Allowed
BUILDING SIGNS:			
1. Maximum Square Feet	125 square feet	60 square feet	The greater of 60 sf or 5% of wall areas, allotted to the individual establishment
2. Maximum Height	Building Elevation	Building Elevation	Building Elevation
3. Number of Wall Signs allowed	One per elevation	One sign per common entrance	One per building elevation per tenant

¹As provided in Section 2202 and Table 1 herein, "aggregate sign area" includes the combined sign area of all permanent signs that require a permit except for billboards, including portions of any signs that are changeable copy or electronic message centers.

² Excludes billboards. Billboards shall be subject to the provisions of section 2212 of this article.

Table 4: Sign District 3 – HC, GC, NC, HI, LI, PUD Zoning Districts Not on State & Federal Highway Systems			
	Business Sign for an Individual Establishment on an Individual Lot	Major Sign for Planned Commercial or Industrial Center or Development	Individual Establishments, Shops, etc., within a Planned Commercial or Industrial Center
Aggregate Sign Area:¹			
Maximum number of Total Square Feet (SF)	100 square feet	Size is based upon the overall floor space of the center as follows: 0-50,000 sf=100 sf >50,000 sf=150 sf	Not Applicable
FREESTANDING SIGNS:²			
1. Maximum square feet	60 square feet	Size is based upon the overall floor space of the center as follows: 0-50,000 sf=100 sf >50,000 sf=150 sf	Not Applicable
2. Maximum Height	10 feet	15 feet	Not Applicable
3. Setback Requirements	10 feet from property line	10 feet from property line	Not Applicable
4. Number of Freestanding Signs allowed	One sign structure per road frontage not to exceed the maximum allowable square footage & a total of two such signs	One sign structure per road frontage not to exceed the maximum allowable square footage & a total of two such signs	Not Allowed
BUILDING SIGNS:			
1. Maximum Square Feet	50 sq. ft.	60 square feet	The greater of 60 sf or 5% of wall areas, allotted to the individual establishment
2. Maximum Height	Building Elevation	Building Elevation	Building Elevation
3. Number of Wall Signs allowed	One per elevation	One sign per common entrance	One per building elevation per tenant

¹As provided in Section 2202 and Table 1 herein, "aggregate sign area" includes the combined sign area of all permanent signs that require a permit except for billboards, including portions of any signs that are changeable copy or electronic message centers.

² Excludes billboards. Billboards shall be subject to the provisions of section 2212 of this article.

Attachment: 10. Appendix C Zoning Regulations (Appendix C Zoning)

(d) *Dimensional standards by sign district.* Signs may be erected in those districts where the applicable sign type is allowed as provided within the Tables 2, 3, and 4 contained in this section. The following principles shall control when computing the sign area, height and other miscellaneous provisions provided in Tables 2, 3, and 4:

- (1) *Computation of area of individual signs.* The area of a sign face shall be calculated by means of the smallest shape (i.e., square, circle, rectangle) that surrounds the extreme limits of writing or other display, together with any material or color forming an integral part of the background of the display or used to differentiate the sign from the backdrop or structure against which it is placed, but not including any supporting framework.
- (2) *Computation of area of multifaced signs.* The area of a sign with more than one face shall be calculated by totaling the areas of all sign faces visible from any one point. When two faces are identical and back-to-back, so that both faces cannot be viewed from any one point at the same time, the sign shall be computed by the measurement of one of the faces.
- (3) *Computation of height.* The height of a sign shall be calculated as the distance from the base of the sign at normal grade to the top of the highest attached component of the sign.
- (4) *Computation of aggregate sign area for a lot.* The aggregate sign area for a lot shall be computed by adding together the area of all permanent signs on the lot that require a permit except for billboards, including portions of any signs that are changeable copy or electronic message centers.

Section 2212. Billboards.

(a) The following standards shall apply to billboards:

- (1) All signs located on sites abutting or visible from the right-of-way of roads in the state highway system shall meet all federal and state requirements necessary to obtain a permit. In the event that the provisions of this article are more restrictive than the provisions of state and federal law, then this article shall prevail and control. Billboards shall be permitted only in Sign District 2 as established in section 2211(a)(2) and Table 3 under Section 2211(c) of this article.
- (2) No billboard shall exceed three hundred and seventy-eight (378) square feet in sign area, excluding architectural trim and structural support, unless such sign is adjacent to the right-of-way of and visible from Interstate 16, in which case the sign shall not exceed six hundred and seventy-two (672) square feet in sign area. For purposes of computing sign area, only one side of a V-type or double-faced sign shall be considered.
- (3) No more than one billboard per sign structure will be allowed to face the same direction. This provision prohibits double side-by-side or stacked signs, but allows V-type or back-to-back double-faced signs.
- (4) Billboards shall be a minimum of ten (10) feet above normal grade, measuring from the bottom of the sign. Billboards adjacent to and visible from Interstate 16 shall not exceed seventy (70) feet in total height. Billboards adjacent to and visible from all other roads shall not exceed forty-five (45) feet in total height.
- (5) All billboard structures must be designed to withstand a minimum twenty-five (25) psf wind load (100 mph). Certification from an engineer licensed in the State of Georgia that the proposed sign will meet this requirement must be submitted with the permit application.
- (6) Except as otherwise provided in this ordinance, no billboard shall be permitted to be erected within three thousand (3,000) feet of another billboard on the same side of the road as measured

along a line parallel to such road; provided, however, that this distance shall be reduced to fifteen hundred (1,500) feet if the applicant removes two existing nonconforming billboards.

- (7) Billboards adjacent to the right-of-way of and visible from Interstate 16 shall be limited to three (3) signs per roadway frontage per interchange quadrant with said signs being restricted to an area twelve hundred (1,200) feet long, beginning five hundred (500) feet from the point where the pavement commences or ceases to widen at exits from or entrances to the main traveled way, as measured to accommodate the longest entrance or exit ramp. Further, such signs shall be a minimum of five hundred (500) feet apart at their nearest point. No other billboard shall be permitted adjacent to or along the right-of-way of Interstate 16.
- (8) Except as otherwise provided in this ordinance, billboard structures shall be set back no less than ten (10) feet from any public right-of-way and shall maintain a minimum of fifteen (15) feet of clearance from any power lines.
- (9) No billboard shall be located within two hundred and fifty (250) feet of any residential zoning district nor within one thousand (1,000) feet of the property line of any public or private schools, public parks, playgrounds or recreation areas, cemeteries, public forests, public buildings, or historical sites listed in the state or national register.
- (10) All illuminated billboards shall use base mounted lights and shall be activated by photo-electric cells. Additional lighting including, but not limited to, neon, animation and running lights is prohibited. No lighting shall impair the vision of the traveling public in any way.
- (11) No billboard shall be located within one thousand (1,000) feet of the right-of-way of the State Route 67 Bypass or the State Route 73 (U.S. Highway 301) Bypass, collectively also known as the Veterans Memorial Parkway.
- (12) No billboard shall be located within one thousand (1,000) feet of the right-of-way of any road officially designated as a SCENIC BYWAY by federal, state, or local authorities.
- (13) Extrusions beyond the face of the sign, excluding aprons, are prohibited.
- (14) The approval for the placement of a billboard shall be void if the applicant fails to obtain a building permit within six (6) months from the date of authorization thereof or to complete erection of the billboard within six months of obtaining a permit.

(b) Distances, when required by this section, shall be established by a survey performed by a surveyor licensed in the State of Georgia. Said survey shall be submitted as part of the application for a sign permit.

Section 2213: Design, construction, and maintenance.

(a) All signs shall be designed, constructed, and maintained in accordance with applicable provisions of the Standard Building Code and National Electrical Code as adopted by the county. All signs must be designed to withstand winds of 100 miles per hour.

(b) Except as otherwise permitted in this article, all signs shall be constructed of permanent materials and permanently attached to the ground, building or any other structure.

(c) All signs shall be maintained in good structural condition, aesthetically pleasing in appearance, and in compliance with all building and electrical codes. The following are some examples of deficiencies which reflect a lack of care: rust spots; loose boards; paint or lettering faded; paint chipping or peeling; lights not working or burned out; colored or transparent panels used with backlighting which are missing, broken, faded or damaged; inspection plates loose or missing; or overall sign appearance not consistent with the other signs in the general area.

Section 2214: Violations and enforcement; penalties and remedies.

- (a) A violation of any provision of this article shall be punishable by a fine not to exceed \$1,000.00.
- (b) Each day of a continuing violation of this article shall be considered a separate offense.
- (c) Citations for violations of this article shall be prosecuted in the Magistrate Court of Bulloch County.
- (d) In addition to any other remedy provided by law, the county may seek equitable relief in a court of competent jurisdiction to remedy any violation of this article.

Section 2215: Miscellaneous provisions.

(a) *No liability.* This article is remedial in nature and shall be construed to secure such beneficial interests and purposes thereof, which include public safety, health, and general welfare. This article shall not be construed as imposing upon the governing authority or any of its employees or agents any liability or responsibility for damages to any person or property in any way caused by or connected with any signage governed by this article. Nor shall the governing authority or any of its employees or agents be held as assuming any such liability or responsibility by reason of inspections, denials, approvals, or permits conducted or issued pursuant to this article.

(b) *Severability.* If any section, subsection, sentence, clause, phrase or portion of this article is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

(c) *Conflicting provisions.* In the event of a conflict between the provisions of this article and any other provisions of the Bulloch County Code of Ordinances, including Appendix C, the provisions of this article shall govern and the other conflicting provisions shall be deemed repealed insofar as they would otherwise apply to the subject of this article.

(d) *Effective date.* This ordinance shall take effect immediately upon adoption.

ARTICLE 23 – OFFICIAL ZONING MAP OF BULLOCH COUNTY, GEORGIA (OFFICIAL MAP)

Section 2301: Official Zoning Map, Bulloch County, Georgia (Official Map).

The Official Zoning Map, Bulloch County, Georgia is hereby incorporated into and made a part of this zoning ordinance. Any reference to the "official map" in this appendix refers to the official zoning map, Bulloch County, Georgia.

Section 2302: Identification, alteration, and replacement of the official map.

(a) The official map shall be comprised of a set of maps, which together comprise the official map. Upon adoption by the board of commissioners, each map which is part of the official map shall be signed by the clerk of the board of commissioners and shall bear the seal of the county or that of a notary public under the following words: "This certifies that this is the official zoning map, Bulloch County, Georgia referred to in article 23 of the zoning ordinance of Bulloch County, Georgia," together with the date of adoption of the ordinance (November 4, 1994).

(b) The official map may be amended under the procedure set forth in section 414 of this appendix. Any amendment to the official map is an amendment to this appendix. Any amendment involving a change of a zoning district shall be entered on the official map when an amendment has been approved by the board of commissioners. The entry showing an amendment to the official map shall be placed upon the property which is the subject of the amendment and shall show the date of the amendment, the zoning file number, and the zoning district which was approved by the board of commissioners as an amendment to the official map. All entries showing amendments to the official map must be signed by the clerk of the board of commissioners.

(c) Alterations to the official map may be made only by the procedures contained in sections 414 and 2302 of this ordinance. Any unauthorized alteration of the official map by any person is a violation of this appendix.

(d) The official map shall be on display in the office of the zoning administrator, and is the final authority as to the current status of zoning district boundaries.

(e) If the official map becomes damaged, destroyed, lost, or difficult to interpret because of the nature or number of changes and additions, the board of commissioners may adopt a new official map which will replace the previous official map. The new official map is identified as such in the same manner as described above in this section. When the new official map is adopted, a notation must be made on the previous official map that it is no longer valid, indicating the date that the new official map was adopted, as a reference aid. The previous official map should be preserved, if it has not been lost or destroyed, for possible future reference.

Section 2303: (Reserved).

Section 2304: (Reserved).

Section 2305: Zoning district boundaries.

Where uncertainty exists with respect to the exact location of the boundary of a zoning district shown on the official map, the following guidelines will be used in establishing the exact location of the boundary:

(a) Where a zoning district boundary line as appearing on the official map divides a single lot that was a single lot at the time of the enactment of this appendix, the requirements for the zoning district shall extend only as far as the zoning district boundary line.

(b) Where a zoning district boundary is indicated as approximately following a municipal limits or

county line, the municipal limits or county line is the boundary.

(c) Where a zoning district boundary is indicated as approximately following a property line or such line extended, the line or lines extended is the boundary.

(d) Where a zoning district boundary is indicated as approximately following the center line of a stream bed, such a center line is the boundary.

(e) Where a zoning district boundary is indicated as approximately parallel to the center line of a street, road, railroad, or the right-of-way of such a facility, the zoning district boundary is parallel to the line and at a distance from it as indicated by scale on the official map.

Section 2306: Relationship between official map and the county comprehensive plan.

(a) The county comprehensive plan was adopted by the board of commissioners of the county. It should provide the best possible indication of desirable land use patterns that will meet projected future demand for land uses of various types. The county comprehensive plan supplies a body of information upon which decisions on future development may be made that are guided by sound planning principles. It contains a future land use map, which shows suitable areas for various types of land uses. Zoning districts may not necessarily conform to the land use map. The county comprehensive plan and future land use map shall serve as a guide for establishing appropriate zoning districts and for amending the official map, but the board of commissioners is not bound by any proposed land use in the comprehensive plan or future land use map when adopting the official map or adopting amendments to the official map.

(b) The zoning districts contained on the official map carry standards which must be met by all new development and construction in the county. The arrangement of zoning districts is initially based on land use information contained in the county comprehensive plan. Although there may not necessarily be consistency between the official map and the future land use map, the future land use map should continue to be used as a guide when establishing and amending zoning districts on the official map. Such coordination helps to ensure amendments are based on defensible findings of fact as well as sound comprehensive planning principles.

ARTICLE 24 – POWERS AND DUTIES OF VARIOUS OFFICIALS CONCERNING THIS APPENDIX

Section 2401: Purpose.

This article formalizes the powers and duties of the building and zoning official, the planning and zoning commission, the board of commissioners, and other officials as may be appropriate where this appendix is concerned. It should also provide a convenient list of services provided by each official to aid in complying with the requirements of this appendix.

Section 2402: Powers and duties of the building and zoning official.

The building and zoning official or his designee has the power and duty to provide the following services related to this appendix:

- (1) Provide initial information about this appendix upon request.
- (2) Advise how to contact members of the planning and zoning commission, the board of commissioners, or other officials as may be appropriate for services provided by those bodies or officials.
- (3) Maintain official map on public display.
- (4) Determine in which zoning district a parcel of land lies.
- (5) Issue certificates of occupancy.
- (6) Offer practical suggestions on how to comply with the requirements of this appendix.
- (7) Maintain complete records concerning this appendix, building permits, and related matters, and make such records available to the public upon request.
- (8) Supervise all professional and clerical personnel employed in connection with the performance of the functions of the building and zoning official.
- (9) Serve as liaison to the planning and zoning commission and the board of commissioners.
- (10) Issue certificates of zoning compliance for all permitted uses as well as for variances or other applicable procedures which are granted by the planning and zoning commission and the board of commissioners.
- (11) Collect data and keep informed as to the best zoning practices, in order that he may be qualified to make recommendations to the planning and zoning commission and the board of commissioners concerning amendments to this appendix.
- (12) Research and make reference to the zoning ordinance in connection with each and every application received for variance or other applicable procedures and to make written recommendations to the planning and zoning commission on each such application as to whether:
 - a. The granting of such variance or other applicable procedures would result in an encroachment on existing land uses or zoning districts already established on adjoining or nearby neighborhood properties protected by the zoning ordinance from such adverse impact.
 - b. Sufficient authority exists in the zoning ordinance to allow the planning and zoning commission to grant the variance or other applicable procedures.
- (13) Maintain all written recommendations to other officials of the county in the application file to which each pertains.

- (14) Set offstreet parking requirements for certain land uses as necessary, according to procedures contained in the county standard for offstreet parking and service facilities (appendix G).
- (15) Issue, and when necessary, revoke building permits.

Section 2403: Reserved.

Section 2404: Powers and duties of the planning and zoning commission.

Appendix B details the establishment of the county planning and zoning commission. The planning and zoning commission has the power and duty to provide the following services related to this ordinance:

- (1) Advise the board of commissioners on applications for amendment to this appendix by examining amendment applications and providing written recommendations to the board of commissioners as specified in section 414.
- (2) Dispense general information about this appendix to the public upon request.
- (3) Propose amendments to this appendix.
- (4) Advise the board of commissioners on matters of zoning as it may deem appropriate.
- (5) Authorize variances according to procedures specified in section 411.

Section 2405: Powers and duties of the board of commissioners.

The board of commissioners have the power and duty to provide the following services related to this appendix:

- (1) Renders official decisions on applications for conditional uses or amendments to this ordinance after the planning and zoning commission has reviewed and made recommendations on the conditional uses or amendments as specified in sections 413 and 414.
- (2) Propose amendments to this appendix.
- (3) Hear appeals to the decisions of the planning and zoning commission and render official decisions on them according to procedures specified in section 409.
- (4) Any other powers and duties as may be conferred by this appendix or any other ordinances or laws.

ARTICLE 25 – LEGAL STATUS PROVISIONS

Section 2501: Adoption of this appendix.

This appendix is adopted to amend certain provisions of the Bulloch County Zoning Ordinance previously adopted on November 4, 1994 (“the original ordinance”), as amended. The original ordinance, as previously amended, shall remain valid and effective in all respects, except for those provisions that are amended by this appendix. Those provisions of the original ordinance, as previously amended, that are amended by this appendix, as well as any other provisions of the Bulloch County Code of Ordinances that are in conflict with this appendix, are hereby repealed.

Section 2502: Effect of repeal.

The repeal provided for in the preceding section of this appendix shall not affect any offense, act committed or any penalty or forfeiture incurred or vested right established or accruing before the effective date of this appendix ; nor shall it affect any prosecution, suit or proceeding pending or any judgment rendered prior to the effective date of this appendix .

Section 2503: Severability of provisions.

It is hereby declared to be the intention of the county that the sections, paragraphs, sentences, clauses and phrases of this appendix hereby adopted are severable, and if any phrase, clause, sentence, paragraph or section of this appendix hereby adopted shall be declared unconstitutional or otherwise invalid by the valid judgment or decree of a court of competent jurisdiction, this unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this appendix hereby adopted.

Section 2504: Effect of catchlines.

The catchlines of the several sections of this appendix printed in boldface type are intended as mere catchwords to indicate the contents of the sections and shall not be deemed or taken to be titles of the sections nor as any part of the sections, nor, unless expressly so provided, shall they be so deemed when any of the sections, including the catchlines, are amended or re-enacted.

Section 2505: Effective date.

Those provisions of this appendix that amend the original ordinance, as previously amended, shall be effective April 4, 2023 . The effective date for those provisions of the original ordinance, as previously amended, that have not been amended by this appendix remains the date of their enactment .

Adopted at a meeting of the Bulloch County Board of Commissioners held in compliance with Georgia’s Open Meetings Act on the 4th day of April, 2023, at which meeting a quorum was present.

BOARD OF COMMISSIONERS OF
BULLOCH COUNTY, GEORGIA

By: _____
Roy Thompson, Chairman

Attachment: 10. Appendix C Zoning Regulations (Appendix C Zoning)

Attest: _____
Venus Mincey-White, Clerk

(SEAL)

Attachment: 10. Appendix C Zoning Regulations (Appendix C Zoning)



BULLOCH COUNTY
BOARD OF COMMISSIONERS
MINUTES • MARCH 21, 2023

Regular Meeting

Honey Bowen Building Multi-Purpose Room

8:30 AM

1 Max Lockwood Drive, Statesboro, GA 30458

I. CALL TO ORDER, WELCOME MEDIA AND VISITORS

Chairman Thompson called the meeting to order and welcomed the media and visitors.

II. INVOCATION AND PLEDGE

Commissioner Conner gave the invocation and Pledge of Allegiance.

III. ROLL CALL

Attendee Name	Title	Status	Arrived
Ray Mosley	Vice-Chairman	Present	
Anthony Simmons	Commissioner	Present	
Curt Deal	Commissioner	Present	
Roy Thompson	Chairman	Present	
Jappy Stringer	Commissioner	Present	
Timmy Rushing	Commissioner	Present	
Toby Conner	Commissioner	Present	

The following staff were present: County Manager Tom Couch, Assistant County Manager Cindy Steinmann, County Attorney Jeff Akins, Chief Financial Officer Kristie King, County Engineer Brad Deal, Senior Accountant Peyton Fuller, Human Resources Director Cindy Mallett, Parks and Recreation Director Eddie Canon, Public Safety Director Ted Wynn, Public Works Director Dink Butler, Public Works Administrative Assistant Alexis Knox, EMS Director Doug Vickers, Deputy EMS Director Brian Hendrix, Community Relations Manager Broni Gainous, Fire Chief Ben Tapley, Planning and Development Supervisor Missy Hagan, BCSO Deputy Brian Kingery, Parks and Recreation Business Manager Molly Durden, Clerk of the Board Venus Mincey-White

IV. APPROVAL OF GENERAL AGENDA

Chairman Thompson asked if there was any discussion or modification desired by the County Manager or the Board. Hearing none Chairman Thompson called for a motion to approve the General Agenda as presented.

Motion to approve the General Agenda as presented.

Minutes Acceptance: Minutes of Mar 21, 2023 8:30 AM (Consent Agenda)

RESULT:	Approved [Unanimous]
MOVER:	Jappy Stringer, Commissioner
SECONDER:	Curt Deal, Commissioner
AYES:	Ray Mosley, Anthony Simmons, Curt Deal, Jappy Stringer, Timmy Rushing, Toby Conner

V. CONSENT AGENDA

Chairman Thompson asked if there were any items that needed discussion. There being none, he asked the Board to vote on the Consent Agenda items collectively.

Motion to approve the Consent Agenda as presented.

RESULT:	Approved [Unanimous]
MOVER:	Ray Mosley, Commissioner
SECONDER:	Curt Deal, Commissioner
AYES:	Ray Mosley, Anthony Simmons, Curt Deal, Jappy Stringer, Timmy Rushing, Toby Conner

1. Minutes Approval: Tuesday March 7th, 2023 05:30 PM
2. Approve a bid of \$48,500.00 from Shea Tractor to purchase a Compact Excavator (See Exhibit# 2023-76).
3. Approve Letter of Agreement with the 258th Air Traffic Control Squadron (See Exhibit# 2023-77).
4. Approve the purchase of one truckload of polymer coated and aluminized pipe from Cherokee Culvert Company, Incorporated in the amount of \$22,619.62 (See Exhibit# 2023-78).
5. Accept a proposal from Coca-Cola to provide beverages for resell at recreation concessions, including Athletics, Splash in the Boro, and the Ag Complex (See Exhibit# 2023-79).

VI. NEW BUSINESS

1. Resolution Approving Certain Agreements in the National Opioid Litigation

County Attorney Jeff Akins presented the Board and County Staff with correspondence from Blasingame, Burch, Garrard & Ashley, P.C., the law firm representing Bulloch County in the national opioid litigation. Mr. Akins stated that a settlement has been reached with Defendants Teva, Allergan, CVS, Walgreens, and Wal-Mart. Mr. Akins stated that the State of Georgia is anticipated to approve the settlement and recommended that Bulloch County join the settlement agreement. Mr. Akins recommended that the Board adopt the resolution presented with the staff report approving certain agreements and forms related to these settlements.

Motion to approve a resolution agreeing to participate in the national Teva, Allergan, CVS, Walgreens and Walmart Settlements and agreeing to be bound by an anticipated Memorandum of Understanding between the State of Georgia and Georgia subdivisions regarding the national Teva, Allergan, CVS, Walgreens, and Walmart settlements (See Exhibit# 2023-80).

Minutes Acceptance: Minutes of Mar 21, 2023 8:30 AM (Consent Agenda)

RESULT: Approved [**Unanimous**]
MOVER: Anthony Simmons, Commissioner
SECONDER: Ray Mosley, Commissioner
AYES: Ray Mosley, Anthony Simmons, Curt Deal, Jappy Stringer, Timmy Rushing, Toby Conner

2. Request that Public Works be recognized as First Responders

Public Works Director Dink Butler and Administrative Assistant Alexis Knox gave a brief presentation addressing the Homeland Security Presidential Directive 8, Publication, and employee duties supporting their request that Public Works be recognized in Bulloch County as First Responders. They also stated the amount of involvement in emergency response situations and assistance provided to law enforcement, the fire department and EMS from Public Works. Mr. Butler and Ms. Knox asked that the Board approve their request for Public Works to be recognized as First Responders.

Public Safety Director Ted Wynn expressed his support and endorsement of Public Works being recognized as First Responders.

Chairman Thompson, Commissioner Rushing, and Commissioner Stringer praised Public Works for all the work they do and stated that they whole heartedly support their request.

Chairman Thompson asked for a motion approving the recognition of Public Works as First Responders in Bulloch County.

Motion to approve the recognition of Public Works as First Responders in Bulloch County (See Exhibit#2023-81).

RESULT: Approved [**Unanimous**]
MOVER: Toby Conner, Commissioner
SECONDER: Anthony Simmons, Commissioner
AYES: Ray Mosley, Anthony Simmons, Curt Deal, Jappy Stringer, Timmy Rushing, Toby Conner

VII. PUBLIC COMMENTS

There were no public comments (See Exhibit# 2023-82).

VIII. COMMISSION AND STAFF COMMENTS

County Engineer Brad Deal gave updates on dirt road paving projects currently in progress.

Commissioner Curt Deal presented project updates currently in progress with the Statesboro Bulloch County Development Authority of Bulloch County. Mr. Deal gave updates on Aspen Aerogels, Joon Georgia, Revalyu Resources, LLC, and Ecoplastic, citing capital investment funding and job commitments.

Commissioners Rushing and Stringer recognized and praised Eddie Canon and staff members for the dinner provided at the Ag Complex showing the county's support of local farmers.

IX. EXECUTIVE SESSION (PERSONNEL AND POTENTIAL LITIGATION)

There being no further comments, Chairman Thompson stated that the Board must now adjourn into Executive Session for the purposes of discussing personnel and potential litigation matters. He called for a motion to enter into Executive Session in accordance with the provisions of O.C.G.A. § 50-14-2(1), O.C.G.A. § 50-14-3(b)(2), and other

Minutes Acceptance: Minutes of Mar 21, 2023 8:30 AM (Consent Agenda)

applicable laws pursuant to the advice of County Attorney Jeff Akins, for the purposes of discussing personnel and potential litigation matters (See Exhibit# 2023-83).

Motion to enter into Executive Session for the purpose of discussion of personnel and potential litigation in accordance with provisions of O.C.G.A. § 50-14-2(1), O.C.G.A. § 50-14-3(b)(2) and other applicable laws (See Exhibit# 2023-83).

RESULT:	Approved [Unanimous]
MOVER:	Timmy Rushing, Commissioner
SECONDER:	Anthony Simmons, Commissioner
AYES:	Ray Mosley, Anthony Simmons, Curt Deal, Jappy Stringer, Timmy Rushing, Toby Conner

After discussions concluded, Chairman Thompson adjourned the Executive Session and returned to the regular session for a Work Session covering Budget Retreat Preparations.

X. WORK SESSION - BUDGET

County Manager Tom Couch discussed with the Board and Staff Members seven main factors influencing current and future budget decisions. He stated that to improve our budget process everyone needs to look at the bigger, global picture of what is happening and what is coming in the future.

XI. ADJOURN

There being no further discussion, Chairman Thompson called for a motion to adjourn the meeting.

Motion to adjourn.

RESULT:	Approved [Unanimous]
MOVER:	Anthony Simmons, Commissioner
SECONDER:	Curt Deal, Commissioner
AYES:	Ray Mosley, Anthony Simmons, Curt Deal, Jappy Stringer, Timmy Rushing, Toby Conner

Chairman

Attest: _____
Venus Mincey-White,
Clerk of the Board

Minutes Acceptance: Minutes of Mar 21, 2023 8:30 AM (Consent Agenda)



This is the contract for your upcoming engagement. The following content serves as both the written contract and invoice for the Services (as defined below). This Contract is a confirmation of the agreement that you have already made to engage the performance of the named Artist for the date, time, amount and other terms shown below. Failure to return the executed contract does not cancel your agreement to engage the Artist(s) for the stated performance date(s) for the full amount set forth.

Artist Information

ARTIST(S)	FANTASY	PERFORMANCE DATE	07/01/2023 (Sat) 5:00 PM - 10:00 PM - 1 Show 3:30 PM - Sound Check 5:30 -7 :00 PM - Set 1 7:45 - 9:15 PM - Set 2 **SOUND AND LIGHTING PROVIDED BY PRESENTER**
CONTRACT #	839356	CONTRACT DUE DATE	03/22/2023 (Wed)

INSTRUCTIONS

1. If signing manually, please sign where indicated in the Presenter signature box and initial ALL other pages.
2. Make your deposit check payable to **EastCoast Entertainment, Inc.**
Please see contract for balance payment instructions.
3. Write your contract number on your deposit check.
4. If signing manually, return a copy of the **SIGNED** contract and riders, along with your deposit check to:

EastCoast Entertainment
ATTN: Contract Processing
P.O. Box 73210
North Chesterfield, VA 23235

Overnight mail should be sent to:
EastCoast Entertainment
ATTN: Contract Processing
703 Southlake Boulevard
North Chesterfield, VA 23236

(Please retain a copy for your records. We will send you a completed contract once it has been signed by the Artist.)

If you have any questions regarding this contract, please don't hesitate to call.

THANK YOU FOR DOING BUSINESS WITH EASTCOAST ENTERTAINMENT, INC.

PLEASE DO NOT STAPLE

EastCoast Entertainment
BookECE.com
855-323-4386
info@bookece.com



Contract:

Contract # 839356
Agent Carrie Couch

THIS CONTRACT ("Contract") is for the personal services of entertainers on the engagement described below, made on **March 15, 2023** ("Contract Date") between the undersigned Purchaser of Entertainment (herein called "Presenter") and **FANTASY** (herein called "Artist(s)" which term is to include the named individual, the named individual's group, the named group as well as the named group's individual members). This Contract is for talent booking services and contracts between Artist(s)s, the Artist(s)' leader, manager, or representative (the "Artist(s)' Representative"), and EastCoast Entertainment, Inc. ("ECE" or "EastCoast"). The Artist(s) are engaged jointly and severally (as a group and individually) on the terms and conditions set forth herein. The Artist(s)' Representative represents that the Artist(s) has/have agreed to be bound by the terms and conditions set forth herein. The Artist(s) as an individual, as a group or as an individual member of the group may enforce this Contract. The Artist(s) individually and together agree to be bound by the terms of this Contract and to render services under the undersigned Artists(s)' Representative. All content that follows, including but not limited to The General Contract Terms and Conditions and Rider(s), is hereby incorporated into this Contract. The items under Performance Location, Date & Time of Performance below are collectively referred to as the "Services."

Performance Location

Mill Creek Regional Park
1388 Hwy 24 East
Statesboro, GA 30458
Outdoor - Covered

Date & Time of Performance

07/01/2023 (Sat) 5:00 PM - 10:00 PM - 1 Show
3:30 PM - Sound Check 5:30 -7 :00 PM - Set 1 7:45 - 9:15 PM -
Set 2 **SOUND AND LIGHTING PROVIDED BY
PRESENTER**
Eastern Time (US & Canada)

Payment Terms

Gross Price Agreed Upon:	\$5,500.00		Includes total monies that Presenter will pay for Services
Deposit Due:	\$2,750.00	Deposit To:	EastCoast Entertainment, Inc. on 03/22/2023 FED ID # 54-1024623
Balance Due	\$2,750.00	Balance To:	PRIOR TO START OF PERFORMANCE IN CASH, OR PERSONAL CHECK TO: FANTASY BAND. on 07/01/2023 (Sat)

Other Terms & Conditions

- Artist to be tuned and set up by 3:30 PM. Sound check begins at this time
- Presenter agrees that the terms of the attached outdoor event rider are incorporated into this agreement Agreement and are a binding part of this agreement
- Presenter agrees that the terms of the attached artist rider are incorporated into this agreement And are a binding part of this agreement
- Artist to be dressed in attire suitable for a formal engagement
- Presenter to have venue open by 12:00 PM (noon)
- ECE recommend clients explore Special Event Insurance options that may offer financial protections under specified circumstances for cancellation or postponement.
- Artist to perform as core (6) six piece band for (2) two sets
- Presenter to provide sound and lighting

Attachment: Firecracker Fest 2023 East Coast Entertainment contract (Firecracker Fest Main Band)

Presenter Initials

P.O. Box 73210
North Chesterfield
VA 23235



Contract # 839356
Agent Carrie Couch

Presenter

Please verify the following before signing the contract. Contact your agent if anything appears incorrect.

- Event Date(s), Times(s) and Location are correct
- Presenter has read and agrees to all Contract terms including but not limited to the General Contract Terms and Conditions, found below the signature box, and if referenced in this Contract, the Other Terms & Conditions and Riders, all of which are presented online with this Contract, and if this Contract is printed out, are associated with this Contract number.

Bulloch County Recreation and Parks

P.O. BOX 408
STATESBORO, GA 30459

TITLE OF SIGNATORY BELOW

Person signing below has authority to sign on behalf of the Presenter named above. If not, signer agrees to be personally liable.

PRESENTER SIGNATURE

DATE

Signatory

Thomas Couch
ksharpe@bullochrec.com

Primary Contact

Kimberly Sharpe
ksharpe@bullochrec.com
(912) 489-9087

Artist

FANTASY

ARTIST SIGNER NAME

TITLE OF SIGNATORY BELOW

ARTIST SIGNATURE

DATE

Person signing above is signing on his/her own behalf. Artist(s) and Artist(s) Representative are jointly and severally liable. See further terms in Paragraph 1.

Presenter to sign and return all copies of Contract – FAXED AND EMAILED COPIES OF THIS DOCUMENT (AND E-SIGNATURES) ARE BINDING

Attachment: Firecracker Fest 2023 East Coast Entertainment contract (Firecracker Fest Main Band)



General Contract Terms and Conditions

The following General Contract Terms and Conditions are hereby incorporated into and made a part of the contract number referenced above.

1. The Presenter is individually and personally liable for the Gross Price. The person signing for the Presenter is individually and personally liable unless they are an authorized signer for the Presenter. The Artist(s) and the Artist(s) Representative are individually and jointly liable for performance under the terms of this Agreement. If the Artist(s), or the Artist(s)' Representative, are an Association, Company, Corporation, Partnership or any entity other than an individual, the person signing for the Artist(s) agrees to be personally, jointly and severally liable for the terms of this Contract.

2. The Presenter shall at all times have reasonable supervision, direction, and control over the services of Artist(s) on this engagement. If any Artist(s) have not been chosen upon signing of this Contract, the Artist(s)' Representative, as agent for the Presenter and under his instructions, shall hire such persons and any replacements as are required. The essential identity of the Artist(s) as a unit shall not be altered by minor changes in personnel or in the name of the entertainment unit.

3. The Artist(s) and / or its undersigned Artist(s) ' Representative (individually and on behalf of the Artist(s)), agrees that the Deposit is to be paid to EastCoast. This Deposit is due and payable on the Deposit Due Date specified above. The Artist(s) agrees that EastCoast may retain its previously agreed upon fee ("EastCoast Fee") out of the Deposit. The Presenter is liable for payment of the Deposit to EastCoast and any unpaid amount of Deposit is not paid within five(5) days of the due date is subject to a late charge of 1.5% per month until paid, plus reasonable attorneys' fees as well as any other collection fees and costs incurred for collection. In the event the Deposit is paid to the Artist(s), failure of Artist(s) to pay the EastCoast Fee when due gives EastCoast an immediate cause of action against the Artist(s) for the amount of the EastCoast Fee, plus reasonable attorneys' fees, court costs, interest at the rate of 1.5% per month from the due date until paid, as well as any other collection fees and costs incurred.

4. If before the date of any scheduled performance it is found that the Presenter has not performed fully to its obligation under any other Contract with any other party for another engagement or that the financial credit of Presenter has been impaired, the Artist(s) may cancel this Contract. In the event that the Presenter does not perform fully all of its obligations herein, the Artist(s) shall have the option to perform or refuse to perform hereunder, and in either event the Presenter or the person signing for the Presenter, jointly and severally, shall be liable to the Artist(s) for the Gross Price set forth herein, plus reasonable attorneys' fees, court costs, and interest at the rate of 1.5% per month from the due date until paid, as well as any other collection fees and costs incurred. The Artist(s) are hired as a unit and any changes to the unit which significantly affect the Artist(s)' ability to meet the Presenter's reasonable expectations shall constitute Artist(s)' default and forfeiture of any payment under the terms of this Agreement ("Artist(s) Default"). In the event of Artist(s)' Default, the Presenter shall allow EastCoast to provide a reasonable substitute Artist(s) for the Services under the same terms and conditions of this Contract ("Substituted Services") and Presenter shall be liable to pay for the Substituted Services under the terms and conditions of this Contract.

5. Artist(s)' Representative shall enforce disciplinary measures for just cause, and carry out instructions as to selections and manner of performance. On behalf of the Presenter, the Artist(s)' Representative will distribute the amount received from the Presenter to the Artist(s), or in place thereof, provide a separate memorandum to the Presenter at or before the commencement of the Services indicating the proper disbursement to each individual Artist(s).

6. Neither the Presenter nor the Artist(s) shall have the right to cancel its obligations under this Contract unless such cancellation is based upon a force majeure event (as defined below) in accordance with the terms and conditions of this paragraph and subsequently agreed to in a writing signed by the Presenter, Artist(s) and ECE. For the purposes of this paragraph, a force majeure event ("Event") shall be defined as unforeseeable unavoidable and external causes or circumstances beyond the reasonable control and without fault or negligence of the party affected thereby, such as acts of God, governmental regulation, war, acts of terrorism, weather, floods, fires, accidents, strikes, order of civil or military authority, hostilities, rebellion, revolution, civil war, riot, curtailment or interruption of transportation facilities, proven serious illness of the Artist(s), or other causes which wholly or partly prevent the performance of the contractual obligations, but specifically excluding (i) economic factors alone, and (ii) epidemics or pandemics. If an Event occurs, the Presenter, Artist(s), or ECE may initiate a request for cancellation of this Contract pursuant to this section by providing written notice within reasonable time to each of the Presenter, Artist(s) and East Coast, as applicable, stating specifically what Event they believe has occurred. A reasonable period of time shall be defined as no more than ten (10) and no fewer than two (2) days prior to the date of performance. If cancellation is requested under this section, and the Presenter, Artist(s) and East Coast all agree in writing that an Event has occurred which would render the performance of the contract impossible and/or illegal, then the Performance shall be cancelled, and if paid, the Deposit and the Balance shall be refunded to Presenter except as follows: (i) if at the time of the foregoing cancellation decision the Deposit and/or Balance has already been paid to either the Artist or a third party, the Deposit and/or Balance are nonrefundable unless repayment is otherwise agreed to by the Artist or third party; or (ii) if at the time of the foregoing cancellation decision due to an Event the Deposit and/or Balance has not been paid to the Artist(s), and the Artist(s) was ready, willing and able to perform, Presenter shall reimburse Artist(s) for Artist(s) out-of-pocket travel expenses incurred in attending or preparing to attend at the location of the performance, and Presenter will pay twenty percent (20%) of the gross contract price to EastCoast for services rendered. EastCoast may withhold the foregoing amounts from any Deposit or Balance already paid. This provision shall be the sole remedy of the Presenter and Artist(s) in the event either the Presenter or Artist seek to cancel the contract and/or excuse non-performance due to an Event. The Presenter and Artist(s) specifically agree that the common law doctrines of impossibility of performance, impracticability of performance and/or frustration of purpose are waived under the terms of this Contract. This provision is not self-executing by the Presenter or Artist(s), but requires agreement among and between the Presenter, Artist and EastCoast that an Event which would render the performance of the contract impossible and/or illegal has occurred.

COVID-19 Exception: The following applies if the requested Contract cancellation arises out of or is related in any way to, or is because of any possible issues or circumstances related to the COVID-19 virus and/or a COVID-19 variant (either singularly or collectively "COVID 19 reasons"). COVID-19 reasons are not an Event to excuse nonperformance of this Contract pursuant to paragraph 6. However, either the Presenter or Artist may seek to reschedule due to a COVID-19 reason in accordance with the following: The Presenter or Artist may send written notice to EastCoast no later than thirty (30) days prior to the scheduled performance date requesting to reschedule for a later date due to COVID-19 reasons that are specified in writing, and if the Artist, Presenter and EastCoast all agree in writing to reschedule the performance to a mutually acceptable date, the Presenter's Deposit and Balance will be credited towards the rescheduled performance. If the reschedule request due to Covid-19 reasons is by the Presenter, and the Artist and EastCoast in their sole discretion determine that in good faith there can be no rescheduling, then the Presenter will be liable only for all out-of-pocket expenses (e.g. nonrefundable prepayments for travel or production) incurred by the Artist due to the reschedule request of the performance date plus 50% of the gross contract price which shall be paid to EastCoast, and the remaining Deposit, if any, shall be refunded to the Presenter. If due to COVID-19 reasons the Presenter chooses not to reschedule the Performance and the Artist and EastCoast in their sole discretion determine that the failure to reschedule is not in good faith, no amount of the Deposit shall be returned to the Presenter and the full amount of the gross contract price remains due and owing.

Attachment: Firecracker Fest 2023 East Coast Entertainment contract (Firecracker Fest Main Band)

7. Notwithstanding the provision of Paragraph 6, for outdoor shows, unless Presenter has an alternative indoor location acceptable to the Artist(s), Presenter assumes all weather - related risk and shall pay Artist(s) the full amount of the Gross Price in the event the performance is cancelled due to inclement weather. The only time an outdoor event may be cancelled pursuant to Paragraph 6 herein is if the weather-related risk would cause a similar indoor event to be cancelled.

8. Once signed by both parties, this Contract constitutes the sole, complete and binding Contract between the Artist(s) and the Presenter. EastCoast acts only as agent or consultant and assumes no personal responsibility or liability as between the Presenter and Artist(s).

9. The Presenter is responsible for filing IRS Form 1099, if applicable, on all payments made to the Artist(s) under this Contract, regardless of whether such payments are made to EastCoast, or to the Artist(s) directly.

10. The Presenter shall be responsible for any and all additional costs or expenses (other than the payment of federal or state income taxes which may be owed by Artists(s) or EastCoast) or other venue requirements associated with or related to this Contract or for the performance of obligations under this Contract, including, but not limited to (i) taxes, fees or other assessments imposed by any governmental or regulatory authority (other than the payment of federal or state income taxes which may be owed by Artist(s) or EastCoast), (ii) fees, assessments or other charges or requirements (venue-mandated rigging, audio-visual costs, electrical costs and/or additional costs caused by union-venue contracts) imposed by the performance venue, (iii) insurance requirements and related premiums required by the performance venue of either the Presenter or Artist, (iv) fees, assessments or other charges or requirements associated with the performance of copyrighted works, and (v) any health and safety requirements for appearing at the venue. Neither EastCoast nor Artist(s) shall be required to execute any agreement with the Presenter's venue.

11. The Presenter shall be responsible for any damage which occurs to the Artist(s)' equipment during the engagement if said damage is caused by either the Presenter or any person(s) attending the engagement either as a guest or member. Representatives of EastCoast are assured free and unrestricted access to the location of the Contract performance during said performance.

12. In consideration of the services rendered by EastCoast, in securing this booking and other good and valuable consideration, receipt of which is acknowledged by the Artist(s) and the Artist(s)' Representative, the Artist(s) and the Artist(s)' Representative, jointly, individually and severally, agree to book all bookings from the above Presenter for a period starting on the Contract Date and ending twenty-four (24) months after the performance date set out above, through EastCoast ("Future Bookings"). It is further agreed that the Artist(s) or Artist(s)' Representative will pay a placement fee equal to 20% of the gross price agreed upon, for Future Bookings and will refer all inquiries for Future Bookings for the Presenter to EastCoast. It is further agreed that any Future Bookings booking secured for the Artist(s) or Artist(s)' Representative, whether by oral or written Contract from said Presenter for which EastCoast books the Artist(s), the Artist(s) will give EastCoast an exclusive right to represent Artist(s) in that account or for that Presenter for a period of twenty-four (24) months from the performance date set out above. EastCoast shall be entitled to an injunction to enforce its rights hereunder and to restrain any of the aforementioned unauthorized acts regarding competing with EastCoast.

13. Additionally, it is further agreed that neither the Artist(s), or the Artist(s)' Representative, will not either individually, jointly, or severally, nor through another agent or manager, attempt to book other Artist(s) or entertainment of any type to said Presenter for a period of twenty-four (24) months after the performance date of this Contract. If said Artist(s), or the Artist(s)' Representative breaches this Contract, they shall be jointly and severally liable for liquidated damages equal to 20% of the gross amount paid to any Artist(s), or entertainment of any kind, who is booked or performed for a Presenter in breach of the covenants contained in this Contract, plus reasonable attorneys' fees, court costs and legal interest related to the collection thereof.

14. Artist(s) are engaged by Presenter as an independent contractor with respect to the Services herein.

15. Artist(s) understands and agrees that they are liable to Presenter for Artist(s) own acts of willful misconduct or gross negligence.

16. This Contract is executed and delivered in the Commonwealth of Virginia and shall be construed and enforced in accordance with the laws of such state without regard to the choice of law provisions therein. The parties consent to venue in either Federal Court, Eastern District of Virginia, Richmond Division, or the Circuit Court in the County of Chesterfield and each party consents to personal jurisdiction in Virginia for the purposes of any action.

17. The parties may execute this Contract in any number of counterparts. Any counterpart or composite of counterparts executed by one or more parties shall be admissible in any formal proceeding as legal proof of the executing parties' Contract and intent to be legally bound. Any party may execute and deliver a counterpart of this Contract to another party via Electronic Signature which includes (i) a telephonic facsimile, (ii) an electronically scanned signature inserted in the electronic copy of the Contract, (iii) an electronic signature, or (iv) an e-mail or other written electronic communication clearly evidencing acceptance and intent to be legally bound. The transmitting party's Electronic Signature shall have the same force and effect as an original physical signature on a physical counterpart delivered to the other party.

18. Each signatory to this Contract warrants and represents that he/she/they are authorized to sign on behalf of and to bind the party or parties on whose behalf he/she/they sign, and that the he/she/they are not a minor and have legal capacity to contract.

19. No finding that any provision herein is invalid or unenforceable for any reason shall affect the validity or enforceability of the remaining provisions herein.

20. Any waiver by EastCoast of any term or provision of this Contract benefiting EastCoast shall not be considered as a waiver of any subsequent breach or breaches of any term or provision by said Artist(s), the Artist(s)' Representative or the Presenter. A waiver by any party of any breach or default hereunder shall not constitute a waiver of any subsequent breach or default.

21. The Presenter assumes the risk for any COVID-19 related vaccination requirements that the venue may require. The Artist(s) make no representation or guarantee that the Artist(s) are vaccinated as of the Performance Date.

22. EastCoast is a third party beneficiary of the terms of this Contract between the Presenter and the Artist. EastCoast's signature, if any, to this Contract is only as to the obligations between the Artist and EastCoast or as otherwise specifically stated herein.

Presenter Initials

FANTASY BAND

2021 Rider



We are honored you chose ***Fantasy!*** This rider will hopefully answer many questions you may have, but please feel free to contact Steve Ervin (bandleader) directly (803) 412-5344. This rider lists our needs in an ideal situation, but we understand every venue and event is different so please communicate any variations in advance and we will do our best to accommodate! We want your event to be worry free!

Make balance cash or check payable to:

Fantasy Band

*Prior to the start of the event

PARKING AND LOAD IN

- Presenter is responsible for arranging and paying for parking at the venue for a reasonable and mutually agreeable # of vehicles. If parking is not available onsite then an alternate lot within walking distance is acceptable.

POWER/STAGE

- Please have (4) **separate** 120v / 20a circuits or 1x220v/50a circuit available for the Artist's **exclusive use**. In the event of generator usage please provide 6000 watts with 50-60 amp capacity at "rated power".
- Preferred stage size is 20' x 12'. Smaller stages may work but must be approved by Artist. If no stage is available, Artist will perform on flat, level, hardwood or concrete/tile surface.

SETUP/SOUNDCHECK

- A minimum of (3) hours for setup and sound check is requested.
- Artist needs (60) minutes after end of event for load out. Please communicate any "hard end times" to bandleader so he can plan end of performance accordingly.

DRESSING ROOM

- Artist requests a clean/lockable green room large enough to accommodate approximately (7-10) people comfortably. This room allows the band to secure their personal belongings during performance and re-energize during breaks. Every venue is different so please ask your contact where bands are typically housed (*ie conference room, bridal suite, employee break room, etc*)
- Water and assorted beverages would be greatly appreciated and if you provide a trash can we will clean up after ourselves!
- Private restrooms (Male and Female) preferred if venue layout allows (separate from the restrooms your guests will be using).

STEVE ERVIN | 803-412-5344 fantasyband5@aol.com

FANTASY BAND

2021 Rider

HOT MEAL

- Artist requests a hot meal for **band + crew**. Please contact Steve Ervin (803) 412-5344 prior to finalizing catering order to discuss specific # and any allergies and dietary restrictions.
- The group will accept a \$25 cash buyout in lieu of a meal.
- A well-fed band is a happy band and it shows in our performance!

F.A.Q.

Thank you for booking **Fantasy** for your private event. This FAQ will inform the Presenter of both standard and optional services. Please address any further questions to your ECE agent.

Will you emcee the event? Band will emcee, making announcements as needed. If announcements include proper names, jargon, or words which our college-educated, housebroken, emcee might not know, please provide pronunciation clues. For "Daria Nieder," You could either write phonetically "DAR-ee-uh" or say "Nieder rhymes with 'neater'."

Are there hidden fees? Unless specified in the contract, we cover all travel, rooms, instruments, PA appropriate for indoor events which expect 50-300 guests, and stage lighting. You provide the venue, the power, and the very basic catering described in our rider. If your event is outdoors, see the outdoor rider for further details.

Can we use your microphones? We have microphones for your use during welcoming remarks, toasts, speeches, blessings, etc. **PRO TIP:** To be heard, get your lipstick on that microphone!

Can we pick out some songs from your list? Please tell us your favorites, so we can include them; tell us songs that you don't care for, and we'll happily leave them out. Trust us to handle the flow and order of the songs, however, as we know how to build the energy throughout the event.

Will you learn a song for us? The band will absolutely learn one (1) song not already on its playlist for any private / corporate event. For weddings this is typically an abridged "first dance" song. We take this responsibility seriously and must therefore limit this service so we can learn, arrange, rehearse and perform high quality versions for each client's special requests. Many popular "special dance" songs are already in our repertoire, so if you don't see it; ask!

A few things to note for weddings:

- Covers are interpretations of the song to the best of the band's ability musically and vocally. Expect slight variations in tempo and style from original recording.
- The band is NOT equipped to pre-record the songs for choreographed dance rehearsal's sake. If the couple is taking dance lessons/practicing to original recording we strongly recommend you use the recorded version at the wedding. We provide the sound system and you provide the recording!

How many breaks does the band take? The band prefers to play **(2) 1.5 Hour sets** depending on your specific timeline. It's critical the band receives a detailed timeline prior to your event outlining load-in times, arrival times for guests and the flow of the evening.

STEVE ERVIN | 803-412-5344 fantasyband5@aol.com

FANTASY BAND

2021 Rider

Can you play pre-recorded music on the breaks? We have playlists which help us deliver a seamless night of entertainment even when the band is not on stage. That said, many of our clients enjoy putting playlists together for the band breaks. We're happy to facilitate by playing your device through our PA system in clear stereo sound.

What should we plan for gratuity? How kind of you to ask! Tips are never expected, but always appreciated if you feel the band has gone above and beyond.

ADDITIONAL OPTIONS AVAILABLE FOR *Fantasy* CLIENTS:

- Ceremony PA w/ wireless mics
- Multiple ceremony instrument packages
- Multiple cocktail hour instrument packages
- Additional horns can be added to the core band
- Additional Female Singer can be added to the core band

Outdoor Rider

The purpose of this rider is to inform the Presenter of the risks and obligations of sponsoring an outdoor event, and to clarify the provisions involved with the three primary problems of outdoor events: inclement weather, unsafe staging areas, and risk to Artist-owned equipment.

The Presenter understands that outdoor events, in particular those without alternate indoor facilities, are risky due to inclement weather conditions and that the Presenter is prepared to assume responsibility for the risks involved.

For protection of artist and event attendees, the Artist will not be obligated to perform on wet or damp surfaces or under conditions where precipitation poses a safety threat to the Artist, road crew, guests, or the Artist's equipment. Outdoor stages MUST be completely covered, rain or shine. For health and safety reasons, the Artist will not be obligated to perform in an outdoor environment where the temperature is less than 55 degrees Fahrenheit without onstage electric heaters (revised power needs must be discussed). Temperatures in excess of 90 degrees **may** require the band to play shorter sets/take longer breaks. A cooler full of iced bottled waters must also be provided on stage FOR BAND USE ONLY. Break room should be in a cool area (air-conditioned preferred).

For protection of equipment and investment, the Artist will not be obligated to perform on an uncovered stage—even when there is no threat of precipitation. *(You wouldn't leave your laptop out in the sun for hours at a time. Similarly, Artist-owned computers and computer-based digital equipment require shade in order to function correctly.)*

Bands utilize speaker systems created for indoor events. While suitable for outdoor and tented events, wind and wireless frequency disruptions are NOT the responsibility of the band. ***Fantasy*** will do everything in their power to mitigate wind disruption and/or frequency interference by having a wired mic available as backup. Presenter understands that no financial reparations will be offered for factors outside of the band's control *(ie ceremonies on the lake with passing boats, windy winery days, etc.)*

STEVE ERVIN | 803-412-5344 fantasyband5@aol.com

FANTASY BAND

2021 Rider

THE PRESENTER UNDERSTANDS AND AGREES TO THE FOLLOWING:

1. Should unsafe performing conditions, risk to equipment, or inclement weather, as defined above, prevent the Artist from performing, the full amount contracted is due to the Artist upon demand.
2. Upon arrival of the Artist, road crew, or equipment, the Presenter will determine where the Artist should set up its equipment. Should conditions change and become unacceptable, as defined above, after the Artist has begun to set up, the Presenter is obligated to pay the Artist upon demand. The Artist will not begin to set up more than once, and is not obligated to set up a second time.
3. Should the Presenter decide to utilize an alternate indoor location in anticipation of inclement weather, and the inclement weather conditions fail to materialize, the Artists are not obligated to set up their equipment a second time. The Artist will perform at the Presenter's indoor location, and will be paid in full.
4. An outdoor stage must meet four requirements: It must be a *level, dry, covered*, and a *manmade* surface. Although some Artists do, ***Fantasy*** does not require a "raised" stage.

Presenter Signature

Date

Attachment: Firecracker Fest 2023 Fantasy Band Rider (Firecracker Fest Main Band)

STEVE ERVIN | 803-412-5344 fantasyband5@aol.com

FANTASY BAND

2021 Rider



We are honored you chose ***Fantasy!*** This rider will hopefully answer many questions you may have, but please feel free to contact Steve Ervin (bandleader) directly (803) 412-5344. This rider lists our needs in an ideal situation, but we understand every venue and event is different so please communicate any variations in advance and we will do our best to accommodate! We want your event to be worry free!

Make balance cash or check payable to:

Fantasy Band

*Prior to the start of the event

PARKING AND LOAD IN

- Presenter is responsible for arranging and paying for parking at the venue for a reasonable and mutually agreeable # of vehicles. If parking is not available onsite then an alternate lot within walking distance is acceptable.

POWER/STAGE

- Please have (4) **separate** 120v / 20a circuits or 1x220v/50a circuit available for the Artist's **exclusive use**. In the event of generator usage please provide 6000 watts with 50-60 amp capacity at "rated power".
- Preferred stage size is 20' x 12'. Smaller stages may work but must be approved by Artist. If no stage is available, Artist will perform on flat, level, hardwood or concrete/tile surface.

SETUP/SOUNDCHECK

- A minimum of (3) hours for setup and sound check is requested.
- Artist needs (60) minutes after end of event for load out. Please communicate any "hard end times" to bandleader so he can plan end of performance accordingly.

DRESSING ROOM

- Artist requests a clean/lockable green room large enough to accommodate approximately (7-10) people comfortably. This room allows the band to secure their personal belongings during performance and re-energize during breaks. Every venue is different so please ask your contact where bands are typically housed (*ie conference room, bridal suite, employee break room, etc*)
- Water and assorted beverages would be greatly appreciated and if you provide a trash can we will clean up after ourselves!
- Private restrooms (Male and Female) preferred if venue layout allows (separate from the restrooms your guests will be using).

STEVE ERVIN | 803-412-5344 fantasyband5@aol.com

FANTASY BAND

2021 Rider

HOT MEAL

- Artist requests a hot meal for **band + crew**. Please contact Steve Ervin (803) 412-5344 prior to finalizing catering order to discuss specific # and any allergies and dietary restrictions.
- The group will accept a \$25 cash buyout in lieu of a meal.
- A well-fed band is a happy band and it shows in our performance!

F.A.Q.

Thank you for booking **Fantasy** for your private event. This FAQ will inform the Presenter of both standard and optional services. Please address any further questions to your ECE agent.

Will you emcee the event? Band will emcee, making announcements as needed. If announcements include proper names, jargon, or words which our college-educated, housebroken, emcee might not know, please provide pronunciation clues. For "Daria Nieder," You could either write phonetically "DAR-ee-uh" or say "Nieder rhymes with 'neater'."

Are there hidden fees? Unless specified in the contract, we cover all travel, rooms, instruments, PA appropriate for indoor events which expect 50-300 guests, and stage lighting. You provide the venue, the power, and the very basic catering described in our rider. If your event is outdoors, see the outdoor rider for further details.

Can we use your microphones? We have microphones for your use during welcoming remarks, toasts, speeches, blessings, etc. **PRO TIP:** To be heard, get your lipstick on that microphone!

Can we pick out some songs from your list? Please tell us your favorites, so we can include them; tell us songs that you don't care for, and we'll happily leave them out. Trust us to handle the flow and order of the songs, however, as we know how to build the energy throughout the event.

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STEVE ERVIN | 803-412-5344 fantasyband5@aol.com

FANTASY BAND

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STEVE ERVIN | 803-412-5344 fantasyband5@aol.com

FANTASY BAND

2021 Rider

THE PRESENTER UNDERSTANDS AND AGREES TO THE FOLLOWING:

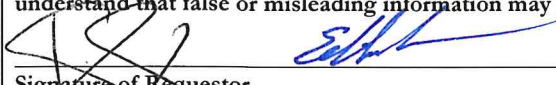
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Presenter Signature

Date

Attachment: Firecracker Fest 2023 Fantasy Band Rider (Firecracker Fest Main Band)

STEVE ERVIN | 803-412-5344 fantasyband5@aol.com

SOLE SOURCE JUSTIFICATION FORM BULLOCH COUNTY PURCHASING OFFICE			
DATE	03/21/2023	REQUISITION NO.	
DEPARTMENT INFORMATION			
Department	Parks and Recreation	Department Head	Eddie Canon
VENDOR INFORMATION			
Vendor Name	East Coast Entertainment		
Street Address	PO Box 73210		
City	North Chesterfield		
State and Zip Code	VA 23235		
Phone Number	1-855-323-4386		
Fax Number			
E-mail or Web Site Address	Carrie Couch ccouch@bookece.com		
Please specifically justify why the items or services to be approved for sole source treatment:			
<p>Over the years we have found that no one band offers the same musical product, service or choreography. That makes the bid process for a musical performance obsolete based on the inability to develop specifications on product. Based on staff review of recorded performances and reputation, as well as past performances at this event. We recommend the use of "Fantasy Band" as the main band for entertainment for Firecracker Fest Celebration to be held on July 1, 2023.</p>			
CHECK	SOLE SOURCE CONSIDERATIONS		
X	Exclusive Rights: Item is proprietary under patent or copyright; or possesses a unique function or capability held by single vendor possessing capabilities critical for use (if item is proprietary but available from more than one source, competitive proposals are required).		
	Replacement Parts, Equipment or Accessories: Needed for repair of existing equipment where compatibility is essential for integrity of results and there are no other dealers or distributors.		
X	Technical Service: Service provided is of a highly specialized or scientific nature where proposed vendor is the only resource available or within the geographic area.		
	Continuation of Prior Work: Additional item, service or work required, but not known to have been needed when the original order was placed with vendor		
	Other: Otherwise, due to special scientific, technological, or extraordinary specifications and circumstances, the goods or services is available from only one vendor.		
ATTACH THE FIRM PRICE QUOTATION AND PURCHASE REQUISITION FORM FROM THE SOLE SOURCE VENDOR. QUOTED PRICES SHALL BE FIRM FOR 30 DAYS AND SHALL BE DELIVERED FOB: BULLOCH COUNTY.			
I hereby declare that the information provided herein to be true and accurate to the best of my knowledge and I understand that false or misleading information may be a violation of County Purchasing Policies.			
 Signature of Requestor			
IF THE PURCHASE IS \$10,000.00 OR MORE, APPROVAL IS REQUIRED BY THE BOARD OF COMMISSIONERS			

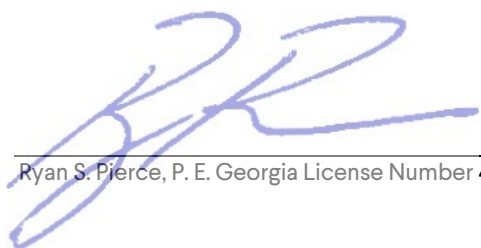
BID TABULATION

**REHABILITATION OF RUNWAY 6/24
STATESBORO-BULLOCH COUNTY AIRPORT
BULLOCH COUNTY, GEORGIA
GMC PROJECT NO.: TAUG220008**

MARCH 21, 2023

					ENGINEER'S ESTIMATE		REEVES CONSTRUCTION COMPANY GARDEN CITY, GEORGIA	
ITEM NO.	SPEC NO.	QTY.	UNIT	DESCRIPTION	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
BID								
1	402-3130	6,410	TON	Recycled Asph Conc 12.5 mm Superpave, GP 2 Only, Incl Bitum Matl & H Lime	\$105.00	\$673,050.00	\$120.00	\$769,200.00
2	413-0750	10,590	GAL	Tack Coat	\$3.50	\$37,065.00	\$3.50	\$37,065.00
3	415-1000	2,840	TON	Asphaltic Concrete Open Graded Crack Relief Interlayer, GP Blend, Including Bituminous Material and H Lime	\$115.00	\$326,600.00	\$140.00	\$397,600.00
4	432-0208	8,060	SY	Mill Asph Conc, 2" depth	\$3.00	\$24,180.00	\$5.00	\$40,300.00
5	C-105	1	LS	Mobilization	\$125,767.50	\$125,767.50	\$125,000.00	\$125,000.00
6	L-108-5.1	160	LF	Trenching	\$45.00	\$7,200.00	\$7.00	\$1,120.00
7	L-108-5.2	160	LF	No. 8 AWG, 5kV, L-824, Type C Cable, Installed in Trench	\$35.00	\$5,600.00	\$8.50	\$1,360.00
8	L-108-5.3	160	LF	No. 6 AWG, Solid, Bare Copper Counterpoise Wire, Installed in Trench, Including Connections/Terminations	\$30.00	\$4,800.00	\$8.50	\$1,360.00
9	L-125-5.1	2	EACH	Taxiway Light Removal	\$500.00	\$1,000.00	\$450.00	\$900.00
10	P-101-5.2	1	LS	Removal of Paint and Foreign Substances/Contaminates	\$30,000.00	\$30,000.00	\$35,000.00	\$35,000.00
11	P-101-5.6	8,580	SY	Joint and Crack Sterilization	\$0.50	\$4,290.00	\$1.61	\$13,813.80
12	P-620-5.1	45,530	SQ FT	Permanent Pavement Marking, Reflective White (Type III) with Type III Beads, Include Microbicide	\$2.00	\$91,060.00	\$0.96	\$43,708.80
13	P-620-5.2	610	SQ FT	Permanent Pavement Marking, Reflective Yellow (Type III) with Type III Beads, Include Microbicide	\$2.00	\$1,220.00	\$0.96	\$585.60
14	P-620-5.3	45,530	SQ FT	Temporary Runway Marking, White (Type II), Include Microbicide	\$1.50	\$68,295.00	\$0.46	\$20,943.80
15	P-620-5.4	610	SQ FT	Temporary Taxiway Marking, Yellow (Type II), Include Microbicide	\$1.50	\$915.00	\$0.46	\$280.60
TOTAL BID					\$1,401,042.50		\$1,488,237.60	

To the best of our knowledge, these bids are accurately tabulated and were accepted in accordance with applicable regulations.



Ryan S. Pierce, P. E. Georgia License Number 40043

Attachment: Bid Tab - Statesboro 6-24 Rehab (Runway 6/24 Rehab Notice of Award)

**SECTION 00510
NOTICE OF AWARD**

To: Reeves Construction Company Date: _____
100 Morgan Industrial Boulevard Project: Rehabilitation of Runway 6/24
Garden City, GA 31408 Statesboro-Bulloch County Airport

The OWNER has considered the BID submitted by you dated March 21, 2023 for the above-described WORK in response to its Advertisement for Bids and Instructions to Bidders.

You are hereby notified that your BID has been accepted for items in the amount of \$1,488,237.60.

You are required by the Instructions to Bidders to execute the Agreement, submit the Payment Bond, Performance Bond and Certificates of Insurance, within fifteen (15) calendar days from the date of this Notice to you.

Failure to comply with these conditions within the time specified will entitle OWNER to consider you in default, annul this Notice of Award and declare your Bid Security forfeited.

You are required to return an acknowledged copy of this NOTICE OF AWARD to the OWNER.

Dated this _____ day of _____, 20____

Bulloch County Commissioners
Owner

By: Roy Thompson

(s) _____

Title: Chairman

ACCEPTANCE OF NOTICE

Receipt of the above NOTICE OF AWARD is hereby acknowledged by

Dated this ____ day of _____, 20____. Reeves Construction Company
Contractor

By: Scott Newman

(s) _____

Title: Asst. Secretary / Region Manager

END OF SECTION

Attachment: Notice of Award (Runway 6/24 Rehab Notice of Award)



Goodwyn Mills Cawood

801 Broad Street
Suite 900
Augusta, GA 30901

T (706) 251-9099
F (770) 955-1064

www.gmcnetwork.com

March 27, 2023

SENT VIA EMAIL

Mr. Roy Thompson, Chairman
Bulloch County Board of Commissioners
115 N. Main Street
Statesboro, GA 30458

**RE: Rehabilitation of Runway 6/24
Statesboro-Bulloch County Airport
Statesboro, Georgia
GMC Project No. TAUG220008**

Dear Chairman Thompson:

We have reviewed the bid submitted on March 21, 2023 for the above referenced project and find it to be in order. Reeves Construction Company submitted the low responsive bid in the amount of \$1,488,237.60.

Therefore, GMC recommends award of the contract in the amount of \$1,488,237.60 to Reeves Construction Company. I have attached the *Bid Tabulation* for your records.

Upon award, please sign the attached *Notice of Award* and return it to us for further processing.

If you have any questions, please do not hesitate to contact us.

Yours truly,

Jeff Hester, Aviation Manager
Project Manager

JH/ps

Enclosure(s)

Attachment: Recommendation of Award-Statesboro RW 6-24 Rehab (Runway 6/24 Rehab Notice of Award)



PLANNING AND DEVELOPMENT DEPARTMENT

MEMORANDUM

DATE: March 16, 2023
TO: Board of Commissioners
FROM: James Pope, AICP
CC: Tom Couch, CM
RE: **Recommendation for Long Range Transportation Plan Planning Contractor**

The Bulloch County Board of Commissioners, on behalf of the City of Statesboro and Bulloch County, have accepted proposals from qualified professional consultants for the purpose of updating the 2009 Statesboro-Bulloch County Long Range Transportation Plan. On January 19th, 2023, 4 proposals were received; it was determined each firm met the basic requirements of the Request for Proposal. The RFP review team, consisting of seven Bulloch County and three City of Statesboro staff members, reviewed each proposal independently and scored proposals according to the following criteria: methods & approach, capability & qualifications, schedule, price proposal. Upon scoring and summary, the committee requested oral interviews with each of the four contractors. Interviews were held Monday, February 13th, and Tuesday February 14th. Following the interviews, the review team scored the proposals for a second time, then reconciled tangible and intangible factors to select a finalist.

Based on the strength of the interviews (which were very close), and the price proposals (which are competitive) we are recommending the selection of Goodwin Mills Cawood. Please remember this approval will allow staff to enter negotiations with the firm to finalize the project budget and scope.

Vendor Submittals
Goodwin Mills Cawood
Atlas
Croy
WSP

Review Team	
Bulloch County	City of Statesboro
Tom Couch, ICMA-CM, AICP	Kathy Fields
Cindy Steinmann	John Washington, PE
James Pope, AICP	David Moyer, PE
Brad Deal, PE	
Randy Newman	
David Campbell	

Attachment: Irtp commission memo (Long Range Transportation Plan Planning)

**AMENDMENT TO THE CODE OF ORDINANCES OF
BULLOCH COUNTY, GEORGIA**

BE IT ORDAINED by the Bulloch County Board of Commissioners that the Code of Ordinances of Bulloch County, Georgia is hereby amended by adding a new Article V to Chapter 6.5 to read as follows:

ARTICLE V. STORMWATER CONTROL

DIVISION 1. GENERALLY

Sec. 6.5-64. - Title of article.

This article shall be known as the county stormwater control ordinance.

Sec. 6.5-65. - Purpose of article.

The purposes of this article are to promote the public health, safety and welfare of the citizens of the county in regard to stormwater drainage and flood conditions, and development as it relates to these concerns. The provisions are specifically designed to:

- a) Restrict or prohibit uses which are dangerous to health, safety and property due to stormwater drainage, collection and disposal, or flood heights or velocities.
- b) Require that uses of property vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction.
- c) Control the alteration of natural floodplains, stream channels, drainage patterns, wetlands and natural protective barriers which are involved in the accommodation of flood and drainage waters.
- d) Control filling, grading, dredging and other development which may increase flood and stormwater drainage damage.
- e) Prevent or regulate the construction of flood barriers which will unnaturally divert floodwaters or which may increase flood hazards to other lands.

Sec. 6.5-66. - Rules

In the construction of these regulations, the rules and definitions contained in this section shall be observed and applied, except when the content clearly indicates otherwise:

- a) Words used in the present tense shall include the future, and words used in the singular number shall include the plural number, and the plural, the singular.
- b) The word "shall" is mandatory and not discretionary.
- c) The word "may" is permissive.

d) The masculine gender includes the feminine and neuter.

Sec. 6.5-67. - Definitions

As-built drawings means amended site plans specifying the locations, dimensions, elevations, capacities and operational capabilities of road and drainage structures and facilities as they have been constructed.

County engineer means the county engineer for Bulloch County, or his or her designee responsible for enforcing this article.

Construction means any alteration of land for the purpose of achieving its development or changed use, including particularly any preparation for, building of or erection of a structure or impervious surfaces, such as parking lots.

Cut means a portion of land surface or area from which earth has been removed or will be removed by excavation, or the depth below the original surface to the excavated surface, and is also known as excavation.

Detention facility means a facility which provides for storage of stormwater runoff and controlled release of this runoff during a storm.

Developer means any person who acts in his own behalf or as the agent of an owner of property and engages in alteration of land or vegetation in preparation for construction activity.

Development means any action in preparation for construction activities which results in alteration of either land or vegetation.

Drainage is a general term applied to the removal of surface or subsurface water from a given area either by gravity or by pumping, commonly applied to surface water.

Drainage system means the surface and subsurface system for the removal of water from land, including both the natural elements of streams, marshes, swales and ponds, whether of an intermittent or continuous nature, and the manmade element, which includes culverts, ditches, channels, retention or detention facilities and the stormwater sewer system and easements in which the facilities are contained.

Erosion means the process by which land surface is worn away by the action of wind, water, ice or gravity.

Erosion and sediment pollution control plan means a plan for the control of soil erosion and sediment pollution resulting from a land-disturbing activity.

Existing grade means the original elevation of the ground surface prior to cutting or filling.

Federal Emergency Management Agency or FEMA means the agency charged with developing and enforcing regulations from the National Flood Insurance Program (NFIP).

Fill means a portion of land surface to which soil or other solid material has been added; the depth above the ground surface.

Filling means the placement of any soil or solid material, either organic or inorganic, on a natural ground surface or an excavation.

Finished grade means the final elevation and contour of the ground surface after cutting or filling and conforming to the proposed design.

Flood means a temporary rise in the level of rivers, streams and lakes which results in inundation of areas not ordinarily covered by water.

Flood hazard boundary map or FHBM means an official map of a community, issued by the Federal Insurance Administration, where the boundaries of the areas of special flood hazard have been designated as zone A.

Flood insurance rate map or FIRM means an official map of a community on which the Federal Insurance Administration has delineated both the areas of special flood hazard (100-year flood) and the risk premium zones applicable to the community.

Flood insurance study means the official report provided by the Federal Insurance Administration. The report contains flood profiles, as well as the flood hazard boundary-floodway map and the water surface elevation of the base flood.

Grading means altering the shape of ground surfaces to a predetermined condition; this includes stripping, cutting, filling, stockpiling and shaping or any combination thereof, and shall include the land in its cut or filled condition.

Hydraulics means the branch of applied mechanics dealing with the behavior of stormwater either on the surface or within designed drainage structures.

Hydrology means the branch of applied mechanics dealing with the behavior of fluid above or below the earth's surface in its natural environment.

Impervious surface means any constructed surface which prevents or impedes the infiltration of stormwater into the soil as it entered in natural conditions prior to development, such as asphalt, concrete, rooftops, structures, walkways, and compacted gravel.

Intermediate floodplain or 100-year floodplain means the land areas within the intermediate regional floodplain elevation contours as defined on Bulloch County's flood hazard map.

Intermediate regional flood or 100-year flood means a 100-year frequency flood as defined on the flood hazard map, which has a probability of occurring once every 100 years or has a one percent chance of occurring each year.

Land-disturbing activity means any activity which may result in soil erosion from water or wind and the movement of sediments into state waters or onto lands within the state, including but not limited to clearing, dredging, grading, excavating, transporting and filling of land, but not including those practices exempted in section 6.5-69.

Live retention means that quantity of water capable of being effectively contained by a designated facility for stormwater storage for a specified period of time.

Maintenance of detention or retention facility means preserving the enclosing walls or impounding embankment of the detention/retention facility in good condition; ensuring structural soundness, functional adequacy and freedom from sediment; and rectifying any unforeseen erosion problems.

Natural ground surface means the ground surface in its original state before any grading, excavation or filling.

Owner means the person in whom is vested the fee ownership, dominion or title of property, or the proprietor. This term may also include a tenant, if chargeable under his lease for the maintenance of the property, and any agent of the owner or tenant, including a developer.

Percolation facility means a facility that provides for storage and disposal of water by means of percolation into the soil. Also see, "retention facility."

Reach means a longitudinal segment of a stream, river or drainageway measured along specified points on the stream or river.

Retention facility means a facility which provides for storage of stormwater runoff and the controlled release of this runoff by means of percolation into the soil and/or through evaporation. This facility may contain water at all times.

Runoff means the portion of precipitation on the land which reaches the drainage system.

Runoff coefficient means the ratio of runoff to rainfall.

Sediment means solid material, both organic and inorganic, that is in suspension, is being transported, or has been moved from its site of origin by air, water, ice or gravity as a product of erosion.

Sedimentation means the process by which eroded material is transported and deposited by the action of water, wind, ice or gravity.

Sedimentation facility means a retention or detention facility specifically developed for the purpose of allowing the deposit of sediment resulting from the land development process, which may be constructed as part of or separately from a retention facility.

Slope means degree of deviation of a surface from the horizontal, usually expressed in percentage, ratio, or degrees.

Stabilization means the process of establishing an enduring soil cover of vegetation by the installation of temporary or permanent structures, for the purpose of reducing to a minimum the erosion process and the resultant transport of sediment by wind, water, ice or gravity.

State waters means any and all rivers, streams, creeks, branches, lakes, reservoirs, ponds, drainage systems, springs, wells and other bodies of surface or subsurface water, natural and artificial, lying within or forming a part of the boundaries of the state, which are not entirely confined and retained completely upon the property of a single individual, partnership or corporation.

Stormwater Maintenance & Drainage Plan (SDP) means the drainage and stormwater management plan which provides all necessary plan sheets, profiles, hydraulic calculations, culvert pipe material, size, and locations, detention basin, and all other necessary information which has been prepared, sealed and

signed by a registered engineer in the State of Georgia for a particular residential, commercial, or industrial development within Bulloch County.

Stream means natural, running water flowing continuously or intermittently in a channel or ditch on or below the surface of the ground.

Structural practices means soil and water conservation measures, other than vegetation, utilizing the mechanical properties of matter for the purpose of either changing the surface of the land or storing, regulating or disposing of runoff to prevent excessive sediment loss, including but not limited to riprap, sediment basins, dikes, level spreaders, waterways or outlets, diversions, grade stabilization structures, sediment traps, land grading, etc.

Structure means anything constructed or erected, the use of which requires a location on the ground, including but not limited to buildings, parking lots, tennis courts, fences, and swimming pools, but excluding utility facilities except as provided in this article.

Vegetative practices means measures for stabilizing areas subject to erosion or sediment-producing areas by covering the soil with:

1. Permanent seeding, sprigging or planting producing long-term vegetative cover;
2. Short-term seeding, producing temporary vegetative cover; or
3. Sodding, covering areas with a turf of perennial sod-forming grass.

Watercourse means any natural or artificial watercourse, stream, river, creek, channel, ditch, canal, conduit, culvert, drain, waterway, gully, ravine or wash in which water flows either continuously or intermittently and which has a definite channel, bed and banks, including any area adjacent thereto subject to inundation by reason of overflow or floodwater.

Sec. 6.5-68. - Compliance with article.

All development, excavation, construction, or land-disturbing activity conducted within the unincorporated area of Bulloch County, except for the activities listed in Section 6.5-69, must:

- a) Be conducted in accordance and compliance with the standards laid out in this article.
- b) Be preceded by filing of an application and a stormwater management and drainage plan (SDP) and issuance of a permit to conduct such activity.
- c) Be maintained by the owner in compliance with the principles and standards set out in division 2 of this article.

Sec. 6.5-69. - Exceptions to article.

This article shall not apply to the following activities:

- a) The construction of a single-family residence. However, plans for individual single-family lots, where located within the 100-year floodplain, shall be submitted for review and approval in accordance with the provisions of this article and other applicable provisions of this Code, including Chapter 7, Flood Damage Prevention.

- b) Any project involving the construction of less than 0.6 acres of impervious surface.
- c) Water, sewer, electric, telecommunications, and gas utilities. However, such utilities shall submit plans and obtain a right of way encroachment permit for installations located within rights-of-way or easements developed exclusively for installation of utility facilities.
- d) Development projects that are undertaken exclusively for agricultural or silvicultural purposes within areas zoned for agricultural or silvicultural land use.
- e) Any development project undertaken by the State of Georgia or any of its agencies.

Sec. 6.5-70. - Permit; filing and contents of Stormwater Management and Drainage Plans (SDP).

- a) Persons proposing development, construction or land-disturbing activity shall file an application and SDP with the Planning and Development Department which conforms to the standards set out in this article.
- b) No development, construction or land-disturbing activity may be commenced until a permit is issued upon determination that the SDP complies with the principles and standards for grading and drainage as contained in this article.
- c) A permit will be issued as soon as practical following filing of the application and SDP. If the permit is denied, the reason for the denial shall be specified in writing to the applicant.
- d) No applications shall be accepted unless accompanied by the SDP submitted in a format acceptable to the County Engineer and meeting the requirements in this section and conforming to the principles and standards described in division 2 of this article.
- e) An application shall be accompanied by appropriate fees approved by the Board of Commissioners.
- f) If a project is developed in phases, a separate permit is not required for each phase provided that an overall SDP is submitted and approved for all phases for the development, and the overall permit has not lapsed in accordance with Section 6.5-70.i.8
- g) The permit may be suspended, revoked or modified by the county engineer upon finding that the holder is not proceeding in compliance with this article or the contents of the plan filed with the County Engineer.
- h) The SDP, including all grading and drainage control plans contained therein, shall be prepared under the supervision of a registered professional engineer in the state of Georgia. Also see subsection 6.5.70-7.i.6.
- i) The SDP shall contain the following data:
 - 1) The plan shall contain a site location map of the project area indicating the location of the project in relation to the rivers and streams in the area, roadways and jurisdictional areas.
 - 2) The plan shall contain a topographic map showing existing and proposed contours, proposed drainageways, as well as existing and proposed waterways and the proposed features of the developed drainage structures, and temporary and permanent vegetative and structural erosion and sediment control measures.
 - 3) The plan shall contain a boundary line survey, prepared by a state registered surveyor, of the site on which the work is to be performed. The plan shall be shown at normal scale.

- 4) The plan shall contain a narrative including the following:
 - a. A description of the maintenance program for drainage structures as necessary to keep them free of debris build up and functioning with clear unobstructed openings and piping systems as designed.
 - b. A description of general topographic and soil conditions.
 - c. A description of the zoning classification of adjacent property and a description of existing structures, buildings and other improvements located on adjacent properties.
- 5) The site plan and supporting documentation should further include:
 - a. Evidence of compliance with the requirements of this article for grading, vegetation, alteration, erosion control, and drainage system alteration or development.
 1. Grading plans shall illustrate existing and proposed contours to one-foot intervals.
 2. Related plans shall show locations of structures, roads, surface drainage, utilities, existing and proposed drainage conduits and proposed alterations to the existing site.
 - b. A hydrologic engineering analysis of stormwater runoff under existing and proposed developed site conditions and a detailed evaluation of the projected effects on upstream and downstream properties within the affected drainage basins.
 1. This analysis shall include a determination of the culvert, floodplain and channel cross section area required to carry the affected stream at the 25- and 100-year flood stage level.
 2. A summary table shall be included for the drainage system showing a comparison between the pre-development runoff rate and the post-development runoff rate for the 2-, 5-, 10-, 25-, 50- and 100-year rainfall events.
 3. The requirements of the complete hydrologic study may be waived by the county engineer where the site plan illustrates existing and proposed improvements sufficient to ensure compliance with applicable provisions of this article.
 - c. Delineation of the boundaries and contour elevations of the 100-year floodplain as represented by the county's flood hazard maps prepared by the Federal Emergency Management Agency.
 1. The actual building site in relation to the 100-year floodplain boundaries shall be shown. For any structure allowed to be located in the 100-year floodplain, as regulated in the county's flood damage prevention ordinance, the proposed finished floor elevation of the first floor shall be shown. Upon final construction of the finished floor, the owner or his engineer or land surveyor on the owner's behalf, shall submit an elevation certification stating the installed finished floor elevation(s) of any building structures.

d. The elevation contours representing the intermediate regional flood conditions shall be shown when they are located outside established ditch banks. A benchmark suitable for determining 100-year flood elevations shall be established.

- 6) Upon development project completion, the location, size and invert elevations of pipe segments of the storm drainage system and of control weirs, and the maximum water surface elevations in retention ponds, shall be shown on the record drawings for a subdivision, and on record drawings for other developments which shall be submitted to the county engineer. The professional engineer reviewing the construction shall provide a certification that the development is in substantial compliance with approved plans for the project. When the hydraulic or hydrologic engineering analysis includes applications of the principles of flood routing, super critical flow, high energy dissipation or conversion, backwater curves, floodplain studies or other advanced hydraulic or hydrologic engineering techniques, the analysis shall be made by a current professional engineer licensed in the state and proficient in hydraulics and hydrology.
- 7) The professional engineer responsible for the drainage analysis shall certify compliance with this article as shown under section 6.5-113 of this article.
- 8) In the event the activity for which a permit is granted is not initiated within 12 months of the granting of the permit, then the permit shall lapse.

Sec. 6.5-71. - Right of entry; inspections.

- a) Upon presentation of identification to the developer, owner, owner's agent, operator or occupants, employees of the county may enter, during all reasonable hours, any property under proposed or existing development or construction. These employees may make inspections of the facilities for the purpose of determining plan requirements or compliance with the provisions of this article.
- b) The county designees may inspect any drainage system within or outside of an existing drainage easement. All drainage facilities located on private property, whether dedicated to the county or not, shall be accessible at all times for county inspection. Where drainage facilities are accepted by the county for maintenance, public access easements shall be provided. Reasonable access shall be provided to all drainage easements for inspection and maintenance functions. Where an easement does not exist for the drainage system, the permission of the owner shall be obtained before entrance; however, in the event of emergency maintenance requirements, permission of the owner shall not be mandatory.

Sec. 6.5-72. - Emergency maintenance.

- a) The county engineer or public works director may conduct emergency maintenance operations on private land and on drainage systems where emergency conditions exist, as allowed under the Bulloch County Roads and Bridges Policies. Emergency maintenance shall constitute the removal of trees and other debris which in the judgment of the county engineer or public works director creates a condition potentially injurious to life, property or the public road system.
- b) Emergency maintenance conducted on any drainage system shall not be construed as constituting a continuing maintenance obligation on the part of the county.

Secs. 6.5-73 – 6.5-80. - Reserved

DIVISION 2. DESIGN AND MAINTENANCE STANDARDS

Sec. 6.5-81. - Applicability.

The policies, design principles and standards set out in this division in regard to grading, soil erosion and sedimentation control and drainage shall be incorporated in the plans and conduct of any development, excavation, construction or land-disturbing activity within the unincorporated areas of the county, and shall be incorporated into the Stormwater Maintenance and Drainage Plan (SDP) submitted to the planning and development department in applying for a permit under this article.

Sec. 6.5-82. - Grading.

Grading of development, construction or land-disturbing activity shall be conducted in a manner that:

- a) Encourages the design of grading plans to provide natural appearance of land contours and to provide ease of use in public areas.
- b) Minimizes the adverse effect of land clearance and grading upon existing vegetation.
- c) Minimizes the adverse effects of land clearance and grading upon the drainage system by strict erosion control and sedimentation and control devices and alteration of natural or established drainage patterns.

Sec. 6.5-83. - Drainage.

- a) *Design principles.* Development, excavation, construction or land-disturbing activity shall be conducted in a manner consistent with the following principles:
 - 1) Maintaining, where feasible, the natural environment of county streams or drainageways through reduction of flow quantities resulting from new development and, where feasible, restoring the floodplain to its natural functional purpose to resolve existing flooding problems, but recognizing the necessity of using urban streams for stormwater runoff in those situations where maintenance of the natural stream environment would result in continuation or worsening of flooding conditions.
 - 2) Encouraging innovative design solutions to the effective detention/retention and reduction of runoff. Drainage control measures to retain, reduce and regulate the rate of stormwater discharge shall include but need not be limited to retention or detention ponds, percolation facilities, open space areas, and oversized storm drains with restricted outlets. In addition, the county encourages the development of retention facilities in such a manner that they will become aesthetically and recreationally beneficial to the community in which they are located.
- b) *Design and maintenance standards.* All development, construction and land-disturbing activities shall be conducted in compliance with the following standards:
 - 1) All engineering design items for storm drainage and delineation of the 100-year floodplain shall meet the applicable minimum requirements available from the county engineer. Rainfall intensities used in hydrologic computations shall not be less than shown by applicable rainfall curves published by the National Weather Service for the affected area.
 - 2) A combination of storage and controlled release of stormwater runoff shall be required for all developments and construction which will increase the peak rate of runoff from

the site by more than one cubic foot per second (cfs) for a 10-year frequency storm of 24-hour duration; however, this shall not apply to those activities specifically exempted in Section 6.5-69.

- 3) The release rate of stormwater from all developments where retention or detention is required shall not exceed the peak stormwater runoff rate from the area in its existing state from all intensities up to and including the 25-year frequency for a 24-hour storm. In the event that the county engineer determines that the existing downstream channel or storm sewer system is inadequate to accommodate the release rate provided above, then the allowable release rate shall be reduced to that rate permitted by the capacity of the downstream channel or storm sewer system.
- 4) Where it can be demonstrated by the developer that a higher stormwater release rate will not be contrary to the purpose and intent of this ordinance and where such proposed release rate will not adversely affect properties in the downstream portion of the watershed, the county engineer may permit such release to be used as deemed appropriate. Streets, blocks, lots, parks and other public grounds shall be located and laid out in such a manner as to minimize the velocity of overland flow and allow maximum opportunity for infiltration of stormwater into the ground, and to preserve and utilize existing and planned streams, channels, and detention basins, and include, whenever possible, streams and floodplain within parks and other public grounds.
- 5) The drainage system being developed shall have adequate capacity to accommodate the flow from all upstream areas for a storm of 25-year design frequency, except for areas considered to be major drainage canals. The major drainage canals shall have adequate capacity to accommodate the flow from all upstream areas for a storm of 100-year frequency.
- 6) Land uses within the 100-year floodplain shall not diminish or restrict the capacity of the channels or floodplains of the stream or its tributaries, drainage ditches or any other drainage facilities or systems, and shall not increase the 100-year elevation or velocity or concentration of flow in downstream areas. If the required hydrologic studies reveal that a request for filling or grading within the 100-year floodplain would overload the capacity of the channel downstream or increase flood stages upstream, the development permit shall be denied unless equivalent flow and storage capacity is replaced and maintained by the owner within the 100-year floodplain. Altered sections of the 100-year floodplain shall have a positive slope so as to provide positive drainage back to the stream flow line, and these sections must be maintained by the owners in perpetuity so as to prevent or remove silt buildup.
- 7) The live detention/retention storage to be provided shall be calculated on the basis of the 25-year frequency rainfall as specified by the National Weather Service for the affected areas. The detention/retention system required shall be that necessary to handle the runoff for all storm frequencies up to and including 25-year, 24-hour storm. Detention/retention control structures and other drainage improvements shall be located and designed to prevent erosion damage to adjacent property owners. Retention or detention control structures shall be sized for the release rate as presented in this section and will have provisions for overflow of the 50-year and 100-year storms without damage to the structure.

- 8) When the developer requests and the county engineer determines that development and construction projects are too small, or that engineering and economic factors make combined detention/retention or other drainage facilities more practical, the county may authorize the joint construction of these facilities to serve two or more properties by two or more developers. This authorization shall be granted by the county engineer. Where joint detention/retention facilities serving two or more properties are approved for construction, no use of land or occupancy of buildings within the properties served by these facilities shall be permitted until completion of the detention/retention facility, except upon approval of the county engineer.
- 9) When adequacy of existing drainage structures is being considered in association with proposed development, the overall capacity of the structure will be evaluated and divided among upstream properties. The available capacity will be divided among property owners based on acreage in the basin. Under no condition will the available capacity of the structure be exceeded. Should the developer desire to replace the structure in lieu of retention or detention, all downstream structures should be evaluated and deemed adequate.
- 10) The following requirements shall apply to the installation, development and maintenance of all retention, detention and sedimentation control facilities designed for storage of stormwater runoff:
 - a. These facilities shall be located on tracts of land designated for this use on the recorded plat, with sufficient area around the perimeter to provide access for maintenance purposes. The access easement shall provide at least 20 feet of width outside of above-ground obstructions, including trees, headwalls, wires and settling basins or other drainage structures.
 - b. Detention facilities shall release stormwater at a non-erosive velocity. The protected channel receiving the detention discharge shall incorporate features to reduce velocity to non-erosive levels at the point where such discharge enters the unprotected channel. If release is into a subsurface conduit the energy gradient in the receiving facility shall not be increased beyond the slope of the conduit.
 - c. *Spillway.* Overflow for each stormwater storage area shall be provided in the event a storm in excess of the design capacity occurs. Such overflow shall be constructed to function without specific attention and shall become part of the excess stormwater passage. Emergency spillways shall be provided to permit the safe passage of runoff generated from a 100-year, 24-hour storm, or greater if required by State law. Where rooftop storage for excess stormwater is provided, the building shall be provided with adequate structural design to insure that roof failure does not occur. Overflow areas shall be provided so that the weight of stored stormwater will not exceed the structural capacity of the roof.
 - d. *Freeboard.* Detention facilities shall have adequate capacity to contain the storage volume of tributary stormwater runoff with at least one (1) foot of freeboard above the water surface of flow in the emergency spillway in a 100-year, 24-hour storm or as required by state law.

- e. Except as otherwise provided in this section, the property owner shall be responsible for the maintenance of these detention/retention facilities during grading and construction and following final approval of the completed project. This maintenance obligation shall be binding on future owners, successors and assigns of the property.
- 11) *Curb inlets*. All inlets shall be of standard design. Curb inlets should be located at the end of corner curve radius.
 - 12) All buildings located adjacent to or in the 100-year floodplain shall be constructed in accordance with Chapter 7 pertaining to flood damage prevention.
 - 13) Special drainage system maintenance requirements are as follows:
 - a. No impoundment of water which retains in excess of 0.5 acre-feet of runoff shall be removed without first obtaining a development permit, which shall only be issued after competent engineering studies provided by the developer show that this removal will not adversely affect downstream properties.
 - b. Trash, garbage, construction materials, construction byproducts or other debris shall not be deposited in any part of the drainage system.
 - c. No restrictions or barriers, including fences, may be placed in the drainage system without first obtaining a development permit. When onsite or offsite debris has accumulated within a floodplain in such a manner as to interfere with the free flow of water so as to increase the risk of hazardous inundation of upstream properties adjacent to the floodplain, the county engineer or public works director shall require the owner of the property where this debris was generated, if its source can be identified, to clear and remove the debris so as to permit the free flow of water.
 - 14) *Grading of Individual Lots*. The developer is responsible for designing and grading individual lots in subdivisions so as to drain stormwater away from proposed or existing structures, and to eliminate any unintentional ponding of stormwater on the lot. Any required drainage easements shall be designed along lot lines unless approved by the county engineer.
 - 15) *Lot Lines*. Whenever the plans call for the passage and/or storage of stormwater runoff along lot lines, the grading of all such lots shall be prescribed and established for the passage and/or storage of waters, and no structure or vegetation which would obstruct the flow of stormwater shall be allowed, nor shall any change be made to the prescribed grades and contours of the specified stormwater channels.
 - 16) *Manholes*. All utility sewer manholes constructed in an area designed for storage or passage of stormwater, shall be provided with either watertight manhole cover or be constructed with a rim elevation a minimum of one (1') foot above the high-water elevation of design storm.
 - 17) All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of floodwaters into the system.
 - 18) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of floodwaters into the system and discharges from the systems into drainageways.

- 19) Onsite waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.
- 20) All subdivision proposals shall have public utilities and facilities such as telecommunications, sewer, gas, electrical and water systems located and constructed to minimize flood damage.
- 21) *Easements and Maintenance.* Permanent easements for the detention and conveyance of stormwater, including easements of access to structures and facilities, along with required maintenance for detention basins and associated structures shall be permanently provided by the developer with responsibility becoming that of the private land owner or appropriate neighborhood association subject to inspection by the County Engineer. Every detention basin or structure shall be legally defined on both deed and plat and the maintenance entity shall be specified. Maintenance agreements shall be implemented as specified in Section 6.5-92.

Sec. 6.5-84. – Storm Drainage Utilities

- a) Regulatory Requirements
 - 1) Comply with requirements of authorities having jurisdiction for materials and installation of work of this Section.
 - 2) Referenced National Specifications or Standards – GDOT Specification 550 and associated Specifications referenced in 550, GDOT Standard Drawings 1030D and 1030P, ASTM C76, ASTM C 506, ASTM C507, AASHTO M274, AASHTO M36, AASHTO M196, AASHTO M294, ASTM C990, ASTM C1619, ASTM C443, ASTM F477. ASTM D3212, ASTM D1056, ASTM C478, ASTM C913, ASTM C923, ASTM C1478, ASTM F2510, ASTM A48, ASTM A615, ASTM D4101, ASTM C32, ASTM C55, ASTM C33, AASHTO R73, ASTM C 1479, ASTM A798, ASTM D2321, AASHTO M330, ASTM F2764, ASTM F2736, ASTM F2881, ASTM C32, ASTM C55, ASTM C1821
- b) Pipe Materials Design
 - 1) Design for Pipe Materials - Structural system strength design and hydraulic capacity confirmation must be completed for all pipe materials and for every project and shall be signed and sealed by a registered professional engineer in the State of Georgia, and submitted to the County as part of the SDP.
 - 2) Structural design shall be based upon the specific pipe material design requirements set forth in the AASHTO LRFD Bridge Design Specification. When plastic pipe such as high density polypropylene (HDPP), high density polyethylene (HDPE), or steel reinforced polyethylene (SRPE) is considered for use, the Engineer shall consider the wet weather ground water conditions anticipated and the effects of such in their structural calculations or fill height table development as well as a job site confirmation plan to confirm structural backfill materials and compaction requirements assumed in their structural design will be met. If corrugated metal pipe (CMP) is to be used the Engineer shall consider the effects of Ph, resistivity of soil, ground water, storm runoff, and anticipated abrasion levels to confirm the correct gauge (thickness) of the metal pipe wall and if any other special protection that they feel is needed on a site-by-site basis. The metal pipe base materials and gauges (thicknesses) noted in section below are the minimum gauges that are acceptable regardless of the engineer's design confirmation.

- 3) Hydraulic Design Capacity Engineers/Designers shall utilize the following Manning's "n" coefficient for closed system storm water systems - 0.012 for RCP, 0.017 for HDPE, HDPP, and 0.024 for CMP. Otherwise, the hydraulic analysis and pipe capacities shall be based upon all hydrology requirements set or approved by the County Engineer.
- c) Pipe Material Selection and Application
- 1) Reinforced concrete pipe (RCP) shall be used under all roadways, including under curb and gutter, that are to be county-maintained. Flexible pipe (CMP, HDPP, SRPE, and HDPE) may be used in areas outside of county-maintained roadways. CMP is not allowed for use in intermittent or continuous flow streams. See plans for pipe materials required for each location on project.
 - 2) Any alternate pipe materials to those shown as noted above may only be allowed for use on any project when hydraulic calculations and structural design calculations are submitted and stamped by a registered civil Engineer of Georgia, and their use is pre-approved by the County Engineer prior to construction.
- d) Pipe Materials
- 1) Reinforced Concrete Pipe (RCP): Reinforced concrete pipe shall be Class II, III, IV, or V to ASTM C76 as specified on the project plans. Horizontal elliptical concrete pipe (HERCP) shall conform to C507, Arch Pipe (ARCP) shall comply to ASTM C506, and strength class as specified on the project plans.
 - 2) Corrugated Metal Pipe (CMP): CMP is only permitted in areas outside of county-maintained roadways and in residential driveways. Allowable materials include CACMP and CAAP meeting the following material requirements; Aluminum coated (Type 2) (CACMP) steel pipe shall comply with AASHTO M274 for the coating and AASHTO M36 for the pipe fabrication. Aluminum alloy pipe (CAAP) shall comply with AASHTO M196 for material and fabrication. Pipe diameters of 15- inches or smaller shall be 14-gauge minimum. Pipe diameters from 18-inch to -inch shall be 12-gauge minimum. Pipe diameters of 54-inch or greater shall be 10-gauge minimum. The use of Zinc Coated (Galvanized) CMP and Spiral Ribbed Aluminized Pipe are prohibited.
 - 3) Dual wall High Density Polypropylene (HDPP) is only permitted in areas outside of county-maintained roadways, and in residential driveways. Materials shall comply to ASTM F2764 or AASHTO M330. The use of recycled or reground material in HDPP is not allowed.
 - 4) High Density Polyethylene Pipe (HDPE) is only permitted in areas outside of county-maintained roadways and in residential driveways. Pipe and appurtenances shall be high density polyethylene conforming to the requirements of AASHTO M294. The pipe shall have a smooth interior and annular-corrugated exterior or profile wall pipe smooth interior for large diameter pipe. The use of recycled or reground materials in HDPE pipe is not allowed.
 - 5) The Contractor shall require the manufacturer or supplier to furnish a certification that all materials furnished meet the above listed standards and materials specifications and further certify that the manufacturer is currently on the GDOT approved producers list for the product(s) supplied. Any exceptions must be approved by the County Engineer.
- e) Joint materials

- 1) Joints for RCP: Unless otherwise noted on the plans all joints for RCP shall be soil tight joints. Soil tight joints for RCP shall be accomplished by using a preformed flexible sealant or rubber gasket in the joint. The butyl mastic joint material shall meet the requirements of ASTM C990. The rubber gaskets shall meet the physical requirements of ASTM C1619. All RCP joints utilizing butyl mastic for joint seal shall also have an exterior filter fabric wrap installed on the exterior of pipe at each joint.
 - 2) Leak resistant joints for RCP: Leak resistant joints shall be used when specified on the plans. The bell and spigot or the tongue and groove of the pipe shall be specially manufactured and prepared for the type of rubber gasket used. The rubber gaskets shall meet the physical requirements of ASTM C1619. Rubber gasket joint performance criteria shall meet ASTM C443. Any RCP installation required to be leak-resistant will be noted on the plans. A plant proof of design test shall be completed and submitted to the County Engineer for approval to ensure joint design/performance can meet ASTM C443.
 - 3) Joints for HDPP: Joints shall consist of an integral bell and spigot which meets ASTM F2736 or F2881 and shall be supplied with a rubber gasket meeting ASTM F477. The bell shall be reinforced with a polymer composite band installed by the manufacturer. If HDPP is to be utilized for a leak resistant application a plant proof of design test shall be completed and submitted to the County Engineer for approval to ensure joint design/performance can meet ASTM D3212.
 - 4) Joints for HDPE: Joints shall consist of a bell and spigot type joint with a rubber gasket meeting the physical requirements of ASTM F477. All HDPE installations will require a rubber gasket meeting the above requirements. If HDPE is to be utilized for a leak resistant application a plant proof of design test shall be completed and submitted to the County Engineer for approval to ensure joint design/performance can meet ASTM D3212. Any HDPE pipe installation required to be leak-resistant will be noted on the plans.
 - 5) Joints for CMP: Coupling bands shall be used which have a minimum 16-gauge thickness and of the same material as the pipe. Pipe ends shall be re-corrugated with annular corrugations to match the bands. Couplings shall provide enough longitudinal strength to preserve pipe alignment and prevent separation at the joints. Use "Hugger" type connecting bands with rubber "O" ring gaskets meeting ASTM D1056 for all CMP installations. CMP shall not be used for leak resistant applications.
- f) Structures and appurtenances
- 1) Catch basins, manholes, and area drains shall be precast concrete as shown on the Plans or as otherwise directed by the Engineer. Round precast concrete structures shall meet the applicable requirements of ASTM C478. Square and or Rectangular precast concrete structures shall meet ASTM C913 requirements for wall thickness, slab thickness, concrete strength, and steel reinforcement requirements.
 - 2) Pipe to Structure Connections: Flexible, leak resistant connections shall be provided for all flexible pipe (CMP, HDPP, HDPE) to structure connections. Connections shall be compression connector type or boots and shall conform to ASTM C923, ASTM C1478, and ASTM F2510. All structure connections with flexible pipe shall also be supplied and installed with an exterior filter fabric jacket.

- 3) RCP to structure connections can be made with a neat non-shrink grout connection unless the installation requires a leak resistant performance. When the RCP installation is required to be leak resistant, the RCP to structure connection shall be made with a compression connector type or boot and shall conform to ASTM C923, ASTM C1478, and ASTM F2510.
 - 4) Grates, Frames, and Curb Castings: Conforming to the requirements of ASTM A48, Class 30. Machining of contact surfaces will be required so that covers and grates rest securely on the frames.
 - 5) Mortar: Shall be composed of one-part Portland cement and 2 parts sands (volumetric measure). Mortar that has been mixed for more than 30 minutes which has been retempered or which has "set" shall not be used in the work.
 - 6) Brick (for grate grade adjustments): Grade SM, ASTM C32, or concrete brick conforming to the requirements of ASTM C55, Grade N-I.
 - 7) Headwalls and end sections: Shall be precast concrete as shown on the Plans or as otherwise directed by the Engineer.
 - 8) Install manhole and structures to meet ASTM C 1821.
- g) Examination
- 1) Verify that excavation is ready to receive work of this section, and that excavations, dimensions and elevations are as indicated on the SDP.
 - 2) Before placing pipe in the trench, field inspect pipe for cracks, tears, dents, joint damage, or other defects; remove defective pipe from the construction site. Inspection, evaluation, and acceptance of RCP pipe prior to its placement shall be in accordance with AASHTO R73.
 - 3) Do not install drainage structure until mass grading has resulted in rough sub-grade elevations through the work area or the embankment materials have been placed to an elevation of one foot above the top of the pipe to be placed.
- h) Preparation
- 1) Prior to laying pipe:
 - a. Confirm trench width meets trench standard drawing. Trench width must accommodate pipe outside diameter and enough room on each side of pipe to compact backfill material.
 - b. Confirm the foundation is firm. If foundation is soft or groundwater encountered contact the Project Engineer of Record for corrective action required before installing pipe.
 - c. Install 6 inches of well-graded (no particle size greater than 1 inch) granular bedding to the appropriate elevation and slope. Bedding material shall be Type 1 or Type 2 Foundation Backfill Material as specified in GDOT 812 Backfill Materials.
 - d. Do not compact the bedding material prior to placing the pipe in the trench.
 - 2) Swab the interior of the pipe to remove all undesirable material.
 - 3) Prepare the bell end and remove undesirable material from the gasket and gasket recess.
- i) Installing Storm Sewer Pipe (Refer to figures 1 and 2 in the appendix of this chapter):

- 1) Lay pipe in a straight line on a uniform grade from structure to structure. Lay pipe beginning at the downstream structure and progress upstream with the bell (groove) end facing upstream.
- 2) Support each section throughout its length and form a close concentric joint with the adjoining pipe. If pipe is supplied with a protruding bell the installer shall excavate a small area in the bedding to accommodate the protruding bell so that the entire barrel of the pipe will be supported throughout its length.
- 3) Once pipe is in place and prior to placing structural backfill, compact the bedding material on each side of the pipe.
- 4) Make junctions and turns with standard or special fittings.
- 5) Do not open more trench at any time than pumping facilities are able to dewater.
- 6) Whenever the work ceases, close the end of the pipe with a tight-fitting plug or cover.
- 7) Close all openings provided for future use and abandoned pipe with a tight-fitting plug sealed to avoid leakage.
- 8) When the pipe connects with structures, the exposed ends shall be placed or cut off flush with the interior face of the structure and satisfactory connections made.
- 9) Any pipe which is not in good alignment, or which shows any undue settlement or damage shall be taken up and re-laid without additional compensation.
- 10) Laying pipe and sealing joints shall be a continuous operation. Construct the joints in such a manner that a soil-tight joint or leak-resistant joint (in locations as noted on plans) will result.
- 11) Joints for rigid pipe:
 - a. Install preformed flexible sealant or rubber gasket (soil-tight applications); fully wrap exterior of joint with filter fabric when flexible sealant is used.
 - b. Install rubber gasket for any noted leak-resistant applications (proper lubrication and equalization of the gasket is required per joint manufacturers recommendations); or
 - c. Other types of joints recommended by the pipe manufacturer and approved by County Engineer. When other type joints are permitted, install, or construct in accordance with the recommendations of the manufacturer.
- 12) Firmly join HDPP/HDPE utilizing the pre-installed rubber gasket.
- 13) Install CMP by utilizing coupling bands and rubber gaskets.
- 14) When strutting or vertical elongation of CMP is required, it shall be performed in accordance with the details shown on the Plans.
- 15) Leave ties and struts for CMP in place until the embedment is completed, unless otherwise specified.
- 16) Install and compact specified materials in the bedding, haunch, and structural embedment zone as shown on the trench details.
 - a. Install structural embedment backfill in 6-inch lifts and compact to springline (midpoint) of RCP.
 - b. Install structural embedment backfill in 6-inch lifts and compact to 1 foot above the pipe for all flexible pipe (CMP, MRP, HDPP, & HDPE) installations.

- c. All pipe to be installed in roadway with 2' (foot) or less of cover from top of pipe to bottom of pavement section shall be backfilled with structural embedment backfill in 8" (inch) loose lifts for the full depth of the trench.
 - 17) As the work progresses, clean the interior of all pipe in place.
 - 18) Protect pipe from construction damage by placing 3 feet of compacted soil above the pipe prior to allowing heavy construction traffic to cross pipe installation.
 - 19) Wyes and tees shall be installed in locations as shown on the SDP.
- j) Installing catch basins, manholes, and cleanouts:
 - 1) Form bottom of excavation clean and smooth to correct elevation.
 - 2) Place precast concrete base, with provision for pipe entry.
 - 3) Establish elevations and pipe inverts for inlets and outlets as indicated.
 - 4) Mount lid and frame level in grout, secured to top cone section to elevations indicated. Set true to line and grade and such that the entire surface of the casting is in contact with the bearing surface of the structure.
 - 5) All castings shall be set firm and snug and shall not rattle.
 - 6) All catch basin, manhole and cleanout castings and boxes shall be adjusted to final grade upon completion of the paving operations. Final adjustment shall be made by the contractor that installed the respective utility line.
- k) Field Quality Control
 - 1) Inspection during construction:
 - a. Prior to placing structural backfill, allow the Owner's Representative to observe installed pipe.
 - b. Inspect the pipe before any backfill is placed.
 - 1. Joint gap for soil tight joints shall not exceed $\frac{3}{4}$ inch width for any pipe type.
 - 2. Joint gap for any leak resistant joint shall not exceed $\frac{1}{2}$ inch.
 - 3. For all installations in roadways that will be county-maintained, during the placement of structural backfill the installer shall employ a geotechnical engineer to complete compaction test of the structural backfill. Compaction testing shall be completed on each 6-inch lift of structural embedment backfill for every 500 LF of pipe trench for all pipe installed. The structural embedment for RCP terminates at the springline of the pipe.
 - 2) Post-installation inspection
 - a. Contractor shall provide video, laser video or manway physical inspection on projects that have more than 500 linear feet of storm drain pipe and on roadways with an AADT greater than 250 vehicles.
 - b. Conduct video inspection in accordance with the requirements of this Specification and GDOT GDT136, current edition, on 20% of all storm drain pipe.
 - c. Unless the County Engineer directs otherwise, schedule the inspections for the selected locations no sooner than 30 days after completing pipe installations to be tested.

- d. Before post installation inspection, dewater installed pipe (if necessary) and provide the Engineer with a post installation inspection schedule.
- e. Notify the County Engineer at least seven days in advance of beginning inspection.
- f. Perform post installation inspections once compacted backfill has reached a depth of 8 feet or after completion of the pipe installation and final cover, which includes the embankment and all non-asphalt bases and/or subgrades.
- g. Notify the County Engineer if distresses or locations of improper installation are discovered.
- h. Video (RCP and HDPE/, HDPP, CMP) and laser profiling (for HDPE/, HDPP, CMP) measurement technology must be certified by the company performing the work to meet the requirements of GDOT GDT136.
- i. Manual post installation inspection allowed for pipe diameters greater than 48 inches.

Secs. 6.5-85 – 6.5-90. - Reserved

DIVISION 3: ASSURANCES

Sec. 6.5-91. - Assurance for Construction and Other Improvements.

- 1) The Stormwater Maintenance and Drainage Plan (SDP) permittee shall construct all drainage features and/or structures required in the approved SDP. The County Engineer or his/her designee shall review and inspect all work associated with the SDP.
- 2) County road right of way including ditches, curbs and gutter storm drain systems, cross drain culverts, roadway drainage easements, creeks, streams, etc. shall be maintained free of silt, soil, and other debris produced by permittee's construction activities which restricts drainage flow.
- 3) Any persons requesting to change an existing County ditch line or other drainage way or work within the County right of way (i.e. utility installation, if approved) shall request a permit prior to beginning work. If proposed change is acceptable, then the County Engineer shall issue an encroachment permit in accordance with other county policies and ordinances. The encroachment permittee shall make changes to the drainage way or County right of way in accordance with written county standards or other approved standards as deemed appropriate. The County Engineer or his/her designee shall review and inspect all work associated with the Encroachment Permit.

Sec. 6.5-92. - Assurance for Maintenance

- 1) A maintenance agreement, approved by the County Engineer, assuring perpetual maintenance of stormwater management improvements shall be executed by the applicant through recorded neighborhood protective covenants, or other approved recorded maintenance agreements.
- 2) All roadway ditches and drainage easements for dedicated County roads shall be the responsibility of the County for maintenance. Ownership and maintenance of storm water retention structures within residential developments shall be the responsibility of the developer

during residential development and the appropriate neighborhood association once the development is complete or substantially complete.

- 3) Ownership and maintenance of storm water retention structures within multifamily, industrial, commercial and/or institutional type developments shall be the responsibility of the owner of the respective property.
- 4) Facilities in single-family residential subdivisions will not be accepted for county maintenance unless such facilities are individually approved by and at the discretion of the board of commissioners and suitable access easements are provided. At the time the board of commissioners accepts a detention/retention facility for county maintenance, a special drainage district may be established that includes all properties for which the detention/retention facility is designed to compensate for increased peak runoff rates due to development.
- 5) Pursuant to the creation of special drainage districts by the county, revenues to fund county detention/retention facilities maintenance may be obtained by an ad valorem tax on all properties for which the retention facilities are designed to compensate for increased peak runoff rates due to development. Such ad valorem millage rates may be set annually by the board of commissioners when other ad valorem millage rates are set. No assessment will be made in a special drainage district in the calendar year in which it is established.
- 6) The applicant shall be required to post security for the maintenance of any drainage features and/or structures pursuant to the requirements of the county subdivision or right-of-way ordinances as deemed appropriate by the County Engineer.

Secs. 6.5-93 – 6.5-100. - Reserved

DIVISION 4: ADMINISTRATION

Sec. 6.5-101. – Responsibility

The county engineer will enforce the provisions of this article as follows:

- a) The following duties and responsibilities set forth in this article for all developments and construction projects will be administered and enforced by the county engineer:
 - 1) The county engineer shall review all development construction and drainage plans to ensure that the permit requirements of this article have been satisfied.
 - 2) If additional federal or state permits are known to be required, the county engineer shall require that copies of such permits are provided and maintained on file with the development permit.
- b) The county engineer shall administer and enforce those provisions of this article which apply to developed and occupied areas and to property in an undeveloped state affecting county responsibility for maintenance of the storm drainage system.
- c) The county engineer shall ensure that maintenance is provided within any altered or relocated portion of any watercourse so that the flood-carrying capacity is not diminished.

Sec. 6.5-102. - Variances

- a) *Standards.* Variances from these standards, provisions, and specifications may be granted when it is demonstrated to the satisfaction of the Board of Commissioners that, owing to special conditions, a strict adherence to the provisions of this ordinance will result in unnecessary

hardship and that the spirit and intent of the Ordinance will be observed. The variance will be granted only upon showing that there is good and sufficient cause and that the failure to grant a variance would result in exceptional hardship to the applicant. Financial hardship to the property owners shall not constitute proper or appropriate grounds for a variance under this ordinance.

- b) *Procedure.* A written request for variance shall be filed by the owner, seeking to develop or change the use of his property, or his agent with the County Engineer and shall state specifically what variation is sought and the public's interest in granting the variance. The applicant must specify hardships to result in following the prescribed regulations. The County Engineer must then examine and decide the validity of the proposed hardships. The County Engineer can grant an administrative variance to these regulations if the proposed changes are minimal, or if it will not pose an undue burden or risk upon the County. Otherwise, the request is then submitted to the Board of Commissioners by the County Engineer along with any recommendations about granting the variance. A record of all variance actions shall be maintained by the County Engineer including the justification for issuance.

Sec. 6.5-103. - Official Maps and Profiles

Responsibility for all changes to official maps and profiles remains with the County Engineer.

Sec. 6.5-104. - Interpretation

In the interpretation and application of this ordinance, the provisions expressed herein shall be held to be the minimum requirements and shall be liberally construed in favor of the Bulloch County Board of Commissioners and shall not be deemed a limitation or repeal of any other powers granted by State statutes or exercised by home rule units.

Secs. 6.5-105 – 6.5-110. - Reserved

DIVISION 5: ENFORCEMENT

Sec. 6.5-111. - Inspection Responsibility

- a) The County Engineer or his/her designee shall be responsible for determining whether the SDP and/or Encroachment Permit requirements are in conformance with requirements specified in Division 2, and whether development is proceeding in accordance with the approved SDP and/or Encroachment Permit requirements.
- b) Periodic inspection of the development site shall be made by the County Engineer or his/her designee to ensure that the SDP and/or Encroachment Permit requirements are properly implemented.
- c) The County Engineer and other duly authorized employees bearing proper credentials and identification shall be permitted to enter upon all properties for the purpose of inspection, observation, and measurement, in accordance with the provisions of this ordinance.

Sec. 6.5-112. - Enforcement Procedure

Failure to comply with the requirements of the Encroachment Permit or failure to complete all required improvements required by the approved SDP, or failure to comply with any other provisions in this ordinance shall be justification for the issuance of a Notice of Violation (NOV). The NOV shall list all

deficiencies noted. The Violator to this ordinance shall have seven (7) days (minimum) to correct all deficiencies listed on the Notice of Violation.

- a) *Failure to comply.* Failure to comply with the Notice of Violation shall be reasons for one or more of the following enforcement actions:
 - 1) *Stop Work Order.* Failure to comply with such notice of violation shall result in the issuance of a Stop Work Order applicable to all construction activities except that necessary for correction of the violation. Upon correction of the violation the stop work order shall be voided and construction may resume.
 - 2) *Issuance of a citation.* This citation shall be subject to the penalties established in section 1-11. This Citation shall be issued by the Planning and Zoning code enforcement officer or other appropriate County Agency.
 - 3) *Revocation of the Encroachment Permit and forfeiture of Permit Fee.* The Ordinance violator shall have their permit revoked and permit bond fee forfeited, if applicable. Prior to beginning any additional work at the site, the Violator shall correct all deficiencies and apply for a new permit and pay a new permit fee bond, if applicable.
- b) *Appeals.* A person issued the NOV may appeal any decision made by the County Engineer to the Board of Commissioners within 30 days of the date of notification.

Sec. 6.5-113. - Certification

Engineer certificates in substantially the following form shall be submitted where required under this article:

- 1) *Stormwater runoff certificate.* This certificate shall be submitted with the SDP:
ENGINEER'S CERTIFICATE FOR STORMWATER RUNOFF
I, _____, a registered Professional Engineer in the State of Georgia, hereby certify that the grading and drainage plans for the project known as _____ lying proposed for Bulloch County, Georgia, have been reviewed under my supervision, and state that, in my opinion, the execution of said plans will comply with the Bulloch County Stormwater Ordinance.
This the ____ day of _____, 20___. Georgia Registration No. _____
- 2) *As-built certificate.* This Certificate shall be submitted with As-Built Plans:
ENGINEER'S CERTIFICATE FOR AS-BUILT STORMWATER FACILITIES
I, _____, a registered Professional Engineer in the State of Georgia, hereby certify that the stormwater facility (facilities) for the project known as _____ lying proposed for Bulloch County, Georgia, has been constructed to approved plans and specifications and in accordance with requirements of the Bulloch County Stormwater Ordinance.
This the ____ day of _____, 20___. Georgia Registration No. _____

Any persons or corporations who refuse to complete all work associated with the approved SDP or work associated to comply with the Encroachment Permit shall be responsible to reimburse the Board of Commissioners all costs associated with proper completion of the work required by the approved SDP or Encroachment Permit. Reimbursement may be in the form of certified check, property mortgage, tax lien or other monetary assurance.

Secs. 6.5-114 – 6.5-120. - Reserved

DIVISION 6: IMPLEMENTATION

Sec. 6.5-121. - Effective Date

This ordinance shall be in full force and effect from and after the date of its adoption by the Board of Commissioners.

Adopted at a meeting of the Bulloch County Board of Commissioners held in compliance with Georgia’s Open Meetings Act, at which meeting a quorum was present, on the 4th day of April, 2023.

Board of Commissioners of
Bulloch County, Georgia

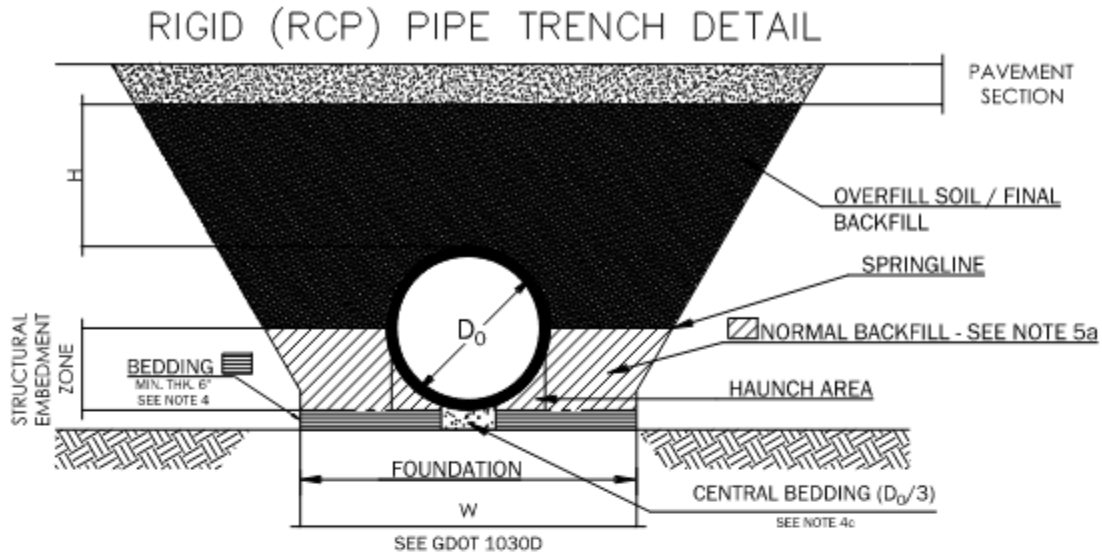
By: _____
Roy Thompson, Chairman

Attest: _____
Venus Mincey-White, Clerk

Attachment: BULLOCH COUNTY STORMWATER ORDINANCE (002) (Stormwater Control Ordinance)

APPENDIX

Figure 1: Rigid (RCP) Pipe Trench Detail



NOTES

- RCP SHALL BE MANUFACTURED TO MEET AASHTO M170/ASTM C76. PIPE STRENGTH CLASS AS SPECIFIED ON PLANS.
- FOUNDATION SHALL BE STIFF TO HARD IN-SITU SOILS AND CAPABLE OF PROVIDING ADEQUATE BEARING CAPACITY TO SUPPORT THE PIPE AND ALL DESIGN LOADS. IF GROUNDWATER OR SOFT SOILS ARE ENCOUNTERED DURING INSTALLATION SEE GUIDELINES IN THE CONTRACT DOCUMENTS AND CONTACT THE ENGINEER OF RECORD.
- W - MINIMUM TRENCH WIDTH SHALL BE $D_0 + 24"$ OR ENOUGH ROOM BETWEEN PIPE AND TRENCH WALL TO PLACE AND COMPACT MATERIALS IN HAUNCH AND STRUCTURAL EMBEDMENT ZONE, WHICHEVER IS GREATER.
- BEDDING:
 - BEDDING MATERIAL SHALL MEET TYPE 1 OR TYPE 2 FOUNDATION BACKFILL MATERIAL AS SPECIFIED IN GDOT 812 BACKFILL MATERIALS.
 - BEDDING THICKNESS SHALL NOT BE LESS THAN 6" IN SOIL FOUNDATION. INCREASE BEDDING THICKNESS TO A MINIMUM OF 12" IF ROCK OR UNYIELDING.
 - CENTRAL BEDDING SHALL BE LOOSELY PLACED AND NOT COMPACTED PRIOR TO PLACEMENT OF PIPE.
- STRUCTURAL EMBEDMENT BACKFILL AND HAUNCH ZONES IN ROADWAY OR PAVED AREAS USE:
 - MATERIAL SHALL BE NORMAL BACKFILL MATERIAL MEETING CLASS I & II AS NOTED IN GDOT SECTION 207. SEE GDOT 810.2.01 FOR DETAILED INFORMATION ON MATERIAL CLASSIFICATION.
 - HAUNCH & EMBEDMENT SHALL BE PLACED IN 6" LIFTS AND COMPACTED TO 95% STANDARD PROCTOR DENSITY.
 - SEE ASTM C1479 TYPE 3 INSTALLATION, GDOT SPECIFICATION 550 & STANDARD DRAWING 1030D FOR MORE INFORMATION.
- OUTSIDE OF ROADWAYS AND IN NON-TRAFFIC AREAS: HAUNCH STRUCTURAL BACKFILL TO SPRINGLINE MAY BE IN SITU SOILS THAT CAN BE COMPACTED TO 85% SPD (SEE TYPE 4 INSTALLATION IN ASTM 1479 FOR MORE INFORMATION).
- OVERFILL / BACKFILL MATERIALS AND COMPACTION SHALL BE AS REQUIRED FOR EMBANKMENT OR SURFACE CONDITION BEARING CAPACITY (E.G., ROADWAY, NON-TRAFFIC AREA).
- WHEN IMPACT OR VIBRATORY EQUIPMENT IS USED FOR COMPACTION, CARE SHALL BE TAKEN TO AVOID DAMAGING THE PIPE, PARTICULARLY FOR INSTALLATIONS WITH LESS THAN 3 FEET OF EARTH FILL OVER THE PIPE.
- PLACE A MINIMUM OF 3 FEET OF COMPACTED SOIL ABOVE PIPE PRIOR TO ALLOWING CONSTRUCTION EQUIPMENT TO CROSS.
- FILL HEIGHT/COVER (H) - MINIMUM FILL HEIGHT IS 1 FOOT TOP OF PIPE TO BOTTOM OF PAVEMENT SECTION:

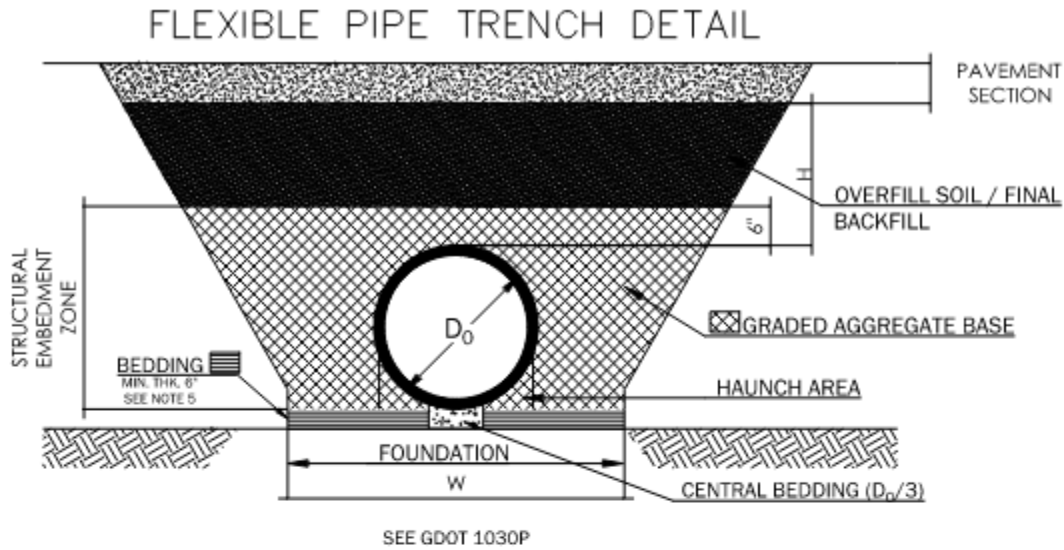
REINFORCED CONCRETE PIPE CLASSIFICATION (AASHTO M170)	
MAXIMUM FILL (H)	CLASS
≤ 15'	III
> 15' TO ≤ 20'	IV
> 20' TO ≤ 30'	V
> 30'	SPECIAL DESIGN

NOTE: FILL HEIGHT BASED ON GDOT 550 & 1030D AND ASTM 1479 TYPE 3 INSTALLATION.

- TRENCH INSTALLATION SPECIFICATIONS (SEE GDOT 550 FOR RIGID PIPE INSTALLATION AND INSPECTION).

Attachment: BULLOCH COUNTY STORMWATER ORDINANCE (002) (Stormwater Control Ordinance)

Figure 2: Flexible Pipe Trench Detail



NOTES

- THERMOPLASTIC PIPE SHALL BE MANUFACTURED IN ACCORDANCE WITH:
 - HDPE PER AASHTO M294 EXCEPT MAXIMUM DIAMETER IS 48" PER GDOT 550.
 - POLYPROPYLENE PER ASTM F2861 AND AASHTO M330 EXCEPT MAXIMUM DIAMETER IS 48" PER GDOT 550.
 - THERMOPLASTIC PIPES SHALL NOT CONTAIN ANY POST-CONSUMER RECYCLED RESINS.
- CORRUGATED METAL PIPE SHALL BE MANUFACTURED IN ACCORDANCE WITH ASTM M274 OR ASTM M196.
- THE FOUNDATION SHALL BE STIFF TO HARD IN SITU SOIL, STABILIZED SOIL OR COMPACTED FILL HAVING ADEQUATE BEARING CAPACITY TO SUPPORT THE PIPE AND OVERFILL. NOTE, IF SOFT FOUNDATION OR GROUND WATER IS ENCOUNTERED, CONTACT PROJECT ENGINEER FOR RECOMMENDATIONS. (NOTE, IN AREAS WHERE FOUNDATION MUST BE IMPROVED DUE TO SOFT - YIELDING CONDITIONS, THE TRENCH WIDTH SHALL BE 3 TIMES THE OUTER DIAMETER OF THE PIPE).
- W-MINIMUM TRENCH WIDTH SHALL BE $(D_o \times 1.5) + 12"$ OR ENOUGH ROOM TO PLACE AND COMPACT BEDDING AND PIPE EMBEDMENT MATERIAL, WHICHEVER IS GREATER.
- BEDDING, HAUNCH, AND PIPE EMBEDMENT ZONE:
 - BEDDING:
 - BEDDING THICKNESS SHALL NOT BE LESS THAN 6" IN SOIL FOUNDATION. INCREASE BEDDING THICKNESS TO A MINIMUM OF 12" IF ROCK OR UNYIELDING.
 - BEDDING MATERIAL - TYPE 1 OR TYPE 2 BACKFILL MATERIAL PER GDOT 812 BACKFILL MATERIALS.
 - CENTRAL BEDDING SHALL BE LOOSELY PLACED AND NOT COMPACTED PRIOR TO PLACEMENT OF PIPE.
 - HAUNCH AND STRUCTURAL EMBEDMENT BACKFILL MATERIALS - GRADED AGGREGATE (GAB) MEETING GDOT SECTION 815. MATERIAL PLACED IN STRUCTURAL EMBEDMENT BACKFILL ZONES SHALL BE PLACED IN MAXIMUM 6" LIFTS OR LESS TO ACHIEVE 95% STANDARD PROCTOR COMPACTION. LIFTS SHALL BE BROUGHT UP EVENLY AND UNIFORMLY ON EACH SIDE OF THE PIPE TO AN ELEVATION OF NOT LESS THAN 6" ABOVE THE PIPE.
 - HAUNCH ZONE MATERIAL SHALL BE "KNIFED" AND TAMPED BY HAND TO FILL VOIDS AND ENSURE ADEQUATE CONTACT OF THE EMBEDMENT MATERIAL AND PIPE.
- FINAL BACKFILL MATERIALS AND COMPACTION SHALL BE AS REQUIRED FOR EMBANKMENT OR SURFACE CONDITION BEARING CAPACITY (E.G., ROADWAY, NON-TRAFFIC AREA).
- WHEN IMPACT OR VIBRATORY EQUIPMENT IS USED FOR COMPACTION, CARE SHALL BE TAKEN TO AVOID DAMAGING THE PIPE, PARTICULARLY FOR INSTALLATIONS WITH LESS THAN 2 FEET OF EARTH FILL OVER THE PIPE.
- PP OR HDPE SHALL NOT BE USED IN ANY ROADWAY INSTALLATION WITH LESS THAN 2 FEET OF COVER BETWEEN TOP OF PIPE AND BOTTOM OF PAVEMENT SECTION.
- PLACE A MINIMUM OF 3 FEET OF COMPACTED SOIL ABOVE PIPE PRIOR TO ALLOWING CONSTRUCTION EQUIPMENT TO CROSS.
- FLEXIBLE PIPE SHALL BE VIDEO INSPECTED, AND DEFLECTION TESTED USING A MANDREL OR LASER PROFILER NO SOONER THAN 30 DAYS AFTER PLACEMENT OF FINAL BACKFILL AND STRUCTURAL PAVEMENT. ALL REPORTS SHALL BE PROVIDED TO ENGINEER FOR REVIEW PRIOR TO FIND ACCEPTANCE. FLEXIBLE PIPE WITH DEFLECTION GREATER THAN 7.5% OR MORE SHALL BE REMOVED, REPLACED, AND RE-INSPECTED AT THE CONTRACTORS EXPENSE.
- TRENCH INSTALLATION SPECIFICATIONS (SEE GDOT 550 FOR FLEXIBLE PIPE INSTALLATION AND INSPECTION).

FLEXIBLE PIPE COVER (H) - TOP OF PIPE TO BOTTOM OF PAVEMENT SECTION	
MIN. COVER / FILL HEIGHT (H)	GREATER THAN OR EQUAL TO 24"
MAXIMUM ALLOWABLE FILL HEIGHTS (H) AS DEFINED BY ENGINEER OF RECORD	

Attachment: BULLOCH COUNTY STORMWATER ORDINANCE (002) (Stormwater Control Ordinance)

STATE OF GEORGIA
COUNTY OF BULLOCH

BULLOCH COUNTY BOARD OF COMMISSIONERS
RESOLUTION # 2023 – 5

A RESOLUTION OF THE BULLOCH COUNTY BOARD OF COMMISSIONERS TO OBJECT TO AN INTENDED ANNEXATION BY THE CITY OF STATESBORO PURSUANT TO O.C.G.A. § 36-36-113; TO REPEAL PRIOR CONFLICTING RESOLUTIONS OR ORDINANCES; TO ESTABLISH AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, on or about March 8, 2023, the Bulloch County Board of Commissioners received notice from the City of Statesboro of its intent to annex approximately 36.55 acres of property located on Beasley Road (Tax Parcel #MS91000013 000) with the proposed zoning and land use as the R-6 (Single-Family Residential) (hereinafter the “Annexation”); and

WHEREAS, O.C.G.A. § 36-36-113 provides that a county governing authority may object to an annexation because of a material increase in burden upon the county directly related to any one or more of the following: (1) The proposed change in zoning or land use; (2) Proposed increase in density; and (3) Infrastructure demands related to the proposed change in zoning or land use;

NOW THEREFORE, BE IT RESOLVED by the Bulloch County Board of Commissioners, and IT IS HEREBY RESOLVED by the authority of same, as follows:

Section 1. Objection to Annexation. The Bulloch County Board of Commissioners hereby objects to the Annexation on the grounds that the proposed change in zoning and land use and the proposed increase in density will impose infrastructure demands on Bulloch County that will constitute a material increase in the burden on Bulloch County and have a significant financial impact on Bulloch County, including but not limited to intersection improvements, road repairs and resurfacing, and substantially increased traffic.

Section 2. Repealing Clause. All resolutions, ordinances or parts thereof previously approved and adopted by the Bulloch County Board of Commissioners that are in conflict with the provisions contained in this resolution are, to the extent of such conflict, hereby superseded and repealed.

Section 3. Effective Date. This resolution shall take effect immediately upon its adoption and shall remain in effect until repealed or superseded by further action of the Bulloch County Board of Commissioners.

RESOLUTION APPROVED AND ADOPTED this 4th day of April, 2023.

BOARD OF COMMISSIONERS OF
BULLOCH COUNTY, GEORGIA

By: _____
Roy Thompson, Chairman

Attest: _____
Venus Mincey-White, Clerk

(SEAL)

Attachment: Resolution (Resolution Objection to Annexation)