

Monroe County Board of Commissioners

Minutes of the June 4, 2023

Called Commissioners Meeting

2:00 P.M.

Present:

Greg Tapley, Chairman (Not Present)

Eddie Rowland, Vice Chairman

Lamarcus Davis, District 1

John Ambrose, District 3

George Emami, District 4

Staff:

Jim Hedges, County Manager (Not Present)

Janet Abbott, County Clerk (Not Present)

Richard Dumas, Public Information Officer

Welcome

Vice Chairman Rowland welcomed everyone in attendance.

Prayer

Commissioner Davis gave the invocation.

Roll Call

Public Information Officer Dumas called roll.

Call to Order

Vice Chairman Rowland called the meeting to order at 2:00 p.m.

Workshop

Discuss Unified Development Ordinance

Monroe County Planning & Zoning Board members Chuck Benson, Red Ezelle, David Hunter, Jim Rollins (chairman), and Chad Tyler were in attendance.

Vice Chairman Rowland said Commissioners understand the value and importance of the Monroe County Planning & Zoning Board and believe it should have input in any zoning ordinance changes Commissioners make. Vice Chairman Rowland gave a historical overview of zoning in Monroe County, noting its origins began in the mid-1980s upon the arrival of a local rock quarry. Vice Chairman Rowland said zoning concerns have varied through the years depending on location but said zoning has proven to be a necessity. Vice Chairman Rowland said the new proposed Unified Development Ordinance (UDO) has some strengths: 1.) less ambiguous, 2.) easier to litigate, and 3.) more enforceable. He said it also has some negatives: 1.) too long, 2.) too much legalese, 3.) redundant with state law, 4.) too restrictive. Vice Chairman Rowland said the county's current ordinance has some strengths as well: 1.) tried and true, 2.) familiar, and 3.) good for our size. Vice Chairman Rowland said it too has some negatives though: 1.) conflicting, 2.) harder to enforce, and 3.) harder for the zoning officer, code enforcement officers, and attorney to work with. Vice Chairman Rowland said the primary decision at the June 4 meeting really boils down to whether Commissioners and the P&Z Board want to make necessary additions to the county's current ordinance and shelve the proposed UDO or whether they want to make revisions or remove items from the county's proposed new UDO to make it less cumbersome and a better fit for the zoning needs of Monroe County.

District 4 Commissioner Emami said there are seven key items that Commissioners have worked to build consensus on over the past two years that could be lost if the proposed UDO is eliminated. These are: 1.) allowing citizens to live in recreational vehicles (RVs) on a permanent basis under certain guidelines as the current ordinance prohibits living in RVs, 2.) reducing the county's minimum square footage for a new home to 300 square feet, 3.) allowing fee simple, attached multi-family homes of up to 8 or potentially 12 units per acre of density as long as water and sewer is available at the site, 4.) curb cuts and new road requirements for subdivision developers in residential zoning, 5.) extending the expiration date for developers following project approval from one year to two years, 6.) extending the length of time for speakers at zoning hearings beyond the current 15-minute maximum per side, 7.) manufactured housing ordinance updates. Commissioner Emami said there are also some items that can be removed from the proposed UDO, saying the entirety of the 63-page Chapter 3, which is entitled "Protection of Natural Features and Resources" could potentially come out of the UDO. Commissioner Emami said most of the items in Chapter 3 are already covered under federal and state code. Commissioner Emami also said he would eliminate all items in the UDO related to tree requirements. Commissioner Emami also said he would scrap Section 4.03.01 that sets subdivision design standards as well as Section 4.06.00, which sets landscaping standards for all types of developments. Commissioner Emami noted that a lot of attention has been given to the 318-page length of the proposed UDO, but he pointed out that much of the document is dedicated to giving more accurate and clear definitions, rather than creating new laws. Commissioner Emami also noted that there are about 50 pages of graphs in the document, so it is not as long and intimidating as it might initially appear.

P&Z member Tyler said he compared the current ordinance with the proposed UDO and found contradictions between the two documents. Mr. Tyler added that there are some items in the proposed UDO that he deems government overreach, citing in particular Section 6.01.05, which sets public road access and curb cut stipulations. Mr. Tyler said he believes the current ordinance, which he said is more relaxed and less restrictive, is a big reason that Monroe County has grown in the way that it has over the past 30-plus years, remaining rural in many areas. But Commissioner Emami replied that he believes the growth that is coming to Monroe County in the coming years will require more oversight than what is in

the county's current ordinance. Mr. Tyler said he's fine with increasing the minimum road frontage from 150 feet to 200 feet in agricultural zoning but said he'd prefer allowing additional curb cuts on major county roads rather than requiring interior roads as proposed by Commissioner Emami. Mr. Tyler said he will be glad to furnish Commissioners with a list of inconsistencies he believes are in the proposed UDO. Mr. Tyler said he thinks the best way for Commissioners to move forward is to create a hybrid zoning ordinance, merging the still relevant portions of the current ordinance with the best parts of the new UDO.

P&Z chairman Rollins said growth is inevitable in Monroe County because of its location along I-75 between Atlanta and Macon. Mr. Rollins said he supports the new UDO but said some changes are needed before it can be passed as law. However, Mr. Rollins said he would not eliminate restrictions regarding landscaping and buffers from the UDO. Mr. Rollins even suggested requiring a certain percentage of trees to be left in place if a developer decides to clear cut land but leave it undeveloped.

District 3 Commissioner Ambrose said he prefers taking the most effective parts of the current ordinance and the proposed UDO and combining them to create a new ordinance. Commissioner Ambrose said there are definitely some portions of the UDO that are unnecessary to have in a final ordinance, using as an example a portion of the UDO that restricts the type of heating systems allowed in new homes.

P&Z member Benson said he agrees with Commissioner Ambrose about combining the two documents into one effective one. Mr. Benson said he supports limiting multi-family housing options to buildings of no more than three or four units in size and no more than two stories in height.

P&Z member Hunter said he too agrees with the creation of a hybrid ordinance that merges the two documents. Mr. Hunter said the proposed UDO does not sufficiently address Accessory Dwelling Units (ADU), which can be attached or unattached. Mr. Hunter also said the guidelines for private roads being turned over to Monroe County for maintenance need to be clarified. Mr. Hunter added that he thinks safety issues, such as traffic flow, need to be clearly outlined in the proposed UDO and said design controls on new development shouldn't be removed from the final document. Mr. Hunter also said he'd like to see strict restrictions on Airbnb and VRBO (Vacation Rentals by Owner) rentals within subdivisions.

P&Z member Ezelle said the P&Z Board rejected approval of the proposed UDO at their last meeting on May 22 because they had not had sufficient time to review an updated version of the document, not because the P&Z Board opposed the entire UDO. Mr. Ezelle said he's now fine with approving the proposed UDO as long as improvements are made to the document first.

District 1 Commissioner Davis said he too supports a hybrid document that merges the best items in the current ordinance and the proposed UDO. Commissioner Davis, who supports allowing multi-family housing developments, said Bibb County is capitalizing off Monroe County by putting apartments right next to the Bibb/Monroe County border and getting the tax proceeds from them. But Davis agreed with Rollins that Monroe County needs to be prepared for the growth that's coming. Commissioner Davis added the new UDO does not sufficiently address mini-farms of animals within a subdivision. Commissioner Davis said there was a recent case in Upson County of a property owner trying to raise hogs and chickens on a single acre in a subdivision. Commissioner Davis also cautioned of instances in other nearby counties where rental homes are abundant in subdivisions.

Commissioner Emami said no matter which document Commissioners ultimately vote to approve, there will be some issues that will come up that will cause changes to be made to the document later on. Commissioner Emami apologized to the P&Z Board for feeling pushed last month to approve a UDO that they still had questions about. Commissioner Emami then asked the P&Z Board how much time it needs to make additional revisions to the UDO.

Mr. Hunter said it would take more than one P&Z meeting to make suggested changes needed for an effective final version of the proposed UDO. Mr. Tyler noted that summer is a busy time for families but said 90 days would be an adequate timeframe for P&Z to review the document and propose items to be removed as well as added. Mr. Hunter said the UDO could be discussed at the conclusion of each of the next three P&Z meetings until it has been reviewed start to finish.

Commissioner Emami said he will take into account any recommendations that the P&Z Board proposes but reminded P&Z members that Commissioners will make the ultimate decision on what will end up in the final version of the proposed UDO.

Commissioner Ambrose said the Board of Commissioners will hold one final public hearing regarding the proposed UDO once the P&Z Board brings back its recommendations.

Reedy Creek Road resident Kerri Swearingen suggested Commissioners set deadlines for completing recommended changes for the proposed UDO.

Buck Creek Drive resident Don Walker urged Commissioners to find out what kind of commercial development is in the works at the High Falls exit of I-75. Mr. Walker said Commissioners can't stop development at the site but said they could put restrictions on operation times.

Heights Avenue property owner Tim Thornton thanked Commissioners and P&Z members for not passing an incomplete UDO. Mr. Thornton said recently proposed changes to the UDO are much more developer friendly than earlier versions of the document. Mr. Thornton then proposed two additional changes to the UDO, saying he wants developments with lots of 5 acres or greater in size to be excluded from subdivision requirements, and he also suggested shared curb cuts with driveway easements.

Shi Road resident Will Davis said it might be easier and faster to make additions to the smaller current ordinance than to try to eliminate items from the proposed UDO.

Renouf Road resident Ansley Hunt asked how long ago the current zoning ordinance was written and requested to view the current ordinance and the proposed UDO. Mr. Tyler said the current ordinance dates back several decades but has been amended with updates numerous times since then.

Adjourn

Commissioner Ambrose motioned to adjourn at 4:06 p.m.

Commissioner Emami seconded the motion, and the motion carried 4-0.