



HALL COUNTY

GEORGIA

*Unified Development Code*

# *Diagnostic Report*



PREPARED BY TSW

FEBRUARY 3, 2021

# Introduction

## BACKGROUND

Land development is shaped by many forces, but is primarily guided by local zoning and development regulations. These regulations should balance growth with public health, safety, and welfare, while also ensuring that development is consistent with a community's vision for its future.

Hall County's existing zoning ordinance was adopted in 1977 and has been updated several times beginning in 2015. While some parts of the zoning and other development ordinances are aligned with the County's vision, there are a number of regulations that are not fully aligned with this vision. There are also some gaps in regulations, and some unclear or duplicate requirements.

Hall County recognizes that the tools that regulate development must be updated and has decided to undertake a comprehensive update of their zoning code and other development ordinances to create a Unified Development Code (UDC). This process will be governed by the following goals, which were developed based on themes distilled from stakeholder interviews and the consultant team's initial observations.

- Implement the recommendations of Hall County Forward
- Promote economic growth and avoid unnecessarily strict regulations
- Make regulations easier to understand
- Incorporate technical best practices
- Balance the preservation of farms, natural spaces, and historic places with property rights
- Ensure high quality development

Before the UDC can be created, the County and its citizens must have a detailed understanding of how well the current regulations work. The purpose of this diagnostic report is to review existing regulations, determine their strengths and weaknesses, and identify potential technical updates, as well as policy questions that will need further discussion with the public.



*Preserving the places that make Hall County special is an important goal of the Unified Development Code update*

## ✓ Documents Reviewed

### Plans

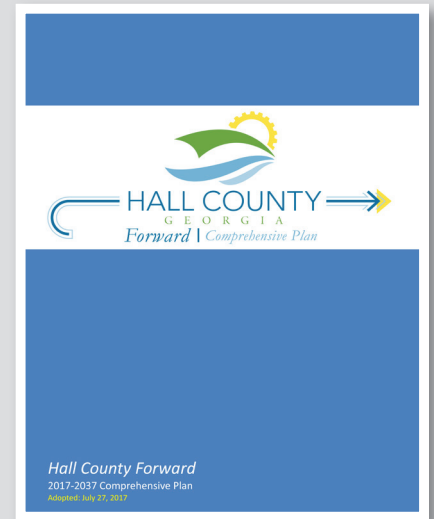
- [Hall County Forward \(2017\)](#)
- [Hall County Strategic Plan \(2018\)](#)

### Regulations

- [Zoning Ordinance](#)
- [Subdivision Ordinance](#)
- Relevant portions of [all County ordinances](#)

### Other Documents

- [Affordable Housing Strategies for Gainesville and Hall County \(2019\)](#)
- [Vision 2030 Greenspace Initiative \(2013\)](#)
- Typical zoning conditions
- Recent variance requests



## STRATEGIC PLAN

In 2018, Hall County adopted an official Strategic Plan that lays out County priorities at the highest level. A number of action items from the plan are relevant to the UDC update effort, including those that related to improving the permitting process, guiding development along Highway 365, improving pedestrian infrastructure, and promoting affordable housing.

## HALL COUNTY FORWARD

The 2017 Hall County Comprehensive Plan, known as Hall County Forward, provides a vision for unincorporated Hall County, including a Future Development Map. The plan explains that the purpose of development regulation updates "is to ensure that local regulatory tools support the implementation of the Future Development Map and specified goals in this plan."

*"Recognizing Hall County will continue to grow in population at a steady pace, this plan is intended to balance opportunities for economic growth with the desire to maintain rural character. This plan also acknowledges the need to plan in more specific detail for green space protection, historic resource preservation and promotion, and coordinated economic development."*

The plan was developed with citizen input collected at stakeholder interviews, public workshops, and open house, and an online survey. The future development workshop allowed the public to discuss preferred land uses and development densities across the County. The plan was officially adopted by the Hall County Commission in July 2017.

This UDC effort is a direct extension of Hall County Forward, which has been reviewed in detail. The following goals and strategies from the plan are most relevant to this effort:

### *Social and Economic Development Goals & Strategies*

- Support existing businesses and focus recruitment efforts on technology business and industry.
  - Evaluate development review and permitting processes to assess the ease of "doing business" in Hall County.
  - Coordinate with the Lake Lanier Convention & Visitors Bureau to promote agritourism in the county.
- Stimulate revitalization activities and redevelopment of aging properties.
  - Prioritize sidewalk and street lighting needs based on frequency of use and access to local transit stops.

### *Development Patterns Goals & Strategies*

- Preserve rural character and development patterns in North and East Hall areas.
  - Require an “Agricultural Use Notice” statement on final plats to inform the owner, occupants and uses of a property adjacent to an agricultural use or zoning classification that there may be potential impacts from lawful agricultural operations; consider similar language for zoning proposals and building permits.
- Maintain green space in new developments.
  - Evaluate the effectiveness of the County’s tree protection standards and Conservation Subdivision Design Option and identify potential amendments, as needed.
  - Incorporate minimum open space requirements into the Planned Development zoning classifications (residential, commercial, office and industrial).
- Protect and enhance established neighborhoods.
  - Evaluate minimum buffer standards in the Zoning Ordinance to ensure they are sufficient where commercial or industrial uses abut residential properties
  - Maintain residential use (or agricultural) as the primary land use along roadways that do not have a Corridor designation on the Future Development Map.
- Create quality new development.
  - Amend regulations to incorporate common conditions of zoning (conditions that are routinely approved as part of a rezoning and are not currently found in the Zoning Ordinance) that are used to ensure a high quality of development and the provision of adequate infrastructure by an applicant .
  - Evaluate use and outdoor storage and display standards of the Gateway Corridor Overlay District to ensure uses requiring outdoor storage/display are appropriately located and screened .
  - Where roadways cross both county and city lines, evaluate corridor-specific standards and design guidelines applied by the municipalities to identify any requirements that could enhance the County’s requirements .
  - Present standards for development in a Unified Development Code, which consolidates all land use, design, and environmental regulations into a single document for ease of use.
- Accommodate housing options.
  - Review existing regulations for impediments to special housing needs and opportunities such as senior housing, accessory dwelling units, and affordable housing.

### *Resource Conservation Goals & Strategies*

- Protect water resources and improve water quality.
  - Implement the recurring County-specific action items in the Metropolitan North Georgia Water Planning District’s (MNGWPD) Water Resources Management Plan.
  - Review the zoning and subdivision regulations for any impediments to low impact development (LID) or ‘green infrastructure’ approaches to stormwater management, which can lower the amount of untreated stormwater discharging to surface waters; assess findings to identify potential regulatory modifications.
  - Research the requirements needed to participate in the National Flood Insurance Program’s (NFIP) Community Rating System (CRS) Program to potentially reduce flood insurance rates for property owners.
  - Establish buffer requirements for the portion of the Chattahoochee River not under the jurisdiction of the U.S. Army Corps of Engineers, consistent with the Georgia Department of Natural Resources’ rules for river corridor protection.
- Promote and protect the county’s history
  - Adopt a Historic Preservation Ordinance to meet the eligibility requirements of the National Park Service’s Certified Local Government (CLG) Program, which provides financial and technical assistance for historic preservation activities, including a Historic Preservation Plan.

FEBRUARY 3, 2021

## EXISTING REGULATIONS

The consultant team (including zoning experts, engineers, and legal counsel) has analyzed in their entirety all County regulations that shape development. This includes the complete Zoning and Subdivision Ordinances, and portions of Part 1 of the County's ordinances that are relevant to development, transportation, the natural environment, buildings, and similar matters. Specific attention was given to clarity, consistency with state and federal regulations or model ordinances (where applicable), the legal perspective, and the practical application of regulations.

The technical review required a literal reading of existing regulations that focused on what they actually say rather than how they have been interpreted or administered over time. While this approach can result in occasional misinterpretations, it can provide insight into items needing clarification.

Any inconsistencies or weaknesses in current regulations are not intended to reflect poorly on their drafters or administrators. Many existing regulations have not been

comprehensively updated for years, so it is to be expected that piecemeal amendments prepared by various authors have resulted in inconsistencies in substance and style.

Rezoning conditions were reviewed because of their frequent use in Hall County. While these can be useful for imposing site-specific restrictions or addressing unique conditions, many zoning conditions are used frequently, which is evidence that it might be desirable to incorporate them into the UDC so they apply consistently, rather than only to specific properties. A summary of common zoning conditions is provided on the following page.

The consultant team also reviewed a detailed list of all zoning variances requested from 2016 through mid-2019. The small number of variances and the fact that a number of these are associated with rezoning applications or existing nonconformities is evidence that variance requests are generally based on legitimate hardships rather than any problems with existing regulations.



*The Unified Development Code should balance quality of life in Hall County with the need for economic development and future population growth*

## STAKEHOLDER INTERVIEWS

A series of interviews with local stakeholders beginning in November of 2019 further informed the consultants' understanding of the zoning ordinance and offered a valuable local perspective. Interviews were conducted with elected officials, Planning Commissioners, Greenspace Committee members, business leaders, builders and realtors, development professionals, north and south Hall landowners, major institutions, and County and City staff. The interviewees represented diverse local interests and expertise, and presented a nuanced vision of the goals of the community and some of the challenges that it faces related to zoning regulations.

## PUBLIC KICKOFF MEETING

A public kickoff meeting was held the evening of December 1, 2020. Some people attended the meeting in person, while others watched and participated online. The meeting included:

- A welcome and overview video
- An introduction to the UDC update process
- An overview of the process and opportunities for public input
- Stations (with parallel online survey questions) where participants could share their initial input

Attendance was low and comments may not reflect all County stakeholders, but input focused on housing choices, code enforcement, sustainability, quality development, and reducing unnecessary regulations.

## *Common Zoning Conditions*

Hall County often includes conditions with rezoning approvals—these will be studied to see whether they should be incorporated into the code update as potential regulations.

### Uses

- Gateway Overlay use restrictions applied to properties outside the overlay
- Used car lot restrictions
- Storage facility restrictions
- Limits on hours of operations

### Design

- Vinyl siding prohibition
- Masonry facade requirement
- Landscaping requirement
- Paved parking requirement
- Signage design restrictions

### Other

- Residential lot size and setback requirements
- Minimum house sizes
- Light pollution restrictions

FEBRUARY 3, 2021

# Policy Questions

## ITEMS FOR FURTHER DISCUSSION

The following policy-related questions was compiled by the consultant team based on input received in stakeholder interviews and at the Virtual Kickoff meeting, as well as the consultants' detailed reading and analysis of all relevant County ordinances. They are organized by questions related to the zoning ordinance, subdivision ordinance, and other ordinances that affect development.

These are not recommendations for ordinance changes, but rather a list of the types of topics that will need to be explored further by the public, County staff, and the consultant team during the UDC process.

### What Are Policy Questions?

These big-picture questions focus on the practical impact of regulations on development and the development process. They tackle the topics that will be important to most people in the county.

Answers to these questions are different in every community. Policies vary based on the unique priorities and diverse needs of Hall County stakeholders, and must ensure that future development is in alignment with the community's vision for its future.

This list is not comprehensive; policy questions are expected to continue to emerge as the process continues. Once answers to these questions have been explored, the consultant team will draft potential solutions for the public and County staff and officials to review.



*Policy questions will be explored with the public to gauge public opinion and explore solutions*

## *Policy Questions*

### **Manufactured Homes**

- Manufactured (mobile) homes are the most regulated land use in Hall County today. Should regulations be simplified?
- Should so-called "hardship manufactured homes" continue to be allowed with permission from the Planning Commission?
- Should modular houses besides mobile homes be limited or otherwise regulated?
- Where should tiny houses on foundations be allowed?

### **Family Types**

- Should the definition of family be updated to allow for additional living situations?

### **Subdivision Amenities**

- Subdivision amenities are not allowed today without approval by the Planning Commission and are subject to a number of technical conditions. Should these be allowed by right? Should there be certain size or design criteria?

### **Events**

- Regulations for event centers and temporary events are sometimes unclear or arcane. Should these be clarified as specific uses with basic regulations?

### **Short-Term Rentals**

- Should regulations for short-term rentals (also referred to as vacation homes) be updated?
- How should bed & breakfasts be defined and regulated?

### **Parking**

- Should parking and loading requirements be updated to reflect best practices?
- Should parking minimums for any specific uses be updated? All new single-family houses are currently required to have two parking spaces.
- Should on-street parking be allowed on certain street types in new developments?
- Should pervious paving be allowed by right in parking lots? Should gravel parking lots be allowed in rural areas?

### **Design Standards**

- Should the standards in the Gateway Corridors Overlay and Corridor Development Overlay be combined, or expanded to apply to all commercial development in the county, or only in non-rural areas?

- Are use and outdoor storage regulations appropriate?
- Should commercial or residential architectural standards be modified? Should EIFS (fake stucco) and cementitious siding (such as Hardiboard) be allowed or prohibited on commercial buildings?
- Should site design and grading standards be modified?
- Should commercial buildings under 1,000 square feet in size continue to be prohibited in the Gateway Overlay?
- Should design standards continue to apply to industrial development within the overlay?
- Are existing apartment design standards appropriate?

### **Planning Commission**

- Should the Planning Commission review preliminary plats?

### **Agricultural Zoning**

- Should a true rural zoning district be created? The lowest density zoning district today allows for subdivisions with one-acre lots.
- Should a homestead lot provision be created, similar to the existing minor subdivision lot provision?
- Should lot sizes be tied to sewer infrastructure to deter development in areas without sewer service?

### **Chicken Facilities**

- Are existing regulations for animal processing plants and chicken houses appropriate?

### **Setbacks**

- Should setbacks be required from Lake Lanier?

### **Lot Standards**

- Should minimum lot requirements vary by zoning district? Currently they are 75 feet for all residential districts and 100 feet in all other districts, except that all lots that front a four-lane highway must be at least 500 feet wide.

### **Historic Preservation**

- Should a historic preservation ordinance be adopted?
- Should a joint Gainesville-Hall County historic commission be created?
- Should a historic district be created to protect the Chocopee Mill Village? Or other areas?

### **Variations**

- Which types of regulations should be able to be varied administratively? Should there be regulations that cannot be varied at all?



**Signs**

- Are maximum sign size and height restrictions appropriate, including those for billboards?
- Should digital signs be prohibited?
- Should murals, banners, and fluttering signs continue to be prohibited?
- Should non-conforming signs be allowed to change with new uses or owners as long as the degree of non-conformity does not increase?

**Trees**

- Should clear cutting of development sites continue to be allowed?
- Is the system of tree units appropriate? Do these numbers need to be updated?
- Should more trees be required in parking lots? Currently they are only required at the end of each row of parking.
- Should expanded or improved parking lots be required to conform with the tree ordinance? Currently, only lots that add 50 or more spaces and are within the Gateway Overlay have to conform.
- Should new developments be required to plant trees on sites that did not previously have trees?
- How can the tree ordinance work with other ordinances to preserve wooded areas or groups of existing trees?
- Should street trees be allowed? Should they be required on new streets?

**Non-Conforming Uses**

- Should the Planning Commission continue to have the power to allow changes, expansions, and reconstruction of non-conforming uses? (They can currently do this except where a use has been abandoned for more than two years.)

**Animals**

- Are existing regulations for livestock and chickens in residential districts appropriate? Few regulations are provided except for a maximum number of large animals and setbacks for barns and coops.

**Conditional Uses**

- Conditional uses are heard by one of three boards today depending on the use. Should all conditional uses go before the Planning Commission? (see inset box on previous page)

**Conservation Subdivisions**

- Is the requirement for 40% open space appropriate?
- Should the minimum lot size be removed to allow for greater design flexibility?
- Should conservation subdivisions or other tools that preserve rural character be required in certain areas?

**Open Space**

- Should open space be required in new developments?



*Conditional Uses*

Today, some conditional uses are heard by the Planning Commission. Others do not go before the Planning Commission but are heard by the County Commission. Should this continue to be the case?

**Approved by Planning Commission**

- Some residential uses
- Some day care centers
- Some recreational/cultural uses
- Veterinary clinics and commercial kennels
- Some shopping centers
- Some industrial uses
- Some warehouses
- Rural businesses
- Subdivision amenities

**Approved by County Commission**

- Some residential uses
- Some day care centers and group day care homes
- Cell towers
- Hospitals
- Chicken plants
- Some industrial uses
- Some agricultural uses
- Some church signs
- Some other uses



*Existing design standards regulate basic aspects of site and building design for new residential and commercial construction*

### **Black and Cooley Drive Overlay District**

- These regulations should be revisited based on their intended purpose.

### **Light Pollution**

- Today, streetlights are required to be designed to limit glare. Should there be overall limits on light pollution or other requirements?

### **Streets**

- No maximum street or lane widths are provided today. Width measurements do not include gutters. Streets are required to be designed with a minimum rather than maximum speed. Should these be updated to allow for safer street designs?
- Should sidewalks be required on both sides of all new residential streets everywhere? Is 4 feet the appropriate width to require? Should sidewalks be required for non-residential development or new development on existing streets?
- Street connectivity requirements should be clarified. Should they also be made stronger?
- Should street lights be required on new streets?
- Confirm that new private streets are not allowed.

- Should alleys be required for certain types of development?

### **Small Subdivisions**

- Should a process be created to allow administrative approval of small subdivisions, lot consolidations, and replats? Currently, this is limited to the creation of one new lot per year.

### **Utilities**

- Should utilities in new developments and subdivisions be required to be put underground?

### **Stormwater Standards**

- Should new developments be allowed the flexibility to design with light impact development practices?

### **Cemeteries**

- Cemeteries should be appropriately defined and regulated.



## *Design Standards*

Existing design standards regulate several aspects of architecture and design. These will need to be revisited as part of this process to be sure the most appropriate regulations are applied in the proper areas or county wide.

### **Single-Family Design Standards**

- Facade materials
- Foundations
- Roof slope, overhang, and materials
- Minimum dimensions

### **Gateway Corridor Design Standards**

- Some residential uses
- Some day care centers and group day care homes
- Cell towers
- Hospitals
- Chicken plants
- Some industrial uses
- Some agricultural uses
- Some signs
- Some other uses

### **Corridor Design Standards**

- Density
- Setbacks and building location
- Grading, open space, landscaping, and screening
- Facade material
- Roof design
- Sign materials and size

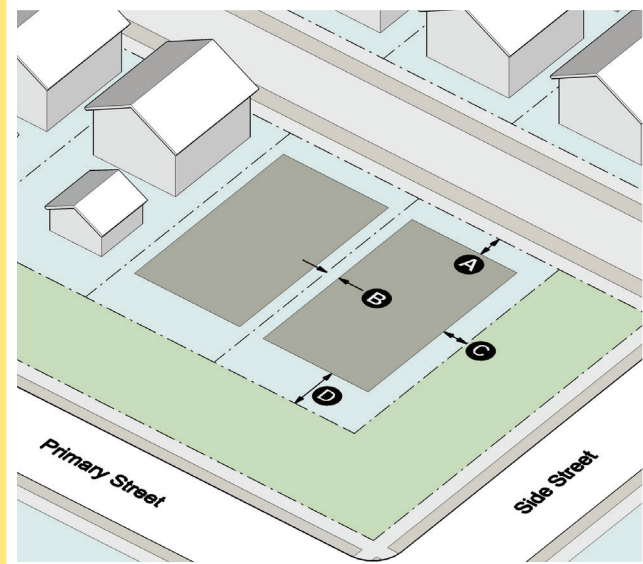
# Technical Matters

The consultant team's detailed reading of the County's ordinances also revealed many technical matters. Some of these overlap with the policy questions above, but many more are related to legal standards, usability, and other technical issues that may not require detailed public input. This list will be expanded as additional technical items are discovered. A number of minor technical issues related to wording or clarity are not listed here.

## ZONING ORDINANCE

### Usability & Overall Technical Updates

- Language should be updated to avoid legalese where possible, while still ensuring legally defensible regulations.
- Vague language should be made clear. Recommendations should become requirements or be removed.
- Broken or missing cross references should be corrected.
- Words in brackets and other editorial notations should be clarified or removed.
- The organization of chapters and sections should be improved. A new numbering system should be created that is more logical, consistent, and allows for future additions. Much of this can occur as ordinances are combined to create a Unified Development Code.
- A master table of allowed, prohibited, and conditional uses should be created. Use terminology should be consistent throughout the ordinance. Similar uses should be combined or grouped. Development types (PUD, subdivision, shopping center) should be removed from the list of uses.
- All references to the Zoning Board of Adjustment should be replaced with references to the Planning Commission.
- Tables should be created to more simply display regulations for setbacks, buffers, sign height, and other information as appropriate.
- Graphics should be added to illustrate key definitions, measurements, setbacks, design standards, and other regulations.
- Regulations that apply county wide should be consolidated into a General Provisions chapter.
- All references to specific fee amounts should be replaced with references to an official fee schedule outside of the ordinance.

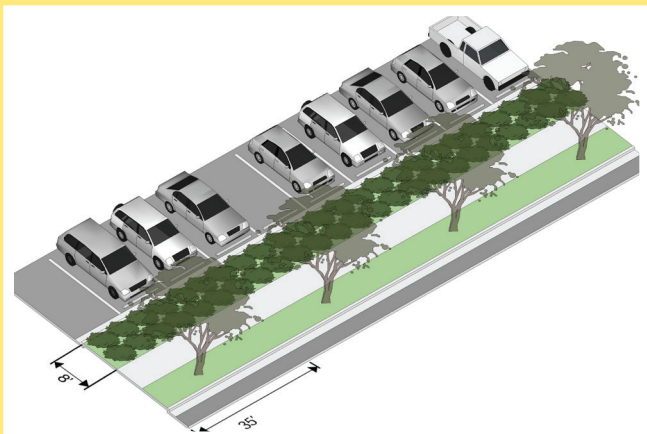


Street Category	Design Speed	Minimum Right-of-Way [1]	Minimum Roadway[2]
Principal Arterial	55 mph	120 to 150 ft.	6 through lanes with median
Major Arterial	35-55 mph	100 to 120 ft.	67 ft. 4 to 6 through lanes with median
Minor Arterial	45 mph	80 to 100 ft.	52 to 66 ft.; 4 through lanes with median
Major Collector	35 mph	80 ft.	52 ft.
Minor Collector	35 mph	60 to 80 ft.	28 ft.
Local Street			
• Nonresidential	25 mph	60 ft.	32 ft.
• Nonresidential cul-de-sac	N/A	60 ft. radius	50 ft. radius
Local Street			
• Residential - Urban	25 mph	50 ft.	27 ft.
• Residential - Urban cul-de-sac	N/A	50 ft. radius	40 ft. radius
Local Street			
• Residential - Rural	25 mph	60 ft.	24 ft.
• Residential - rural cul-de-sac	N/A	60 ft. radius	40 ft. radius
Alley	10 mph	2 ft.	16 ft.

Table 9.4. Notes:

[1] The greater right-of-way width applies under circumstances described in Sec. 9.5.3.B.C. Right-of-ways may be public or private.

[2] Roadway width dimensions are back-of-curb to back-of-curb except where noted.



- Duplicate and contradictory material should be removed.
- All chapters should be reviewed for conformity with the State Zoning Procedures Act.

### *Introductory Text*

- The purposes of the zoning ordinance should be reviewed to make sure they are consistent with Hall County Forward.

### *Chapter 17.20 Definitions*

- Many definitions need to be updated, clarified, or consolidated, including those related to banks, bed & breakfasts, boat & RV storage, commercial kennels, commercial vehicles, dwelling types, gyms and karate studios, mobile homes, and vape shops.
- A number of definitions should be added to this chapter to clarify terms used elsewhere in the zoning ordinance, including uses.
- Some definitions include regulations. These should be separated from the definitions and moved to a General Provisions chapter or the most relevant section of the code.
- Some definitions should be removed, including duplicate definitions, those with common-sense definitions, and those for terms that are not used anywhere in the zoning ordinance.
- Some definitions from elsewhere in the zoning ordinance should be moved to this section so they are easier to find.
- The provision regarding privately initiated overlay districts should be removed.
- A map of street types should be created and referenced (but not included) in the UDC, using the lists in Appendix B of the ordinance as a starting point, to provide clarity on which streets fall into which category.

### *Chapter 17.40 Establishment of Districts*

- Regulations about split zoned lots should be revisited.
- Residential design standards should be revisited.

### *Chapter 17.110 Agricultural-Residential-III District*

- Accessory farm uses include selling produce grown on the property. These should be clarified with regard to farm businesses and whether roadside stands are allowed.

### *Chapter 17.180 Planned Development District*

- The minimum district size for PDs should be clarified.
- For Planned Commercial Developments (PCD), the “limited number of carefully planned residential uses” should be specified.
- Planned Developments are a district, but also a use allowed in other districts. This should be clarified.
- The Planned Commercial Farm District (PCFD) should be converted to a legacy district.

### *Chapter 17.190 Parkway Commercial District (PC)*

- This chapter should be revisited since it is not currently applied to any property.

### *Chapter 17.205 Power Transmission Line Overlay Zoning District (PTL-OD)*

- This chapter should be reviewed for legal conformity and applicability.

### *Chapter 17.210 Conditions Applied to Specific Uses*

- Clarify that trailers are not allowed to be parked at a residence.
- Simplify regulations for temporary construction trailers.
- Home-based businesses are divided into four categories today: home office, home occupation, residential business, and rural business. Simplify, combine, and/or clarify these as accessory uses?

### *Chapter 17.215 Agri-Entertainment Events within the AR-III and AR-IV Zoning Districts*

- Clarify whether a minimum lot size is necessary to host events.

### *Chapter 17.216 Short-Term Rental*

- Add a reference under 17.216.070.B to 8.160 Litter Control.
- Confirm that fine amounts do not exceed what is allowed by state law.
- “Maximum number of vehicles allowed” should be replaced with a reference to parking regulations.

### *Chapter 17.220 Airport Overlay Zoning District*

- This should be added to the zoning map as an overlay district.
- Regulations should be updated to conform with FAA requirements.

### *Chapter 17.225 Protected Water Supply Watershed, Protected Groundwater Recharge Area, and Wetlands Protection Overlay Zoning Districts*

- Align the requirements of this chapter with the requirements of Title 8 and clarify that the overlay is simply the areas shown on the National Wetlands Inventory Map.

### *Chapter 17.230 Corridor Development (CD) Overlay District*

- This district should be added to the zoning map.
- The relationship of these regulations to the Gateway Corridors Overlay District should be clarified.
- Sign regulations should be moved to the same chapter as other sign regulations and updated to remove references to content.
- References to the design review committee should be updated or removed.

### *Chapter 17.240 Area and Setback Requirements*

- Lots used exclusively as parks or open space should be exempt from minimum lot sizes.
- Side setbacks on corner lots should be put into the table, and be related to front setbacks.
- Setbacks should be specified for in-ground pools.
- Minimum lot area requirements tied to wells should be removed.
- Setbacks adjacent to railroad rights-of-way should be clarified.

### *Chapter 17.250 Off-Street Parking, Storage and Loading Requirements*

- Parking space design criteria should be simplified, removed from the code, and used as an engineering standard.
- Parking requirements for common mailboxes should be clarified.

### *Chapter 17.260 Screening, Fencing and Outdoor Storage Requirements*

- Buffers requirements between residential and non-residential uses should be updated.
- It should be determined whether fences or walls should be allowed to replace all or part of landscaped buffers.
- Fence height, setbacks, and material regulations should be determined for each district.
- It should be determined whether shorter fences are required to get a building permit.
- The requirements of this chapter should be merged with similar requirements in the Gateway Corridors Overlay, Corridor Development Overlay, and the tree ordinance, while preserving necessary distinctions.

### *Chapter 17.270 Sign Standards*

- Sign regulations in this chapter and throughout Title 17 should be updated to be consistent with state and federal regulations, including content neutrality.
- Sign definitions should be expanded and updated.
- Sign regulations should be completely updated for clarity, simplicity, and conformity.
- Standards should be established for sign variances.
- Confirm whether home occupations are allowed to have signs.

### *Chapter 17.280 Tree Protection*

- The concept of tree protection zones should be clarified.
- Provide a list of allowed tree species, including which trees are canopy trees.

### *Chapter 17.290 Animals in Residential Districts*

- Clarify setbacks for livestock barns used for personal (rather than commercial) use.

### *Chapter 17.340 Nonconforming Use*

- Differentiate between non-conforming structures and uses. Make sure appropriate definitions are provided.

### *Chapter 17.350 Conditional Uses*

- Update and modify language and processes as necessary to meet state statutes and requirements.
- Simplify regulations for temporary sales offices.

### *Chapter 17.360 Administration and Enforcement*

- Prohibitions on rezoning small or non-conforming lots should be clarified.
- The process for appealing decisions of the Planning Commission and County Commission should be explained. (The code currently only explains how to appeal staff decisions.)
- Review rezoning application requirements?
- Is the requirement for traffic impact studies for developments with more than 100 residential uses appropriate?
- Planning Commission decision criteria should be reviewed and updated.
- Remove meeting procedures from the zoning ordinance and adopt them as part of a separate document.

### *Chapter 17.370 Appeals*

- Update to meet state process requirements; update and clarify appeal processes including appeals of final decisions.

### *Chapter 17.380 Amendments*

- Slow rate land treatment (land application sewage) systems could be prohibited county wide, since they are very uncommon and negatively impact neighboring properties.

### *Chapter 17.410 Standards for Telecommunication Antennas and Towers*

- Regulations should be simplified and updated to reflect the latest federal standards.
- "Historic or scenic view corridors" should be specified and a threshold of impact determined.
- Landscaping requirements should be made specific.
- Regulations about abandoned towers should be revisited.

### *Chapter 17.420 Gateway Corridors Overlay District (GCOD)*

- This overlay district should be added to the zoning map and the descriptions of its boundaries should be removed from the text.
- The applicability threshold should be clarified. Currently it is "addition or change to more than 75 percent of the floor area."
- Clarify the approval process for tire shops, car washes, and service stations.

### *Chapter 17.440 Black and Cooley Drive Overlay District (BCOD)*

- The applicability threshold should be clarified.

## **SUBDIVISION ORDINANCE**

- Some definitions should be updated.
- Use consistent terminology for preliminary plats, which are sometimes referred to as construction drawings.
- Plat requirements should be clarified, including with regard to showing existing structures.
- Refer to the street types in the zoning ordinance or a map as recommended above rather than providing definitions.
- It should be explained whether street requirements apply in cases where no subdivision of land occurs.
- The appeals process should be clarified.
- The construction inspection schedule should be clarified.
- Engineering standards and fee amounts should be removed from the ordinance.
- The relationship of Planning Director approval of plats and Planning Commission approval of plats should be clarified.
- The specific aspects of the subdivision ordinance that can be varied for planned developments should be spelled out.
- The requirement for reverse frontage should be revisited.
- Provisions about reserving land for public use or facilities should be removed if they are not used.
- Requirements for lots near dams should be combined and clarified.
- Clarify that a separate soil erosion permit is not required.
- Street design requirements, including deceleration lanes and cul-de-sacs, should be revisited to make sure they allow flexibility and safe design.
- Right-of-way width requirements should be revisited to make sure they do not preclude buildings being close to the street in certain circumstances.
- Remove the provision allowing sidewalks to be installed two years after final plat approval.
- The requirement that natural features and historic sites be preserved should be reworded or incorporated into any open space requirements.
- The applicability of public hearing requirements from state law should be clarified as to whether it applies to all of the subdivision ordinance.

- Specify which variances or modifications of the subdivision ordinance the Planning Commission is allowed to approve.
- Require new developments to provide multiuse trails that support the proposed trails in the county's Bicycle and Pedestrian Plan.
- Language regarding adjacent agricultural uses should be required to be included on residential plats. (This is already required as a zoning condition.)

## OTHER ORDINANCES

### Title 1

- There are some broad definitions and notes about language that will not need to be repeated in the UDC
- Remove language about the "official map" of Hall County in 1.30 unless this is still needed
- The penalties in 1.50 for violating County ordinances should be consistent with the UDC and may not need to be repeated

### Title 2

- Confirm that language about the Planning Commission in 2.60 does not conflict with anything in the zoning ordinance

### Title 3

- Add cross reference in zoning to 3.90 Mobile Homes and Manufactured Home Decals
- Make sure that uses in 3.100.400 (impact fees) are consistent with those in zoning and the City of Gainesville, where possible

### Title 4

- The requirements of Title 4 Animals should be made consistent with those in the zoning ordinance, including the minimum land area of 15,000 square feet per livestock animal, and definitions

### Title 5 (Chapter 5.10)

- Make sure use definitions in 5.10.420(A-B) are consistent with zoning
- 5.10.420(G) addresses special event licenses and should be consistent with zoning
- Regulations for going out of business sales in 5.10.440 should be consistent with zoning—is there a special permit type for these, or what is the application about?
- Add a cross reference in zoning to 5.10.550, which requires an "investigation" and lack of recent conviction for owners of flea markets, "tourist camps," outdoor

events, auctions, pool halls, fortune tellers, pawn shops, tattoo parlors, etc.

- Add a cross reference in zoning to 5.10.560, which prohibits businesses with gambling or drug paraphernalia
- 5.10.580 provides standards for food trucks, flea markets, dance halls, and race tracks—these should be moved to zoning or removed if not needed

### Title 5 (other)

- Adult business definitions should be updated and avoid duplicating definitions in the zoning ordinance. Regulations should be updated to reflect recent court precedent.
- Event venue requirements in 5.30.020 of the alcohol ordinance should be consistent with and referenced in the UDC
- Use definitions in 5.30.020 should be consistent with and referenced in the UDC
- 5.30.100(B) the County can deny alcohol permits in an area where there are already too many permits—specific numbers or impacts need to be provided if this is desired
- 5.40 Massage and Bodywork Therapy Business should be consistent with zoning and referenced in the UDC
- 5.60 Distilled Spirits – definitions and requirements should be consistent with and referenced in the UDC
- 5.70 Fortune-Telling and Related Practices should be consistent with and referenced in the UDC
- References in 5.70.070 to which zoning districts allow fortune-telling and similar businesses should be moved to the UDC
- 5.90 Film and Music Project Permits should be consistent with and referenced in the UDC

### Title 8

- Update and strengthen code enforcement requirements.
- Increase buffer requirements along the Chattahoochee River.
- 8.10 Tattoo Artists, Operators, Studios and Establishments should be cross referenced in zoning
- 8.35 Commercial Car Wash – these requirements should be abridged and moved to the zoning ordinance
- 8.140 Abatement of Nuisances – this chapter should be reviewed for conformance with best practices

### Title 10

- Add cross references in zoning to 10.60 Parking on County Property, 10.70 Parking on Public Right-of-Way, and 10.80 No Parking Areas.



## **Title 12**

- Update reference in 12.20.010 to the official 1975 county road map and make sure “publicly maintained road” is defined here or elsewhere
- Minimum road right-of-way widths should be removed from 12.30.010 and be provided only in the Subdivision Ordinance
- Chapter 12.40 Driveway Construction should be moved to the zoning or subdivision ordinance; design standards should be updated to be more pedestrian friendly and reduce impervious surface in appropriate areas
- Visibility requirements in 12.40.130(C) should be moved to the zoning ordinance
- Parking regulations in 12.40.150 should be moved to the zoning ordinance
- Approval of driveways should be by the County Engineer rather than the Building Official
- Review and update design or engineering criteria for various elements as appropriate
- Clarify and modernize outdated drawings

## **Title 13**

- 13.30 Treatment and Disposal of Wastewater by Land Application – this chapter should be removed if this use is ultimately prohibited in zoning and there are no grandfathered uses

## **Title 15**

- Update references in 15.10.010 to reflect latest building codes, or remove references and go with state minimum requirements
- Mobile home regulations in 15.10.040(B) should be simplified and made consistent with those in the zoning ordinance
- Update references in 15.90 to the 1994 Standard Housing Code
- Clarify when building permits are required for tree houses

## **Appendix I**

- This appears at the end of Title 8 and Title 16. It should be consolidated to the UDC, or removed and fees can still be adopted by the County.