

Bryan County Board of Commissioners – January 12, 2021

The regular meeting of the Bryan County Board of Commissioners was held on Tuesday, January 12, 2021 at Hendrix Park. The following members were present: Chairman Carter Infinger, Commissioner Brad Brookshire, Commissioner Dallas Daniel, and Commissioner Wade Price. Also present: County Administrator Ben Taylor, County Clerk Donna Waters, and County Attorney Lea Holliday. Commissioner Noah Covington and Commissioner Gene Wallace were present via Go-to-Meeting.

Chairman Infinger called the meeting to order at 5:30 p.m. Invocation was given by Carter Infinger. Everyone joined in the Pledge of Allegiance. Visitors were recognized.

Probate Judge Billy Reynolds swore in Commissioner Noah Covington, Commissioner Dallas Daniel and Chairman Carter Infinger.

Donna Waters was recognized for her retirement after 41+ years with the county. She was presented with a crystal award and flowers.

A discussion was held on the agenda. A motion was made by Brad Brookshire and seconded by Wade Price to approve the agenda as presented. Motion carried unanimously.

A motion was made by Brad Brookshire and seconded by Wade Price to approve the minutes of the December 2020 meetings as presented. Motion carried unanimously.

A motion was made by Brad Brookshire and seconded by Wade Price to close the regular meeting to hold planning & zoning public hearings. Motion carried unanimously.

\*Case SD #3147-20 – North Bryan Properties, LLC Preliminary Commercial Subdivision Plat – No one other than the applicant was present to speak on this item.

\*Case SD #3170-20 – JI Interstate West Land, LLC (Van Trust) Preliminary Road Plat – No one other than the applicant was present to speak on this item.

\*Case Z #239-10 – Christopher Ferrel Rezoning Request – No one other than the applicant was present to speak on this item.

\*Comprehensive Plan Amendment-North Bryan Future Land Use Map – The applicant was present to speak on this item.

Several citizens were present to speak in opposition of the next five (5) rezoning items.

\*Case Z #234-20 – Commissioner Initiated Rezoning – Alcova/Blitchton Timberlands Tract

\*Case Z #235-20 – Commissioner Initiated Rezoning – Herbert Warnell Tract

\*Case Z #236-20 – Commissioner Initiated Rezoning – Warnell Farm Tract

\*Case Z #237-20 – Commissioner Initiated Rezoning – Conley Tract

\*Case Z #238-20 – Commissioner Initiated Rezoning – Davis Tract

\*2<sup>nd</sup> Reading Revised Zoning Map of Bryan County – No one was present to speak on this request.

\*1<sup>st</sup> Reading Amendment to Development Impact Fee Ordinance – No one was present to speak on this request.

A motion was made by Wade Price and seconded by Brad Brookshire to go back into regular session. Motion carried unanimously.

\*Case SD #3147-20 – North Bryan Properties, LLC is requesting preliminary plat approval for the commercial subdivision of parcels PIN # 029-004, 029-005, and 030-001. The plat proposes 9 parcels for commercial development, with a detention pond/open space parcel, and an 80-foot wide public right-of-way. Staff and the Planning Commission recommends approval with the condition that the final Water and Sewer and Traffic Contribution Agreements are approved by the Board of Commissioners prior to construction plan approval. A motion was made by Wade Price and seconded by Brad Brookshire to approve the preliminary plat for North Bryan Properties, LLC to establish the 80-foot wide right-of-way and lots, subject to the condition that the final water and sewer and traffic contribution agreements are approved by the Board of Commissioners, prior to construction plan approval. Motion carried unanimously.

\*Case SD #3170-20 – JI Interstate West Land, LLC (Van Trust) is requesting preliminary plat approval to establish a 100-foot wide right-of-way from PIN # 034-021 to serve future development. Staff and the Planning Commission recommends approval with the following conditions: 1. The proposed sanitary sewer lift station (LS) shall be relocated with direct frontage along the dedicated right-of-way at an approved location. The LS shall be designed in accordance with current county and EPD standards; 2. The proposed intersection at Oracal Parkway shall be positioned at an approved location which meets County Ordinance requirements. A motion was made by Brad Brookshire and seconded by Wade Price to approve the preliminary plat to establish the 100-foot wide right-of-way and utility tract, subject to the following conditions: 1) The proposed sanitary sewer lift station (LS) shall be relocated with direct frontage along the dedicated right-of-way at an approved location. The LS shall be designed in accordance with current County and EPD standards, and 2) The proposed intersection at Oracal Parkway shall be positioned at an approved location which meets County Ordinance requirements. Motion carried unanimously.

\*Case Z #239-20 – Christopher Ferrel is requesting the rezoning of property, PIN # 063-038 and 063-039. The applicant is requesting the property be rezoned from “AR-1.5” Agricultural Residential District, from its existing “R-1” Single Family Residential District zoning. Staff and the Planning Commission recommends approval of the requested rezoning. A motion was made by Wade Price and seconded by Brad Brookshire to approve the requested rezoning for Christopher Ferrel, Case Z#239-20, from AR-1.5 to R-1. Motion carried unanimously.

\*Comprehensive Plan Amendment-North Bryan Future Land Use Map – The Bryan County Board of Commissioners initiated a Comprehensive Plan Amendment to amend the North Bryan Character Areas and Future Land Use Map, by changing the classification of certain parcels currently classified as low density and agricultural to industrial. The affected tax map and parcel numbers are 029-023; 033-028-01; 029-023-01; 029-024; 028-029; 028-031; and 033-024-01. A motion was made by Wade Price and seconded by Brad Brookshire to approve the Comprehensive Plan Amendment to amend the North Bryan Character Areas and Future Land Use Map by changing the classification of certain parcels currently classified as low density and agricultural to industrial. Motion carried unanimously.

\*Case Z #234-20 – The Bryan County Board of Commissioners initiated rezoning for property owned by Blitchton Timberlands, LLC, PIN # 029-223; 033-028-01; and 029-023-01. The properties are currently zoned “A-5” agricultural district, and the Board of Commissioners has initiated a rezoning to “I-1” general industrial in order for the properties to be developed as an industrial park for manufacturing, warehousing, and distribution uses. The Planning Commission is recommending approval with the staff’s conditions. A motion was made by Brad Brookshire and seconded by Wade Price to approve the rezoning of property owned by Blitchton Timberlands, LLC, Case Z#234-20 from A-5 to I-1 with the recommended and revised conditions included with the materials for this item. Motion carried unanimously. (Please see conditions attached to the minutes of this meeting)

\*Case Z #235-20 – The Bryan County Board of Commissioners initiated rezoning for property owned by Herbert Warnell, PIN # 029-024. The properties are currently zoned “A-5” agricultural district, and the Board of Commissioners has initiated a rezoning to “I-1” general industrial in order for the properties to be developed as an industrial park for manufacturing, warehousing, and distribution uses. The Planning Commission is recommending approval with the staff’s conditions. A motion was made by Wade Price and seconded by Brad Brookshire to approve the rezoning of property owned by Herbert Warnell, Case Z#235-20 from A-5 to I-1 with the recommended and revised conditions included with the materials for this item. Motion carried unanimously. (Please see conditions attached to the minutes of this meeting).

\*Case Z #236-20 – The Bryan County Board of Commissioners initiated rezoning for property owned by Warnell Farms, LLC, PIN # 028-029. The properties are currently zoned “A-5” agricultural district, and the Board of Commissioners has initiated a rezoning to “I-1” general industrial in order for the properties to be developed as an industrial park for manufacturing, warehousing, and distribution uses. The Planning Commission is recommending approval with the staff’s conditions. A motion was made by Brad Brookshire and seconded by Wade Price to approve the rezoning of property owned by Warnell Farms, LLC, Case Z#236-20 from A-5 to I-1 with the recommended and revised conditions included with the materials for this meeting. Motion carried unanimously. (Please see conditions attached to the minutes of this meeting).

\*Case Z #237-20 – The Bryan County Board of Commissioners initiated rezoning for property owned by Ben and Willie Conley, PIN # 028-031. The properties are currently zoned “A-5” agricultural district, and the Board of Commissioners has initiated a rezoning to “I-1” general industrial in order for the properties to be developed as an industrial park for manufacturing, warehousing, and distribution uses. The Planning Commission is recommending approval with the staff’s conditions. A motion was made by Wade Price and seconded by Brad Brookshire to approve the rezoning of property owned by Ben and Willie Conley, Case Z#237-20 from A-5 to I-1 with the recommended and revised conditions included with the materials for this meeting. Motion carried unanimously. (Please see conditions attached to the minutes of this meeting).

\*Case Z #238-20 – The Bryan County Board of Commissioners initiated rezoning for property owned by The Estate of Margie Davis, PIN # 033-024-01. The properties are currently zoned “A-5” agricultural district and the Board of Commissioners has initiated rezoning to “I-1” general industrial in order for the properties to be developed as an industrial park for manufacturing, warehousing, and distribution uses. The Planning Commission is recommending approval with the staff’s conditions. A motion was made by Wade Price and seconded by Brad Brookshire to approve the rezoning of property

owned by the Estate of Margie Davis, Case Z#238-20 from A-5 to I-1 with the recommended and revised conditions included with the materials for this meeting. Motion carried unanimously. (Please see conditions attached to the minutes of this meeting).

\*2<sup>nd</sup> Reading Revised Zoning Map of Bryan County – The Bryan County Board of Commissioners directed the Community Development Department to update the Zoning and Subdivision Codes of Bryan County. The Community Development Department has finalized this update, known as the Unified Development Ordinance (UDO). The Board of Commissioners adopted the UDO on December 8, 2020, with an effective date of January 12, 2021. With the adoption of the UDO, certain zoning districts are combined/eliminated and certain zoning districts are renamed. The Official Zoning Map needs to be updated to reflect these changes. Due to this needed update, the Community Development Department reviewed the Official Zoning Map to ensure consistency with the UDO and address ministerial issues. The Community Development Department did not undertake a review and confirmation of the zoning for every parcel in the County. The intent and scope of updating the Official Zoning map was limited to: 1) rename the zoning districts based on the adopted UDO; and 2) ensure parcels had a zoning designation. For the later, the Community Development Department’s review was limited to identifying the applicable zoning district(s) for parcels identified as “Multi” as there is no “Multi” zoning district in the County and identifying the approved zoning district for any parcel without a zoning designation. The Community Development Department did not rezone and is not recommending rezoning any parcel. If a zoning district could not be identified, per the UDO, the default zoning district would be A-5. The Board of Commissioners held a public hearing for 1<sup>st</sup> reading of the ordinance of November 10, 2020. No one spoke during that public hearing. Since the Zoning Map will replace the existing Zoning Map, staff has scheduled a second public hearing in front of the Board of Commissioners to allow the public as many opportunities as possible to provide comments, express concerns, and/or ask questions. A motion was made by Brad Brookshire and seconded by Wade Price to approve the second reading and adopt the Updated Zoning Map for Bryan County. Motion carried unanimously.

\*1<sup>st</sup> Reading Amendment to Development Impact Fee Ordinance – The Bryan County Board of Commissioners adopted the Development Impact Fee Ordinance of Bryan County, Georgia (DIFO) on January 8, 2019. The Impact Fee Ordinance was codified in MuniCode as Appendix D of Subpart B “Land Development”. With the recent adoption of the UDO, which repealed and replaced Subpart B, Appendices A “Subdivisions”, B “Zoning” and C “Engineering Design”, the DIFO needs to be renumbered, which requires repealing and replacing the existing ordinance. Additionally, the DIFO references an Attachment A, which is the approved Impact Fee Schedule. In order to address the amended Impact Fee Schedule approved with the 2021 budget, the DIFO needs to be amended to incorporate the Amended Impact Fee Schedule. Sections 115-12 and Section 115-15 have been amended to reference the Amended Schedule. Per state law, development impact fee ordinances require two public hearings. While the revisions to the DIFO are minor, since the DIFO is being repealed and replaced, staff is scheduling this item for two public hearings. This is the 1<sup>st</sup> public hearing.

\*Dennis George is requesting the rezoning of property located at 407 Deer Run Road, PIN # 029-015-08. The applicant is requesting a portion of the property be rezoned to “B-2” general commercial district, from its existing “A-5” agricultural district zoning. Staff and the Planning Commission is recommending denial of this request. A motion was made by Wade Price to approve the rezoning for Dennis George. Motion died for lack of a second. A motion was made by Brad Brookshire and seconded

by Noah Covington to denial the rezoning request of Dennis George. Voting for: Brookshire, Dallas, Covington and Wallace. Voting against: Price. Motion carried.

Kirk Croasmun, County Engineer, met with the board with several issues.

\*Water & Sewer Agreement with North Bryan Properties, LLC – The proposed agreement will require North Bryan Properties to design, permit, construct, and make operational water and sewer infrastructure in conjunction with the proposed commercial subdivision and to connect into the existing Bryan County water and sewer infrastructure. In addition, Bryan County Properties is obligated to pay tap fees consistent with the current rates currently being charged for connections into the systems. A motion was made by Brad Brookshire and seconded by Gene Wallace to authorize the Chairman to execute the Water and Sewer Service Agreement with North Bryan Properties, LLC. Motion carried unanimously.

\*JI Interstate West Land, LLC Traffic Contribution Agreement – VTRE Development, LLC requested Bryan County rezone parcel 034-021 from A-5 to I-1 (now known as I-2). The Board of Commissioners granted this request on June 9, 2020. The approval had a condition related to traffic improvements. Specifically, the developer is required to enter into an agreement to address required transportation improvements. A traffic signal at Oracle Parkway/Interstate Center and US 280 is needed to address the reduction in Level of Service at this intersection. The County is requiring developers to pay their proportionate share for the traffic signal based on the anticipated impacts from the increased traffic volumes. JI Interstate West Land, LLC, as successor in interest, has agreed to the attached Contribution Agreement, whereby they will contribute \$105,200 to the cost of the signal. The funds will be held in escrow until the Georgia Department of Transportation agrees to install the light. A motion was made by Brad Brookshire and seconded by Wade Price to authorize the Chairman to execute the Traffic Contribution Agreement with JI Interstate West Land, LLC. Motion carried unanimously.

\*Engineering Design Manual – The Board of Commissioners adopted the Unified Development Ordinance on December 8, 2020 with an effective date of January 12, 2021. In order to standardize Engineering Design requirement, the UDO references the Engineering Design Manual as Appendix C. The Engineering Design Manual is a separate document, and the Board of Commissioners is being asked to approve the final version of this manual. A motion was made by Brad Brookshire and seconded by Wade Price to approve the Engineering Design Manual, which is incorporated into the UDO as an appendix. Motion carried unanimously.

\*Award of Henderson Park Gym and Soccer Complex Project – In conjunction with contract documents prepared by GMC for the construction of a new gymnasium and soccer field located at Henderson Park, seven contractors were pre-qualified to bid on the proposed improvements. In response to the RFP, five of the seven contractors submitted bids for consideration. The lowest bid was provided by Pope Construction Company in the amount of \$6,599,000. A motion was made by Brad Brookshire and seconded by Wade Price to award the Henderson Park Gym and Soccer Complex Contract to Pope Construction in the amount of \$6,599,000 in accordance with the December 28, 2020 GMC Contractor Recommendation letter. Motion carried unanimously.

\*2021 Georgia Department of Transportation LMIG Road Program Application – Each year the Georgia Department of Transportation provides grant funding for local governments through the Local Maintenance and Improvement Grant Program for road related construction projects. As per the

attached letter for 2021, Bryan County was awarded \$439,068.56. GDOT requires a local match of 30% which equates to \$131,720.57. Additional funding has been allocated through TSPLOST funds bringing the total to \$1,200,000 for the 2021 Bryan County Road Program. A motion was made by Noah Covington and seconded by Wade Price to authorize the Chairman to execute the 2021 GDOT LMIG package for submittal to GDOT for their approval. Motion carried unanimously.

Ben Taylor, County Administrator, met with the board with several issues.

\*Appointment of Vice-Chairman – Each year the Board of Commissioners appoints one of its members as the Vice-Chairman. For a number of years, the Board of Commissioners has been using the rotation of 5<sup>th</sup> District, followed by 3<sup>rd</sup> District, then 4<sup>th</sup> District, 2<sup>nd</sup> District and 1<sup>st</sup> District. The Vice-Chairman for 2020 was Noah Covington, 1<sup>st</sup> District. The proposed Vice-Chairman for 2021 will be the 5<sup>th</sup> District Commissioner Gene Wallace. A motion was made by Wade Price and seconded by Brad Brookshire to appoint Mr. Gene Wallace, 5<sup>th</sup> District Commissioner as the Vice-Chairman of the Bryan County Board of Commissioners for FY 2021. Motion carried unanimously.

\*Appointment of County Attorney – In January of each year, the Board of Commissioners appoints the County Attorney. Leamon (Lea) Holliday with Bouhan Falligan, LLP has been serving as the County Attorney since December 2014. A motion was made by Wade Price and seconded by Brad Brookshire to reappoint Mr. Lea Holliday as the County Attorney for FY 2021. Motion carried unanimously.

\*Appointment to JDA Board – Carter Infinger currently serves on the Savannah Harbor-Interstate 16 Corridor Joint Development Authority (JDA Board). His term on this board expired on December 31, 2020. The Bryan County Development Authority is recommending Mr. Infinger be reappointed to this board with a term to expire on December 31, 2024. A motion was made by Brad Brookshire and seconded by Wade Price to reappoint Carter Infinger to the JDA Board with a term to expire on December 31, 2024. Motion carried unanimously.

\*Trade In 2002 CAT 140H Motor Grader on a 2021 John Deere 672G Motor Grader with 6WD and new Rome Sloper – Bryan County Public Works is looking to trade in a 2002 CAT 140 Motor Grader on a 2021 John Deere 672G Motor Grader with 6WD and a new Rome Sloper. A motion was made by Wade Price and seconded by Brad Brookshire to approve the trade in of the 202 CAT 140H Motor Grader and purchase a 2021 John Deere 672G Motor Grader with 6WD and a new Rome Sloper under the 5 year/7,500 hour lease with \$142,611 purchase option of 6 annual payments of \$49,445.64. Motion carried unanimously.

\*Approval of 2021 Sheriff Department Budget Amendments – With the New Year came a newly elected Sheriff. As with any change in personnel, Sheriff Crowe has new visions and new priorities for his department in 2021. The budget process took place during 2020 under the direction of the previous sheriff, therefore updated budget needs with the change in command have come to light. Sheriff Crowe has requested an additional 4 vehicles, a total cost of approximately \$200,000. These vehicles will be used for the implementation of a traffic unit. A motion was made by Wade Price and seconded by Brad Brookshire to adopt a resolution to approve the 2021 Sheriff Department Budget Amendment as reflected on the attached page labeled “Exhibit A”. Motion carried unanimously.

A motion was made by Brad Brookshire and seconded by Wade Price to go into executive session to discuss personnel and litigation. Motion carried unanimously. The board went into executive session at 8:03 p.m.

A motion was made by Brad Brookshire and seconded by Dallas Daniel to appoint Lori Tyson as Interim County Clerk. Motion carried unanimously.

A motion was made by Brad Brookshire and seconded by Dallas Daniel to adjourn. Motion carried unanimously. The meeting adjourned at 8:47 p.m.

## **Conditions for Cases Z#234-20, Z#235-20, Z#236-20, Z#237-20 and Z#238-20**

### **GENERAL CONDITIONS**

1. The subject property is proposed to be developed as a master planned industrial park with the parcels described as the “Davis Property,” “Conley Property,” “Warnell Farms,” “Herbert Warnell,” and “Alcova/Blitchton Timberlands,” herein called the “Project.” A Master Development Plan shall be prepared. Alternatively, if each parcel is developed separately, a Master Development Plan must be prepared for each parcel. Either collectively or individually, the Master Development Plan must be approved by the Board of Commissioners and comply with the following:
  - a. The Master Development Plan shall be prepared in compliance with the requirements established by the Community Development Director and Engineering Director. Required preliminary details include, but are not limited to, internal road network, access points, proposed right-of-way dedications, environmentally sensitive areas, building footprints, stormwater management facilities, areas proposed for dedication to the County for water and wastewater infrastructure improvements, and phasing plan;
  - b. The Master Development Plan must be approved by the Board of Commissioners prior to subdivisions (minor or major) being approved and/or any building or land disturbance permits, including timbering and clearing and grading, being issued. A public hearing shall be required; and
  - c. The Community Development Director may approve minor changes to the approved Master Development Plan. If the Community Development Director determines significant changes are being proposed to the approved Master Development Plan, the Community Development Director shall submit the proposed revisions to the Board of Commissioners for approval.
2. The subject property is part of a master planned industrial park and as such, all required studies, reports, and agreements shall address the entire Project and not be limited to individual parcels, except for site specific studies, e.g., flood studies, jurisdictional determinations for wetlands.
3. No subdivisions (major or minor) may be approved and no building or land disturbance permits, home occupation permits, or temporary use permits shall be issued for the Project until the conditions of the zoning approval are met.

4. Permitted uses within the Project boundary are limited to those uses allowed in the I-2 Zoning District as identified in the Permitted Uses Table in effect at the time of the rezoning (Attachment A) and subject to the following uses being specifically precluded:
  - a. Wrecking, salvage, and junk yards
  - b. Smelting and refining
  - c. Boat sales
  - d. Hazardous waste processing, storage, treatment or disposal
  - e. Solid waste collection, combustion, landfills, or separation/sorting of recyclable materials from non-hazardous waste streams
  - f. Mining and extraction
5. The property shall be served by public water and sewer. No individual septic tanks are permitted, unless approved by the Engineering Director. If approved, the following apply:
  - a. Approval of the use of an individual septic system is only permitted if public sewer will not be available within a reasonable time period to serve the proposed building/development, as determined by the Engineering Director.
  - b. All Public Health Department rules and regulations must be met and a permit issued.
  - c. The property owner must connect to public sewer within 90 days of public sewer becoming available.
  - d. Individual septic systems, including drain fields, are not permitted in any required buffers, landscape areas, or tree save areas.
6. Required flood studies and map amendments must be approved by the appropriate regulatory agency. The following conditions apply to the timing of approvals/permit issuance related to establishing the base flood elevation:
  - a. No building permits may be issued prior to the effective date of any required map revisions, i.e., Letter of Map Revision (LOMR).
  - b. A final subdivision plat will not be approved until the LOMR is issued by the Federal Emergency Management Agency (FEMA).
  - c. The County will not approve a site development plan unless, at a minimum, a Conditional Letter of Map Revision (CLOMR) is issued by FEMA.
7. Required Army Corps of Engineers permits must be obtained prior to land disturbance permits being issued. The Engineering Director, however, may approve a land disturbance permit if the jurisdictional determination has been submitted to the Army Corps of Engineers and upon determining that there would be no potential impacts to wetlands based on the limits of disturbance.
8. In lieu of individual agreements related to infrastructure, as identified under the subsequent headings, the County and property owners/developer(s) may choose to enter into a Development Agreement. The Development Agreement must be finalized and executed prior to any subdivision (major or minor) approval and/or building and land disturbance permits, including timbering and clearing and grading, being issued.
9. If the property owner/developer proposes common area or infrastructure improvements to be maintained by the development, i.e., private, including but not limited to roads, water and wastewater, and stormwater management, the owner/developer must show proof of a Property Owners Association (POA) being formed and submit Covenants, Conditions, and Restrictions (CCRs) to the Community Development Department prior to any final subdivision plats being approved. The CCRs shall include provisions for maintenance, including funding, of the common area and private infrastructure improvements.
10. The County's responsibility/obligation to provide and fund any infrastructure improvements must be memorialized and agreed to either in a Development Agreement or through the individual agreements identified in subsequent conditions.



## **TRAFFIC/TRANSPORTATION**

*Prior to any subdivision (major or minor) being approved and/or any building or land disturbance permits, including timbering and clearing and grading, being issued.*

1. The Traffic Impact Analysis shall be approved by the Engineering Director.
2. A Transportation Master Plan shall be submitted and approved by the Engineering Director. Such plan shall include an access plan. Location, total number of access points, and timing of installation of access and related improvements, e.g., turn lanes, traffic controls, shall be at the discretion of GDOT for state-controlled roads and at the discretion of the Engineering Director for County-controlled roads. The Transportation Master Plan shall be included with the Master Development Plan presented and approved by the Board of Commissioners.
3. The County and the property owners/developers shall enter into a Transportation Improvement Agreement identifying the timing and responsibility of traffic improvements, based on the approved Traffic Impact Analysis, the County's Capital Improvement Program, and GDOT's STIP. Owner/developer shall be responsible for preparing the preliminary engineer's cost estimate for all identified improvements. Identification of funding of such improvements shall be included in the Transportation Improvement Agreement.
4. Obligations for funding and timing of transportation improvements will only be established through the Transportation Improvement Agreement. The County shall not have any responsibility for such improvements based solely on the approval of the rezoning.

### *General Conditions Related to Transportation*

1. Owner/Developer shall be responsible for constructing all required roads to serve the development.
2. No direct access to the development shall be permitted from Eldora Road.
3. Should the anticipated uses identified in the TIA materially change during the life of the Project, an updated TIA shall be required.
4. Owner/Developer shall dedicate right-of-way along Highway 80 to GDOT necessary for the construction of proposed improvements based on the approved TIA and/or GDOT STIP. The owner/developer shall dedicate right-of-way along Warnell Farms Road and Olive Branch Road to the County, as necessary, for improvements identified in the TIA or as identified in the County's Capital Improvement Program.
5. If GDOT is not prepared to accept right-of-way dedication at the time of development, the owner/developer shall show the future right-of-way line(s) on all plats, surveys, and site plans. Required building setbacks, buffers, easements, shall be measured from the future right-of-way line. Owner/developer shall obtain GDOT consent and/or approval for all future right-of-way to be dedicated on the plat(s) as well as provide the necessary assistance for dedication at such time GDOT requests.
6. Improvements to Warnell Farms Road and/or Olive Branch shall be approved by the Engineering Director. All improvements shall be constructed and accepted by the County prior to the issuance of any Certificates of Occupancy for the adjacent development sites in the Project.
7. Permits from GDOT shall be provided for roadway access and drainage as necessary.

## **WATER AND SEWER**

Prior to subdivision (minor and major) approvals or building or land disturbance permits, including timbering and clearing and grading, being issued.

1. The preliminary water and sewer master plan shall be approved by the Engineering Director.
2. A final water and sewer master plan shall be prepared by the owner/developer and reviewed and approved by the Engineering Director. The water and sewer master plan or similar document approved by the Engineering Director, shall include a phasing schedule for water and sewer improvements, a demand versus capacity analysis, and a funding mechanism for all water and sewer infrastructure improvements.
3. The property owner/developer shall enter into a Water and Sewer Agreement with the County, which shall include regional infrastructure improvements. The Water and Sewer Agreement shall include a schedule for installing required improvements as well as a hold harmless clause as approved by the County.
4. Obligations for funding and timing of water and sewer improvements will only be established through the Water and Sewer Agreement. The County shall not have any responsibility for such improvements based solely on the approval of the rezoning.

### General Conditions Related to Water and Sewer

1. The water and sewer master plan shall be updated as necessary to address changes in proposed use(s) that exceed water demand and/or wastewater requirements initially analyzed.
2. No building permits for vertical construction shall be issued until all required water and sewer infrastructure is installed and accepted by the County.

## **STORMWATER**

1. A Stormwater Management Master Plan (SMMP) along with a Property Owners Association (POA) document for the operation and maintenance of the facility shall be provided for the Project. A phasing plan shall be provided for the construction of the facility to the extent necessary to provide adequate stormwater attenuation and water quality during the build-out of the project in accordance with the UDO. The SMMP must be submitted and approved by the Engineering Director prior to any subdivision approvals (major and minor) and/or land disturbance permits, including timbering and clearing and grading, being issued for the Project. The County shall not own or operate any stormwater management facility other than those located within the dedicated road right-of-way.

Attachment A  
Permitted Uses Table

Land Use P = Permitted, S = Supplemental Conditions Apply, C = Conditional Use Permit Required	A-5	RR-2.5	RR-1.5	RR-1	R-15	R-M	R-MH	B-1	B-2	C-1	I-1	I-2	P/I	WP	WB	DM-1
<b>AGRICULTURAL USES</b>																
Agritourism	C															
Apiaries	P	P	P	P												
Aviaries	P															
Community Gardens	P	P	P	P	C	C	C									
Confined livestock feeding operation	C															
Farm animals, large	P	S	S	S												
Farm animals, small	P	S	S	S												
Farming (commercial)	P	C														
Farming (non-commercial)	P	P	P	P												
Feed and Grain Sales/Storage	C								C		P					
Fish hatcheries	C															
Nurseries and greenhouses - retail	C							P	P							
Nurseries and greenhouses - wholesale	P								P							
Poultry production	C															
Processing of agricultural products grown off-site	C															
Silviculture	P															
Slaughterhouse	C															
Stables (commercial)	P															
Wildlife refuge	P	P	P	P												
<b>RESIDENCES OR ACCOMMODATIONS</b>																
Detached single-family dwelling	P	P	P	P	P											
Two-family dwelling					S	S										

Attachment A  
Permitted Uses Table

Land Use P = Permitted, S = Supplemental Conditions Apply, C = Conditional Use Permit Required	A-5	RR-2.5	RR-1.5	RR-1	R-15	R-M	R-MH	B-1	B-2	C-I	I-1	I-2	P/I	WP	WB	DM-1
Townhouse or row house						P			C	C						
Three or Four family dwelling						P			C	C						
Other multi-family dwellings						P			C	C						
Accessory dwelling unit	S	S	S	S	S	S		C	C	C	C	C			C	
Manufactured housing park or subdivision							P									
Dwellings in mixed-use buildings								P	P							
<b>Retirement Housing Services</b>																
Assisted living center									S							
Continuing care retirement community									C							
Independent living facility									S							
Nursing Home									S							
Personal care home						S			S							
<b>HOTELS, MOTELS, OR OTHER ACCOMMODATION SERVICES</b>																
Bed and Breakfast Home	S	S	S	S											C	
Bed and Breakfast Inn	S	S													C	
Hotel/motel									P	P					C	
<b>COMMERCIAL USES</b>																
Adult uses, including bookstores, entertainment establishment, and theater									S							
Animal boarding – inside kennels	C								S							
Animal boarding – outside kennels	C															
Animal services								S	S							
Animal shelter (private)	C												C			

Attachment A  
Permitted Uses Table

Land Use P = Permitted, S = Supplemental Conditions Apply, C = Conditional Use Permit Required	A-5	RR-2.5	RR-1.5	RR-1	R-15	R-M	R-MH	B-1	B-2	C-I	I-1	I-2	P/I	WP	WB	DM-1
Antique shop								P	P							
Art galleries								P	P							
Art supplies								P	P							
Auction houses									C							
Bakery								P	P							
Bank, credit union, or savings institution								C	P	P						
Bar rooms, taverns, nightclubs and lounges								C	C	C					C	
Beer, wine, and liquor store									P	P						
Bicycle sales and service								P	P							
Brewpubs and micro-distilleries								C	S							
Convenience store, no gasoline sales								P	P	P					P	
Convenience store, with gasoline sales								C	P	P					P	
Copy center, private mail center, consumer packing and shipping, other business support services but no on-site dispatching of delivery vehicles.								P	P							
Department store, warehouse club or superstore									P	P						
Drug store, pharmacies								P	P	P						
Employment services – dispatch, labor pool not on-site									P							
Employment services – labor pool on-site									C							
Fireworks sales, ongoing									P	P						

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Flea markets	C								C							
Florist								P	P							
Food service, cafeteria, or limited service restaurant								P	P	P						
Food service, catering								C	P							
Food service, food, and beverage								P	P	P						
Food service, full-service restaurant								P	P	P					P	
Food service, mobile food service								S	S	S	S	S				
Food service, snack or non-alcoholic bar								P	P	P					P	
Furniture or home furnishings									P							
Grocery store/supermarket, or bakery, specialty food stores								P	P	P						
Hardware, home center								P	P	P						
Laundromat, laundry and dry cleaning, excluding dry cleaning plants								P	P							
Markets for farm produce or crafts, ongoing	C							P	P							
Markets for farm produce or crafts, temporary	S							S	S							
Outside storage									C		C	P		S		
Parking lot and parking garage									C							
Pawn shops									C							
Personal services (hair, nails, spa)								P	P							
Pet or pet supply store								P	P	P						
Precious metal buyers									C							

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Professional offices								P	P							
Rental – large equipment											P	P				
Rental – small equipment								C	P							
Rental - recreational goods									P						P	
Rental - vehicles									P	P						
Retail stores, general merchandise								S	P	P						
Repair shops without outside storage								P	P							
Services to buildings and dwellings (e.g., pest control, landscape management, septic management)									C		P					
Shopping centers								P	P	P						
Short-term loans/Check Cashing									C							
Special event center								P	P	P						
Studios for arts, crafts, photography, dance, music, yoga or similar activity								P	P							
Tattoo parlor									C							
Thrift store								P	P							
Tobacco products									P							
Vape shop									C							
<b>MANUFACTURING/WHOLESALE TRADE /WAREHOUSING</b>																
Asphalt emulsion (water based) plants												P				
Assembly plants											C	P				
Laundry, dry cleaning plants											P	P				

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Linen and uniform supply											P	P				
Machine shops											C	P				
Mail order or direct selling establishment with distribution facilities											P	P				
Manufacture of products not specified elsewhere												P				
Manufacture of lime, cement or other non-metallic products												P				
Metal products manufacturing												P				
Printing, lithographing or publishing plants									C		P	P				
Research and testing facilities									C		P	P				
Seafood storage, packing or processing															C	
Sign Manufacturing									C							
Smelting and refining												C				
Storage yards											C					
Tire treading and recapping									C							
Warehouse & distribution										C	P	P				
Warehousing, self-storage (mini-warehouse)									C	S						
Wholesale trade with indoor storage									C	C	C					
Wholesale trade with outdoor storage									C	C	C					
Wrecking, salvage, and junk yards												C				



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<b>TRANSPORTATION</b>																
Air transportation, private	C															
Automobile and light truck sales									C	S						
Automobile and light truck parts, accessories, or tires sales								P	P	P						
Automobile repair, heavy									C	S	S					
Automobile repair, light								S	S	S						
Boat or marine supplies									P						P	
Boat ramps															P	C
Boat, marine service and repair facilities - enclosed									C		P				C	
Boat sales											S	S			C	
Bus Stations									C	P						
Charter or cruise boats															C	
Commercial fishing boats under 25 feet in length (no storage, packing, or processing facilities).															P	
Commercial watercraft, including fishing boats greater than 25 feet															C	
Boat houses															C	C
Gas and fuel facilities for boats and vehicles															P	
Local transit systems--bus, special needs, sightseeing, taxi and limousine services									P							
Manufactured home sales										C						

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Marinas, including enclosed dry storage; outdoor storage; and docking with ramp and lift equipment															C	
Marine construction, and dock building															C	
Pack and ship services								P	P	P						
Post office, federal	P	P	P	P	P	P	P	P	P	P	P	P				
Recreational vehicle/trailer sales									C							
Rail yards and rail transportation support establishment											C	P				
Retail courier and package delivery								P	P							
School and employee bus transportation													P			
Towing, services only without vehicle storage									C							
Towing and other road and ground services with impoundment lot									C	C						
Truck and freight transportation services/truck terminal											P	P				
Truck repair, commercial vehicles											P					
Truck stops/truck plaza										S						
Vehicle sales, recreational vehicles, commercial trucks and similar large vehicles										C						
Vehicle washing facilities									S	S	S					

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<b>COMMUNICATION, INFORMATION, AND UTILITIES</b>																
Data processing and management, hosting and related services											C			P		
Hazardous waste processing, storage, treatment or disposal												C		C		
Library or archive	P	P	P	P				P	P							
Motion pictures and sound recording										C						
Outdoor Advertising Signs										P						
Power generation (Solar Energy Systems), accessory	S	S	S	S	S	S	S	S	S	S	S	S	S	S		
Power generation (Solar Energy Systems), commercial	C											C	C	C		
Public utilities services, major	C	C	C	C	C	C	C	C	C	C	C	C	C	C		
Public utilities services, minor	P	P	P	P	P	P	P	P	P	P	P	P	P	C	P	
Radio and television broadcasting studios or offices									P							
Radio and television antennas and towers									C		P	P	P	C		
Solid waste collection, combustion, landfills, or separation/ sorting of recyclable materials from non-hazardous waste streams	C											C		C		
Wastewater treatment plants	C	C	C	C				C	C	C	C	C	C	C		
Water treatment plants	C	C	C	C	C	C	C	C	C	C	C	C	C	C		

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Wireless telecommunications transmission	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	
<b>ARTS, ENTERTAINMENT, AND RECREATION</b>																
Active and passive recreational uses not inherently destructive to the existence or integrity of marshlands and dunes																P
Amusements, indoor								C	P	P					C	
Amusements, outdoor, high impact									C	C						
Amusements, outdoor, low impact	C								P	P						
Bowling, billiards, pool, etc.									P	P						
Campgrounds (Camps, Camping, and Related Establishments)	C														C	C
Fitness and recreational sports, gym, athletic club								P	P	P						
Golf courses	S	S	C	C	C											
Golf driving ranges	C	C	C	C	C				C							
Indoor auditorium or arena other than accessory to theater, dance and music studio								C	P	P						
Movie theater									P	P						
Motion picture viewing and exhibition services, drive-in	C															
Museums								P	P	P						
Natural and Passive Recreational Parks	P	P	P	P	P	P	P	P	P	P	P	P	P		P	

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Outdoor auditorium/arenas													C			
Outdoor recreation, high intensity	S	C											C			
Outdoor recreation, low intensity	P	P	P	P	P	P	P	P	P				S		S	
Paintball ranges	C															
Shooting ranges, indoor									C							
Shooting ranges, outdoor	C															
Special Events	S	S	S	S	S	S	S	S	S	S	S	S	S			
Temporary Uses	S	S	S	S	S	S	S	S	S	S	S	S	S	C		
Theater, dance or music studio								C	P							
<b>EDUCATION, PUBLIC ADMINISTRATION, HEALTH CARE, AND OTHER INSTITUTIONS</b>																
Ambulance Services								C	C							
Charitable care and food services									C				C			
Child and youth services													P			
Childcare – child care learning center								S	S							
Civic associations, non-profit associations, and private clubs	C	C	C	C	C	C	C	P	P				P		P	
College or university									C							
Correctional facilities													C			
Daycare, adult care								S	S				P			
Emergency care facilities or urgent care facilities								P	P	P			P			
Free-standing cemetery/columbarium	C	C	C	C				C	C	C						

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Funeral home and services, mortuaries									S							
General technical schools									C							
Hospital									P	P						
Medical or diagnostic laboratory; blood/organ bank									P							
Other government functions													P			
Outpatient care clinic for medical, dental, physical therapy or similar health service								C	P	P						
Public safety	P	P	P	P	P	P	P	P	P	P	P	P	P	P		
Rehabilitation centers									P							
Religious institutions	S	S	S	C	C			C	S							
Residences – Community residential home	C												C			
Residences – Group home	S	S	S	S	S											
Residences – Residential care	C												C			
Residences – Transitional residential facilities	C												C			
School, middle or high schools	P	P	P	P	P	P	P	P	P	P	P	P	P			
School, grade school	P	P	P	P	P	P	P	P	P	P	P	P	P			
School, nursery or preschool	P	P	P	P	P	P	P	P	P	P	P	P	P			
Truck and heavy equipment training									C		P	P				
Veterinary services	C							S	S							
<b>CONSTRUCTION &amp; MINING</b>																
Construction supply yards												C				

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Contractors, offices, and shops, not including outdoor storage								P	P							
Contractors, offices and shops, including outdoor storage									C							
Sale of building materials and lumber yard; heating and plumbing equipment; heavy equipment									C		S					
Mining and extraction	C											C				
<b>ACCESSORY USES</b>																
Accessory Bars	S	S	S	S	S	S	S	S	S	S			S		S	
Accessory dwelling units	S	S	S	S	S	S		C	C	C	C	C			C	
Accessory dwelling units for watchmen and operating personnel and their families	C	C	C	C	C	C	C	C	C	C	C	C			C	
Accessory Food Service									P	P	P	P	P			
Accessory uses not listed but customary to conditional uses	C	C	C	C	C	C	C	C	C	C	C	C	C		C	C
Accessory uses for institutions not located in P/I Districts	S	S	S	S	S	S	S	S	S	S	S	S		S		
Accessory uses not listed but customary to permitted uses	S	S	S	S	S	S	S	S	S	S	S	S	S		S	S
Cemeteries/columbarium	C	C	C	C	C			C	C							
Childcare learning facilities located within a principal use	C	C	C	C	C			C	C							
Commercial Vehicles Parking	S	S	S	S			S			S	P	P	P			
Corporate offices incidental to the principal use								P	P	P	P	P	P		P	

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Drive-in and drive- through facilities for automated teller machines, banks, pharmacies, restaurants, and similar uses								C	S	S						
Family Child Care Learning Home	S	S	S	S	S											
Home office	S	S	S	S	S	S	S									
Home service business	S	S	S	S	C	C	C									
Home trade business	S	S	S	S	C	C	C									
Major Recreational Equipment Parking/Storage	P	P	P	S	S											
Outdoor display areas for wholesale or retail establishments								S	S	S	S	S	S			
Outdoor seating areas for restaurant, taverns and similar establishments								S	S	S					S	
Outdoor storage related to a principal use									C	C	S	S	C			
Retail businesses or services accessory to light-industrial use on the same premises											P	P				
Special Event Home	C	C														