

ORDINANCE NO. 08 - 2024

AN ORDINANCE TO AMEND THE CODE OF BRYAN COUNTY, GEORGIA, SUBPART B “LAND DEVELOPMENT”, CHAPTER 114 “UNIFIED DEVELOPMENT ORDINANCE OF BRYAN COUNTY, GEORGIA”, SECTION 114-517 “COMMERCIAL DISTRICT DEVELOPMENT STANDARDS” IN ORDER TO AMEND EXHIBIT 517 – “SUMMARY OF LOT AREA, HEIGHT AND SETBACK REQUIREMENTS FOR COMMERCIAL DISTRICTS” TO INCREASE THE MAXIMUM HEIGHT ALLOWED IN THE C-I ZONING DISTRICT; AND TO AMEND SECTION 114-610 – SUBSECTIONS (B) AND (F) TO REVISE PROVISIONS FOR HEIGHT TRANSITIONS; TO HOLD A PUBLIC HEARING; AND TO PROVIDE FOR OTHER MATTERS RELATED THERETO.

SECTION ONE

WHEREAS, the Bryan County Board of Commissioners adopted the Unified Development Ordinance (“UDO”) on December 8, 2020, with an effective date of January 12, 2021; and

WHEREAS, development standards were included in Article V and VI of the UDO, and these development standards include maximum height restrictions in the Interchange Commercial (C-I) zoning districts as well as provisions for height transitions when adjacent to agricultural and residential zoning districts; and

WHEREAS, the UDO established a maximum height of 35 feet in the C-I zoning district; and

WHEREAS, the Bryan County Board of Commissioners has determined that the UDO requirements should be amended in order to allow a greater height, by right, in the C-I zoning district, subject to the height transition provisions, in order to provide more flexibility in the design of buildings in these districts; and

WHEREAS, this design flexibility will further promote economic and residential development in Bryan County; and

WHEREAS, the state of Georgia Code, O.C.G.A. §36-66-1 permits local jurisdictions to create and amend ordinances to serve the public welfare; and

WHEREAS, the Bryan County Board of Commissioners has determined it is in the best interests of the public health, safety, and welfare to amend Sections 114-517 and 114-610 of the UDO to increase the maximum height allowed in the C-I zoning district.

NOW THEREFORE BE IT RESOLVED, Chapter 114 - “Unified Development Ordinance” - of the Code of Bryan County, Georgia is hereby amended as follows:

SECTION TWO

Section 114-517. – “Commercial District Development Standards” – Exhibit 517: “Summary of Lot Area, Height and Setback Requirements for Commercial Districts” – “Maximum Building Height (feet)” is hereby amended to read as follows:

Lot Development Standard	Zoning District		
	B-1	B-2	C-1
Maximum Building Height (feet) ³	35	35	35 50

Section 114-610. - “Structure height” - Subsection (b) is hereby amended to read as follows:

(b) Measurement.

~~(1)~~ The height of a building is the vertical distance measured from the mean elevation of finished grade at the front building line or the base flood elevation to the highest point of a flat roof or parapet, the deck line of a mansard roof, or the midpoint between the ridge and the eave for a pitched roof (see building height definition for more detail). When a roof plane with the tallest ridge has dormers, height shall be based on the primary roof plane, with the dormers having no impact on height measurement unless they are higher than the highest ridge.

~~(2)~~ For buildings subject to the height transition provisions, height is measured to the highest point of the building at the applicable distance from the property line.

Section 114-610. - “Structure height” - Subsection (f) is hereby amended to read as follows:

(f) Height transitions. The following provisions for height transitions are measured from property lines of parcels where multi-family, mixed-use or non-residential structures abut an arterial connector or collector road, or A-5, RR or R-15 zoning district. ~~For purposes of this section, any story taller than 15 feet shall be considered to be two stories.~~

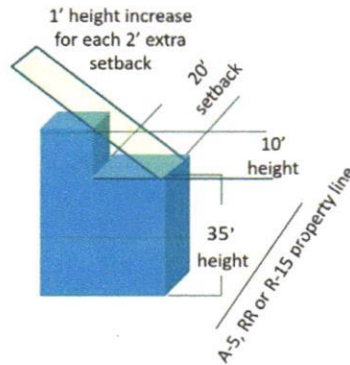
(1) In all districts, balconies that are located above the second story shall be setback at least 100 feet from affected property lines.

(2) In a R-M district, portions of the building exceeding ~~the lesser of two stories or 30~~ 35 feet shall be set back at least 100 feet from affected property lines.

(3) In ~~B-2, C-1,~~ I-1 and I-2 districts, portions of the building exceeding ~~the lesser of two stories or 30~~ 35 feet shall be setback an additional two feet from the required building setback for each foot of height in excess of ~~30~~ 35 feet as illustrated in Exhibit 610c.

~~(4) For purposes of this paragraph (f), the maximum height shall be measured from the average elevation at finished grade at the affected building wall and the highest point of the roof.~~

Exhibit 610c: "Height Transitions Lots Abutting A-5, RR or R-15 District" is to be replaced with the following:



SECTION THREE

All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

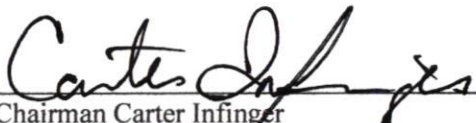
SECTION FOUR

If any section, clause, sentence, or phrase of this ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this ordinance.

SECTION FIVE

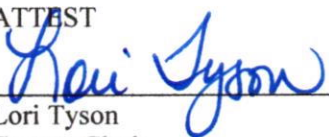
This ordinance shall become effective immediately upon its adoption by the Bryan County Board of Commissioners.

SO ORDAINED, this 9th day of April, 2024.



Chairman Carter Infinger
Bryan County Board of Commissioners

ATTEST



Lori Tyson
County Clerk

First Reading: March 12, 2024
Planning and Zoning Commission: March 19, 2024
Second Reading and public hearing: April 9, 2024