

**WORKSHOP**  
**PIKE COUNTY BOARD OF COMMISSIONERS**

The Pike County Board of Commissioners held a joint workshop with Pike County Planning Zoning Board on Tuesday, August 29, 2023, at 4:00 p.m. in the Courthouse, Main Courtroom, at 16001 Barnesville Street, Zebulon. Chairman Briar Johnson convened the meeting and Commissioners Tim Daniel, Jason Proctor and James Jenkins attended. County Manager Brandon Rogers, County Attorney Rob Morton and County Clerk Angela Blount were also present. (O.C.G.A. § 50-14-1(e) (2)). Commissioner Tim Guy arrived at 4:06 p.m. Pike County Planning Zoning Board members in attendance were Chairman Jason Leatherman, Brandy Loggins, Bryan Pate, and Jim McNair. Due to unforeseen circumstances, Ed Pendland was unavailable to attend the meeting.

- 1. **CALL TO ORDER ..... Chairman J. Briar Johnson**
- 2. **INVOCATION.....Silent Invocation**
- 3. **PLEDGE OF ALLEGIANCE..... Chairman J. Briar Johnson**
- 4. **APPROVAL OF THE AGENDA - (O.C.G A. § 50-14-1 (e) (1))**

**Motion/second by Commissioners Proctor/Daniel to approve the agenda, motion carried 4-0.**

**Tim Guy arrived at 4:06 p.m.**

**5. NEW BUSINESS**

- a. Discussion of the Pike County Unified Development Code (UDC).

Planning and Development Director, Jeremy Gilbert, addressed the Boards stating he wanted to clarify some questions that several citizens have had. Chickens – in the new Unified Development Code (UDC) the county is not prohibiting chickens. What is being proposed is in the Agricultural Zoning District, A-R, if you have more than five acres, livestock is a permitted use by right with no limitations. The four chickens are intended for lots that are five acres or less because you must have a minimum of five acres to have livestock. The four chickens minimum is intended for all the residential zoning districts. Commissioner Jenkins asked Mr. Gilbert why limit the chickens to four if they have the room, fencing and housing for them. Mr. Gilbert replied that four is typically what the industry standard is for backyard chickens. The current ordinance that is in effect today for Pike County limits the chickens to ten chickens. Chairman Briar Johnson asked if the current ordinance is ten chickens, then why change it to four. Mr. Gilbert replied it is not that it went from ten to four, it went from ten to unlimited for A-R. Chairman Johnson asked if the current ordinance allowed for slaughtering of chickens. Mr. Gilbert replied again that is on your smaller lots, not agriculture with over five acres.

Mr. Gilbert stated he wanted to clarify the word grandfather. Grandfather is not a term you will find in the zoning ordinance; it is a legal non-conforming use of the extension of legal non-conforming uses. In Chapter 4 of the proposed ordinance, it does specify what those requirements are. The proposed ordinance reads at the time a land use and development control ordinance is adopted or amended, certain uses which lawfully existed prior to the adoption or amendment will not conform to the regulations and standards for the districts in which they are located. These are known as non-conforming uses, and in order to feasibly adopt the ordinance and so as not to cause undue economic hardship on owners of non-conforming uses, these uses are allowed to continue under special conditions as outlined in the proposed ordinance. Where a non-conforming use of a building or lot has ceased for more than twelve (12) consecutive months and any part of that twelve-month period occurs after the adoption of the ordinance or where a nonconforming use has changed to a permitted or conforming use, further use of the building or lot shall be in conformance with the standards and requirements for the district in which it is located. Nothing is being taken away, it is just implementing new standards.

Chairman Johnson noted in past workshops, public speaking was not allowed. This workshop is not a public hearing, it is a workshop for the two boards to go through the proposed ordinance together. This meeting will be the only time during the workshop between the Boards that citizens will be allowed to speak, going forward, citizens’ comments will be heard at the Public Hearings. There will be two Public Hearings before the adoption of the proposed ordinance. The Boards do want to hear the concerns of the citizens regarding the proposed ordinance and will have the opportunity to speak at the Public Hearings and they can call or email the Commissioners with their concerns.

**Motion/second by Commissioners Jenkins/Guy to approve to allow citizens to address the Boards to include 2-3 minutes per citizen, motion carried 5-0.**

Citizens that addressed the Boards

- Cherry Thomas
- Larry Gobble
- Wayne Leslie
- Tripp Brisendine
- Matthew Anderson
- Kristen Cudnohufsky
- Vonda K. Blount

The Pike County Board of Commissioners and Planning Zoning Board discussions started at Article 3 Establishment of Districts. Planning and Development Director, Jeremy Gilbert, presented the Boards with a Pike County Character Area Map. The map is updated every five years. The county does not have to wait five years, it can be changed anytime. Districts established in the proposed code are Agricultural Residential (A-R), Rural Residential (R-R), Single-family Residential (R-1), Single-family Residential

(R-2), Professional Institutional (P-I), Highway Commercial (C-1), Neighborhood Commercial (C-2), Heavy Commercial (C-3), Manufacturing Light (M-1) and Manufacturing Heavy (M-2). Overlay districts apply additional standards to specific areas which may lie within any of the districts mentioned. Overlay districts are as follows: S-1 Sensitive land – Flood damage prevention, S-2 Sensitive Land – Watershed protection, S-3 Sensitive Land – Groundwater recharge protection, S-4 Sensitive Land – Wetlands, S-5 Sensitive Land – Flint River Corridor Protection Area, and Highway 19 and 41 Overlay District. County Attorney Rob Morton suggested in Section 302 Districts explained, to add a section c or add to section b reference the conversion chart. Jason Leatherman asked Jeremy Gilbert to clarify R-R and why everything would not be in A-R. Mr. Gilbert stated the R-R District was created based on conversations he had with the Planning Zoning Board as well as the Board of Commissioners to create a district that will allow a 3-acre residence but not have the agricultural uses that are in the A-R district. Jason Leatherman asked why not just have A-R and R-R instead of R-R, R-1, and R-2. Mr. Gilbert replied because the county already has developments with 2 acres and 1 acre. This creates a district that establishes requirements of what is already there. R-R is a 3-acre minimum; R-1 is a 2-acre minimum, and R-2 is a 1 acre minimum. County Attorney Rob Morton clarified that is a change of terminology from the code that is already out there but not changing the concept.

#### Article 4 General Procedures

Planning and Zoning Director, Jeremy Gilbert, noted at the top where it says Appendix A – Zoning, all of it has been changed to read Unified Development Code (UDC) and not zoning. Article 4 outlines the procedures to be followed in order to comply with the requirements of the code. Initial information about the ordinance may be obtained from the Zoning Administrator. Article 4 has the continuance of non-conforming uses, height of fences and walls in a residential and commercial zoning district, building permit requirements, certificate of occupancy required, appealing an action of the Zoning Administrator or Building Official, Variances, Special Use Permit, Amendments, Conditional approval, Site plan requirements for rezoning, Multiple parcel rezoning, Appealing an action of the Board of Commissioners, Fees, Department of Transportation permit and review of plans required, Penalties, Remedies and Temporary Housing in case of disaster. The site plan requirements is a new section added. Any applicant seeking rezoning of a property in Pike County shall submit a conceptual site plan depicting the proposed use of the property. This is for any property rezoning rather it be Residential or Commercial. Temporary housing in case of disaster was added. The Zoning Administrator may authorize the use of a mobile home, trailer or recreational vehicle for use as a temporary dwelling when located on the same lot as a permanent dwelling which has been rendered uninhabitable due to damage caused by fire, storm, tornadic activity, hurricane or other natural disaster, in order to permit the persons who were residing in the damaged dwelling to continue to reside on the lot while the damaged dwelling is repaired or reconstructed. In determining whether to grant such authorization, the zoning administrator shall consider the safety of the proposed temporary occupancy, the availability and adequacy of the wastewater disposal system during the temporary occupancy, and any other potential circumstance that may impact the public health, safety and welfare of the residents and adjoining property owners. The zoning administrator shall, as a part of such authorization, specify the terms and conditions of the temporary occupancy and the maximum length of time that the temporary occupancy may continue (which may be extended for good cause shown). Decisions of the zoning administrator under this ordinance shall be final and not subject to appeal. Mr. Gilbert noted that an addressing section will be added. Addressing will be taken from the current ordinance and added to Article 4. County Attorney Rob Morton commented on adding the addressing section, that Section 2207 Address Posting be brought in with the addressing system. In Section 408 Variances, A.1. County Attorney Rob Morton suggests that this section may want to be removed from the criteria. The purchase of a parcel with knowledge of an existing restriction. This has been talked about for many years self-induced hardships for variances and this would prevent someone from applying for a variance because they bought the property knowingly it had an existing restriction. County Attorneys recommendation is it should be removed. County Attorney Rob Morton suggest in Section 408 Variances, K. to remove how to appeal the decision of the Planning Zoning Board related to Variances and put as a separate section as it was done for appeals of the Board of Commissioners and appeals of the Zoning Administrator. County Attorney Rob Morton stated in the current code book Chapter 30 sets out the rules and regulations about how Public Hearings are conducted that are now being put in the proposed code, which is a good thing. Chapter 30 will need to be modified or remove the rules and regulations from Chapter 30 in connection with that. In the proposed code, the policies and procedures related to the Special Use Permit, there is still a provision to allow for Special Use Permit applications. The criteria of K, the Special Use Permit is now defined as a final zoning decision, County Attorney Rob Morton stated that criteria should be the same as criteria in Section 410 Amendments. Sections 409 (K) and 410 (K) need to be looked at to make sure they have the same criteria. County Attorney Rob Morton stated that the sections relating to multi family need to be addressed. In Section 411 Conditional approval, D. remove the word amendment. Jason Leatherman asked for clarification of Section 410 Amendments, H. states neither the amount of public participate nor expression of popular opposition to a proposal shall be a valid consideration in formulating a recommendation on the merits of the proposal. County Attorney Rob Morton replied that the Board should base their decision based on the objective criteria in the code. Some public comments will cover some of those criteria rather than the number of people that show up to speak to an issue. Instead, the Board looks at the issue that is being addressed, objective criteria. County Attorney Rob Morton clarified that the Unified Development Code is now a zoning decision. The Boards cannot make a final decision until they follow the zoning procedures law and go through the Public Hearings.

#### Article 5. A-R Agricultural and Residential

Planning and Zoning Director, Jeremy Gilbert, stated A-R zoning districts are intended to establish and preserve low-to medium density areas where agriculture is the primary land use. Residences, which may

or may not be incidental to these activities, are also permitted. These districts are free from other uses which are incompatible with low-to-medium density agricultural and residential uses. Article 5 discusses the Boundaries of A-R districts, Permitted uses, and Development standards for A-R Districts. Pet Breeder is in this section, exceeding 5 adult breeding animals, for clarification it does not include livestock. Mr. Gilbert noted he is not a fan of any use not listed within permitted uses section will at the discretion of the Zoning Administrator be presented as a Special Use Permit and follow the procedures for a Special Use Permit, this was carried over from the existing ordinance. Mr. Gilbert feels like this is a catch all statement and he has not seen this in any other zoning ordinance. Mr. Gilbert suggested a section be added that flag lots that abut each other must have a shared driveway. Jason Leatherman suggested this section to have a low-to-medium housing definition. Jason Leatherman stated he has not seen a definition for a conservation subdivision. Mr. Gilbert replied a conservation subdivision is any division of real property designed to preserve greenspace and undeveloped land which meets the development and design requirements of Article 21 of the Pike County Unified Development Code (UDC), and which is approved by Pike County pursuant to the procedures as set forth therein. Jason Leatherman asked for clarification about the permitted use of a Garden, including a greenhouse and other customary garden structures. Produce and/or plants grown in the garden shall not be sold from property unless otherwise permitted in this code. If the primary use of the property is agriculture and not residential then you can sell produce and/or plants on the property.

The Board of Commissioners and Planning Zoning Board will continue with Article 5. A-R Agricultural and Residential at their next workshop. Date to be determined.

**6. ADJOURNMENT**

**Motion/second by Commissioners Daniel/Guy to adjourn at 6:00 p.m., motion carried 5-0.**

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J. Briar Johnson, Chairman

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Angela Blount, County Clerk