



STAFF REPORT

MORGAN COUNTY PLANNING COMMISSION

PETITION FOR: TEXT AMENDMENT

Applicant: Morgan County Planning & Development
Applicant's Agent: N/A
Zoning Ordinance: Morgan County Zoning Ordinance Table 4.1 Permitted and Conditional Uses

Summary

Planning staff discussed possible ordinance changes with the Board of Commissioners at a planning retreat in October 2021. The proposed language is the result of those discussions.

Proposed Language

See attached.

Staff Comments

The proposed changes correspond with the changes proposed for Chapter 7.2 regarding accessory dwellings. Staff is also requesting clarification on the use of metal in dwellings. See notes and use listings for dwellings.

USE DESCRIPTION	AG	AR	R1	R2	R3	C1	C2	C3	TCO	MXD3	I1	I2	I3	LR1	LR2	LR3	LTCO	RC	See Sec.
Car Wash, provided that the paved area for the vehicle awaiting entrance to the washing process is located on the same lot. The paved area must be of sufficient size to adequately contain the number of vehicles (at 200 sq. ft. per vehicle) equal to one-third of the practical hourly capacity of the washing machines. Curb breaks are limited to 2, not to exceed 30 ft. in width, and located no closer than 20 ft. to an intersection.							P	P	P(e)	C(e)									
Catering	P (g)	P (g)	P (g)	P (g)	P (g)		P	P	P	C				P (g)	P (g)	P (g)			7.20
Cemetery-Church or Public	C	C	C	C	C				C	C				C	C	C	C		
Cemetery-Family Burial Plot	C	C																	7.8
Childcare Learning Center	C	C				P	P		C	C							C		7.35
Church, Community	C	C	C	C	C	C	C		P	P				C	C	C	C		7.19
Church, Mega								C											7.19
Church, Neighborhood	C	C	C	C	C	C	C		P	P				C	C	C	C		7.19
Clubs/Fraternal Organizations	C	C	C	C	C		P		P	P				C	C	C			
Cold Storage Plant											P	P							
Commercial Parking Deck							C	C	C	C									
Commercial Parking Lot or Garage, provided no entrance or exit is on the same block as a school, and the curb cuts are limited to 2 for each 100 ft. of storage, each not to exceed 30 ft in width and not located closer than 20 ft. to an intersection.							P	P	P	P							P		
Community Center									P	P									
Community Garden	P	P	P	P	P				P	P				P	P	P	P		
Community Living Arrangement	C	C	C	C										C	C				7.37
Community Recreation Areas, as part of a new or existing plan of common development	C	C	C	C	C									C	C	C	C		
Condominium					P					P						P	P		7.25
Convenience Store						P	P	P		P						C		C	
Country Clubs										C							C		
County, State and Federal Uses, which are necessary to the general public welfare	P	P	P	P	P	P	P	P	P(c)	P(c)	P	P	P	P	P	P	P	P	
Data Management or Processing Facility							P	P			P	P							

USE DESCRIPTION	AG	AR	R1	R2	R3	C1	C2	C3	TCO	MXD3	I1	I2	I3	LR1	LR2	LR3	LTCO	RC	See Sec.
Hunting Preserve, if the following conditions are met: a) no firing range or buildings shall be located within 500 ft. of a property line ; b)the subject property must contain 50 acres; c) all overnight accommodations must be subject to all county ordinances, including the hotel/motel tax ordinance; d) any restaurant operated must be for guests of the hunting preserve only and not open to the general public	C																		
Individual or Private Boat Dock	P	P	P	P	P									P	P	P			
Individual or Public Boat Dock (on Lake Oconee, for one dwelling unit only)														P	P	P	P		
Individual Manufactured Home, Multi-Section	P	P		P	P										P	P			7.10
Individual Manufactured Home, Single Section	C	C			P											P			7.10
Industrialized Building, used a night watch person's quarters													P						
Institutional and Philanthropic Uses										P									
Intermediate Care Home						C	C		C	C							C		7.4
Jewelry Store							P		P	P									
Junk Yard								C											7.5
Landfill, Construction and Demolition Waste												C							7.11
Landfill, Inert Waste												C							7.11
Landfill, Solid Waste												C							7.11
Laundromat							P		P	P									
Library							P		P	P									
Live-Work Unit						C	C		P	P									
Manufacture/Assembly-Appliances											C	P	P						
Manufacture/Assembly-Apparel, Canvas, Cloth or Fabrics											P	P	P						
Manufacture/Assembly-Chemicals or Chemical Products or Pharmaceuticals												P	P						
Manufacture/Assembly-Communication Equipment											P	P	P						
Manufacture/Assembly-Electronic Components											P	P	P						
Manufacture/Assembly-Electronic Transmission or Distribution Equipment											P	P	P						
Manufacture/Assembly-Engineering, Scientific or Research Equipment											P	P	P						
Manufacture/Assembly – Food Products											P	P	P						

USE DESCRIPTION	AG	AR	R1	R2	R3	C1	C2	C3	TCO	MXD3	I1	I2	I3	LR1	LR2	LR3	LTCO	RC	See Sec.
Permanent Sawmill or Planning Mill												P							
Personal Care Home	C	C	C	C											C	C			7.30
Personal Instruction - Classroom	P	P	P	P	P									P	P	P			7.39
Personal Instruction – Workshop	P	P																	7.39
Planned Commercial Development							C	C		C									7.7
Planned Industrial Park											P	P	P						7.16
Portable Band Saw Sawmill, provided the mill and storage areas are not closer than 400 ft. to a property line	C	C																	
Printing and Publishing Plants							P				P	P	P						
Printing, Blueprinting, Bookbinding, Photo Stating, Lithography							P	P	P										
Professional or Business Office						P	P		P	P	P		P(a)				P		
Professional Service Establishment										P									
Public Utility Structures, Buildings and Substations (k)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Radio Station	C							P			P	P							
Recreational Facilities	C		C	C	C				P	P				C	C	C	C		7.17
Recreational Vehicle Parks					C											C			7.18
Recycling Facilities											C	C							7.31
Regional Distribution Headquarters, incl. indoor storage											C	C	C						
Rental, Long Term (Home)	P	P	P	P	P									P	P	P			
Rental, Short Term (Home)	C				C				C	C						C	C		7.29
Research Development and Testing Laboratories									P				P						
Rental Store								P											
Repair Shop-appliances & household									P	P									
Residential Home Occupations	P	P	P	P	P									P	P	P	C		7.20
Restaurant						P	P	P	P	P							P	C	
Restaurant, incl. drive in							P		P	C							C		
Retail Sales for Recreation Oriented Merchandise																	P	C	
Rural Home Occupations	P	P																	7.21
Sale of Products grown, produced or processed on premises owned by seller, provided the Director has determined that there are adequate pull off lanes and parking available, and the use does not adversely affect future adjacent residential uses or impede traffic	P	P (d)				P	P	P			P	P							
Schools, Dance, Martial Arts, Etc.						P	P		P	P									
Schools, Kindergartens & Playschools (j)									P	P					C	C			
Schools, Private (j)	C	C	C	C	C				P	P			C	C	C	C	C		

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Schools, Public (j)	C	C	C	C	C				P	P				C	C	C	C		
Schools, Secondary, Campus (j)	C	C	C	C	C				P					C	C	C	C		
Schools, Secondary, Satellite (j)	C	C	C	C	C									C	C	C	C		
Service and Fueling Station						P	P	P								C		C	7.22
Service and Repair Shop							P	P					P(b)						
Shopping Center, less than 80,000 sq. ft								P	P	P									
Skating Rink							P	P											
Solar Energy System- Building mounted	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Solar Energy System-Ground mounted	P	P				P	P	P			P	P	P						
Solar Energy System-Solar Farm	C							C											
Sporting Goods Store							P	P	P	P									
Storm Shelters	P	P	P	P	P									P	P	P	P	P	7.23
Swimming Pools, Commercial	C	C	C	C	C	C	P							C	C	C	C	C	
Swimming Pools, Residential	P	P	P	P	P									P	P	P	P		7.24
Tattoo Establishment							P												
Taxi or Passenger Delivery System							P												
Temporary Buildings (m)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Temporary Commercial Use (h)						P	P		P	P									
Theater							P		P	P									
Townhomes					P				P	P						P	P		7.25
Transmission Towers	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•			7.26
Travel Agency							P		P	P									
Truck Terminals, provided that all acceleration and deceleration lanes of at least 200 ft. are provided for trucks entering or leaving the site and that generated truck traffic will not create a safety hazard or unduly impede traffic.											P	P							
Trucking and Motor Freight Company								P											
Veterinary Hospital or Animal Shelter, provided adequate opaque screening by a wall or fence at least 6 ft. high is provided for areas where horses, dogs or other animals are not kept in stalls or cages.							P		P	C									
Veterinary Hospital, Clinic, or Kennel, provided no structure for the keeping of animals is located within 200 ft. of a property line	C	C																	
Warehouse (Commercial, Wholesale Trade, Distribution, or Storage)								P		P	P	P							
Wellness Retreat	C	C																	7.36
Wholesale Outlet								P											
Woodworking Establishment							P	P	P	P	P	P							
Zoo Facility	C						C												7.34

- See Section 7.26 for Permitted Tower Types

- (a) Permitted as an accessory use only
- (b) Serving the principle use only
- (c) Excluding uses such as incinerators, sanitary landfills, transfer stations, garages, machine shops, equipment and material storage yards, etc. Approved structures shall be properly screened and architecturally harmonious with the general character of the surrounding area.
- (d) Minimum five (5) acres required for Permitted Use, use is conditional if under 5 acres
- (e) Associated with Service & Fueling Station
- (f) Must include appropriate screening
- (g) One person only, as a Residential Home Occupation
- (h) Not to exceed two (2) consecutive months in a calendar year
- (i) All state and federal licenses must be obtained, and a copy of such provided to the Morgan County Planning and Development Office, prior to operation.
- (j) Schools must be located on a lot fronting an arterial or collector street. All buildings must be a minimum 50 ft. from any property line. A ten (10) ft. buffer is required along exterior boundary lines that do not border the frontage street and may not extend into the required front yard. Buffers should consist of evergreen trees & shrubs that will grow at least eight (8) feet in five (5) years.
- (k) A complete development sketch is required showing the following: No storage structure shall be located within 20 ft of a property boundary; a minimum twenty (20) ft vegetated buffer shall be provided along property lines or within sixty (60) ft of the developed area; the buffer shall consist of evergreen trees and shrubs that will grow at least six (6) ft within three (3) years.
- (l) Confinement areas (open or enclosed) related to confined animal operations (excluding dairies), including but not limited to, poultry houses, feed lots, hog parlors, hog lots, or other structures containing livestock manure shall be set back a minimum of 400 feet from the front property line, 200 feet from the side and rear property lines, 100 feet from state water and 400 feet from any residence not occupied by the owner or caretaker. Poultry houses are limited to eight (8) 25,000 sqft or six (6) 39,200 sqft confinement areas per property. Minimum distance between property lines of confined animal feeding operations is a one half (1/2) mile. Structures related to dairies must be set back 200 feet from any property line. This ordinance does not affect active grandfathered structures (with current production), provided that the above setbacks or formerly approved variances are maintained.
- (m) May only be used in conjunction with construction work and must be removed immediately upon completion of construction. No temporary building may be used for residential use or maintained for office space or storage.
- (n) In agricultural or residential zoning districts, Permitted as a Residential or Rural Home Occupation only.
- (o) Confined Animal Feeding Operations are prohibited in residentially zoned areas.
- (p) In residential zoning districts, the primary dwelling shall be constructed prior to any accessory building. In the AG zoning district, and in the AR zoning district with 5 acres or more, agricultural structures may be constructed before the primary dwelling.
- (q) Approval of sewage disposal system required. Minimum lot size of three (3) acres necessary for Permitted. Less than three (3) acres requires Conditional Use approval.
- (r) No I-beam or tubular steel buildings shall be used for attached or detached single family dwellings, accessory dwelling, or tenant dwellings.
- (s) No attached or detached single family dwellings, accessory dwelling, or tenant dwelling shall have metal siding.