



Where Georgia comes together.

Planning Commission Agenda  
Monday, June 10, 2024, 6:00pm  
Perry City Hall 808 Carroll Street, Perry

1. Call to Order
2. Roll Call
3. Invocation
4. Approval of Minutes from May 13, 2024 regular meeting
5. Announcements
  - Per O.C.G.A. 36-67A-3 if any opponent of a rezoning or annexation application has made campaign contributions and/or provided gifts totaling \$250 or more within the past two years to a local government official who will consider the application, the opponent must file a disclosure statement.
  - Policies and Procedures for Conducting Zoning Hearings are available at the entrance.
  - Please place phones in silent mode.
6. Citizens with Input
7. Old Business – None
8. New Business

#### Public Hearing

- A. **VAR-0045-2024.** Variance to increase fence height on property located at 1009 & 1013 Northside Drive. The applicant is Dylan Wingate, WCH Homes. *(Tabled from May 13, 2024 meeting)*

Informational Hearing (Planning Commission recommendation – Scheduled for public hearing before City Council on July 2, 2024)

- A. **TEXT-0067-2024.** Amend Land Management Ordinance to establish standards for required sidewalks on new residential and commercial streets. The applicant is the City of Perry.
- B. **TEXT-0068-2024.** Amend Land Management Ordinance to allow flexibility of size and number of signs per lot during election periods. The applicant is the City of Perry.

9. Other Business
10. Commission questions or comments
11. Adjournment

All meetings of the Planning Commission are open to the public.

(478) 988-2720

<https://perry-ga.gov/business-services/community-development/planning-and-zoning>

Planning Commission  
Minutes- May 13, 2024

1. Call to Order : Vice Chairman Ross called the meeting to order at 6:00pm.
2. Roll Call: Vice Chairman Ross; Commissioners Butler, Guidry, Hayes, and Jefferson were present. Commissioners Edwards and Mehserle were absent.

Staff: Bryan Wood – Community Development Director, Emily Carson – Community Planner, and Christine Sewell – Recording Clerk.

Guests: Lee Wingate, Bill Delrow, Jane & Terry Edge, Whitney Chance, Ryan Laughbon, Erika Crum, Lewis Meeks, Jeanne Maddox, Bill Flynn, Chandler DeJulio

3. Invocation: was given by Commissioner Jefferson
4. Approval of Minutes from April 8, 2024, regular meeting and April 29, 2024 work session  
Commissioner Jefferson motioned to approve both minutes as presented; Commissioner Hayes seconded; all in favor and was unanimously approved.
5. Announcements – Vice Chairman Ross referred to the notices as listed
  - Per O.C.G.A. 36-67A-3 if any opponent of a rezoning or annexation application has made campaign contributions and/or provided gifts totaling \$250 or more within the past two years to a local government official who will consider the application, the opponent must file a disclosure statement.
  - Policies and Procedures for Conducting Zoning Hearings are available at the entrance.
  - Please place phones in silent mode.
6. Citizens with Input – Mr. Bill Delrow advised he attended last month's Planning Commission meeting and was concerned the preliminary plat approved for the Orchard on Main Street should not have been just because it met the requirements; there are issues in the area with regard to flooding, traffic, infrastructure, public safety, and felt it should not have been approved just because it met the requirements.

Mr. Wood stated the Commission is made up of volunteers relying on professional staff; the ordinance does not provide the Commission discretion regarding preliminary plats that comply with ordinance standards; and that there were inaccuracies in Mr. Delrow's statements. Mr. Wood advised he would be glad to speak with Mr. Delrow after the meeting and schedule a time to discuss planning procedures in more detail.

Mr. Ryan Laughbon of 113 Judy Kay Way asked the Commission to consider allowing residents to "annex" parts of the greenspace into their individual lots at Legacy Park. Mr. Wood stated this request must be made of Council and that the open space was required by ordinance.

7. Old Business \_ None
8. Public Hearing (Planning Commission decision)
  - A. **VAR-0045-2024**. Variance to increase fence height on property located at 1009 & 1013 Northside Drive. The applicant is Dylan Wingate, WCH Homes.

Mr. Wood read the applicants' request, which was a variance to increase the fence height to ten feet from the allowable eight feet. Mr. Lee Wingate, unaware the application was submitted by his partner, asked if it could be heard for fifteen feet; Mr. Wood advised it could not, and would have to be tabled if the Commission elected to do so and heard at the June meeting. Mr. Wingate asked the case be tabled until the June meeting. Commissioner Hayes motioned to table the variance request

until the June meeting; Commissioner Butler seconded; all in favor and was unanimously approved to table the request.

- B. **VAR-0052-2024.** Variance to increase the maximum floor area for accessory structure on property located at 646 Pine Ridge Street. The applicant is Kevin Flanagan.

Ms. Carson read the applicants' request which was to increase the maximum floor area for accessory structures, along with staff responses. Ms. Carson advised the applicants' request is to allow a seven-bay pole barn to remain in his backyard as a carport. The applicant states he was not aware of the size standards or the need for permits when he was building the structure. Community Development was made aware of the structure when it was close to completion and contacted the applicant to advise him of the requirements and place a stop work order on the project. The project was completed, prompting the need for a variance request to avoid having to demolish half of the structure to meet the size standards. Ms. Carson advised staff was recommending denial of the application.

Vice Chairman Ross opened the public hearing at 6:28pm and called for anyone in favor of the request.

Ms. Jeannie Maddox, 629 Pine Ridge Street spoke to what a good neighbor Mr. Flanagan was and had no opposition to the structure. Mr. Bill Flynn, 633 Pine Ridge Street spoke in support of the request and did not think it would be fair to have him remove if not approved and felt the stormwater runoff was not an issue as the ditches are currently not maintained and do not drain well now.

The applicant, Mr. Flanagan, when receiving estimates no one advised him permits were needed. When the inspector came out, he advised he needed to cease work and speak with the building official. With regard to stormwater runoff he spent thousands of dollars 15 years ago because the city could not do and recently Evergreen Street was done and he contacted the city to do the same on Pine Ridge. He can also connect to the house and put on gutters but does not cause rainwater runoff that goes into the ditch. Has the carport to protect vehicles and has spent \$21,000 and does not see it as fair that the structure be torn down.

Vice Chairman Ross called for anyone opposed; there being none the public hearing was closed.

Commissioner Butler asked Mr. Flangan why he was not aware a permit was required; he advised the contractors didn't tell him he needed it and wasn't aware of requirements. Commissioner Guidry felt if something can be done to help Mr. Flangan it should be and asked about his option to connect to the house as there seems to be some confusion. Mr. Wood advised if connected there are setback requirements, and it may not comply; Ms. Carson advised on the plans provided it would not.

Commissioner Butler motioned to deny the request as submitted; Commissioner Jefferson seconded; all in favor for denial with Commissioner Hayes and Guidry opposed to denial; resulting vote was 3-2 for denial.

9. New Business

Informational Hearing (Planning Commission recommendation – Scheduled for public hearing before City Council on June 4, 2024)

- A. **SUSE-0044-2024.** Special exception for short-term rental for property located at 920 Keith Drive. The applicant is Terry & Janet Edge.

Ms. Carson read the applicants' request which was to offer the entire 3-bedroom/2-bath house for short-term rental for a maximum of 8 occupants, along with staff responses. The subject premises were inspected for compliance with minimum health and safety requirements for use and occupancy (per Section 2-3.6) and passed. Ms. Carson advised staff was recommending approval.

Vice Chairman Ross opened the public hearing at 6:46pm and called for anyone in favor of the request.

The applicant, Mr. Terry Edge, reiterated the request and noted this is his second home and comes four days out of the week and this option allows for the rental when they are not there.

Vice Chairman Ross called for anyone opposed. Mr. Lewis Meeks 825 Keith Drive spoke in opposition of the request and was concerned about the unknown of short-term rentals and the impact on the residents and neighborhood. Mr. Edge spoke again and advised he has ties to the community with his children and grandchildren living in Perry, it is his home for him and his family, they are there Monday thru Thursday and vet any potential renters and only intend to rent one week a month and there will not be eight cars for any renters, only one. There are rules governing the use as a short-term rental and want to utilize to offset insurance and taxes.

There being no further comments Vice Chairman Ross closed the public hearing. Commissioner Guidry asked if there were any others on Keith Drive; Ms. Carson advised there was not. Commissioner Guidry thought there had been one previously; Ms. Carson advised there had been one and it was denied, and Mr. Wood advised one had been approved and is no longer doing short term rental. Commissioner Hayes asked if the requirement for rental is enforced; Mr. Wood advised they do not enforce; Mr. Edge advised they are only renting for one week or weekend per month. Commissioner Hayes asked about the booking process; Mrs. Edge advised they have to complete an application and advise what they are in the area for, and they approve them. Commissioner Butler asked if there is any data on police being called; Mr. Wood advised the ones approved in the city to his knowledge there has been no complaints. Mr. Wood noted when the ordinance was passed it states restrictions on noise, parties, etc. and even before the ordinance no police calls and none sense with the approximate ten approved.

Commissioner Hayes motioned to recommend approval of the application as submitted to Mayor & Council; Commissioner Butler seconded; all in favor with Commissioner Guidry opposed; resulting vote was 5-1 for approval.

**B. SUSE-0048-2024.** Special exception for short term-rental for property located at 308 Haven Way. The applicant is Whitney Chance.

Ms. Carson read the applicants' request which was to offer the entire 3-bedroom/2-bath house for short-term rental for a maximum of 6 occupants, along with staff responses. The subject premises were inspected for compliance with minimum health and safety requirements for use and occupancy (per Section 2-3.6) and passed.

Vice Chairman Ross opened the public hearing at 7:23pm and called for anyone in favor of the request. The applicant, Ms. Whitney Chance, reiterated the request and had nothing further to add. Vice Chairman Ross called for anyone opposed; there being none the public hearing was closed.

Commissioner Butler motioned to recommend approval of the application as submitted to Mayor and Council; Commissioner Jefferson seconded; all in favor and was unanimously recommended for approval.

**C. SUSE-0053-2024.** Special exception for beauty salon as a residential business for property located at 319 Rippling Water Way. The applicant is Erika Crum.

Ms. Carson read the applicants' request, which was to operate a single-station home hair salon in the garage of the house as a residential business, along with staff responses. Ms. Carson noted staff is recommending approval, with the conditions as noted in the staff report.

Vice Chairman Ross opened the public hearing at 7:28pm and called for anyone in favor of the request. The applicant Ms. Erika Crum advised she would operate Monday thru Saturday 9am -5pm and the whole purpose to do this is to be closer to her children and not work so much; keeps her clients at a high standard and will ensure they adhere to the parking requirements and hours. Vice Chairman Ross called for anyone opposed; there being none the public hearing was closed.

Commissioner Hayes asked what processes were in place to ensure that only one stylist would be at the residence. Mr. Wood advised this is similar to a home occupation but goes through the special exception process because customers are coming to the residence; if complaints are received is when the city would inspect. Commissioner Hayes asked Ms. Crum how many clients at a time; she advised one to two. Commissioner Guidry inquired of Ms. Crum if she spoke to any of her neighbors; she advised she had and there was no objection.

Commissioner Guidry motioned to recommend approval of the application as submitted to Mayor and Council with the following conditions: 1). Limited to one stylist station and business details specified in the application documents; 2). Limited to the applicant, Erika Crum, and is not transferable; Commissioner Jefferson seconded; all in favor and was unanimously recommended for approval

D. **RZNE-0054-2024.** Rezoning of property located at 1024 & 1026 King Blvd. from R-3 to RM-1. The applicant is Equity Trust Company, FBO.

Mr. Wood read the applicants' request which was to rezone from R-3 to RM-1, Multi-Family Residential, along with staff responses. Prior to modifications to the Land Management Ordinance in 2022, the R-3 district allowed single- and multi-family residential development. The property at 1024 King Blvd. was developed with six dwelling units in three buildings in 1973. The property at 1026 King Blvd. is a 1.37acre undeveloped tract. The RM-1 zoning district allows multi-family development of up to six dwelling units per parcel. This requested zoning will make the existing development at 1024 King Blvd. s conforming use, and will allow six additional dwelling units to be constructed on 1026 King Blvd.

Vice Chairman Ross opened the public hearing at 7:35pm and called for anyone in favor of the request. Mr. Chandler DeJulio, on behalf of the applicant advised they requested to bring the property into conformance and provide affordable housing for the area. Vice Chairman Ross called for anyone opposed; there being none the public hearing was closed.

Commissioner Butler motioned to recommend approval of the application as submitted to Mayor and Council; Commissioner Hayes seconded; all in favor and was unanimously recommended for approval.

E. **TEXT-0030-2024.** Amendment of LMO regarding PUD standards and procedures. The applicant is the City of Perry.

Mr. Wood advised the request was to update and modify PUD standards and procedures in Sections 1-13, Definitions, 2-3.3, Planned Unit Development, 3-2.2, Special base zoning districts, and 4-1.3, Uses permitted in PUD as discussed by the Commission and Council. Mr. Wood advised the changes are: Updating and strengthening the purpose and intent of the PUD district, Prohibiting the PUD district from being used as an alternative to obtaining variances and complying with standards of base zoning districts, Requiring preliminary input by the Planning Commission prior to finalizing plans, Requiring at least two different land uses in a PUD, Requiring more information about the character of the proposed PUD, Requiring a traffic impact study for projects exceeding 10 acres, and Requiring a phasing plan for the development.

Vice Chairman Ross opened the public hearing at 7:39pm and called for anyone in favor of the request. Mr. Bill Delrow, as the city looks at PUD changes, is curious how many have been extended to developers in Perry; Mr. Wood advised approximately 20. Mr. Delrow stated some were required to have retail but had not done so and should be held to this standard and not be approved if they do not. Mr. Wood advised this is the reason a phasing plan is required initially on how they intend to build. Vice Chairman Ross called for anyone opposed; there being none the public hearing was closed.

Commissioner Hayes motioned to recommend approval of the application as submitted to Mayor and Council; Commissioner Jefferson seconded; all in favor and was unanimously recommended for approval.

F. **TEXT-0031-2024.** Amendment of LMO to allow certain oversized vehicles in residential districts. The applicant is the City of Perry.

Mr. Wood advised the request was to allow electric utility on-call employees to park company vehicle in residential districts by modifying Sections 1-13, Definitions, 6-1.10(B), Oversized vehicles in residential districts. Mr. Wood further noted, employees of electric utilities serving the City of Perry are sometimes on call after regular business hours to handle emergencies. To reduce emergency response time, they bring their company vehicle home. These vehicles are classified as oversized vehicles in the Land Management Ordinance and are not allowed to be parked in residential zoning districts. This amendment will exempt certain electric utility vehicles from the prohibition during times that the employee is on call. The request is brought forward as a resident for seven years has been parking a bucket truck one day a week and one weekend a month and the developer of the subdivision has an issue with.

Vice Chairman Ross opened the public hearing at 7:42pm and called for anyone in favor or opposition; there being none the public hearing was closed.

Commissioner Jefferson inquired if the issue was with the residents or developer; Mr. Wood advised it was his understanding the developer.

Commissioner Hayes motioned to recommend approval of the application as submitted to Mayor and Council; Commissioner Jefferson seconded; all in favor and was unanimously recommended for approval.

10. Other Business – Mr. Wood advised this meeting would be Commissioner Butler’s last and thanked him for his service.
11. Commission questions or comments – None
12. Adjournment – there being no further business to come before the Commission the meeting was adjourned at 7:47pm.



Where Georgia comes together.

## **STAFF REPORT**

Revised June 4, 2024

**CASE NUMBER:** VAR-0045-2024  
**APPLICANT:** Dylan Wingate  
**REQUEST:** Variance to increase the height of a fence  
**LOCATION:** 1009 & 1013 Northside Drive; Parcel No. 0P0020 018000 & 0P0020 019000

**SECTION OF ORDINANCE BEING VARIED:** 4-4.3. (H)(2)(c) [Fences and walls] C-3, central business district. In the C-3 district, a fence or wall in a side yard or rear yard shall not be opaque above a height of eight feet, or the height of the lowest portion of the eave of the principal building, whichever is less; and a fence or wall in a front yard shall not be opaque above a height of 30 inches. (Height is measured from the finished grade at the base of the fence or wall.) All chain link fencing is prohibited in all locations in the C-3 zoning district.

**BACKGROUND:** The applicant is developing a two-story mixed-use project adjacent to an existing apartment development. The applicant wishes to screen the view between the two properties by installing a 15-foot-tall opaque fence along the rear property lines, rather than the allowed 8-foot-tall fence.

### **STANDARDS NECESSARY FOR A VARIANCE:**

1. *Because of exceptional narrowness, shallowness, shape, topographical conditions, or other extraordinary situations or conditions peculiar to the subject property, does the strict application of the regulations result in unusual or impractical difficulties or exceptional or undue hardship upon the property owner?*

The subject parcels comprising this development are of different depths creating a projection into the property to the rear. With the clearing of existing vegetation for the new development, views between the adjacent developments were exposed.

2. *Is the variance the minimum relief reasonably necessary to overcome the aforesaid exceptional conditions?*

The applicant states that the variance is the minimum relief necessary to meet aesthetic purposes.

3. *Can the variance be granted without substantial impairment to the intent, purpose, and integrity of the ordinance or comprehensive plan?*

The additional height of the requested fence does not appear to substantially impair the purpose and intent of the LMO, which includes:

- Provide for adequate light, air, and open space.
- Facilitate the creation of a convenient, attractive, and harmonious community.

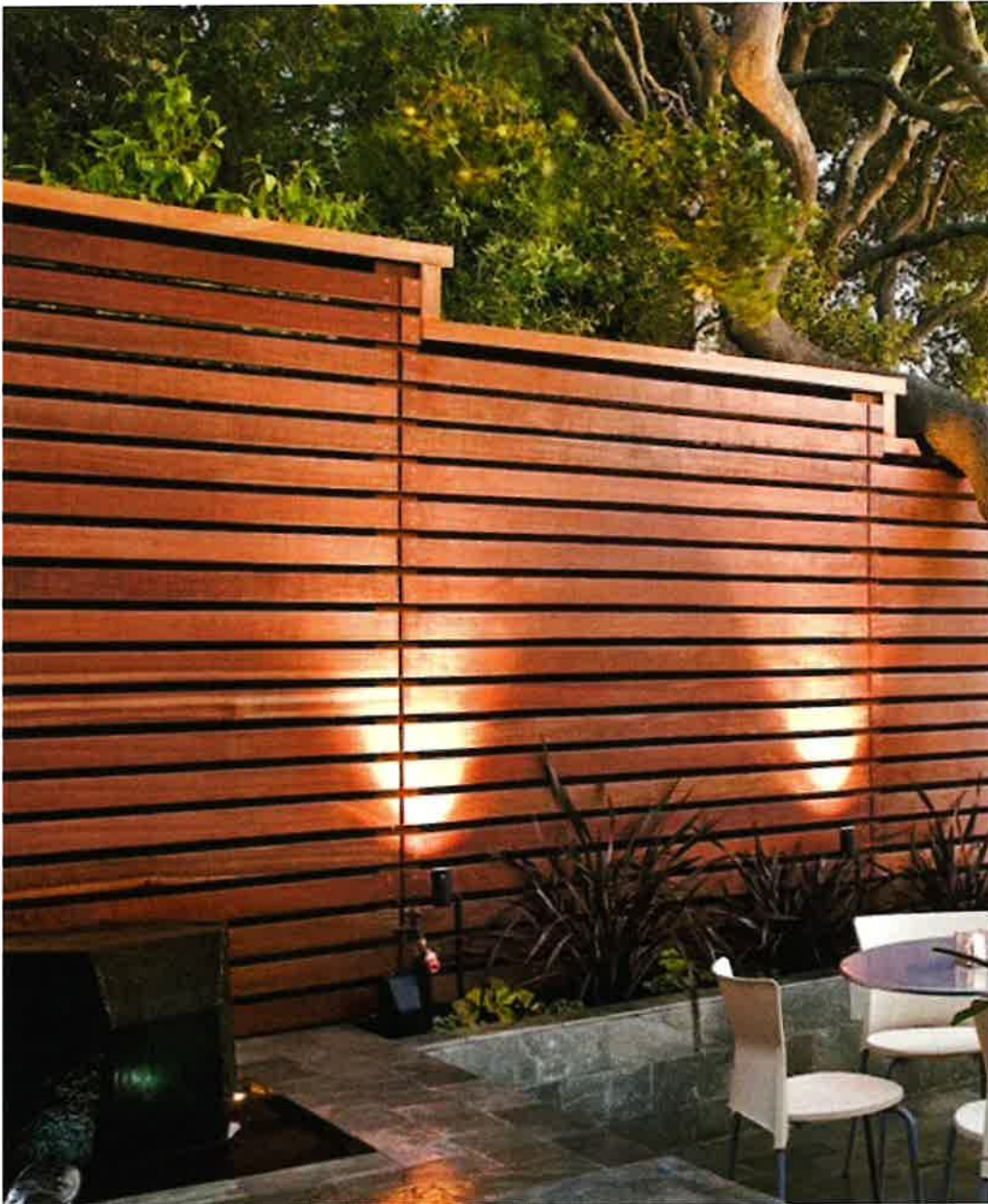
4. *Will granting the variance be detrimental to the use and enjoyment of adjoining or neighboring properties?*

Since the buildings on the subject properties and on the adjacent property are two stories and include residential uses, the added height of the fence will provide additional privacy to residents in each development. Additionally, a garbage dumpster will be located at the rear of the subject property. The additional fence height will help screen the view and reduce the impact of noise on the adjacent residents.

**STAFF CONCLUSIONS:** Based on the analysis above, staff recommend approval of this application.

**NOTE:** As an addition to the previously approved Certificate of Appropriateness granted for the development of the subject properties, the fence will need approval from the Main Street Advisory Board.

Proposed Fence Design





Views from subject property to adjacent property





New App.



Where Georgia comes together.

Application # 0045-  
2024

**Application for Variance**  
Contact Community Development (478) 988-2720

\*Indicates Required Field

|          | *Applicant                                     | *Property Owner    |
|----------|--|--------------------|
| *Name    | Dylan Wingate                                  | Perry Loft DVP LLC |
| *Title   | Vice President                                 |                    |
| *Address | 817 GA Hwy 247 S, Unit 10, Kathleen, GA, 31047 | Same               |
| *Phone   | 478 322-0028                                   | u                  |
| *Email   | Dylanw@wchhome.com                             | u                  |

**Property Information**

|                     |                              |
|---------------------|------------------------------|
| *Street Address     | 1009 & 1013 Northside Dr.    |
| *Tax Map #(s)       | DP0020-018009, OP0020-019000 |
| *Zoning Designation | C3                           |

**Request**

\*Please describe the proposed variance: (i.e. Reduce the rear setback from 25 feet to 22 feet)  
 Extend fence height from 8' to 15' all the way across.

**Instructions**

- The application must be received by the Community Development Office no later than the date reflected on the attached schedule.
- Fee:**
  - Owner-occupied single family residential - \$153.00
  - All others - \$306.00
  - All others (post construction) - \$612.00
- \*The applicant/owner must respond to the 'standards' on page 2 of this application (The applicant bears the burden of proof to demonstrate that the application complies with these standards). See Sections 2-2 and 2-3.7 of the Land Management Ordinance for more information. You may include additional pages when addressing the standards.
- \*Submit plans, drawings, photographs or other documentation which helps fully describe your request.
- The staff will review the application to verify that all required information has been submitted. The staff will contact the applicant with a list of any deficiencies which must be corrected prior to placing the application on the planning commission agenda.
- Variance applications require a public hearing before the planning commission. Public notice sign(s) will be posted on the property at least 15 days prior to the scheduled hearing date.
- \*The applicant must be present at the hearing to present the application and answer questions that may arise.
- The applicant and property owner affirm that all information submitted with this application, including any/all supplemental information, is true and correct to the best of their knowledge and they have provided full disclosure of the relevant facts.

|                                  |               |       |        |
|----------------------------------|---------------|-------|--------|
| *Applicant                       | Dylan Wingate | *Date | 6/3/24 |
| *Property Owner/Authorized Agent |               | *Date | 6/3/24 |

**Standards for Granting a Variance**

***The applicant bears the burden of proof to demonstrate that an application complies with these standards.***

Are there covenants and restrictions pertaining to the property which would preclude the proposed variance?

- (1) By reason of exceptional narrowness, shallowness, shape, topographical conditions, or other extraordinary situations or conditions peculiar to a specific parcel of property, the strict application of these regulations would result in peculiar or unusual, practical, difficulties to or exceptional or undue hardship upon the owner of such property;
- (2) Such variance is the minimum reasonably necessary to overcome the aforesaid exceptional conditions;
- (3) Such variance can be granted without substantial impairment to the intent, purpose, and integrity of this chapter and/or the comprehensive plan or other master plan adopted for the property;
- (4) Such variance will not be detrimental to the use and enjoyment of adjoining or neighboring properties.

**Notes:**

A variance cannot be granted:

- To reduce a setback of a commercial/industrial property abutting a residentially-zoned property, unless the abutting residentially-zoned property is proposed for commercial or industrial use in the Comprehensive Plan;
- To allow a use not permitted or prohibited in a zoning district;
- To allow a density of development beyond the maximum allowed in a zoning district.

If the hardship invoking the standards for granting a variance was the result of the applicant's intentional disregard or willful failure to comply with the terms of the Land Management Ordinance, the Planning Commission may refuse to grant a variance.

Revised 12/21/22



**Standards for Granting Variance**

- (1) The obstructions behind the Perry Lofts development are undesirable & not suitable for long term development.
- (2) The aesthetic purpose of the development is with the fence being of wood component.
- (3) To block the view from the obstruction behind the Perry Lofts development.
- (4) It will not be detrimental but will enhance the property by maintaining the look of the Northside Lofts & also the property to the rear of the development.



Where Georgia comes together.

**STAFF REPORT**

From the Department of Community Development  
June 4, 2024

**CASE NUMBER:** TEXT-0067-2024

**APPLICANT:** The City of Perry

**REQUEST:** Amend Section 6-10.12 to provide more detailed standards for sidewalks on new residential and commercial streets.

**STAFF ANALYSIS:** Following discussion with the Planning Commission and direction from City Council, new standards and procedures for the installation of sidewalks on new streets is proposed. These include:

- Sidewalks and curb ramps to be ADA compliant.
- Marked crosswalks required at collector and arterial streets.
- Planning Commission to determine sidewalk plan for new residential subdivisions on a case-by-case basis.
  - Sidewalks on one side of streets
  - Required on collector and arterial streets
  - Create an exercise route or connection to other sidewalks/ trails
  - Connect to parks and schools within a quarter mile of subdivision
  - Construct at time of house construction
- Sidewalks to be installed on both sides of new commercial streets at time of street construction.

**STANDARDS FOR GRANTING A TEXT AMENDMENT:**

**(1) Whether, and the extent to which, the proposed amendment is consistent with the Comprehensive Plan.**

This amendment is not inconsistent with the Comprehensive Plan.

**(2) Whether, and the extent to which, the proposed amendment is consistent with the provisions of this chapter and related city regulations.**

The proposed amendment is consistent with the format of the Land Management Ordinance.

**(3) Whether, and the extent to which, there are changed conditions from the conditions prevailing at the time that the original text was adopted.**

The current ordinance does not provide clear sidewalk standards. City Council desires to require sidewalks along new streets.

**(4) Whether, and the extent to which, the proposed amendment addresses a demonstrated community need.**

The amendment will provide pedestrians with safer walking routes along higher volume streets.

**(5) Whether, and the extent to which, the proposed amendment is consistent with the purpose and intent of the zoning districts in this chapter, will promote compatibility among uses, and will promote efficient and responsible development within the city.**

The amendment is consistent with one of the stated purposes of the LMO: "Promote an interconnected, walkable community." The amendment is a direct response to Strategy 5.b. of the FY2023-2027 Strategic Plan – "Amend Land Management Ordinance to require new residential and commercial development to have sidewalks and other pedestrian enhancements."

**(6) Whether, and the extent to which, the proposed amendment will result in logical and orderly development pattern.**

The amendment requires sidewalks in new residential subdivisions and along all new commercial streets, with provisions to connect to existing or planned sidewalks and trails.

**(7) Whether, and the extent to which, the proposed amendment will result in beneficial impacts on the natural environment and its ecology, including, but not limited to, water, air, noise, stormwater management, wildlife, vegetation, and wetlands.**

The amendment in and of itself has no impact on the natural environment.

**(8) Whether, and the extent to which, the proposed amendment will result in development that is adequately served by public facilities and services (roads, potable water, sewerage, schools, parks, police, fire, and emergency medical facilities).**

The amendment addresses City Council's concerns about long-term liability and maintenance by limiting sidewalks in residential areas to certain streets with higher traffic volume, connecting to schools and parks and creating exercise paths.

**STAFF RECOMMENDATION:** Staff recommends approval of the proposed text amendment.

**Replace Section 6-10.12 in its entirety as follows:**

~~6-10.12. Sidewalks.~~

- ~~(A) Sidewalk Dimensions. Unless otherwise specified, all sidewalks shall be four [inches] (4") thick with a minimum width of five (5) feet. All sidewalks shall slope one-fourth (¼) inch to the foot toward the curb. A thirty (30) inch grass planting strip shall be provided between the back of the planting curb and the sidewalk. The thirty (30) inch grass planting strip between the back of the curb and the sidewalk shall not be required on streets designated as Alternate Transportation Routes.~~

6-10.12. Sidewalks. Sidewalks shall be required to be installed by the developer of streets as follows.

(A) Sidewalk Standards. All sidewalks shall comply with the following standards:

- (1) Sidewalks shall have a minimum width of five feet, and a minimum thickness of four inches. See additional construction details in the Design & Specifications Manual.
- (2) A 24-inch-wide planting strip shall be provided between the back of the street curb and the sidewalk.
- (3) Sidewalks shall meet specifications of the Americans with Disabilities Act (ADA).
- (4) ADA-compliant curb ramps shall be installed at all street intersections at which sidewalks cross, and where future sidewalks may cross the intersection of new streets and existing collector or arterial streets.
- (5) Marked crosswalks shall be required where sidewalks cross streets intersecting with collector and arterial streets.

(B) Residential Streets. Sidewalks shall be installed in all new residential subdivisions with specific locations determined on a case-by-case basis as part of the preliminary plat review process.

- (1) Sidewalks shall be located on all collector and arterial streets in the subdivision.
- (2) Sidewalks shall be located on one side of the streets. Sidewalks should be located on the side of the street which produces the least number of conflicts with intersecting streets.
- (3) Where practicable, sidewalks should be designed to create an exercise route within the subdivision or to connect to existing or planned external sidewalks, trails, or multi-modal pathways.
- (4) Sidewalks may be required along external streets to connect to parks and schools located up to ¼ mile from the street entrance(s) of the subdivision.
- (5) Sidewalks may be constructed at the time of street construction or as each residential unit is constructed. However, any portion of a required sidewalk which is not adjacent to a residential building lot, such as open space or property not included in the subdivision, shall be completed prior to issuance of a certificate of completion.

(C) Commercial Streets. Sidewalks shall be installed along all new commercial streets.

- (1) Sidewalks shall be installed on both sides of commercial streets.
- (2) Sidewalks shall be completed prior to issuance of a certificate of completion.





Where Georgia comes together.

Application # TEXT-0067-2024

## Application for Text Amendment

Contact Community Development (478) 988-2720

### Applicant Information

\*Indicates Required Field

|          | Applicant                               |
|----------|---|
| *Name    | Bryan Wood for the City of Perry        |
| *Title   | Director of Community Development       |
| *Address | 1211 Washington Street, Perry, GA 31069 |
| *Phone   | 478-988-2714                            |
| *Email   | bryan.wood@perry-ga.gov                 |

### Request

\*Please provide a summary of the proposed text amendment:

Amend Section 6-10.12 to provide more detailed standards for required sidewalks.

### Instructions

1. The application, fee (made payable to the City of Perry), and proposed text of the amendment must be received by the Community Development Office no later than 4:30 pm on the date reflected on the attached schedule.
2. Fees: Actual cost of required public notice.
3. The applicant must state the reason for the proposed text amendment. See Sections 2-2 and 2-3.2 of the Land Management Ordinance for more information.
4. The staff will review the application to verify that all required information has been submitted. The staff will contact the applicant with a list of any deficiencies which must be corrected prior to placing the application on the planning commission agenda.
5. Text amendment applications require an informational hearing before the planning commission and a public hearing before City Council.
6. The applicant must be present at the hearings to present the application and answer questions that may arise.
7. Campaign Notice required by O.C.G.A. Section 36-67A-3: Within the past two years, have you, the applicant, made either campaign contributions and/or gifts totaling \$250.00 or more to a local government official? Yes \_\_\_ No X  
If yes, please complete and submit the attached Disclosure Form.
8. The applicant affirms that all information submitted with this application, including any/all supplemental information is true and correct to the best of their knowledge and they have provided full disclosure of the relevant facts.
9. Signatures:

|            |  |       |          |
|------------|--|-------|----------|
| *Applicant |  Bryan Wood, Director of Community Development, for the City of Perry | *Date | 5/6/2024 |
|------------|--|-------|----------|



Where Georgia comes together.

**STAFF REPORT**

May 29, 2024

**CASE NUMBER:** TEXT-0068-2024

**APPLICANT:** The City of Perry

**REQUEST:** Amend Table 6-9-4 in Section 6-9.7 to allow a total of 16 square feet of additional signs per lot during election periods. This maximum square footage may be distributed between one and up to four signs.

**STAFF ANALYSIS:** Following adoption of the revised sign standards last year, the City became aware of a local “standard” size for signs used during election periods that exceeds the allowance in the current code. Currently four additional signs of up to 4 square feet each are allowed during election periods. Leading up to the primary election last month, the City amended its interpretation of the current code to allow any combination of the number of signs, up to additional signs total, provided all additional signs did not exceed 16 square feet. The amendment intends to codify this interpretation.

**STANDARDS FOR GRANTING A TEXT AMENDMENT:**

**(1) Whether, and the extent to which, the proposed amendment is consistent with the Comprehensive Plan.**

This amendment is not inconsistent with the Comprehensive Plan.

**(2) Whether, and the extent to which, the proposed amendment is consistent with the provisions of this chapter and related city regulations.**

The proposed amendment is consistent with the format of the Land Management Ordinance.

**(3) Whether, and the extent to which, there are changed conditions from the conditions prevailing at the time that the original text was adopted.**

The current ordinance did not recognize the standard size of signs placed during election periods, which can be up to 16 square feet in area.

**(4) Whether, and the extent to which, the proposed amendment addresses a demonstrated community need.**

The amendment will allow flexibility for property owners during election periods.

**(5) Whether, and the extent to which, the proposed amendment is consistent with the purpose and intent of the zoning districts in this chapter, will promote compatibility among uses, and will promote efficient and responsible development within the city.**

The amendment is consistent with the purposes of the sign standards provided in Section 6-9.1, and

is based on time, place, and manner, rather than content.

**(6) Whether, and the extent to which, the proposed amendment will result in logical and orderly development pattern.**

The amendment continues to allow up to 4 additional signs per lot during election periods, but allows property owners' flexibility in the size of such signs.

**(7) Whether, and the extent to which, the proposed amendment will result in beneficial impacts on the natural environment and its ecology, including, but not limited to, water, air, noise, stormwater management, wildlife, vegetation, and wetlands.**

The amendment in and of itself has no impact on the natural environment.

**(8) Whether, and the extent to which, the proposed amendment will result in development that is adequately served by public facilities and services (roads, potable water, sewerage, schools, parks, police, fire, and emergency medical facilities).**

The amendment in and of itself has no impact on public facilities and services.

**STAFF RECOMMENDATION:** Staff recommends approval of the proposed text amendment.

Sec. 6-9.7. Additional Ground Signs.

In addition to ground signs permitted in sections 6-9.5 and 6-9.6, additional ground signs are authorized during certain periods of time as described in Table 6-9-4. Such signs are exempt from obtaining a sign permit. Property address is not required on such signs.

Table 6-9-4. Standards and Time for Additional Ground Signs

| Zoning District   |  | R-Ag, R-1, R-2, R-2A, R-3, R-TH, RM-1, RM-2, R-MH, FBR |  |  |  | C-1, C-2, C-3, M-1, M-2, LC, OI, GU, IMU, MUC, NMU |  |  |
|---|--|--|--|--|--|--|--|--|
| Use   |  | Maximum  | One- and two-family dwelling           | One- and two-family dwelling subdivision | Multi-family                           | Nonresidential                                     | Multi-family                           | Nonresidential                         |
| Time Period When Allowed  | 120 Days Prior to, through 14 days after, a Primary, General Election, Runoff, or Referendum | Number per lot   | up to 4                                | n/a                                      | up to 4                                | up to 4  | up to 4                                | up to 4                                |
|   |  | Size (square feet)                                     | 16 total of all signs in this category | n/a                                      | 16 total of all signs in this category | 16 total of all signs in this category             | 16 total of all signs in this category | 16 total of all signs in this category |
|   |  | Height (feet)  | 4                                      | n/a                                      | 4                                      | 4  | 4                                      | 4                                      |
| During the period when a property or tenant space is for sale, lease, or rent                                       |  | Number per lot   | *                                      | n/a                                      | *                                      | *  | *                                      | *                                      |
|   |  | Size (square feet)                                     | 6                                      | n/a                                      | 6                                      | 6  | 6                                      | 24                                     |
|   |  | Height (feet)  | 4                                      | n/a                                      | 6                                      | 6  | 6                                      | 8                                      |
| Upon the Issuance of a permit for development through the Issuance of the final Certificate of Occupancy            |  | Number per lot   | 2                                      | 1 per subdivision                        | 1                                      | 1  | 1                                      | 1                                      |
|   |  | Size (square feet)                                     | 4                                      | 32                                       | 32                                     | 32   | 32                                     | 32                                     |
|   |  | Height (feet)  | 4                                      | 10                                       | 10                                     | 10   | 10                                     | 10                                     |
| *1 per 500 feet of street frontage per street front   |  |  |  |  |  |  |  |  |
| Ground signs shall be set back at least 10 feet from the property lines and are not allowed in public rights-of-way |  |  |  |  |  |  |  |  |



Where Georgia comes together.

Application # TEXT-0068-2024

## Application for Text Amendment

Contact Community Development (478) 988-2720

### Applicant Information

\*Indicates Required Field

|          | Applicant                               |
|----------|---|
| *Name    | Bryan Wood for the City of Perry        |
| *Title   | Director of Community Development       |
| *Address | 1211 Washington Street, Perry, GA 31069 |
| *Phone   | 478-988-2714                            |
| *Email   | bryan.wood@perry-ga.gov                 |

### Request

\*Please provide a summary of the proposed text amendment:

Amend Table 6-9-4 in Section 6-9.7 to allow a total of 16 square feet of additional signs per lot during election periods. This maximum square footage may be distributed between one and up to four signs.

### Instructions

1. The application, fee (made payable to the City of Perry), and proposed text of the amendment must be received by the Community Development Office no later than 4:30 pm on the date reflected on the attached schedule.
2. Fees: Actual cost of required public notice.
3. The applicant must state the reason for the proposed text amendment. See Sections 2-2 and 2-3.2 of the Land Management Ordinance for more information.
4. The staff will review the application to verify that all required information has been submitted. The staff will contact the applicant with a list of any deficiencies which must be corrected prior to placing the application on the planning commission agenda.
5. Text amendment applications require an informational hearing before the planning commission and a public hearing before City Council.
6. The applicant must be present at the hearings to present the application and answer questions that may arise.
7. Campaign Notice required by O.C.G.A. Section 36-67A-3: Within the past two years, have you, the applicant, made either campaign contributions and/or gifts totaling \$250.00 or more to a local government official? Yes \_\_\_ No X  
If yes, please complete and submit the attached Disclosure Form.
8. The applicant affirms that all information submitted with this application, including any/all supplemental information is true and correct to the best of their knowledge and they have provided full disclosure of the relevant facts.
9. Signatures:

|            |   |  |       |          |
|------------|---|--|-------|----------|
| *Applicant |  | Bryan Wood, Director of Community Development, for the City of Perry | *Date | 5/6/2024 |
|------------|---|--|-------|----------|