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Planning Commission Work Session Agenda

Monday, March 25, 2024 – 5:30pm

Community Development Office, 741 Main Street, Perry

1. Call to Order
2. Roll Call
3. Citizens with Input
4. New Business
 - PUD ordinance modifications
5. Other Business
6. Adjournment

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

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Memorandum**

To: Planning Commission
From: Bryan Wood, Community Development Director
Date: March 22, 2024
Re: PUD Ordinance Modifications

Attached is a draft of the modifications to the City's PUD ordinance for discussion. This incorporates your comments from last month as well as City Council comments from its March 4, 2024 Work Session. Council does not want to allow single-use PUDs. They feel such plans are only a means to circumvent provisions of LMO by increasing density and/or reducing development standards.

As I was working on these revisions I started to question the need for a PUD district at all. The intent statement says PUD is intended to allow developments "which cannot be achieved in other base zoning districts established in this ordinance, including districts in the form-based code. The PUD district is not intended to be used as an alternative to obtaining variance(s) for developments unable to comply with other development standards required by this ordinance."

The districts in the form-based code section of the LMO require certain design standards and open space requirements which would offset the increased density allowed. For example, a single-family residential development allows a minimum lot size of 2,500 square feet. However, vinyl siding is not allowed, front porches are required, garages in rear or setback from the front of the house, open space of 10% of overall site + 10% on each individual lot, landscaping, street trees, and sidewalks or multi-use paths. Districts allow for a mix of uses.

As rezoning would be required, the Commission and Council would still have the ability to determine appropriateness of proposed zone(s) in relation to the property surroundings.

Replace Sec. 2-3.3 in its entirety

~~2-3.3. Planned unit development (PUD).~~ Permitted uses for planned unit development districts are established in subsection 4-1.3 of this chapter. Use, area, bulk, and height requirements shall be determined by the procedures set forth in this section.

- ~~(A) Specific requirements.~~ In order to qualify for a planned unit development district zoning classification a proposed development area shall be in one ownership or management, or if in several ownerships, the application for amendment to this section shall be filed jointly by all of the owners of the properties included in the plan. Applications for planned unit development shall be submitted to the administrator pursuant to established application submittal schedules included in the administrative manual.
- ~~(B) Procedure for approval of a planned unit development (PUD) district.~~ The filing of a plan for a planned unit development shall follow the procedures for amendment to the official zoning map in Section 2-2.2 and shall meet the requirements specified in this section. In addition, the following regulations shall apply:
- ~~(1) Two (2) copies of a preliminary site plan shall be submitted to the commission.~~
 - ~~(2) The commission shall review the proposals prior to submitting a recommendation to the council. The commission may make reasonable additional requirements including but not limited to utilities, drainage, landscaping, and maintenance thereof, lighting, signs and advertising devices, screening, access ways, curb cuts, traffic control, height and setback of buildings, to protect adjoining uses, or to protect the PUD from adjacent uses.~~
 - ~~(3) Approval by the council subsequent to a public hearing constitutes creation of the planned unit development (PUD) district.~~
- ~~(C) Preliminary site plan required.~~ The preliminary site plan which accompanies an application for approval of PUD shall show the following:
- ~~(1) The proposed title of the project and the name of the engineer, architect, designer, or landscape architect, and the development.~~
 - ~~(2) The north point, scale, and date; the scale of the site plan shall be as follows:
 - ~~(a) For projects containing fifty (50) acres or more, not more than one hundred (100) feet to one inch.~~
 - ~~(b) For projects containing less than fifty (50) acres, not more than fifty (50) feet to one inch.~~~~
 - ~~(3) Existing zoning and zoning district boundaries and proposed changes in zoning.~~
 - ~~(4) The boundaries of the property involved, the location of all existing easements, section lines, and property lines, existing streets, buildings and other existing physical features in or adjoining the project.~~
 - ~~(5) The location and size of existing and proposed streets, alleys, driveways, curb cuts, entrances and exits, loading areas (including number of parking and loading spaces), and outdoor lighting systems.~~
 - ~~(6) The location of proposed lots, setback lines, and easements, and proposed reservations for parks, parkways, playgrounds, school sites, and open spaces.~~
 - ~~(7) The location and height of all proposed main and accessory buildings for all structures except single and two-family dwellings.~~
 - ~~(8) Location, height and material of all fences, walls, screens, plants and landscaping.~~
 - ~~(9) Proposed location, intended use, and character of all buildings. For residential structures, show type and number of dwellings, and minimum square footage of single family detached dwellings.~~
 - ~~(10) Location, character, size and height and orientation of proposed signs.~~
 - ~~(11) A location map showing the position of the proposed development in relationship to the surrounding area.~~
 - ~~(12) A tabulation of the total number of acres in the project, gross and net, and the percentage thereof proposed to be devoted to different dwelling types, commercial uses, other nonresidential uses, off-street parking, streets, parks, schools, and other public and private reservations.~~
 - ~~(13) A tabulation of the total number of dwelling units of various types in the project and the overall project density in dwelling units per acre, gross and net, as required by district regulations.~~
 - ~~(14) A detailed legal description of the location of the site.~~

- (15) ~~A discussion of the proposed standards for development including restrictions on the use of the property, density standards and yard requirements restrictive covenants. The commission may establish additional requirements for the preliminary site plan and in special cases, may waive a particular requirement if, in its opinion, the inclusion of that requirement is not essential to a proper decision on the project.~~
- (D) ~~*Final plat required.* A final plat shall be recorded prior to submission of an application for a building permit. The plat shall comply with all laws, regulations, and resolutions governing the approval of subdivisions and, in addition, shall show all the features required on the preliminary site plan. A plat of development shall be recorded regardless of whether a subdivision is proposed. At least one of the final site plan maps shall include topographical contour lines at intervals no less than five (5) feet.~~
- (E) ~~*Review standards.* The commission shall review plans for proposed planned unit developments for conformity with the comprehensive plan. Specifically, the proposed plan shall meet the following conditions:~~
- (1) ~~The plan shall conform to the purpose and intent of this chapter as stated in section 1-3.~~
 - (2) ~~Access to all developed property shall be sufficient to provide for an acceptable level of fire protection.~~
- (F) ~~*Miscellaneous provisions:*~~
- (1) ~~*Amendments and additions.* Amendments or additions to an approved plan or to the boundaries of the PUD shall be accomplished subject to the same regulations and procedures applicable to a new application.~~
 - (2) ~~*Deed restrictions.* The commission may require filing of deed restrictions to help carry out the intent of this chapter.~~
- (G) ~~*Site design requirements:*~~
- (1) ~~*Location of district.* A PUD district may be established anywhere within the City of Perry, Georgia.~~
 - (2) ~~*Site design, general.* The proposed development must be designed so as to produce an environment of stable and desirable character not out of harmony with its surrounding neighborhoods. The review by the commission shall consider the following design elements:~~
 - (a) ~~*Privacy.* Personal and individual privacy shall be maintained and balanced with the provision of public and common areas.~~
 - (b) ~~*Variety.* Interest and variety shall be sought by means of street design and changes in mixtures of building types, heights, facades, uses, setbacks, plants, or size of open space. The design should be harmonious as a whole and not simply from street to street.~~
 - (c) ~~*Traffic and parking.* No through or commercial traffic should be permitted; streets should not be straight for long distances but should curve so as to discourage fast movement of traffic; group parking areas should be screened as defined in section 6-3 so that the vehicles are substantially hidden from the street.~~
 - (d) ~~*Lot area and lot width, general.* The commission will establish lot area and lot width. However, the minimum lot or width may not be reduced if the Houston County/Peach County Health Department determines that an increased area or width is necessary for health reasons.~~
 - (e) ~~*Setbacks.* The commission will establish setback requirements for all structures.~~
 - (f) ~~*Open space.* Open space should be incorporated into the PUD plan. It can be common areas, parks, recreational facilities, greenspace, landscape buffers, pedestrian trails, etc. The open space can be suitably improved or unimproved if containing natural features worthy of preservation.~~
 - (g) ~~*Street standards.* All streets in the PUD plan should be standard streets.~~
 - (h) ~~*Other building requirements.* The commission shall determine other development standards.~~

2-3.3. Planned development (PD).

- (A) *Intent.* The PD planned development district is intended to allow for unique and integrated mixed-use developments which are suitable in location and character, and which cannot be achieved in other base zoning districts established in this ordinance, including districts in the form-based code. The PD district is not intended to be used as an alternative to obtaining variance(s) for developments unable to comply with other development standards required by this ordinance. The PD district is further intended to accomplish the following specific objectives:
- (1) To provide for development concepts not otherwise allowed within non-PD zoning districts;

- (2) To provide flexibility, unity and diversity in land planning and development, resulting in convenient and harmonious groupings and mixings of uses, structures and common facilities;
 - (3) To accommodate varied type design and layout of housing and other buildings;
 - (4) To allow appropriate relationships of open spaces to intended uses and structures;
 - (5) To encourage innovations in residential and commercial development and redevelopment so that the growing demands of the population may be met by greater variety in type, design, and layout of buildings and by the conservation and more efficient use of open space ancillary to those buildings;
 - (6) To encourage a more efficient use of land and of public services, and to reflect changes in the technology of land development so that resulting economies may benefit those who need homes;
 - (7) To lessen the burden of traffic on streets and highways; and
 - (8) To provide a procedure that can relate the type, design, and layout of residential and commercial development to the particular site, thereby encouraging preservation of the site's natural characteristics, and compatibility with its surroundings.
- (B) *Location of district.* A planned development district may be permitted only in areas where public water and sewer are available. Some concepts will be more appropriate than others and the approval of a PD in one location does not necessarily indicate a PD will be suitable in other locations.
- (C) *Procedure.*
- (1) *Preliminary concept plan.* Before finalizing a PD regulating plan, the applicant shall present a preliminary concept plan at a regularly scheduled planning commission meeting for input. The preliminary concept plan shall be submitted according to the adopted planning commission schedule. The preliminary concept plan shall consist of:
 - a. Proposed access and internal traffic circulation;
 - b. Location and density of proposed uses;
 - c. Proposed location and amount of open space, buffers, and amenities;
 - d. Proposed character of buildings.
 - (2) *Application for PD district.* An application to designate property as a PD district shall follow the procedures in Section 2-2.2 for Amendments to the Official Zoning Map. Such application shall include:
 - a. Completed application form and paid fee;
 - b. A plat of the property identifying property boundaries, existing zoning and land uses of surrounding properties, and existing easements, roads, buildings, and other physical features on or adjacent to the project site.
 - c. A PD Regulating Plan which establishes regulations for the use, development, improvement, and maintenance of the project.
 - d. Traffic Impact Study for projects exceeding 10 acres.
- (D) *Requirements for a PD Regulating Plan.* The PD regulating plan establishes the permitted, special exception, and accessory uses; site plan, including the site area; street layout, including typical street sections; pedestrian facilities; open space areas; number of residential units by type; square footage of residential and non-residential units; preliminary landscaping plan, development regulations; architectural standards; phasing plan; and other information necessary for the substantive and environmental review of the proposed project; and any other information deemed necessary by the administrator. A PD regulating plan shall contain the following:
- (1) *Permitted uses.* A list of permitted uses within a planned development district shall be adopted as part of the regulating plan applying to that district only.
 - (2) *District regulations.* The following site development characteristics shall be determined and set in the approved regulating plan:
 - a. Layout of lots, streets, and any other infrastructure, including bicycle and pedestrian facilities.
 - b. Minimum lot area(s).
 - c. Minimum lot width(s).
 - d. Sizes and locations of yards and setbacks.
 - e. Maximum impervious surface ratio for individual lots and the project as a whole with stormwater infrastructure designed accordingly.
 - f. Minimum and/or maximum building density, including total number of residential units and non-residential square footage permitted, broken down by type, and nonresidential square footage.

- g. Minimum heated square footage of residential units by type.
- h. Maximum structure height(s).
- i. Off-street and on-street parking and loading needs and dimensions.
- j. Location of and specifications for site access and internal traffic circulation.
- k. Internal traffic calming strategies.
- l. Open space shall be provided with all PDs, and minimum open space shall be set by the regulating plan. For PDs incorporating multi-family residential dwellings and townhouses, a portion of the open space, complementary to the proposed design and lifestyle features of the proposed project, shall be reserved as common open space that shall be designated for the recreational or leisurely use by residents.
- m. Preliminary landscape plan to include location and size of buffers, screening, tree save areas, spacing and species of street trees to be installed, and any wall, fences, or other devices to be installed.
- n. Development-specific architectural design criteria.
- o. Location, size, and design of permanent signs, and
- p. Any other site-specific prescription(s) deemed necessary for the development of the project, as proposed.

(3) *Design Standards.* Projects shall meet the following design requirements:

- a. The minimum side building setback shall be eight feet for all single-family detached units, and on the detached side of all single-family attached units. This minimum notwithstanding, the character of a proposed PD may justify smaller side setbacks. Certain development types, including, but not limited to traditional neighborhood development (TND), pocket neighborhoods, and some residential infill solutions may benefit from the use of smaller setbacks to achieve the project concept.
- b. The minimum rear building setback shall be ten feet.
- c. Residential driveways shall be a minimum of 25 feet long between the garage and sidewalk or back of curb, where sidewalks are not present.
- d. Streets shall be designed as a hierarchy of street types in an interconnected pattern.
 - 1. Interconnecting sidewalks with a minimum width of five feet shall be installed on one side of all streets with an anticipated average daily trip count of 300 or more. A walking trail with a minimum width of eight feet may be installed in lieu of sidewalks along one side of major neighborhood streets where the installation of sidewalks is unnecessary or impractical, as determined by the administrator.
 - 2. Sidewalk or walking trail locations shall be shown on street types.
 - 3. Major neighborhood streets shall converge on neighborhood centers, parks, landmarks, schools, or other civic spaces.
 - 4. Streets and alleys shall terminate at other streets within the development and shall be stubbed out at the edge of the project site to provide linkages with future development. Connections shall be made to stub outs on adjacent parcels. The use of dead-end streets and cul-de-sacs should be minimized and should only be used in cases where site topography necessitates their use.
- e. Street trees shall be planted on both sides of all streets (except alleys).
 - 1. Street trees shall be planted within a tree lawn with a minimum width of six feet, either between the back of the curb and the sidewalk, or between the sidewalk and the building.
 - 2. Required street trees shall be installed prior to the issuance of a certificate of occupancy for the building to which the street trees closest relate.
 - 3. Existing tree canopy may substitute for the installation of street trees, as approved by the administrator.
- f. Roadway design and stormwater standards shall adhere to environmentally sensitive and aesthetically pleasing best management practices and development standards.
- g. A minimum of ten percent of the project site shall be permanently allocated to open space.
 - 1. A portion of the required open space shall be centrally located within the development. Location and approximate size of the open space area shall be designated and approved regulation plan.

2. For PDs under ten acres, the open space requirement may be satisfied by an existing or proposed public park or trail network that is within 1,200 feet of the project boundary.
3. Stormwater infrastructure shall not be counted toward the required open space, unless designed as part of a low-impact system that utilizes bio-swales and natural recharge areas.
4. Utility easements shall not be counted toward the required open space, unless utilized as part of a common trail network or other amenity.
5. Specific architectural design criteria shall be adopted as part of the regulating plan for the project.
6. Vegetated buffer yards with a minimum width of 15 feet shall be maintained along the project's exterior boundaries. Buffer yards shall be maintained as a common facility. Buffer yards shall not be counted as part of the open space requirement.

- (E) *Phasing plan.* The regulating plan shall specify a phasing plan for the overall project and for all amenities to be provided within the project. The amenity phasing plan shall correspond with the overall project phasing schedule and shall provide for the reasonable completion of amenities to maximize enjoyment by residents.
- (F) *Maintenance of common facilities.* A property owners' association or similar entity shall be established for the perpetual maintenance of all common facilities including, but not limited to, open space, buffers, amenities, and common area landscaping. A copy of the recorded documentation establishing such entity and its responsibilities shall be provided prior to the issuance of a certificate of development conformance.
- (G) *Application of Land Management Ordinance.* The site development characteristics prescribed by the approved PD regulating plan associated with a planned development district shall supplant any conflicting standards for site development established in the Land Management Ordinance. Any site development characteristics not prescribed in the approved PD regulating plan for a planned development district shall be subject to the minimum standards, as applicable, established in the Land Management Ordinance.
- (H) *Revisions to the PD regulating plan.*
- (1) *Minor change.* Changes proposed in writing by the applicant that do not alter district boundaries and that involve revision of minor characteristics of a PD, such as relocation of driveways, façade details, drainage structures, number of required parking spaces, and other features that do not materially affect the approved regulating plan or violate any other applicable regulations, may be approved by the planning commission.
 - (2) *Major change.* Changes which alter the boundary of the PD, increase the number of residential units by type, increase the total amount of non-residential square footage, or materially alter the characteristics and functionality of the PD shall follow the procedures established for its original approval.

Replace Sec. 3-2.2(C)(2) in its entirety:

3-2.2. *Establishment of zoning districts and specific purposes.*

(C) *Special base zoning districts.*

- ~~(2) *PUD, Planned unit development district.* The purpose of a Planned Unit Development District is to offer developers the benefits of efficiency, economy, and flexibility by encouraging unified development of sites, while deriving for the city the advantages of improved appearance, compatibility of uses, optimum service by community facilities, better handling of vehicular access and circulation, and full definition of the proposed development. A PUD shall be consistent with the objectives of the Comprehensive Plan.~~
- (2) *PD, Planned development district.* The PD planned development district is intended to allow for unique and integrated mixed-use developments which are suitable in location and character, and which cannot be achieved in other base zoning districts established in this ordinance. The PD district is not intended to be used as an alternative to obtaining variance(s) for developments unable to comply with other development standards required by this ordinance.

Delete Sec. 4-1.3 in its entirety.

~~4-1.3. *Uses Permitted in PUD.* Within the PUD Planned Unit Development District, any use is permitted with council approval.~~

- ~~(A) Any use permitted in the R-1 Residential District except that any public uses shall serve only the residents of the PUD District.~~
- ~~(B) Two-family dwellings (duplex).~~
- ~~(C) Townhouses, provided that such uses comply with the requirements for townhouses as set forth in section 4-3.1(A).~~
- ~~(D) Multifamily dwellings.~~
- ~~(E) Retail and service uses limited to the following: grocery, confectionery, bakery, newspaper, drug or hardware stores, barber, beauty, radio-TV repair, laundry pickup or laundromat, watch repair or shoe repair establishment, or dentist, or similar professional office, provided that:
 - ~~(1) Only business signs are to be used. No neon or directly illuminated sign shall be used either on the exterior or in windows. All signs shall be attached flat to the face of the building;~~
 - ~~(2) Off-street parking and loading requirements as indicated in section 6-1 are met;~~
 - ~~(3) Retail and service uses are designed for the service and convenience of the population living within the PUD. No more than five (5) percent of the total floor space of the project shall be used for retail or service establishments.~~~~