



Tyrone Planning Commission

Will James
Chairman
Jeff Duncan
Vice-Chairman
Marlon Davis
Commissioner
David Nebergall
Commissioner
Carl Schouw
Commissioner

Staff

Jonathan Lynn
Town Manager
Patrick Stough
Town Attorney Phillip
Troquet *Planning &*
Development
Coordinator
Dee Baker
Town Clerk

Meeting Information

2nd & 4th Thursday of
each month

881 Senoia Road
Tyrone, Ga 30290
770-487-4038
www.tyrone.org

Tyrone Planning Commission Agenda

June 22, 2017

7:00 PM

I. Call to Order

II. Approval of Agenda

III. Approval of Minutes from May 25,2017

IV. Public Hearing

1. Consideration of a text amendment to Section 113-130, pertaining to "Light industrial district (M-1)", of Article V of the Zoning Ordinance of the Town of Tyrone, to add "movie/media production studios (including ancillary businesses that supply support services, equipment and resources to the movie/media industry)" as a permitted use in the M-1 zoning district. ***Phillip Troquet, Planning & Development Coordinator.***
2. Consideration of a a text amendment to Section 113-155, pertaining to "Exceptions to development standards", of Article VI of the Zoning Ordinance of the Town of Tyrone, and Section 113-133, pertaining to "Planned unit development", of Article V of the Zoning Ordinance of the Town of Tyrone, to establish an exception to the height restrictions for non-residential structures for sound stages associated with movie/media production studios located in a Planned Industrial Park. ***Phillip Troquet, Planning & Development Coordinator.***
3. Consideration of a text amendment to Section 113-190, pertaining to "Conditional use approval", of Article VII of the Zoning Ordinance of the Town of Tyrone, revise conditions pertaining to "dog grooming shops". ***Phillip Troquet, Planning & Development Coordinator.***

**Tyrone Planning
Commission**

Will James
Chairman
Jeff Duncan
Vice-Chairman
Marlon Davis
Commissioner
David Nebergall
Commissioner
Carl Schouw
Commissioner

Staff

Jonathan Lynn
Town Manager
Patrick Stough
Town Attorney Phillip
Troquet *Planning &
Development
Coordinator*
Dee Baker
Town Clerk

Meeting Information

2nd & 4th Thursday of
each month

881 Senoia Road
Tyrone, Ga 30290
770-487-4038
www.tyrone.org

V. New Business

1. Pre - recommendation review: Development Plan for 'HubZone' Planned Light Industrial District. *Phillip Trocquet, Planning & Development Coordinator.*

2. Consideration for a final plat approval for parcel 0725 014. *Phillip Trocquet, Planning & Development Coordinator.*

VI. Staff Comments

1. Renaissance Strategic Visioning & Planning (RSVP) project update. *Phillip Trocquet, Planning & Development Coordinator.*

VII. Commission Comments

VIII. Adjournment

**Town of Tyrone
Planning Commission Meeting Minutes
Thursday May 25, 2017
7:00 PM**

Present:

Chairman Wil James

Vice-Chairman Jeff Duncan

Commission Member Carl Schouw

Commission Member David Nebergall

Commission Member Marlon Davis

Planning and Zoning Coordinator Phillip Trocquet Town Attorney Patrick Stough

Absent:

Town Attorney Patrick Stough

Commission Member Carl Schouw

Commission Member David Nebergall

Planning Commission Chairman Wil James called the meeting to order at 7:00pm.

Approval of Agenda

Commissioner Duncan made a motion to approve the agenda.

Commissioner Nebergall seconded the motion. Motion was approved 4-0.

Approval of Minutes for May 11th, 2017

Commissioner Duncan made a motion to approve the minutes from May 11th, 2017.

Commissioner Davis seconded the motion. Motion was approved 3-0.

Public Hearing:

1. Consideration to annex properties located at 1919 Highway 74 & 1925 Highway 74 into the incorporated limits of the Town of Tyrone. **Phillip Trocquet, Planning & Development Coordinator**

Mr. Trocquet presented the item. Mr. Trocquet stated that owner representative, Wade Lester, had applied for the annexation. He stated that both properties were currently zoned R-70 within the county which is a residential zoning district and that it was proposed that the properties be annexed in as O-I. Mr. Trocquet stated that these two properties were never annexed into the Town during the time period when the property that is now River Oaks subdivision was annexed into the Town. As a result, the Town limits circumvented the properties in question and created what looked like an island of unincorporated Fayette County.

Mr. Trocquet stated that the Fayette County Board of Commissioners reviewed the annexation/rezoning application on April 25, 2016 and voted 'not to object' to the proposed annexation and subsequent rezoning. Mr. Trocquet went on to state that the existing land use is residential and that the surrounding zoning was C-2 (Highway Commercial) to the north, CR-2 (Conservation Residential) to the South and East, and O-I (Office Institutional to the West). Mr. Trocquet included that both sites had access to public water and that each lot was one acre. He stated that staff recommended approval of the annexation.

2. Consideration to rezone properties located at 1919 Highway 74 & 1925 Highway 74 to O-I (Office Institutional). **Phillip Trocquet, Planning & Development Coordinator**

Mr. Trocquet presented the item outlining questions present in the Town's Code of Ordinances:

1. Whether the zoning proposal is in conformity with the comprehensive land use plan and policies contained therein.

Mr. Trocquet stated that it was staff's opinion that the annexation and zoning proposal is on conformity with the comprehensive land use plan, future land use plan, and future development map. The current properties, once annexed into the Town, will be classified as 'Community Gateway.' The O-I zoning district is an appropriate zoning classification for the 'Community Gateway' character area and the proposed use of the property as professional office space is consistent with permitted uses in the O-I zoning district.

2. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property.

Mr. Trocquet stated that it was staff's opinion that the zoning proposal to O-I (Office & Institutional) will not adversely affect the existing use or usability of adjacent or nearby properties. Permitted uses within the O-I zoning district are reserved for lower-intensity commercial businesses which typically have low noise and traffic thresholds. Businesses associated with O-I zoning districts also retain more stringent operational guidelines than other commercial zoning districts such as C-1 (Downtown Commercial) and C-2 (Highway Commercial). These properties will also be located within the Town's Quality Growth Overlay District. This district protects visibility along the Highway 74 Corridor with more stringent architectural and landscaping requirements for any future alterations or developments to take place on the properties.

3. Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing or planned streets, utilities, or schools.

Mr. Trocquet stated that it was staff's opinion that the zoning proposal to O-I would not cause an excessive or burdensome use on existing or planned streets, utilities, or schools. The properties which were previously homes currently have public water and individual septic tanks on each of the properties. Schools will not be affected as the properties are roughly 2 miles away from Sandy Creek High School. There is an anticipated impact on traffic as there will be an increase in activity on the properties. This traffic impact will be minimal as the homes would only be suitable for small offices. The O-I zoning district disallows retail locations or restaurants that typically generate larger traffic volumes.

4. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.

Mr. Trocquet stated that it was staff's opinion that the subject properties were best suited for small business/office operations. Close proximity to Highway 74 without a noise barrier made residential use less than optimal.

Mr. Trocquet stated that staff recommended approval of the rezoning.

Vice-Chairman Duncan inquired as to whether or not the Georgia Department of Transportation (GDOT) would get involved and build a deceleration lane to integrate traffic better. Mr. Trocquet stated that it was possible for GDOT to be involved as there was currently a study being done on the Kirlkey Rd./Hwy 74 intersection. Mr. Trocquet also

mentioned that the homes had preexisting curb cuts for driveways. Mr. Trocquet stated that increased traffic generated from moving the properties from residential to office, would be minimal especially given the size of the homes. He added that there would likely only be between 6-7 people allowed in each home at any given time for Environmental Health purposes as well. Mr. Trocquet stated that the Town would monitor the intersection and contact GDOT if the offices began to have a negative impact on traffic.

Commissioner James called Mr. David Hollinsworth to the podium to speak. Mr. Hollinsworth introduced himself as Mr. Wade Lester's business partner. He stated that they worked in real estate and that they were having a tougher time with the properties as residential. He stated that upon approval of the rezoning and annexation, they were looking to keep the properties simple and used only for professional office space. He stated there would be no large parking lots or retail. He stated that a tenant interested in 1925 Highway 74 was a computer data center/call center where some technicians may dispatch from.

Vice-Chairman Duncan inquired whether or not the parking would be in the front or the back of the property. Mr. Hollinsworth stated that there would be minimal parking in the front of the house and some handicapped parking in the rear with a wheelchair ramp on the back of the homes. Mr. Hollinsworth also stated that the properties previously shared one well for water, but that they were now both using public water.

Commissioner Davis asked Mr. Hollinsworth if the landscaping was to remain the same. Mr. Hollinsworth responded that the landscaping was to remain the same on the front of the properties and that they were going to work with the owner of Wendell Coffee Golf Center to demolish the dilapidated home on the border of their properties. He also added that the wooded buffer between River Oaks subdivision was to be increased by allowing wooded growth to increase on the back and sides of the properties.

Vice-Chairman Duncan expressed his concern for merging traffic onto Highway 74 as vehicles pass the properties going 55-65 miles per hour. Mr. Hollinsworth stated that he shared that concern, but that the properties would be generating very little traffic.

Chairman James stated that he was satisfied with the fact that no service vehicles would be visible from the street.

Chairman James opened the public hearing for the rezoning of 1919 & 1925 Highway 74.

Chairman James opened the floor for anyone in favor of the rezoning of 1919 & 1925 Highway 74. No one spoke in favor of the rezoning.

Chairman James opened the floor for anyone not in favor of the rezoning of 1919 & 1925 Highway 74. No one spoke in opposition to the rezoning.

Commissioner Davis made a motion to approve the annexation of properties located at 1919 & 1925 Highway 74 into the incorporated limits of the Town of Tyrone.

Commissioner Nebergall seconded the motion. Motion was approved 4-0.

Commissioner Schouw made a motion to approve the rezoning of properties located at 1919 & 1925 Highway 74 to O-I (Office Institutional).

Commissioner Davis seconded the motion. Motion was approved 4-0.

Old Business:

New Business:

Public Comments:

Staff Comments:

Commission Comments:

Adjournment:

Commissioner Nebergall made a motion to adjourn. The meeting adjourned at 7:18 pm.

Wil James, Planning Commission Chairman

Phillip Trocquet, Planning &
Development Coordinator



Town of Tyrone
Cover Sheet- 06/22/2017
Contact: ptrocquet@tyrone.org

Subject: Text Amendment to Light Industrial zoning district. Adding Movie Media Production Studios.

A. Background/History: It was found that the Town's zoning ordinance did not include a provision for movie studios or sound stages. This amendment adds these uses to the ordinance.

B. Summary: The following items contain the official text amendment ordinance as well as the red-lined ordinance showing where this amendment is inserted into Section 113-130

C. Action: The vote for this item will be: a motion to amend Section 113-130 to add "movie/media production studios (including ancillary businesses that supply support services, equipment, and resources to the movie/media industry)" as permitted uses in the M-1 zoning district.

STATE OF GEORGIA

TOWN OF TYRONE

ORDINANCE

NO. 2017-___

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE TOWN OF TYRONE, GEORGIA; TO ESTABLISH “MOVIE/MEDIA PRODUCTION STUDIOS” AS A PERMITTED USE IN THE LIGHT INDUSTRIAL (M-1) ZONING DISTRICT; TO PROVIDE FOR AN EFFECTIVE DATE; TO PROMOTE THE PUBLIC HEALTH, SAFETY AND WELFARE, AND FOR OTHER PURPOSES.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL FOR THE TOWN OF TYRONE AND IT IS HEREBY ENACTED PURSUANT TO THE AUTHORITY OF THE SAME THAT THE ZONING ORDINANCE OF THE TOWN OF TYRONE AS IT PERTAINS TO DISTRICT REGULATIONS (ARTICLE V OF CHAPTER 113) IS AMENDED AS FOLLOWS:

Section 1. By renumbering Paragraphs (14) through (32) of Subsection (a) of Section 113-130, pertaining to “Light industrial district (M-1)”, of Article V of Chapter 113 as Paragraphs (15) through (33), respectively, and by adding a new Paragraph (14) to Subsection (a) of Section 113-130 of Article V of Chapter 113, to be numbered and read as follows:

(14) Movie/media production studios (including ancillary businesses that supply

support services, equipment and resources to the movie/media industry);

Section 2. This ordinance shall become effective immediately upon its adoption by the Mayor and Council for the Town of Tyrone.

Section 3. All other ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Section 4. In any event any section, subsection, sentence, clause or phrase of this Ordinance shall be declared or adjudged invalid or unconstitutional, such adjudication shall in no manner affect other sections, subsections, sentences, clauses or phrases of this Ordinance, which shall remain in full force and effect as if the section, subsection, sentence, clause or phrase so declared or adjudged invalid or unconstitutional were not a part thereof. The Council hereby declares that it would have passed the remaining parts of this Ordinance if it had known that such part or parts hereof would be declared or adjudged invalid or unconstitutional.

SO ENACTED this ____ day of _____, 2017.

MAYOR AND COUNCIL OF THE
TOWN OF TYRONE

By: _____
Eric Dial, Mayor

(SEAL)

ATTEST:

Dee Baker, Town Clerk

Approved as to form:

Town Attorney

Sec. 113-130. - Light industrial district (M-1).

(a) *Permitted uses* :

- (1) Art studios (June 6, 2013);
- (2) Automobile repossessing services;
- (3) Automobile towing establishments;
- (4) Building materials dealers (garage doors, fencing, roofing, storm windows, kitchen cabinets, wallboard, insulation);
- (5) College and university industry, associated research and training facilities;
- (6) Eating establishments, when accessory to a permitted use;
- (7) Engineering, planning and architectural offices;
- (8) Golf courses and clubhouses;
- (9) HVAC/plumbing/electrical contractors;
- (10) Incidental retail sales of goods produced and processed on the premises;
- (11) Manufacturing offices of health service practitioners;
- (12) Medical and dental laboratories;
- (13) Medical supply businesses;
- (14) Movie/media production studios (including ancillary businesses that supply support services, equipment and resources to the movie/media industry);
- ~~(4415)~~ Natural materials dealer (lime, plaster, sand, gravel, lumber);
- ~~(4516)~~ Offices used as part of a planned office center;
- ~~(4617)~~ Parcel and express services;
- ~~(4718)~~ Pest control/exterminator services;
- ~~(4819)~~ Plant nurseries;
- ~~(4920)~~ Precision instrument repair services;
- ~~(2021)~~ Printing, publishing and blueprinting services;
- ~~(2422)~~ Publishing only—Newspapers, periodicals and books;
- ~~(2223)~~ Recording and developing studios;
- ~~(2324)~~ Research testing and laboratories;
- ~~(2425)~~ Sign stores—Painting and lettering;
- ~~(2526)~~ Swimming pool (prefabricated), hot tubs and spa sales;
- ~~(2627)~~ Swimming pool cleaning and maintenance services;
- ~~(2728)~~ Technical and vocational schools;
- ~~(2829)~~ Telecommunications antennas and towers;
- ~~(2930)~~ Training/rehabilitation services;
- ~~(3031)~~ Upholstery stores; and
- ~~(3432)~~ Utility business offices.

(b) *Conditional uses (see article VII)* :

- (1) Animal hospitals and veterinary clinics;
 - (2) ATMs;
 - (3) Auction yards or establishments;
 - (4) Auto/truck dealer (including new and used automobiles, small trucks and vans);
 - (5) Automobile convenience and gas services;
 - (6) Automotive rentals;
 - (7) Building materials establishments;
 - (8) Electric transformer stations, gas regulator stations, and telephone exchanges;
 - (9) Landscaping services;
 - (10) Maintenance shops;
 - (11) Major automotive/motorcycle/truck repair and marine sales and parts;
 - (12) Motorcycle/lawnmower dealers (including new and used lawnmowers, motorcycles, motor bikes, dune bikes, go carts and golf carts);
 - (13) Outdoor advertising services (no outside storage);
 - (14) Parks;
 - (15) Public utility facilities;
 - (16) Recreational vehicle dealers (including new or used recreational vehicles, campers or utility trailers);
 - (17) Structural materials dealers (brick, tile, stone, clay, concrete, cinder block);
 - (18) Telecommunications antennas and towers; and
 - (19) Warehousing and storage.
- (c) *Development standards* :
- (1) Minimum lot area—One acre;
 - (2) Minimum lot width—125 feet;
 - (3) Yard setbacks:
 - a. From a major thoroughfare—100 feet;
 - b. From a collector—70 feet;
 - c. From a residential street—55 feet;
 - d. Rear yard setbacks—30 feet;
 - e. Side yard setbacks—20 feet;
 - (4) Maximum height of structures—35 feet;
 - (5) Where a lot adjoins a single-family residential, MHP, or the AR zoning district—100-foot buffer (June 21, 2001); and
 - (6) Open space—Ten percent.

(Revised January 24, 2013; June 6, 2013)



Town of Tyrone
Cover Sheet- 06/22/2017
Contact: ptrocquet@tyrone.org

Subject: Text Amendment pertaining to exceptions to development standards to establish conditions for an exception to the ordinance's height limitation for movie/media productions.

A. Background/History: It was found that the Town's zoning ordinance did not include a provision for movie studios or sound stages. This amendment adds these uses to the ordinance. Given the nature of studios and stages, an exception to the Town's height restriction was also added with conditions to preserve aesthetic standards as well as the purpose and intent of the ordinance.

B. Summary: The following items contain the official text amendment ordinance as well as the red-lined ordinance showing where this amendment is inserted into Section 113-155.

C. Action: The vote for this item will be: a motion to amend Section 113-155 and Section 113-133 to establish an exception to the height restrictions for non-residential structures used for sound stages associated with movie/media production studios located in a Planned Industrial Par .

STATE OF GEORGIA
TOWN OF TYRONE

ORDINANCE

NO. 2017-___

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE TOWN OF TYRONE, GEORGIA; TO ESTABLISH AN EXCEPTION TO THE HEIGHT LIMIT WITHIN AN PLANNED INDUSTRIAL PARK (PIP) FOR SOUNDSTAGES ASSOCIATED WITH MOVIE/MEDIA PRODUCTION STUDIOS; TO ESTABLISH AN EXCEPTION TO THE HEIGHT LIMIT FOR NON-RESIDENTIAL STRUCTURES FOR SOUNDSTAGES ASSOCIATED WITH MOVIE/MEDIA PRODUCTION STUDIOS; TO PROVIDE FOR AN EFFECTIVE DATE; TO PROMOTE THE PUBLIC HEALTH, SAFETY AND WELFARE, AND FOR OTHER PURPOSES.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL FOR THE TOWN OF TYRONE AND IT IS HEREBY ENACTED PURSUANT TO THE AUTHORITY OF THE SAME THAT THE ZONING ORDINANCE OF THE TOWN OF TYRONE AS IT PERTAINS TO DISTRICT REGULATIONS (ARTICLE V OF CHAPTER 113) AND SUPPLEMENTAL REGULATIONS (ARTICLE VI OF CHAPTER 113) IS AMENDED AS FOLLOWS:

Section 1. By deleting Subparagraph e. of Paragraph (3) of Subsection (f) of Section 113-133, pertaining to “Planned unit development”, of Article V of Chapter 113, in its

entirety, and by replacing it with a new Subparagraph e. in Paragraph (3) of Subsection (f) of Section 113-133 of Article V of Chapter 113, to be numbered and read as follows:

- e. Height limit – 35 feet, except with respect to soundstages associated with movie/media production studios as provided in Section 113-155 of this ordinance.

Section 2. By deleting Subsection (b) of Section 113-155, pertaining to “Exceptions to development standards”, of Article VI of Chapter 113, in its entirety, and by replacing it with a new Subsection (b) in Section 113-155 of Article VI of Chapter 113, to be numbered and read as follows:

- (b) *Height requirements.* The height limitations as stated in this section shall not apply to the following:
 - (1) Barns, silos, or other farm structures when located on farms; belfries, cupolas and domes; monuments; water towers; windmills; chimneys; smokestacks; flagpoles; radio or television towers; masts and aerials;
 - (2) Bulkheads, elevator penthouses, water tanks and scenery lofts and similar structures, provided that these structures shall not cover more than 25 percent of the total roof area of the building on which the structures are located; and
 - (3) Soundstages associated with movie/media production studios in a Planned Industrial Park (PIP), provided that:
 - a. The front setback shall be increased two (2) feet for every one (1) foot of building height over 35 feet, or a raised landscape berm

shall be constructed one (1) foot high for every one (1) foot of building height over 35 feet, or any combination thereof. If the side and/or rear yards abut a residential or A-R zoning district, the setbacks shall be increased five (5) feet for every one (1) foot of building height over 35 feet; and

- b. The required minimum acreage shall be increased based on building height per the table below:

Height Limit	Required Lot Acreage
36-50 feet	30
55 feet	>30-45
60 feet	>45-60
65 feet	>100

Section 3. This ordinance shall become effective immediately upon its adoption by the Mayor and Council for the Town of Tyrone.

Section 4. All other ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Section 5. In any event any section, subsection, sentence, clause or phrase of this Ordinance shall be declared or adjudged invalid or unconstitutional, such adjudication shall in no manner affect other sections, subsections, sentences, clauses or phrases of

this Ordinance, which shall remain in full force and effect as if the section, subsection, sentence, clause or phrase so declared or adjudged invalid or unconstitutional were not a part thereof. The Council hereby declares that it would have passed the remaining parts of this Ordinance if it had known that such part or parts hereof would be declared or adjudged invalid or unconstitutional.

SO ENACTED this ____ day of _____, 2017.

MAYOR AND COUNCIL OF THE
TOWN OF TYRONE

By: _____
Eric Dial, Mayor

(SEAL)

ATTEST:

Dee Baker, Town Clerk

Approved as to form:

Town Attorney

Sec. 113-133. - Planned unit development.

- (a) *Purpose* . The intent of this section is to:
- (1) Encourage the development of large lots of land as: planned residential development (PRD); planned industrial development (PID); planned commercial development (PCD); and planned educational development (PED);
 - (2) Encourage flexible and creative concepts in site planning;
 - (3) Preserve the natural amenities of the land by encouraging scenic and functional open spaces;
 - (4) Accomplish a more desirable environment than would be possible through the strict application of minimum requirements of this section;
 - (5) Provide for an efficient use of land resulting in smaller networks of utilities and streets and thereby lowering development and housing costs; and
 - (6) Provide an environment of a stable character compatible with surrounding areas.
- (b) *Development standards* . Each planned unit development shall meet the following standards in addition to any other as hereinafter set forth:
- (1) The development shall utilize creative and flexible design including, but not limited to: varied lot sizes, amenities, mixed uses, etc;
 - (2) The development shall be compatible with surrounding uses and with the comprehensive land use plan of the Town of Tyrone; and
 - (3) Developers of approved planned unit developments shall be required to pave all new subdivision streets contained within said development to conform with the rules and regulations of the development regulations of the Town of Tyrone. Improvements to existing roads or planned roads which pass through a planned unit development will be handled conditionally at the time of rezoning or at the time of a revision to a development plan.
- (c) *Relation to zoning districts* . An approved planned unit development shall be considered to be a separate zoning district in which the development plan, as approved, establishes the uses, restrictions and regulations according to which development shall occur. Upon approval, the official zoning map shall be changed to indicate the area as a planned unit development. The following procedures shall be followed in the establishment of each and every planned unit development:
- (1) *Pre-application conference* . Prior to filing a rezoning petition for a planned unit development, the applicant shall meet with the zoning administrator to review the general character of the proposed development, including but not limited to, its scope, nature and location. At this time, the applicant shall be fully advised of the approval procedures contained herein as well as the various information and studies which the applicant may need in order to continue with said procedures;
 - (2) *Pre-recommendation meeting(s)* . Prior to filing a rezoning petition for a planned unit development and subsequent to the pre-application conference with the zoning administrator, the applicant shall meet with the planning commission in a plan review session(s). At this meeting, the applicant shall be required to review his/her plan with the planning commission and provide preliminary data concerning said plan as required by the planning commission. The planning commission may require additional pre-recommendation meetings to review said preliminary data prior to their pre-recommendation;
 - (3) *Rezoning petition* . A rezoning petition for a planned unit development shall only be submitted subsequent to the pre-application conference with the zoning administrator and the pre-recommendation meeting(s) with the planning commission. The petition shall contain a development plan and a written summary of intent, and shall show the relation between the proposed development and the surrounding area, both proposed and existing. A rezoning petition for a planned unit development shall follow the procedures in article III of this chapter;

- (4) *Development plan* . The following information shall be submitted as the development plan:
- a. General location map;
 - b. Current topographical map clearly showing existing conditions, including contour intervals of no more than five feet based on field survey or photogrammetric methods;
 - c. Map showing the existing flood plains and flood soil as indicated by FEMA;
 - d. Existing and proposed land uses in the development site and all adjacent properties, including the approximate location of all streets;
 - e. Legal description of the subject property;
 - f. Location and use of existing and proposed public, semi-public, or community facilities such as schools, parks and other open space. This will include areas proposed to be deducted or reserved for community or public use;
 - g. Conceptual drawings of representative building types for all non-residential structures which indicate the proposed general architectural style and appearance; and
 - h. If a proposed development creates special problems or involves unusual circumstances, additional information may be required in order to properly evaluate the proposal as follows:
 1. Off-street parking and loading plan;
 2. Economic feasibility report or market analysis;
 3. Area traffic study and circulation plan within the development and to and from existing thoroughfares;
 4. Hydraulic, hydrologic; and drainage engineering studies;
 5. Environmentally sensitive areas, including, but not limited to: watershed protection, wetlands, or groundwater recharge impact study;
 6. Based on the pre-application meeting with the zoning administrator and/or the pre-recommendation meeting(s) with the planning commission, other information as is deemed necessary may be requested, in addition, any of the aforementioned required information (items (a) thru (h)) may be excluded if deemed not applicable.
- (5) *Summary of intent* . The written statement submitted with the development plan shall include the following information:
- a. Statement of the present ownership of all land within the proposed development;
 - b. Explanation of the character of the proposed development, including, but not limited to: a summary of uses, number and type of dwelling units, a net residential density calculation, and minimum standards for floor area, lot size, yard and spacing requirements;
 - c. General statement of the proposed development schedule and progression of unit development or staging; and
 - d. Agreements, provisions, and covenants which govern the use, maintenance, and protection of the development and any common or open space, including the provisions which will organize, regulate and sustain the property owners' association, where applicable.
- (6) *Approval* . After review and public hearing the planning commission shall provide a recommendation to the mayor and council. After a public hearing the mayor and council may approve, disapprove or approve with modifications. If the proposed development is approved as submitted, the zoning administrator shall cause the official zoning map to be changed to indicate the planned unit development. If the plan is approved with modifications, the applicant shall file written notice of consent to the modification and a properly revised development plan

with the zoning administrator prior to changing the official zoning map. The development plan and all other accompanying information shall be properly identified and permanently filed with the zoning administrator.

(7) *Subdivision approval* .

- a. At the option of the applicant, a preliminary subdivision plat may be filed along with the development plan in order that tentative approval of the subdivision by the planning commission may be granted, pending the approval by the mayor and council of the development plan. In no case shall final subdivision approval precede the approval of the development plan.
- b. Site development regulations, specifications, and procedures governing the platting of a planned unit development and plat approval shall be in accordance with the Town of Tyrone Subdivision Regulations and Development Regulations.

(8) *Ownership control* . At the time a final plat is approved and recorded for a planned unit development, as applicable, the land comprising the area for the planned unit development shall be under one ownership, i.e., an individual, a corporation, or some other single legal entity. Individual lots may be sold only after the final plat has been approved and recorded and the deed contains sufficient covenants assuring the continuance of the planned unit development as originally approved and developed.

(9) *Building and occupancy permits* . The zoning administrator shall approve the issuance of building permits for buildings and structures in the planned unit development if they are in substantial conformity with the approved development plan, the development schedule, and with all other applicable regulations. A certificate of occupancy shall be issued for any completed building or structure if it conforms to the requirements of the approved development plan and all other applicable regulations.

(10) *Revision of Development Plan* . Any change in the approved development plan, which affects the intent and character of the development, the density or land use pattern, the approved uses, the location or dimensions of streets, or similar substantial changes, shall be reviewed and approved by the mayor and council upon the recommendation of the zoning administrator and planning commission. A request for a revision of the development plan shall be supported by a written statement as to why the revisions are necessary or desirable.

(d) *Planned residential development (PRD)* .

(1) *Purpose* . The intent of a planned residential development (PRD) is to encourage creativity and resourcefulness in residential development and to provide open space, parks and recreational facilities for the residents of the development and/or the general public.

(2) *Permitted residential uses* . Planned residential developments may contain single-family dwellings, two-family dwellings, townhouses, or a combination thereof. residential accessory buildings and uses shall also be allowed per article V.

(3) *Permitted recreational uses* . A list of proposed recreational uses shall be submitted with the summary of intent. Only those uses approved through the rezoning process shall be allowed in the PRD.

(4) *Permitted incidental uses* . The following incidental uses shall be allowed in a PRD:

- a. Day care facility (including an outdoor play area only);
- b. Hospice, assisted living, nursing care, retirement;
- c. Church and/or other place of worship (including a parsonage and outdoor play area only); and
- d. School, private (including an outdoor play area but excluding housing or a stadium).

(5) *Buffers and setbacks* . The uses along the exterior boundary of the PRD shall be consistent with the applicable conditional use requirements listed in article VII.

- (6) *Conditional uses* . The following conditional uses shall be allowed in the PRD zoning district, provided that all conditions specified in article VII conditional uses, nonconformance, transportation corridor overlay zone, and commercial development standards are met:
- a. Electric transformer stations, gas regulator stations and telephone exchanges;
 - b. Home occupation;
 - c. Horse quarters (see article V. Raising and Keeping Horses in Residential Districts); and
 - d. Telephone, electric or gas sub-station or other public utility facilities.
- (7) *Minimum dimensional and other requirements* :
- a. Development size—100 contiguous acres located within the AR and/or residential zoning districts;
 - b. Each single-family dwelling shall be placed on a separate lot;
 - c. Side yard setbacks—15 feet;
 - d. Rear yard setbacks—30 feet;
 - e. Maximum density—Four units per acre (single-family attached), and one unit per acre (single-family detached). For purposes of this section, density shall be interpreted as the number of dwelling units per net acre devoted to residential development.
- (8) *Common open space requirements* :
- a. Open space—2,500 square feet per lot. The open space shall not be located in the following areas: street right-of-ways (public or private); all land located within the 100-year flood plain; water impoundments; and all lands proposed to be dedicated to a governing authority;
 - b. The open space may be publicly owned, privately owned, or be deeded to and maintained by the property owners' association, comprised of the residents of the development. When the open space is to be deeded to the property owners' association the initial owner of the development shall be responsible for the organization of said association. The organization, responsibilities and financing of the property owners' association shall be established in appropriate deed covenants, which shall run with the land and which shall appear in each and every deed of property given by the initial owner; and
 - c. Approved recreational uses may be located in the open space.
- (9) *General deed covenants* . Appropriate deed covenants, which shall run with the land, shall be made a part of each deed of property given by the initial owner of the development in order to ensure the continuance of the planned residential development in accordance with all approved plans and this section. A copy of the covenants shall be given to the zoning administrator as a part of the record of the planned residential development.
- (e) *Conservation residential overlay district (PCRD)* .
- (1) *Purposes* :
- a. To provide for the preservation of greenspace as a nonstructural stormwater runoff and watershed protection measure;
 - b. To provide a residential zoning district that permits flexibility of design in order to promote environmentally sensitive and efficient uses of the land;
 - c. To preserve in perpetuity unique or sensitive natural resources such as groundwater, flood plains, wetlands, streams, steep slopes, woodlands and wildlife habitat;
 - d. To permit clustering of houses and structures on less environmentally sensitive soils which will reduce the amount of infrastructure, including paved surfaces and utility easements, necessary for residential development;

- e. To reduce erosion and sedimentation by minimizing land disturbance and removal of vegetation in residential development;
- f. To promote interconnected greenways and corridors throughout the community;
- g. To promote contiguous greenspace with adjacent jurisdictions;
- h. To encourage interaction in the community by clustering houses and orienting them closer to the street, providing public gathering places and encouraging use of parks and community facilities as focal points in the neighborhood;
- i. To encourage street designs that reduce traffic speeds and reliance on main arteries;
- j. To promote construction of convenient landscaped walking trails and bike paths both within the subdivision and connected to neighboring communities, businesses and facilities to reduce reliance on automobiles;
- k. To conserve scenic views and reduce perceived density by maximizing the number of houses with direct access to and views of open space; and
- l. To preserve important historic and archaeological sites.

(2) *General regulations .*

- a. *Applicability of regulations .* This conservation subdivision option is available in CR-2 and CR-3 zoning districts.
- b. *Ownership of development site .* The tract of land to be subdivided may be held in single and separate ownership or in multiple ownership. If held in multiple ownership, however, the site shall be developed according to a single plan with common authority and common responsibility.
- c. *Housing density determination .* The maximum number of lots in the PCRd shall be determined by dividing the area of the tract of land by the minimum lot size specified in the underlying zoning category. In making this calculation, the following shall not be included in the total area of the parcel:
 - 1. Slopes over 25 percent of at least 5,000 square feet contiguous area;
 - 2. The 100-year flood plain;
 - 3. Bodies of open water over 5,000 square feet contiguous area;
 - 4. Wetlands that meet the definition of the army corps of engineers pursuant to the Clean Water Act; or
 - 5. Anticipated right-of-way needs for roads and utilities.

(3) *Application requirements .*

- a. *Site analysis map required .* Concurrent with the submission of a site concept plan, the applicant shall prepare and submit a site analysis map. The purpose of the site analysis map is to ensure that the important site features have been adequately identified prior to the creation of the site design, and that the proposed open space will meet the requirements of this article. The preliminary site plan shall include the following features:
 - 1. Property boundaries;
 - 2. All streams, rivers, lakes, wetlands and other hydrologic features;
 - 3. Topographic contours of no less than one-foot intervals;
 - 4. All primary and secondary conservation areas labeled by type, as described in (e)(4) Open Space of this article;
 - 5. General vegetation characteristics;

6. General soil types;
 7. The planned location of protected open space;
 8. Existing roads and structures; and
 9. Potential connections with existing greenspace and trails.
- b. *Open space management plan required* . An open space management plan, as described in (e)(4) Open Space, shall be prepared and submitted prior to the issuance of a land disturbance permit.
 - c. *Instrument of permanent protection required* . An instrument of permanent protection, such as a conservation easement or permanent restrictive covenant and as described in (e)(4) Open Space shall be placed in the open space concurrent with the issuance of a land disturbance permit.
 - d. *Other requirements* . The applicant shall adhere to all other applicable requirements of the underlying zoning district and the town's land development ordinances.
- (4) *Open space* .
- a. *Definition* . Open space is the portion of the PCRCD that has been set aside for permanent protection. Activities within the open space are restricted in perpetuity through the use of an approved legal instrument.
 - b. *Standards to determine open space* .
 1. The minimum restricted open space shall comprise at least 40 percent of the gross tract area.
 2. The following are considered primary conservation areas and are required to be included within the open space, unless the applicant demonstrates that this provision would constitute an unusual hardship and be counter to the purposes of this article:
 - (i) The regulatory 100-year flood plain;
 - (ii) Buffer zones of at least 75 feet in width along all perennial and intermittent streams;
 - (iii) Slopes above 25 percent of at least 5,000 square feet contiguous area;
 - (iv) Wetlands that meet the definition used by the Army Corps of Engineers pursuant to the Clean Water Act;
 - (v) Populations of endangered or threatened species or habitat for such species; and
 - (vi) Archaeological sites, cemeteries and burial grounds.
 3. The following are considered secondary conservation areas and should be included within the open space to the maximum extent feasible:
 - (i) Important historic sites;
 - (ii) Existing healthy, native forests of at least one-acre contiguous area;
 - (iii) Individual existing healthy trees greater than eight inches caliper, as measured from their outermost drip line;
 - (iv) Other significant natural features and scenic view sheds such as ridge lines, peaks and rock outcroppings, particularly those that can be seen from public roads;
 - (v) Prime agricultural lands of at least five acres of contiguous area; and
 - (vi) Existing trails that connect the tract to neighboring areas.

4. Above-ground utility right-of-ways and small areas of impervious surface may be included within the protected open space but cannot be counted towards the 40 percent minimum area requirements (exception: historic structures and existing trails may be counted).
 5. At least 75 percent of the open space shall be in a contiguous tract. The open space should adjoin any neighboring areas of open space, other protected areas, and non-protected natural areas that would be candidates for inclusion as part of a future area of protected open space.
 6. The open space shall be directly accessible to the largest practicable number of lots within the PCRD. Non-adjoining lots shall be provided with safe, convenient access to the open space.
- c. *Permitted uses of open space :*
1. Conservation of natural, archeological or historical resources;
 2. Meadows, woodlands, wetlands, wildlife corridors, game preserves or similar conservation-oriented areas;
 3. Walking or bicycle trails, provided they are constructed of porous paving materials;
 4. Passive recreation areas;
 5. Active recreation areas, provided that they are limited to no more than ten percent of the total open space and area not located within primary conservation areas. Active recreation areas may include impervious surfaces. Active recreation areas in excess of this limit must be located outside of the protected open space;
 6. Agriculture, horticulture, silviculture or pasture uses, provided that all applicable best management practices are used to minimize environmental impacts and such activities are not conducted with primary conservation areas;
 7. Nonstructural stormwater management practices;
 8. Easements for drainage, access and underground utility lines; or
 9. Other conservation-oriented uses compatible with the purposes of this section.
- d. *Prohibited uses of open space :*
1. Golf courses;
 2. Roads, parking lots and impervious surfaces, except as specifically authorized in the previous sections;
 3. Agricultural and forestry activities not conducted according to accepted best management practices; and
 4. Other activities as determined by the applicant and recorded on the legal instrument providing for permanent protection.
- e. *Ownership and management of open space .*
1. Ownership of open space. The applicant must identify the owner of the open space who is responsible for maintaining the open space and facilities located thereon. If a homeowners' association is the owner, membership in the association shall be mandatory and automatic for all homeowners of the PCRD and their successors. If a homeowners' association is the owner, the homeowners' association shall have lien authority to ensure the collection of dues from all members. The responsibility for maintaining the open space and any facilities located thereon shall be borne by the owner.

2. Management plan. The applicant shall submit a plan for management of open space and common facilities ("plan") that:
 - (i) Allocates responsibility and guidelines for the maintenance and operation of the open space and any facilities located thereon, including provisions for ongoing maintenance and for long-term capital improvements;
 - (ii) Estimates the cost and staffing requirements needed for maintenance and operation of, and insurance for, the open space and outlines the means by which such funding will be obtained or provided;
 - (iii) Provides that any changes to the plan be approved by the town council; and
 - (iv) Provides for enforcement of the plan.
3. In the event the party responsible for maintenance of the open space fails to maintain all or any portion in reasonable order and condition, the Town of Tyrone may assume responsibility for its maintenance and may enter the premises and take corrective action, including the provision of extended maintenance. The costs of such maintenance may be charged to the owner, the homeowners' association, or to the individual property owners that make up the homeowners' association, and may include administrative costs and penalties. Such costs shall become a lien on all PCRD properties.

f. *Legal instrument for permanent protection .*

1. The open space shall be protected in perpetuity by a binding legal instrument that is recorded with the deed. The instrument shall be one of the following:
 - (i) A permanent conservation easement in favor of either:
 - A. A land trust or similar conservation-oriented non-profit organization with legal authority to accept such easements. The organization shall be bona fide and in perpetual existence and the conveyance instrument shall contain an appropriate provision for retransfer in the event the organization becomes unable to carry out its functions; or
 - B. A governmental entity with an interest in pursuing protection of the open space compatible with the purposes of this section. If the entity accepting the easement is not the Town of Tyrone, then a third right of enforcement favoring the Town of Tyrone shall be included in the easement;
 - (ii) A permanent restrictive covenant for conservation purposes in favor of a governmental entity; or
 - (iii) An equivalent legal tool that provides permanent protection, if approved by the Town of Tyrone.
2. The instrument for permanent protection shall include clear restrictions on the use of open space. These restrictions shall include all restrictions contained in this article, as well as any further restrictions the applicant chooses to place on the use of the open space (2008).

(f) *Planned industrial park (PIP) .*

- (1) *Purpose .* The intent of a PIP is to encourage the development of a localized industrial park designed to meet light and heavy industrial purposes.
- (2) *Permitted uses .* Only those uses in the M-1 and M-2 zoning districts shall be proposed for the PIP. Only those uses approved through the rezoning process will be allowed in the PIP.
- (3) *Minimum dimensional and other requirements .* The minimum requirements for a PIP shall be as follows:

- a. Location—M-1 or M-2 zoning district;
- b. The development shall have access and egress only to an arterial thoroughfare;
- c. Development size—Ten acres;
- d. All setbacks along the exterior boundaries of the development shall be consistent with either the M-1 or M-2 zoning district, whichever is applicable; and
- e. Height limit—35 feet, except with respect to soundstages associated with movie/media production studios as provided in Section 113-155 of this ordinance.

(g) *Planned educational district (PED)* .

- (1) *Purpose* . The intent of a PED is to encourage creativity and resourcefulness in educational/institutional design to meet more of a campus atmosphere.
- (2) *Permitted uses* . Only those uses in the E-I zoning district shall be proposed for the PED. Only those uses approved through the rezoning process will be allowed in the PED.
- (3) *Minimum dimensional and other requirements* :
 - a. Location—E-I zoning district;
 - b. No more than five recreational vehicles (motor homes); and
 - c. Development size—40 acres.

(h) *Planned commercial district (PCD)* .

- (1) *Purpose* . The intent of the PCD is to provide a retail center through a planned development. A PCD will allow innovative and creative design and promote high standards in the development layout to alleviate incompatibility between the internal uses in the development to protect public safety to the greatest degree possible.
- (2) *Permitted uses* . Only those uses allowed in the C-2 zoning district shall be proposed for the PCD. Only those uses approved through the rezoning process shall be allowed.
- (3) *Minimum dimensional and other requirements* :
 - a. Minimum lot area—Ten acres;
 - b. The proposed site shall be permitted only on a lot which fronts on and accesses a major thoroughfare, as specified by the Town of Tyrone Thoroughfare Plan;
 - c. All setbacks and buffers along the exterior boundaries of the development shall be consistent with the C-2 zoning district, as applicable to the use;
 - d. The development plan shall indicate the different use areas for the proposed development. Appropriate separation, buffering, and vehicular circulation between uses internal to the development shall be established to alleviate incompatibility and protect public safety. Vehicular access facilities shall be designed in a manner to preclude large vehicles (semi-tractor trailers, delivery trucks) from utilizing areas where pedestrians are likely to be present;
 - e. Location—C-2 zoning district; and
 - f. Height limit—35 feet.

Sec. 113-155. - Exceptions to development standards.

- (a) *Double buffer* . When a required buffer area would abut and be contiguous to an established buffer area which meets all requirements of this section, then this additional required buffer area need not be established.
- (b) *Height requirements* . The height limitations as stated in this section shall not apply to the following:
 - (1) Barns, silos, or other farm structures when located on farms; belfries, cupolas and domes; monuments; water towers; windmills; chimneys; smokestacks; flagpoles; radio or television towers; masts and aerials; ~~and~~
 - (2) Bulkheads, elevator penthouses, water tanks and scenery lofts and similar structures, provided that these structures shall not cover more than 25 percent of the total roof area of the building on which the structures are located~~;~~; and

(3) Soundstages associated with movie/media production studios in a Planned Industrial Park (PIP), provided that:

- a. The front setback shall be increased two (2) feet for every one (1) foot of building height over 35 feet, or a raised landscape berm shall be constructed one (1) foot high for every one (1) foot of building height over 35 feet, or any combination thereof. If the side and/or rear yards abut a residential or A-R zoning district, the setbacks shall be increased five (5) feet for every one (1) foot of building height over 35 feet; and
- b. The required minimum acreage shall be increased based on building height per the table below:

<u>Height Limit</u>	<u>Required Lot Acreage</u>
<u>36-50 feet</u>	<u>30</u>
<u>55 feet</u>	<u>>30-45</u>
<u>60 feet</u>	<u>>45-60</u>
<u>65 feet</u>	<u>>100</u>

- (c) *Multiple-frontage lots* . Lots which adjoin a public street on more than one side shall provide the minimum required front yard on each street.
- (d) *Projections into yards* .
 - (1) Every part of a required yard shall be open to the sky and unobstructed except for the ordinary projections of sills, belt courses, cornices, eaves, chimneys, buttresses and other ornamental and architectural features of the principal building, provided that these features do not project more than three feet into any required yard or as provided elsewhere in this section.
 - (2) An open, unenclosed porch or hard-surfaced terrace, steps, stoops and similar fixtures of a building may project into a required front yard or rear yard for a distance not to exceed ten feet, and into a side yard to a point not closer than five feet from any side lot line.
 - (3) Notwithstanding other provisions of this section, fences, walls, hedges, driveways and buffer areas may be permitted in any required yard or along the edge of any yard, provided that no fence, wall or hedge along the street-side corner lots shall violate the corner visibility and that no fence in a required front yard in a residential district shall exceed four feet in height.
- (e) *Guest houses* . Only one guest house is allowed per individual lot. Any living area included in an accessory structure is a guest house. A guest house shall not be used as tenant space. A guest house shall not exceed 700 square feet of heated and finished living space.



Town of Tyrone
Cover Sheet- 06/22/2017
Contact: ptrocquet@tyrone.org

Subject: Text Amendment to Conditional Use ordinance to revise conditions for dog grooming shops

A. Background/History: It was proposed at the May 4th Council Meeting, by all council members that dog grooming shops have the same conditions as pet boarding businesses. The following amendment places the same conditions present for pet boarding on dog grooming shops.

B. Summary: The following items contain the official text amendment ordinance as well as the red-lined ordinance showing where this amendment is inserted into Section 113-190.

C. Action: The vote for this item will be: a motion to amend Section 113-190 to revise conditions for "dog grooming shops."

STATE OF GEORGIA
TOWN OF TYRONE

ORDINANCE

NO. 2017-___

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE TOWN OF TYRONE, GEORGIA; TO REVISE PROVISIONS PERTAINING TO CONDITIONS FOR DOG GROOMING SHOPS; TO PROVIDE FOR AN EFFECTIVE DATE; TO PROMOTE THE PUBLIC HEALTH, SAFETY AND WELFARE, AND FOR OTHER PURPOSES.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL FOR THE TOWN OF TYRONE AND IT IS HEREBY ENACTED PURSUANT TO THE AUTHORITY OF THE SAME THAT THE ZONING ORDINANCE OF THE TOWN OF TYRONE AS IT PERTAINS TO CONDITIONAL USES (ARTICLE VII OF CHAPTER 113) IS AMENDED AS FOLLOWS:

Section 1. By deleting Paragraph (25) of Subsection (b) of Section 113-190, pertaining to “Conditional use approval”, of Article VII of Chapter 113, in its entirety, and by replacing it with a new Paragraph (25) in Subsection (b) of Section 113-190 of Article VII of Chapter 113, to be numbered and read as follows:

- (25) Dog grooming shops (C-1).
 - a. All outdoor areas accessible to animals while off-leash shall be enclosed

by a fence of at least six (6) feet in height which is secured at the bottom to prevent an animal from digging out of the enclosed area.

- b. Animals shall be supervised at all times while off-leash in outdoor areas.
- c. No breeding of animals shall occur at the facility.
- d. Adequate sound-proofing and odor-proofing shall be provided so that the use does not create a nuisance.
- e. The facility shall be located at least 100 feet from any property residentially zoned or used for residential purposes.
- f. The facility shall obtain all necessary state licenses and shall be in compliance with all applicable state regulations.

Section 2. This ordinance shall become effective immediately upon its adoption by the Mayor and Council for the Town of Tyrone.

Section 3. All other ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Section 4. In any event any section, subsection, sentence, clause or phrase of this Ordinance shall be declared or adjudged invalid or unconstitutional, such adjudication shall in no manner affect other sections, subsections, sentences, clauses or phrases of this Ordinance, which shall remain in full force and effect as if the section, subsection, sentence, clause or phrase so declared or adjudged invalid or unconstitutional were not a part thereof. The Council hereby declares that it

would have passed the remaining parts of this Ordinance if it had known that such part or parts hereof would be declared or adjudged invalid or unconstitutional.

SO ENACTED this ____ day of _____, 2017.

MAYOR AND COUNCIL OF THE
TOWN OF TYRONE

By: _____
Eric Dial, Mayor

(SEAL)

ATTEST:

Dee Baker, Town Clerk

Approved as to form:

Town Attorney

Sec. 113-190. - Conditional use approval. [Only Sec. 113-190(b)(25) will be amended]

(b) *Conditional uses allowed* . The following list comprises the conditional uses allowed pursuant to this section and the zoning districts within which such uses may be found.

(25) Dog grooming shops (C-1). ~~All structures used as dog grooming shops shall be located and activities conducted at least 100 feet from any property zoned for residential purposes.~~

a. All outdoor areas accessible to animals while off-leash shall be enclosed by a fence of at least six (6) feet in height which is secured at the bottom to prevent an animal from digging out of the enclosed area.

b. Animals shall be supervised at all times while off-leash in outdoor areas.

c. No breeding of animals shall occur at the facility.

d. Adequate sound-proofing and odor-proofing shall be provided so that the use does not create a nuisance.

e. The facility shall be located at least 100 feet from any property residentially zoned or used for residential purposes.

f. The facility shall obtain all necessary state licenses and shall be in compliance with all applicable state regulations.



Town of Tyrone
Cover Sheet- 06/22/2017
Contact: ptrocquet@tyrone.org

Subject: Pre-recommendation review for HubZone Development Plan and Notice of Intent.

A. Background/History: Per the Town of Tyrone's Zoning Ordinance, any developer or property owner who wishes to build a Planned unit Development (PUD) within the Town of Tyrone must draft a development plan to be approved by Planning Commission. This review period consists of a pre - recommendation meeting with the Town Planning Commission as well as subsequent Public Hearings to approve a Final Development Plan. The item on tonight's agenda is a pre-recommendation meeting with Planning Commission to review preliminary plans for a proposed project along Highway 74: property tax ID: 0725 014.

B. Findings: The proposed project has been presented to the Town of Tyrone as a Planned Light Industrial/Technology Development named HubZone. Further information is below.

C. Action: The action regarding this item will be to allow the developer to submit an official development plan to Planning Commission and Town Council unless

Summary of Intent

PROJECT HUBZONE

Light Industrial (M-1) With a Planned Industrial District (PID) Overlay

June 22, 2017

Overview:

We are proud and excited to present Project HubZone to the Town of Tyrone Board of Commissioners. In 2008, in order to attract the film, television, and digital entertainment production industry to the State, the State of Georgia passed the Entertainment Industry Investment Act, which provides a tax incentive for such production in the State of Georgia. The tax incentive creates significant cost savings for companies producing full-scale movie and film productions, feature films, television series, music videos, and commercials, as well as interactive games and animation. The Entertainment Industry Investment Act has been very successful in attracting production companies to the State of Georgia, creating an economic boom for the State as well as many counties and municipalities, including Tyrone. The tax incentive has spurred billions of dollars in economic activity throughout the State.

We have been working in conjunction with the State of Georgia and the Fayette County Development Authority to attract production industries to our community. We are pleased to present an opportunity for Tyrone and its local businesses to benefit greatly from the incoming entertainment productions. Our request is for rezoning which would allow for design, construction, and operation of production studios to take place right here in Tyrone, Georgia. Working closely with the worldwide film and television industries, our goal is to make Fayette County a significant and influential partner in the entertainment production industry in the Southeast.

Statement of Present Ownership:

The request for rezoning to the Light Industrial (M-1) with a Planned Industrial District (PID) overlay district is comprised of a total of 43.35 acres of land. The subject property is located adjacent to Highway 74 between Sandy Creek Road and Jenkins Road. The property is currently owned by Hobgood Family, LP; however, the property is currently under contract for acquisition by GCS Concepts, LLC (the "Company").

Character of Proposed Development:

We propose to develop a production facility that will consist of multiple production studio sound stage buildings and outdoor natural areas (the "Project"). The goal of the Project is to provide on-site expertise and infrastructure to ensure that production companies can produce entertainment projects seamlessly and comfortably here in Fayette County. The studios will provide independently-owned media companies a full range of production services to cater to every aspect of on-site filming. Utilizing a revolutionary work flow studio concept will maximize productivity for the film companies. The Project will be fully developed with a total of six television production studio sound stages at maximum buildout. Once the Project is completed, the studios will serve numerous international production companies and provide a significant economic benefits to the County.

The Company has engaged Foley Design Associates Architects, Inc. to design the Project. The entrance to the Project is currently envisioned to reflect the character and elements of the community blended with a world class facility. The Project perimeter will respect the integrity of the rural character of the surrounding area using berming, open areas, and design elements which will preserve the natural wooded areas. The Company is committed to ensuring that the Project maintains the aesthetic standard which Tyrone's residents demand and deserve. This project's design is an intentional blending of innovative design concepts with the natural beauty of Tyrone.

The production stages and supporting buildings will be visually separated from the surrounding roads with a combination of using the natural grades of the existing site, as well as by berming and landscaping along Highway 74. Within the secured set areas, the buildings and surroundings will be outfitted with the ability to change facades

to adapt to each production company's changing needs. This accommodating design concept will allow production companies worldwide to use the facilities without leaving Tyrone. The visual seclusion of the secured set area also provides for the control of outside noises necessary for the productions. The sound stages are constructed with intense soundproofing materials that will contain production noises within the buildings. This design will maintain the sound levels both on set and the surrounding areas. The sound proofing benefits the production companies, but it will also protect the community from being disturbed.

The work flow focused studio concept was designed to better serve production companies. While filming occurs, set construction could be completed in the adjacent space. Increased productivity benefits the film industry and the City of Tyrone. The production projects can be completed more quickly and more easily. The positive experience of a production company will ensure a continued relationship with that company as well as encourage other production companies who desire to see what Tyrone's film space offers.

(a) Environmental Stewardship:

The overall Project will be developed with substantial green space incorporated into the overall design. The frontage of the property along Jenkins Road and Highway 74 will be meticulously landscaped and bermed to maintain the natural elements and character of the area.

Stormwater management ponds and enhanced swales will provide bio-filtration and attenuation of surface runoff. The studio facilities and surrounding landscape will be designed to incorporate indigenous materials. Energy efficient construction methods will be implemented. In summary, it is the Company's belief that this Project will have less of an impact on the environment than the potential residential neighborhood currently shown on the City's Future Land Use Plan.

(b) Ingress and Egress: The Project will initially have two points of vehicular access. The approximate location of the main gate entrance to the studio facilities fronts Highway 74. The interior roadway will be a gated entrance with a

security station to restrict public access to the property. A sufficient turn-around or cul-de-sac will be constructed at this location. A secondary ingress access gate will be installed fronting Jenkins Road, a Minor Arterial road. The exact location of the roadway along the arterial road will be determined during the site plan review process. These access points should provide convenient access for the production companies.

(c) **Traffic:** It is the Company's belief that traffic generated by this project will have very little impact on current traffic operations along Jenkins Road or Highway 74. The presence of internal traffic circulation, available parking, the staggering of arrival and departure times of employees located at the Project, and the variable schedules implicit with production work is sufficient to accommodate even the peak traffic flows anticipated at the Project. Additionally, due to safety, security, and confidentiality reasons, members of the general public will be restricted from access to the production facilities; therefore, additional traffic caused by the general public is not anticipated.

(d) **Parking:** The vehicle circulation and parking plan/layout is based on the engineer's design experience and comparative analysis of permanent parking constructed for similar projects. The Company proposes to build approximately 381 parking spaces, as shown on the Zoning Concept Plan, which will allow for automotive parking and an additional parking area that will accommodate approximately 44 service trucks, as necessary.

(e) **Operations:** The Project will have production staff, employees, and talent year round; however, a majority of television production is done during the early months of each year. At no time are the operations associated with the production studios anticipated to cause unnecessary traffic congestion along Jenkins Road or Highway 74. Furthermore, all production operations shall strictly comply with all applicable public safety standards and the life safety code, including, but not limited to, building capacity restrictions. All operations will be designed to, and shall comply with, Fayette County and Tyrone ordinances and all other applicable local, state, or federal regulations, and procedures will be in place to ensure a safe and healthy environment for the people working on site.

Proposed Development Schedule:

The Company has prepared a Zoning Concept Plan of the proposed improvements. These improvements will be constructed through a process that is generally phased as follows:

(1) Approval Phase: Prepare and submit required documents for local Governmental Authority approvals for the Project, including all permitting and zoning requirements.

(2) Site Utility Phase: This phase will include the installation of site utilities and portions of the stormwater management system, as well as the construction of the access roads.

(3) Construction Phase: This phase will consist of constructing the production offices and sound stages, together with the initial parking areas. These facilities are essential for the successful operation of the studio project.

(4) Non-Essential Phase(s): This phase will incorporate all other non-essential venues and common areas. Landscaping, permanent security fencing, various back lots, and other such items will be installed during this phase.

Agreements, Provisions, and Covenants:

This Project will be privately owned and operated. As such, all of the facilities and infrastructure will be designed, maintained, and operated in accordance with all local, state, and governing authority requirements.

The Company will employ or contract with individuals or companies to ensure that all facilities and systems are properly operated, maintained, tested, and certified in accordance with applicable codes, ordinances, and state or federal laws. It is anticipated that the Project will be connected to public sewerage system provided by the Town of Tyrone.

Education Opportunities:

In addition to the national recognition, financial benefits, and job creation that Tyrone will see as a result of this Project, the Company will increase the educational opportunities here in Fayette County. The Company is committed to the employees located on site and the communities in which it operates. The Company is aware of the importance of this role and desires to invest in and support programs that benefit the local community. The Company's goal is to establish relationships with local schools, colleges, and universities and to work with such institutions to help guide and advise students pursuing careers in film, television, and wider creative industries. It is envisioned that this Project will foster such relationships with local institutions as to increase the secondary educational opportunities in Tyrone. Not only would such relationships provide for general educational opportunities in the City and County, they would also provide workforce training to meet the growing needs of the production industry. We believe the aforementioned educational opportunities would equip and employ Tyrone residents for years to come, furthering the city's great legacy.

IMPACT ON THE COMMUNITY

Since the passing of the Entertainment Industry Investment Act, the film and television industry's economic benefit to the State of Georgia has grown from \$244 million to over \$7 billion dollars per year. This growth has been accomplished without sufficient permanent infrastructure. A labor force to maintain such growth is also lacking. In recent years, the television production industry has established itself in Fayette County with shows such as "Drop Dead Diva," and the "Walking Dead." To date, such productions have been accomplished with retro fitted facilities under unfavorable conditions. With adequate permanent infrastructure and support, the economic boom could increase exponentially. With the presence of state-of-the-art production facilities, the Project will be a great attraction to producers in the industry. This Project will fill a definite void in the availability of permanent sound stage infrastructure, production offices, back lots, and pre- & post-production facilities.

This Project provides an exciting opportunity for increased tax revenues in

Tyrone. The Project will create numerous sources of increased revenue to the County, including, but not limited to, ad-valorem taxes, increased sales tax revenue from production crews and construction crews, increased hotel/motel tax revenue, and building permits and licenses. Fayette County and Tyrone has a prime opportunity to be at the forefront of the Georgia market and claim a much larger portion of the \$7 billion economic impact derived from the State's tax credit program.

This Project is a great opportunity to create local jobs for the residents of Tyrone. The presence of production companies will allow for job expansion in many different industries, including, but not limited to, construction industry, aviation industry, direct movie industry, indirect movie industry, tourism industry, hotel/motel industry, real estate market, retail and commercial services, and other professional services. The increased presence of production crews, employees, and other crews working at the Project will also bring greater revenue to the City's existing local small businesses and increase the likelihood of many more new small businesses being created.

In addition to all other benefits mentioned, Tyrone will have the notoriety of being the only film studio with this cutting edge work flow concept. The best television production companies will be much more inclined to come based upon the concept suiting their needs beyond any other studio previously. This concept will ensure business for the city of Tyrone, but also will be a truly unique addition which will further the impressive legacy of Tyrone.

This Project meets mandates for Fayette County development by providing expansion to clean industry, bringing in additional investment dollars, promoting tourism, and creating well-paying jobs in Fayette County. The Fayette County Development Authority and local leaders have worked tirelessly to attract the entertainment production industry and this Project provides the County with the opportunity to capitalize on all those efforts.

PROJECT HUBZONE

ARCHITECTURAL CODES AND REGULATIONS

June 22, 2017

Purpose: The following regulations are set forth as development guidelines to achieve a unique look and character for the buildings and site for Project HubZone. The intent is to maintain a consistent appearance and character for the perimeter area of the site while providing flexibility for the studio portions of the project under Town of Tyrone PID Overlay.

1. **Approvals and Controls:** All buildings and site improvements will be submitted to the Project HubZone Development Team for conformance with the Architectural Codes and Regulations; if conforming, the specific building or improvement will be submitted to the Town of Tyrone for final approval.

2. **Approved Uses:**

Production Studios

Workshops

Support Business

Material Storage Areas (Covered or enclosed structures)

Temporary Production sets

3. **General Development Regulations**

A. **Setbacks:** Buildings adjoining Highway 74 will have a setback of a minimum of 100 feet from the Right of Way. Buildings adjoining Jenkins Road will have a setback of 80 feet from the Right of Way. Interior buildings will have setbacks varying from driveways based on uses. Entrances will include Security Buildings set back from the right of way, with signage & monuments and features as allowed by City requirements.

B. **Entrances:** Entrances will be provided at Highway 74 and Jenkins Road. These entrances will provide controlled access to the business support areas and the secured studio areas. The character and materials of these entrances will reflect the local character and materials as seen from the local roads.

C. **Fencing:** Perimeter fencing at roadways will be equestrian type with details of stone or brick columns at key accent areas. Security fencing will be provided around the secured studio areas which will be visually screened from the surrounding roadways.

D. **Signage:** Each building will be allowed two building wall signs or one building wall sign and one monument sign, tenant space signs and individual tenant and door signs. In addition to this primary signage, site directional signage will be allowed as required for direction of pedestrian or traffic flows.

1. General requirements: External Signs within view of Highway 74 or Jenkins Road may be translucent or illuminated from behind. Lighting for exterior signs may be illuminated from two sources.
- E. **Sidewalks:** Sidewalks will be provided for interior circulation between studio and support areas through controlled security structures, and will be connected to the entrance at Highway 74 and Jenkins Road as the phases of the project are developed.
- F. **Multi-Use Path:** An exterior multi-use path will be located in the landscape/buffer area along the eastern rear property line Road and continuing to the water property line. This combination of landscaping, fencing, and multi-use path will be provided where it intersects Jenkins Road.
- G. **Lighting Standards:** Exterior Lighting will be provided with cutoff type fixtures at various mounting heights. Street lighting will be themed, utilitarian security lighting and general illumination lighting will be mounted to allow fixtures to be controlled as production needs occur to override light sensors. All lighting will have controls to allow specific areas to be turned on or off as needed by the productions.
- H. **Driveways:** Driveways will be privately designed to allow traffic flows and allow utilization of driveways for studio production at various times. Driveways will be a minimum of 24 feet wide width curb to curb.
- I. **Architectural Style:**
1. **Entry and Road Frontage Character:** All areas within 100' of Highway 74 or Jenkins Road will incorporate natural materials for features and Signage at each entry. The character of these structures will be reflective of the local Residential and Agrarian nature of the area. Reference attached Entry and Road Frontage Character Examples and Entrance Rendering.
 2. **Studio Production Character:** Reference attached Studio Production Building Character Examples.
- J. **Size/Height:**
1. Studio Production Areas including workshops and interior support buildings will be limited to 65 feet in height measured from average grade around buildings to average roof height.
 2. Specialty areas such as Water Towers, silos, or Steeples, or any temporary set structure will not be restricted except to be limited to the surround tree Canopy as maximum height.

K. Materials:

1. Entrance structures will be natural stone, brick, or wood, or any facade which simulates the aforementioned materials. Fencing will be wood or metal material with ornamental metal fencing at security points. Security fencing will be provided in all other areas.
2. Perimeter buffer will be natural stone, brick, metal or wood fencing and details.
3. Support structures within 100 feet of Highway 74 and Jenkins Road, unless visually screened, will be limited to consistent details and brick, wood appearance, stucco, or stone material, or facades that simulate the same material. Studio Production Areas include studios and workshops with metal siding, painted or concrete, stucco, brick, stone, or wood or facades that simulate the material. Temporary sets will also include plastics or other materials to simulate exterior materials.

L. Roofs :

1. Support structures within 100 feet of Highway 74 and Jenkins Road will be either Flat roof structures with Parapets visually screening any roof equipment or pitched roofs 6/12 minimum slope with Shingle, Slate, or Metal Surface.
2. Studio roofs will not be limited in materials or pitch.

M. Tree save Areas: To the greatest extent possible, specimen trees and natural stands of trees will be projected and preserved per Town of Tyrone standards.

N. Landscaping:

1. Perimeter landscaping will be landscaped berms to provide maximum visual experience to help buffer the studios. All perimeter landscaping will at a minimum meet Town of Tyrone Landscape Requirements.
2. Project interior landscaping will be by developer.

O. Speed Limits: Speed limits will be provided for all interior street areas.

P. Parking Areas: Parking areas may be present in building set backs along Highway 74 behind the landscaped berms.

Q. Hours of Operation: Production schedules will not limit hours of operation.

Staff Report

Date: June 22, 2017

Town of Tyrone, Department of Planning & Zoning
881 Senoia Road, Tyrone GA 30290

Phillip Trocquet, Planning & Zoning Coordinator
ptrocquet@tyrone.org (770) 487-4038 ex. 108

DOCKET/CASE/APPLICATION NUMBER

PC06222017

APPLICANT/PROPERTY OWNER

Nathan Dockery

PLANNING COMMISSION MEETING DATE

June 22, 2017

ADDRESS/LOCATION

Corner of Jenkins Road, Sandy Creek Road, & Highway 74

Summary

Applicant is submitting a final plat for the subdivision of one 88 acre tract into two. The property was originally subdivided in this fashion years ago, but was consolidated. The property is owned by the Hobgood family. Since this property fronts Highway 74, it falls under the Town's Quality Growth Overlay District. Any future development on the property will be subject to the standards outlined in the ordinance for the overlay district.

The map to the right outlines the property in question with the SR-74 Quality Growth Overlay District layer.



MAP SOURCE

STAFF RECOMMENDATION

APPROVE

APPROVE WITH CONDITIONS

DENY

COMPATABILITY WITH ZONING ORDINANCE

The property is fully compatible with the Zoning Ordinance.

Legend

-  0725014
-  AR Agricultural Residential
-  OI Office-Institutional
-  M-2 Heavy Industrial
-  EI Educational-Institutional
-  M-1 Light Industrial
-  DR Duplex Residential
-  Tyrone Roads
-  Tyrone Tax Parcels



Parcel 0725014 Zoning Map

Town of Tyrone Planning & Zoning
(Created: 06/12/2016)



0 300 600 900 ft