

**DRAFT/MINUTES**  
**ISLANDS PLANNING COMMISSION**  
**AUGUST 18, 2015 - 6:00 P.M.**  
**Strickland Auditorium, Epworth-by-the-Sea, SSI**

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- MEMBERS PRESENT:     Preston Kirkendall, Chairman  
                          Desiree Watson, Vice Chairman  
                          Stan Humphries  
                          William Lawrence  
                          Robert Ussery  
                          Karen Ward  
                          Joel Willis
- STAFF PRESENT:        David Hainley, Community Development Director  
                          Cayce Dagenhart, Planner II  
                          Karl Bursa, Planner II  
                          Julie Grimm, Planner I  
                          Janet Loving, Admin/Recording Secretary
- ALSO PRESENT:         Commissioner Dale Provenzano, BOC Chairman  
                          Commissioner Bill Brunson, BOC  
                          Alan Ours, County Manager

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Chairman Kirkendall called the meeting to order and the invocation was given, followed by the Pledge of Allegiance. He then gave a brief recap of the rules, voting procedure and audience participation in discussing agenda items.

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MINUTES  
**July 21, 2015   Regular Meeting**  
Upon a motion made by Mr. Stan Humphries and seconded by Ms. Desiree Watson, the Minutes of the *July 21<sup>st</sup> Regular Meeting* were approved and unanimously adopted.

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Chairman Kirkendall stated that all of the items on tonight’s agenda are proposed ordinance amendments. Each will be discussed individually with the recommended action to follow. However, before proceeding with the agenda, Chairman Kirkendall granted a request to allow Mr. Stan Humphries to convey his thoughts on the ordinance review process as follows:

“We are near the end of a long, long six-month ordeal of debating development on St. Simons Island. I think it may be helpful to recap a little of this long march.

“The current moratorium and proposed ordinance changes were undertaken as a result of the public outcry over developments on SSI, particularly the Flash Foods, Reserve at Demere and Mariners Landing projects.

“The process began with this lofty statement: ‘It has been brought to the attention of the Glynn County Board of Commissioners that densities of development on St. Simons Island have risen to a level that could adversely affect the health, safety, prosperity, and welfare of the citizens of St. Simons Island, including but not limited to, the ability to provide adequate infrastructure and to provide the necessary services for its citizens.’

“Since this lofty beginning, every effort has been to water down, delay, eliminate and obfuscate all attempts to effect real change. It is an embarrassment to the community and its leaders.

“The proposed changes being discussed tonight are far from perfect, and far from being as comprehensive as needed. I will listen to comments tonight, but unless something changes my mind, I intend to vote to recommend the County Commission adopt them before the expiration of the moratorium on August 20.

“Much, much, much more important, I urge the citizens of St. Simons Island to rise up again, and demand meaningful change to protect the natural beauty and livability of this Island we love.

“Let us launch a truly community-based comprehensive development plan for St. Simons Island, one that will replace the dysfunctional present plans and ordinances, and prepare the Island for sound long-term and sustainable growth.

“We are all stakeholders in this endeavor. We must realize we all need each other. A healthy economy and a healthy community go hand in hand. You cannot have one without the other. Let’s all work together to make St. Simons Island an even better paradise.”

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**For the record, due to technical difficulties with the sound system inside of the “Strickland Auditorium,” the DVD of this meeting is inaudible. The Minutes from this point on were transcribed from handwritten notes.**

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Ordinance Amendments

***Consider an amendment to the Future Land Use Plan and Map to create a category and map designation for Low Density Residential (St. Simons Island) which will have a recommended density range of 0-2 units per acre.***

Mr. Hainley proceeded with background information via power point presentation as follows:

This is a proposal to create a land use designation and associated recommended density of 0-2 units per acre on St. Simons Island to address in part the projected total build-out. The map also deletes the currently proposed northernmost village center because it is located in an area that has been determined to be unsuitable for that type of use. The plan and map are used in reviewing proposed zoning changes and determining whether the proposed zoning change conforms to the Comprehensive Plan to which this is Appendix A. The adoption of this plan and text change does not change existing zoning that may not conform to its standards.

Mr. Ussery wanted to know if this proposal affects the north end commercial tracts. Mr. Hainley replied no. He also reiterated that the future land use map is not a zoning map and it does not change any zoning.

Mr. Lawrence stated that there needs to be a more comprehensive overview of the map. It is not as clear as it should be and it doesn't show the large tracts or the low density areas. Mr. Hainley explained to Mr. Lawrence that he is referring to zoning issues, and this map does not address zoning areas.

At this time, Chairman Kirkendall opened the floor for public comments beginning with Mr. George Ragsdale who complained about the Comprehensive Plan not being updated. He stated that in February, the intent was to do a complete overhaul, but instead, we have eight proposed amendments. He stressed that the Planning Commission should stick with the original plan; do the overhaul because there's a lot to be considered, such as how much undeveloped land remains on St. Simons Island, and whether the moratorium will end or continue.

For clarification, Mr. Hainley pointed out that the Comprehensive Plan was updated in 2008. The short-term work program was updated in 2013 and it is in full compliance. The Plan is not due for another update until 2018. Mr. Hainley stated that this was all approved by the Board of Commissioners and can be found on the county's website under County Commission Minutes.

There being no further comments from the public, the Public Hearing was closed and a motion was made by Ms. Desiree Watson, seconded by Mr. Stan Humphries and unanimously adopted to recommend approval of the amendment to the Future Land Use Plan and Map to create a category and map designation for Low Density Residential (St. Simons Island) which will have a recommended density range of 0-2 units per acre.

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***TA3083 Consider an amendment to Sections 302 and 613 of the Zoning Ordinance of Glynn County, Georgia; to require buffers along major, collector, and minor streets in some instances; to provide for standards for these buffers; to provide for definitions of certain terms; and for other purposes.***

Mr. Hainley presented the following background information which was also included in the packages for the Planning Commission's review:

Section 302 adds definitions (similar to those contained in the Subdivision Regulations) for Major, Collector and Minor Streets. Major Streets on St. Simons Island include but are not limited to Frederica Road, Demere Road, Lawrence Road, Sea Island Road, Kings Way and Ocean Boulevard. This amendment affects new subdivision and site plan cases only.

Section 613 requires specific types of buffers at residential subdivisions, commercial developments and industrial developments on St. Simons Island, and creates three new buffer types as follows:

Type F buffers will be required at residential subdivisions on St. Simons Island along major and collector streets requiring a preliminary plat approval. A Type F buffer is defined as a planted strip no less than 15 feet in width with at least 2 large deciduous trees for every 50 lineal feet, 2 large evergreen trees for every 30 lineal feet, two small deciduous trees for every 50 lineal feet, 4 medium shrubs for each 15 lineal feet, and low shrubs and ground cover planted in such a manner conducive to the establishment and maintenance of healthy scrubs and ground cover.

Type G buffers will be required at commercial developments along major, collector and minor streets on St. Simons Island. A Type G buffer is defined as a planted strip not less than 15 feet in width consisting of at least 1 large deciduous tree for every 50 lineal feet, 1 large evergreen tree for every 30 lineal feet, 1 small deciduous tree for every 50 lineal feet, and low shrubs and ground cover planted in such a manner conducive to the establishment and maintenance of healthy scrubs and ground cover.

Type H buffers will be required at industrial developments along major, collector, and minor streets on St. Simons Island. A Type H buffer is defined as a planted strip not less than 40 feet in width consisting of at least 2 large deciduous trees for every 50 lineal

feet, 1 large evergreen tree for every 30 lineal feet, 2 small deciduous trees for every for every 30 lineal feet, 2 medium shrubs for each 10 lineal feet, and low shrubs and ground cover planted in such a manner conducive to the establishment and maintenance of healthy scrubs and ground cover. This amendment affects new subdivision and site plan cases on the qualifying streets only.

Ms. Watson had questions about the Type A buffer as to whether it applies to multi-family. Mr. Hainley stated that some of the districts allow multi-family and therefore the Type A buffer would apply. Ms. Watson stated that most of the buffers, with the exception of D and E, have 40% alternate reduction but she's curious about how that particular percentage came about. Mr. Hainley stated that this was done by consultants several years ago before his employment with the county. Chairman Kirkendall pointed out that buffer Types A, B, C, D and E are currently in place. Buffer Types F, G and H are the changes. Ms. Watson stated that the 40% was carried over in F, G, and H as a reduction in the buffer size.

Mr. Ussery stated that regarding Type G buffer, 15 ft. is excessive for small commercial tracts. He also expressed concerns about the new proposed buffer Type F which applies to the frontend of subdivisions along major roads, specifically with respect to plant materials. Mr. Ussery feels that we need to go back and assess each buffer for a simpler version because they need to be easier to understand. Additionally, he stated that Type H buffer appears to only apply to industrial zonings on St. Simons and not the Mainland. He questioned why this type buffer would be larger on St. Simons than on the Mainland especially since there's not much industrial zoning on St. Simons. Mr. Hainley explained that there were concerns about visibility of the parking areas, etc. He also stated that the Planning Commission could make a recommendation to the Board to modify Type F buffer particularly adjacent to subdivisions. Mr. Humphries commented that changes in these classifications should have been made long before now. Mr. Ussery stated that if they had been afforded the opportunity to make changes they would have.

Mr. Joel Willis stated that the public wants the Planning Commission to "fix what's already there," but it can't be done at this time. He also stated that it would be great to have buffers all over the Island, but that's not going to happen either. Mr. Willis agreed with Mr. Ussery that this proposal is excessive and confusing and he feels that it should be deferred for additional study.

During the public comment period, Mr. Ragsdale stated that his first comment pertains to the Comprehensive Plan. He stated that there is no evidence that the entire Comprehensive Plan was revised or evaluated, as referenced by Mr. Hainley earlier in the meeting. He pointed out however that there are amendments to the "GA Work-Plan," which is the only visible information on the county's website. Secondly, in terms of options with respect to the proposed amendments, Mr. Ragsdale stated that one of the options that was omitted was the fact that the Planning Commission can recommend that the Board of Commissioners defer the proposed amendments. He appreciates the fact that the Planning Commission doesn't want to defer, but they can recommend that the

Board defer the amendments. He stated that this is an option that the Planning Commission has, but it has not been articulated as such.

In conclusion, Mr. Ragsdale complimented Mr. Hainley and the County Attorney for being very responsive to the comments made during the town hall meeting. For instance, Section 613.8 was added in response to comments from a number of people wanting to make sure that their property and buildings were grandfathered in. However, in other areas the definitions are too vague and too loose. Mr. Ragsdale stated that there are a number of flaws that should be corrected.

Mr. Joey Strength, real estate attorney representing 1600 Frederica Road, LLC, gave a slide presentation which included information on zoning issues, power plants/utilities, trees, the impact and effect of buffers and cross easements on property owners, as well as commercial property cross easements. Mr. Strength expressed dissatisfaction with the ordinance changes and stated that these amendments are unconstitutional and represent a “taking of property.” Additionally, he feels that the proposed ordinances will put the county at risk especially with respect to Type E buffers, allowing trees under power lines. He stated that this is a bad idea. He also disagrees with allowing the County Engineer to have full discretion. Therefore, Mr. Strength suggested that the proposed amendments be deferred for additional consideration and for the benefit of the public. *(For the record, a copy of Mr. Strength’s presentation in its entirety is contained in the file for future reference.)*

Mr. Cesar Rodriguez of East Beach disagreed with Mr. Strength regarding the proposal resulting in a “taking of property,” but he does agree that additional study would be beneficial.

Mr. Jim Frazier of St. Simons Island also expressed dissatisfaction with the proposed ordinance amendments. He’s specifically concerned about “little subdivisions popping up all over the Island,” and variances being allowed when development plans are not well thought-out.

During a brief rebuttal with respect to some concerns expressed by Mr. Strength, Mr. Hainley explained that the County Engineer does not have full discretion. Applicants would still have to go through the site plan approval process under the guidance of the Planning Commission. He also explained that in the past, Type E buffers have been allowed under power lines with approval of the Georgia Power Company.

At the end of discussion, a motion was made by Mr. Stan Humphries recommending approval of the proposed amendment to Sections 302 and 613 of the Glynn County Zoning Ordinance. The motion was seconded by Ms. Desiree Watson. Discussion continued. Ms. Watson pointed out that this proposal is very complicated and doesn’t address the issues. She would like for it to be simplified, clear and direct. Chairman Kirkendall agreed and suggested sending it back to the IPC/MPC for additional study. Ms. Karen Ward stated that perhaps more time is needed to study this proposal but that is not an option at this time. She then asked, “At what point do we move forward?”

There being no further discussion, the following vote was taken on the motion for approval: Voting Aye: Mr. Stan Humphries and Ms. Karen Ward. Voting Nay: Mr. Preston Kirkendall, Mr. William Lawrence, Mr. Robert Ussery, Ms. Desiree Watson and Mr. Joel Willis. The motion failed to carry a majority vote. A motion was then made by Mr. Robert Ussery recommending denial of the proposed amendment to Sections 302 and 613 of the Glynn County Zoning Ordinance, with a recommendation that it be sent back to the IPC/MPC for additional study. The motion was seconded by Mr. Joel Willis. Voting Aye: Mr. Preston Kirkendall, Mr. William Lawrence, Mr. Robert Ussery, Ms. Desiree Watson and Mr. Joel Willis. Voting Nay: Mr. Stan Humphries and Ms. Karen Ward.

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***TA3086 Consider an amendment to Section 614 of the Zoning Ordinance of Glynn County, Georgia, pertaining to curb cuts and access easements; to require interparcel roadways and access easements for office and commercial property in certain instances; and for other purposes.***

Mr. Hainley explained that this proposed amendment requires adjacent office and commercial developments in Glynn County to tie their parking areas together. By doing so, cross connection traffic will not have to go out onto the street. This amendment affects new site plan cases only and would also be affective county-wide.

Mr. Ussery stated that in concept this is a good proposal but it would probably have more impact on the Mainland than on the Island. He stated however that he doesn't have a problem with it going forward. Mr. Humphries added that this proposal could be beneficial.

Ms. Watson stated that developers have voluntarily accomplished this in the past. She stated that she is not in favor of this proposal for St. Simons due to there not being enough space for interparcel connections. She pointed out that there are also infrastructure issues to consider and stressed that there is not enough developable land left.

Chairman Kirkendall opened the floor for public comments, to which there were none. A motion was then made by Ms. Desiree Watson to recommend denial of the proposed amendment to Section 614 of the Glynn County Zoning Ordinance. The motion was seconded by Mr. William Lawrence. Voting Aye: Mr. Preston Kirkendall, Mr. William Lawrence, Ms. Desiree Watson and Mr. Joel Willis. Voting Nay: Mr. Stan Humphries, Mr. Robert Ussery and Ms. Karen Ward.

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***TA3087 Consider an amendment to add Section 626, of the Zoning Ordinance of Glynn County, Georgia, to provide for a conservation subdivision overlay district, and for other purposes.***

According to Mr. Hainley, this new section creates the Conservation Subdivision Overlay District Ordinance on St. Simons Island. A conservation subdivision preserves conservation areas while allowing for a reduced density of residential units for the overall site area resulting in a net neutral density. Neutral density is achieved by allowing smaller, individually owned residential lots in neighborhoods that are offset by larger block (s) of preserved open space. There is no increase in density allowed by this type of development. Use of a conservation subdivision by a developer is entirely voluntary.

Ms. Watson asked for clarification regarding 626.8(d).... “All existing trees should be preserved to the greatest extent practical.” She wanted to know the meaning of “greatest extent practical” and who’s making that decision. Mr. Hainley explained that a determination would be made by staff on a case-by-case basis.

Chairman Kirkendall wanted to know if the developable lots include the marsh areas. Mr. Hainley replied no. Chairman Kirkendall also questioned why the minimum lot size is limited to 6,000 sq. ft. Mr. Hainley stated that this issue was reviewed at the BOC worksession. He stated that 6,000 sq. ft. is actually the minimum single-family lot size. 4,000 sq. ft. was discussed relative to more green area. Mr. Hainley stated that the IPC could include as a recommendation that the minimum lot size should be a smaller number in an effort to increase the green area.

Mr. Willis stated that part of the intent is to create more greenspace and not increase the density. Mr. Ussery stated that he would like to see this done in R-6 zoning and perhaps townhouses as well. He stated that he is concerned about the 50 ft. buffer around the entire area. Mr. Hainley stated that according to 626.8 (a) “a minimum 50 ft. buffer shall be required along the exterior property line of the subdivision where the exterior property line abuts any street.” He pointed out that this was also discussed at the Board’s worksession. Mr. Hainley stated that the IPC could make a recommendation to the Board as to whether the buffer is appropriate. Mr. Ussery stated that he would recommend a Type A buffer as with any other subdivision. He also stated that sidewalks are great but they are a disincentive and should not be mandated. Mr. Willis agreed with Mr. Ussery regarding the 50 ft. buffer being excessive.

During the public comment period, Mr. Ragsdale stated that this proposed amendment should be county-wide and not just applicable to St. Simons and Sea Island because preservation of greenspace is good no matter where it is. He also expressed concerns about the idea of creating an overlay district for the Island and stated that from his point of view, this is not a comprehensive overlay. Instead of using a new model, he feels that the county should use an existing model better suited for our area.

In response to Mr. Ragsdale's concerns about the model type, Mr. Hainley explained that this proposal was modeled after a plan used in North Carolina.

Ms. Louise Hilton wanted to know what happens to the moratorium if the proposed amendments aren't approved. Mr. Hainley explained that the IPC/MPC will make a recommendation to the Board. The Board can either follow the Planning Commissioners recommendation or vote in contrast. However, the moratorium will end on August 20<sup>th</sup>. He stated that the Board would have to list reasons for reinstating the moratorium.

There being no further discussion, a motion was made by Mr. Robert Ussery to approve an amendment to add Section 626, of the Zoning Ordinance of Glynn County, Georgia, to provide for a conservation subdivision overlay district subject to the following: 1) minimum lot size of 4,000 sq. ft.; 2) buffer reduced to Type A; and 3) removal of requirement for sidewalks. The motion was seconded by Mr. Joel Willis. Voting Aye: Mr. Preston Kirkendall, Mr. William Lawrence, Mr. Robert Ussery, Ms. Desiree Watson and Mr. Joel Willis. Voting Nay: Mr. Stan Humphries and Ms. Karen Ward.

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***TA3090 Consider an amendment to Sections 705.5(3) (a), 705.5(3)(b), 705.5(3)(d) and 705.5(8) of the Zoning Ordinance of Glynn County, Georgia, pertaining to the resort residential district; to increase the minimum lot area, minimum lot width and minimum side yard for townhouse end units; to provide that no more than five contiguous townhomes shall be built in a row; and for other purposes.***

According to Mr. Hainley, this amendment adjusts the minimum yard requirements for townhouse end units in the Resort Residential District on St. Simons Island. It increases the minimum lot area to 3,100 square feet and the minimum lot width to 31 feet for an end unit on the perimeter of the development. It also requires a minimum of 15 feet of side yard and a minimum of 27 feet of rear yard in the case of an end unit abutting a street or adjoining property. In addition, it requires a Type F buffer separating the rear yard and side yard from streets or neighboring property. The amendment reduces the number of townhouses allowed to be connected from 10 to 5 and it also lowers the density of bedroom units for all types of development from 35 to 30. This amendment affects new zoning and preliminary plat cases only.

Mr. Hainley pointed out that on Friday, August 14<sup>th</sup> the IPC members received additional information on the proposed revision to Section 705.5. For clarification, Chairman Kirkendall asked if the IPC could vote on an item that has not been reviewed by the MPC. Mr. Hainley replied yes because the Planning Commission is only making a recommendation to the Board who will make the ultimate decision on the proposed amendments.

Mr. Ussery expressed concerns about this proposal potentially creating non-compliant uses. Ms. Watson disagreed and stated that the focus is on reducing the density in this case. However, Mr. Ussery feels that this amounts to “a taking of property.” Ms. Watson pointed out that if that were the case, she believes that the county attorney would have brought it to their attention. Ms. Ward commented that she would prefer to see the number of townhouses built in a row being changed from five to three.

Ms. Marie Coughenour, Ms. Miriam Lancaster and Mr. Larry Bryson were present to comment on this proposed ordinance amendment.

At the end of discussion, a motion was made by Mr. Robert Ussery to recommend approval of **TA3090** to consider an amendment to Sections 705.5(3) (a), 705.5(3)(b), 705.5(3)(d) and 705.5(8) of the Zoning Ordinance of Glynn County, Georgia, pertaining to the resort residential district; to increase the minimum lot area, minimum lot width and minimum side yard for townhouse end units; to provide that no more than five contiguous townhomes shall be built in a row; and for other purposes. He also recommends that the density requirement remains at 35 sleeping rooms per acre for detached single-family residences, and that Type F buffer be reduced to Type A buffer. The motion was seconded by Mr. Joel Willis. Voting Aye: Mr. Stan Humphries, Mr. Preston Kirkendall, Mr. William Lawrence, Mr. Robert Ussery, Ms. Desiree Watson and Mr. Joel Willis. Voting Nay: Ms. Karen Ward.

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***TA3091 Consider an amendment to Section 302 of the Zoning Ordinance of Glynn County, Georgia, pertaining to definitions; to amend the definitions of “dwelling, row house,” “dwelling, two-family,” and “site coverage”; and for other purposes.***

Mr. Hainley explained that this proposed amendment clarifies that a duplex is contained in one building, and it changes the definition of site coverage to exempt pervious pavement from counting as site coverage. Additionally, it changes “row house” to “townhouse.”

There were no public comments and no other discussion. A motion was then made by Mr. Joel Willis, seconded by Ms. Desiree Watson and unanimously adopted to recommend approval of Section 302 of the Glynn County Zoning Ordinance without the recommended underscored added section to site coverage.

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***TA3093 Consider an amendment to Sections 706.2, 706.4, 707.2, 707.4, 708.2,708.4 of the Zoning Ordinance of Glynn County, Georgia, pertaining to row houses; to change the term “row house” to “townhouse”; to correct a citation; and for other purposes.***

Mr. Hainley stated that this is a county-wide amendment to change the term “row house” in the current ordinance to “townhouse.”

There were no public comments. A motion was then made by Mr. Stan Humphries, seconded by Mr. Joel Willis and unanimously adopted to recommend approval of ***TA3093***.

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***TA3094 Consider an amendment to Article VI, Section 602.2 of the Subdivision Regulations of Glynn County, Georgia, to require at least two access points per subdivision or a certain type of enlarged entranceway for subdivisions of 25 lots or more; and for other purposes.***

This proposed amendment requires at least two access points or a certain type of enlarged entranceway for subdivisions of 25 lots or more in Glynn County, but it does not require existing subdivisions to connect. This is a county-wide amendment that affects new subdivision cases only.

Mr. George Ragsdale and Ms. Karen Jones were present to comment on this proposed ordinance amendment.

Following a brief discussion, a motion was made by Ms. Desiree Watson, seconded by Mr. Joel Willis and unanimously adopted to recommend denial of ***TA3094***.

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In other business, Mr. William Lawrence stated that during review of all of tonight’s proposed amendments there was no mention about infrastructure with respect to increased traffic in certain areas of the Island. He stressed that this needs to be taken seriously and expeditiously so that we’re all in a better position to be proactive rather than reactive. Mr. Hainley advised that the water and sewer consultants for the Joint Water & Sewer Commission are currently working on a comprehensive traffic study for the Island. Traffic counts taken at approximately 32 intersections pre-season and after the July 4<sup>th</sup> Holiday will be analyzed.

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There being no further business to discuss, the meeting was adjourned at 8:55 p.m.