

**CAMDEN COUNTY BOARD OF COMMISSIONERS  
AGENDA MEMORANDUM**

**SUBJECT:** Second reading and adoption of a resolution to adopt standards governing the exercise of the zoning power as part of the Unified Development Code of Camden County, Georgia.

**DEPARTMENT:** Planning & Development

**AUTHORIZED BY:** Steve Howard      **CONTACT:** Loretta Hylton – 729-5603

**MOTIONS/RECOMMENDATIONS:**

1. Waive the second reading and adopt the Resolution to adopt standards governing the exercise of the zoning power as part of the Unified Development Code of Camden County, Georgia.
  2. Read into the record and adopt the Resolution to adopt standards governing the exercise of the zoning power as part of the Unified Development Code of Camden County, Georgia.
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**BACKGROUND:**

The Unified Development Code includes standards governing the exercise of the zoning power, prepared in accordance with O.C.G.A. § 36-66-5.

These are the standards that the Planning Commission and Board of Commissioners shall consider in reviewing proposals to amend the text (re-zonings) of the Development Code.

**STAFF RECOMMENDATION:**

Staff recommends waiving the second reading.

**ATTACHMENTS:**

1. Resolution to adopt standards governing the exercise of the zoning power as part of the Unified Development Code of Camden County, Georgia.

**A RESOLUTION**

**A RESOLUTION BY CAMDEN COUNTY, GEORGIA, TO ADOPT STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER AS A PART OF THE UNIFIED DEVELOPMENT CODE OF CAMDEN COUNTY, GEORGIA.**

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**WHEREAS**, the Board of Commissioners of Camden County desires to adopt the Unified Development Code of Camden County, Georgia; and

**WHEREAS**, the Unified Development Code includes standards governing the exercise of the zoning power, prepared in accordance with O.C.G.A. § 36-66-5; and

**WHEREAS**, notice of a public hearing was duly published as required by O.C.G.A. § 36-66-4; and

**WHEREAS**, pursuant to O.C.G.A. § 36-66-4, public hearings were held by the Planning Commission on July 30, 2008, and by the Board of Commissioners on October 7, 2008, after public notice as required by law, at which times all owners of property affected and other citizens of the county were given the opportunity to voice their protests, suggestions, or criticisms, if any;

**NOW THEREFORE** the Board of Commissioners of Camden County resolves as follows:

- (a) The standards governing the exercise of the zoning power, attached hereto and incorporated herein as Exhibit A, are hereby adopted and shall be incorporated into the Unified Development Code of Camden County, Georgia, which Code shall become effective on January 1, 2009.
- (b) All other laws or regulations or parts of laws or regulations of Camden County in conflict with this Resolution are hereby repealed to the extent of their conflict as of the effective date of the Unified Development Code of Camden County, Georgia.
- (c) If any section, clause, sentence, or phrase of this Resolution is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way effect the validity of the remaining portions of this Resolution.

**ADOPTED AND APPROVED** by the Camden County Board of Commissioners this  
\_\_\_ day of \_\_\_\_\_, 2008.

**ATTEST:**

**CAMDEN COUNTY  
BOARD OF COMMISSIONERS**

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Jodi Gregory, County Clerk

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Preston Rhodes, Chairman

## EXHIBIT A

### STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

#### **Section I. Standards for consideration of a proposed rezoning (map amendment).**

In consideration of a rezoning, the Planning Commission and the County Commission shall consider factors relevant in balancing the interest in promoting the public health, safety, or general welfare against the right of the individual to the unrestricted use of property and shall specifically consider the following objective criteria. Emphasis may be placed on those standards most applicable to the specific use proposed:

- (1) Is this request a logical extension of a zoning boundary that would improve the pattern of uses in the general area?
- (2) Is this request an illogical extension of a zone boundary that would intrude a damaging volume of commercial, industrial or high-density use to a stable neighborhood? Would the change be likely to lead to neighborhood deterioration, the spread of blight, and a request for additional zoning of a similar nature which would expand the problem?
- (3) Is this zoning change generally unrelated to either existing zoning or the pattern of development of the area?
- (4) Would granting this request extend to the applicant development rights denied to others similarly situated in the same area?
- (5) Could traffic created by the proposed use or other uses permissible under the zoning sought traverse established neighborhoods, lead to congestion, noise and traffic hazards?
- (6) Is the proposed zoning in conformity with the community capital improvements staging, or could permitted uses overload existing public facilities, water, sewer, police and fire protection?
- (7) Could the uses allowed in this request disrupt existing neighborhood character?
- (8) Does this request conform or alter general expectations for population growth and distribution?
- (9) Will this request eliminate options for the acquisition by governments of future public facility sites, roads, open spaces, etc.?
- (10) Will this request require a major change in existing:
  - a. Levels of public service?
  - b. Municipal services?
  - c. Fiscal stability?
- (11) Will this request place irreversible limitations on the area as it is or on future plans for it?

- (12) Does this request have the potential of achieving short term, to the disadvantage of long term, development goals?
- (13) Could this request have "domino effect" in that it becomes the opening wedge for further rapid growth, urbanization or other land use change beyond what is indicated in the proposal or existing plan?
- (14) Could the change in classification adversely affect market values and/or tax rates of nearby properties?
- (15) Is the proposed rezoning compatible with the goals, objectives, purpose and intent of the Comprehensive Plan?

**Section II. Standards for consideration of a proposed special use.**

A Special Use otherwise permitted within a zoning district shall be considered to be compatible with other uses permitted in the district, provided that due consideration is given to the following objective criteria. Emphasis may be placed on those criteria most applicable to the specific use proposed:

- (1) Will the proposed special use be consistent with the stated purpose of the zoning district in which it will be located?
- (2) Is the proposed special use compatible with the goals, objectives, purpose and intent of the Comprehensive Plan?
- (3) Will the establishment of the special use impede the normal and orderly development of surrounding property for uses predominate in the area?
- (4) Is the location and character of the proposed special use consistent with a desirable pattern of development for the locality in general?
- (5) Is or will the type of street providing access to the use be adequate to serve the proposed special use?
- (6) Is or will access into and out of the property be adequate to provide for traffic and pedestrian safety, the anticipated volume of traffic flow, and access by emergency vehicles?
- (7) Are or will public facilities such as schools, water or sewer utilities, and police or fire protection be adequate to serve the special use?
- (8) Are or will refuse, service, parking and loading areas on the property be located or screened to protect other properties in the area from such adverse effects as noise, light, glare or odor?
- (9) Will the hours and manner of operation of the special use have no adverse effects on other properties in the area?
- (10) Will the height, size or location of the buildings or other structures on the property be compatible with the height, size or location of buildings or other structures on neighboring properties?

**Section III. Standards for text amendments.**

The Planning Commission and the Board of Commissioners shall consider the following standards in reviewing any proposal that would result in a change to the text of this Development Code, giving due weight or priority to those factors that are appropriate to the circumstances of each proposal:

- (1) Is the proposed amendment consistent with the purpose and intent of this Development Code as stated under Article 1?
- (2) Does the proposed amendment further or is it compatible with the purpose and intent of the Comprehensive Plan?
- (3) Is the proposed amendment required to adequately address new or changing conditions or to properly implement the Comprehensive Plan?
- (4) Does the proposed amendment reasonably promote the public health, safety, morality or general welfare?