



BULLOCH COUNTY BOARD OF COMMISSIONERS
Office of The County Manager

DATE: October 31, 2022

FROM: Tom Couch, County Manager
Cindy Steinmann, Assistant County Manager
Jeff Akins, County Attorney
James Pope, Planning and Development Director
Patrick Patton, Development Services Manager
Brad Deal, County Engineer
Ben Tapley, Fire Chief
Joe Carter, Fire Inspector

TO: Bulloch County Moratorium Steering Committee
Bulloch County Board of Commissioners
Bulloch County Planning and Zoning Commission
Bulloch County Citizens and Interested Parties

SUBJECT: Interim Report #2 – Bulloch County Zoning Moratorium

Purpose:

On August 16, 2022, the Bulloch County Board of Commissioners acted to adopt a residential zoning moratorium for Southeast Bulloch County for six months, until February 2023. This moratorium is intended to address the nature of sprawling growth and to plan for anticipated future growth resulting from the inevitable demand for development created by the Hyundai Motor Group development in nearby North Bryan County.

In its finding of facts associated with the moratorium resolution, the County land use and development codes are being reviewed and aligned with a proposed amendment to Smart Bulloch 2040 Joint Comprehensive Plan's Future Development Map. Though the plan is jointly adopted with Brooklet, Portal, and Register, this particular amendment does not affect any potential future development proximate to any municipal limits, including Statesboro.

Steering Committee:

Meanwhile, the County continues to perform necessary planning and engineering on the water utility while addressing land use policies, regulations, and codes. In doing so, a steering committee was formed consisting of nine stakeholders appointed to study these matters. The stakeholder committee met on September 12, 2022 in Statesboro for orientation and briefing on these matters and was given their charge. The steering committee is scheduled to meet again on Thursday, November 3, at 10:00 A.M. at the Honey Bowen Building, 1 Max Lockwood Dr in Statesboro. The committee consists of the following individuals:

Charles Wilson, Superintendent, County Board of Education
Benjy Thompson, Development Authority of Bulloch County
Will Groover, Agriculture Representative
Wade McEleveen, Agriculture Representative
Jeanne Anne Marsh, Chair, County Planning and Zoning Commission
Charles Chandler, Vice-Chair, County Planning and Zoning Commission
Anthony Simmons, County Commissioner
Curt Deal, County Commissioner
Roy Thompson, County Commission Chairman

Citizen Engagement: 40% Complete

The Board of Commissioners held a Listening Session on Monday, October 10, 2022, at 5:30 P.M., at 115 North Main Street in Statesboro. While extended primarily as an invitation to concerned citizens of Southeast Bulloch County, the general public was invited to attend. Approximately 30 of the same citizens representing portions of the moratorium area who attended the initial public hearing also attended the listening session. Roy Thompson, Chairman of the Board of Commissioners, moderated the session. Tom Couch, County Manager, made an initial presentation, and over the course of the session fielded questions and concerns along with other commissioners and staff. Similar concerns were raised at this session as at the initial public hearing, questioning the need to change the comprehensive plan with a preference to follow the existing rural character areas throughout Southeast Bulloch County. It should be noted that other local and regional groups such as Habitat for Humanity and Ogeechee Riverkeepers continue to show interest in moratorium activities.

Comprehensive Plan Amendments: 40% Complete

Consistent with state rules and regulations regarding comprehensive planning, a public input element is required anytime a comprehensive plan is updated or amended. The first of three anticipated public hearings was held in Statesboro on September 19, 2022. A second public hearing opportunity is scheduled for Tuesday, November 1, 2022, at 5:30 P.M., at 115 North Main Street in Statesboro, and will be part of the regularly scheduled Board of Commissioners meeting agenda. A final public hearing prior to the comprehensive plan amendment adoption and transmittal to DCA is tentatively scheduled for January 10, 2023.

Ordinance and Policy Amendments: Generally

The priority ordinance work necessary includes updating and amending the zoning ordinance and subdivision regulations, and adding ordinances for stormwater and drainage, and water utilities. The zoning and subdivision ordinances have become outdated, or have deficiencies. The County staff, the Planning and Zoning Commission and the Board of Commissioners have relied heavily on attaching conditions to new development that are difficult for the staff to track and enforce, and difficult for developers to follow or comply with. The goals for updating and expanding these ordinances are to reduce the number of routinely approved zoning conditions by embedding them in the existing ordinances, to reflect new trends in construction and land uses, and to align the previous two goals with the policies and design principles of the Comprehensive Plan.

Ordinance and Policy Amendments: Subdivision Regulations (85% Complete)

Beginning with significant staff revisions in early September, a working draft for the subdivision regulations' changes have been reviewed by the staff, and is substantially ready for steering committee review. Though the regulations' criteria typically address residential subdivisions, some address site design issues for non-residential development. The primary changes have involved:

- Adding or modifying definitions that assist in meaning and interpretations, and that introduce modern uses or concepts.
- Re-ordering criteria from narrative to tabular form to make the document more user-friendly.
- Introducing language consistent with as many as 20 routinely approved zoning or development conditions.
- Adding and modifying design standards and infrastructure installation requirements.
- Adding supplemental information requirements for applications including an array of different submissions for plan review.
- Adding requirements for as built plans.
- Updating performance guarantees or surety for construction and post-construction maintenance.

The more difficult issues remaining will consider addressing sidewalk installation, standards to accommodate community water systems in-lieu of being accessible to a county water utility, fire protection standards, and alignment with stormwater and drainage standards.

Ordinance and Policy Amendments: Zoning Ordinance (50% Complete)

In late September, a working draft of zoning ordinance changes began. The zoning approach will differ in some ways from the subdivision regulations but have overlapping themes or requirements. The primary changes have involved:

- Adding or modifying definitions that assist in meaning and interpretations, and that introduce modern uses or concepts.
- Updating tables for permitted, conditional, temporary and supplemental uses.
- Updating access, driveway and parking requirements.
- Updating buffer requirements to provide more effective and flexible screening and landscaping standards.
- Establishing standards for temporary uses, typically for vendors or businesses who set up off site (food trucks, mobile merchandise vendors, agritourism and seasonal activities).
- Establishing supplemental development standards for as many as 40 new and existing uses.
 - While basic development standards typically involve dimensional requirements (height, bulk, and setback) for all uses and structures, these supplemental standards may exceed basic standards with additional requirements for buffers and landscaping, architectural features, or reducing other potential negative impacts on nearby properties.
 - The supplemental development standards concept is used by peer counties in Georgia including Jackson, Troup, Lowndes, and Bryan.

If time permits, consideration will also be given to establishing additional overlay districts suggested by the comprehensive plan including a suburban corridor district. A working draft of the zoning ordinance is not likely to be ready until mid-November (revised from mid-October 2022).

New Ordinance and Policies: Stormwater and Drainage Ordinance (Draft 100% Complete)

A new stormwater and drainage ordinance is being contemplated to deal with new development that has a higher rate of stormwater runoff and pollution, where man made drainage solutions may be needed. Our County Engineer, Brad Deal, developed a draft ordinance that will likely be vetted in early November after the zoning ordinance and subdivision regulations are substantially complete. It will address:

- Grading standards
- Drainage calculations
- Required stormwater infrastructure installation requirements.
- Submission requirements for stormwater and drainage plans.

It would address all development except for the following:

- The construction of a single-family residence (except if located within the 100-year floodplain).
- Any project involving land change to 0.6 acres or less.
- Water, sewer, electric, telecommunications, and gas utilities. However, such utilities shall submit plans and obtain a development permit for installations located within rights-of-way or easements developed exclusively for installation of utility facilities.
- Development projects that are undertaken exclusively for agricultural or silvicultural purposes within areas zoned for agricultural or silvicultural land use.

New Ordinance and Policies: Water and Sewer Ordinance (0% Complete)

Though it is not likely to be finished before the conclusion of a moratorium, but may be needed by mid-2023, a water and sewer service ordinance is contemplated. This ordinance establishes the engineering, environmental and policy standards necessary to run a responsible water utility function. Ultimately, additional work will be needed in advance to develop service policies and standard operating procedures for operations and maintenance. It is possible that by the close of a moratorium, we may need to have a tentative ordinance, which then becomes a work in progress.

Water Utility Development: Southeast Bulloch: (< than 5% Complete)

Bulloch County continues to seek leveraged funding and has applied for more than \$12 million to fund an estimated \$22.6 million in water and sewer infrastructure to serve Southeast Bulloch. In addition to \$7.8 million in local ARPA funds that have been committed, \$3.0 million has been applied for through Senator Warnock's office for wastewater expansion, and \$9.8 million has been applied for to the Governor's Office for state held ARPA funds. Additional funding is being contemplated through the Georgia Environmental Financing Authority for a subsidized low-interest 30-year loan under the Bipartisan Infrastructure Law. By or before 2030, if all funding is put in play, a new utility system could serve 2,000 water customers and 1,500 sewer customers.

Bryan County officials are planning to build an 8-million-gallon per day wastewater treatment plant to serve the Hyundai plant and surrounding area and have pledged 250,000 to 500,000 gallons per day of sewage capacity to Bulloch County. In the future, Bulloch County could explore buying additional capacity from the City of Statesboro, or build its own wastewater treatment plant. Both scenarios are projected to cost \$10-\$12 million to add 500,000 gallons-a-day capacity.

Rob Hosack, the former Cobb County Manager who has a firm called BH3, is assisting Bulloch County with the comprehensive plan amendment and land use code revisions. BH3 is also assisting Hofstadter and Associates, an engineering firm in Macon who is working on

preliminary plans and cost estimates for the water and sewer infrastructure. BH3 will advise Hofstadter on optimal siting of infrastructure based on likely future development patterns.

Moratorium Schedule: (40% Complete)

The action agenda and schedule for the moratorium remains essentially the same. As these meetings and reports occur, the volume of information being issued to the stakeholders will increase and may become more technical in nature. In October and November, the staff, consultants, and the County Attorney will need to interact and execute final key ordinance drafts, robustly. Interaction with the Planning and Zoning Commission and the Board of Commissioners will be needed for acceptance, rejection or modification of all proposed changes. It is possible, though not likely, that some ordinance changes may be deferred for further deliberation after the moratorium concludes, or if the moratorium needs extending.

Proposed Action Agenda:

October 31:	Interim Report #2
November 1:	Board of Commissioners Public Hearing
November 3:	Stakeholder Meeting #2 Begin Review of Water and Sewer Ordinance
November 29:	Stakeholder Meeting #3
December 10:	File Zoning Ordinance Revisions for January Planning and Zoning Meeting
December 30:	Interim Report #3
January 9:	Stakeholder Meeting #4
January 10:	Comprehensive Plan Public Hearing #2
January 12:	Planning and Zoning Commission Recommend Revised Ordinances and Map Amendment
January 17:	Board of Commissioners Approve Comprehensive Plan Map Amendment
February 7:	Board of Commissioners Approve Revised Ordinances (Zoning/Subdivision)
February 16:	SE Bulloch Moratorium ends (Applications Accepted for April Meeting)
February 21:	Board of Commissioners Approve a Stormwater and Drainage Ordinance and Tentative Water and Sewer Ordinance

In conclusion, it is fair to say that the staff, consultants, steering committee and other stakeholders are just keeping pace now that 40% of the moratorium period has elapsed. However, the pace needs to pick up before the demands of the holiday season are upon us. As planned, the harder policy discussions will begin in November.

Please follow the link below for additional information:

<https://bullochcounty.net/comprehensive-plan-amendment/>