CITY OF KINGSLAND, GEORGIA

PLANNING AND ZONING

AGENDA ● DECEMBER 3, 2018

Regular Meeting | **City Council Chamber** | **6:00 PM**

107 South Lee Street - City Hall, Kingsland, GA 31548

I. CALL TO ORDER

Bryant Shepard	Chairman
Farran Fullilove	Vice Chairman
Judy Smith-Burris	Board Member
Fyrth Morris	Board Member
Lamar Stokes	Board Member
Daniel Wheeler	Board Member
C.B. Yadav	Board Member

II. APPROVE MINUTES FROM LAST MEETING

III. AGENDA ITEMS

1. Rezoning Parcels 120 008L, 120 013 - Supervisor Paul Speich

Rezoning Parcels 120 008L, 120 013 from PD to PD-R2

2. Sign Variance 109 Haddock Road - Supervisor Paul Speich

Sign Variance 109 Haddock Road. Request to place signs on the rear of the building.

3. Draft Solar Ordinance - Supervisor Paul Speich

Review and comment for approval Draft Solar Ordinance.

IV. ADJOURNMENT

Planning and Zoning
105 South Lee Street
Kingsland, GA 31548

SCHEDULED

Meeting: 12/03/18 06:00 PM
Department: Planning and Zoning
Category: Planning & Zoning
Prepared By: Paul Speich
Initiator: Paul Speich
Sponsors: Supervisor Paul Speich
DOC ID: 2407

AGENDA ITEM (ID # 2407)

Rezoning Parcels 120 008L, 120 013

Rezoning Parcels 120 008L, 120 013 from PD to PD-R2

3.1.a

Attachment: Laurel Island Rezoning Plat (2407 : Rezoning Parcels 120 008L, 120 013)

Packet Pg. 3

MAP TO SHOW BOUNDARY AND WETLAND JURISDICTIONAL SURVEY OF

A PARCEL OF LAND LYING IN THE NORTHEAST PORTION OF THE MARSH HARBOUR DEVELOPMENT, CITY OF KINGSLAND, 29th DISTRICT, G.M., CAMDEN COUNTY, GEORGIA

(BEING A PORTION OF LANDS DESCRIBED IN DEED RECORDED IN DEED BOOK 185, PAGE 280, PUBLIC RECORDS OF SAID COUNTY.)

FOR: SAWYER & ASSOCIATES, INC.

DETAIL "A"
(NOT TO SCALE)

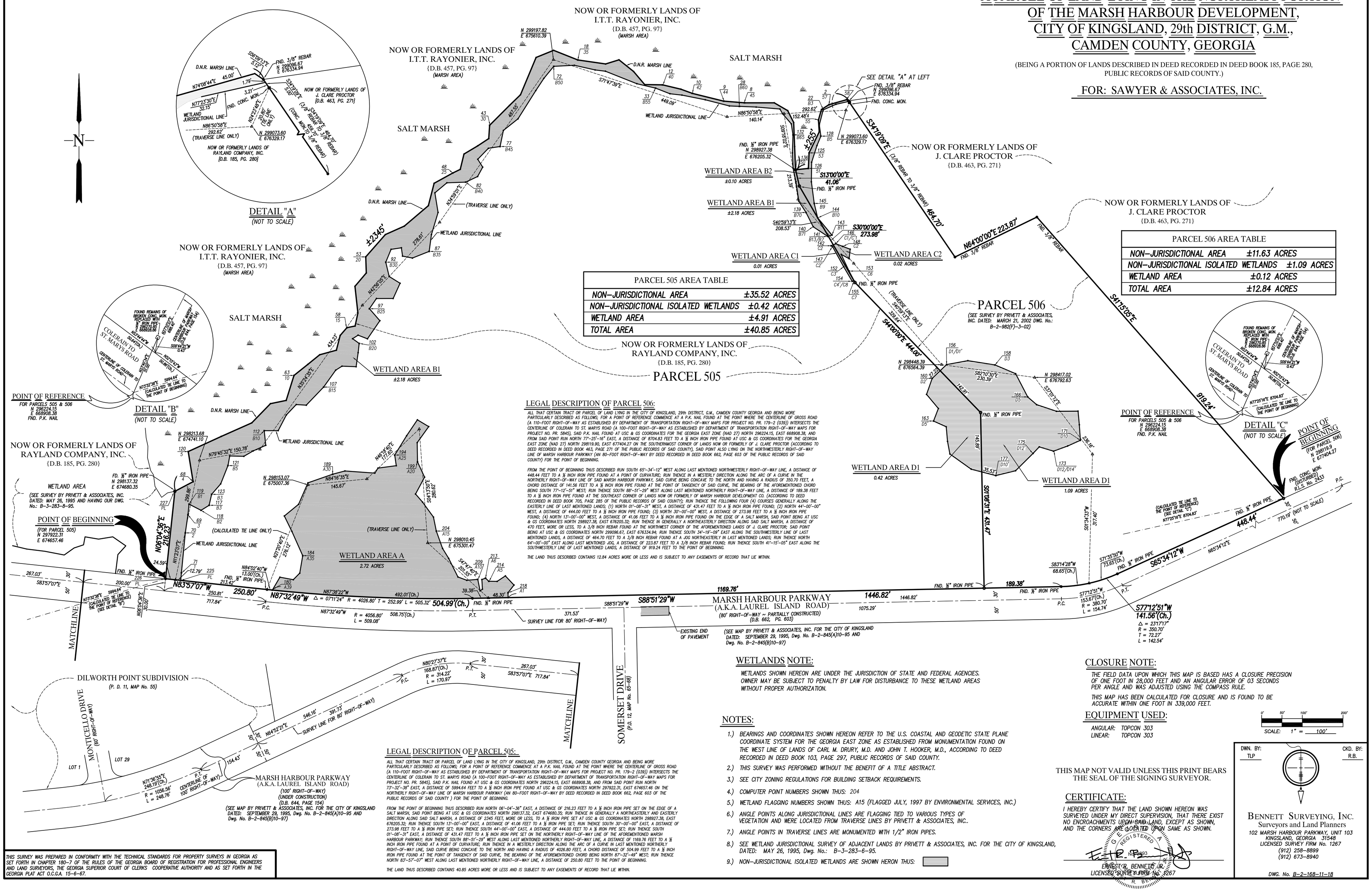
DETAIL "B"
(NOT TO SCALE)

POINT OF REFERENCE
FOR PARCELS 505 & 506
N 296224.15
E 668908.38
FND. P.K. NAIL

DETAIL "C"
(NOT TO SCALE)

POINT OF REFERENCE
FOR PARCELS 505 & 506
N 296224.15
E 668908.38
FND. P.K. NAIL

POINT OF BEGINNING
(FOR PARCEL 506)
N 298119.9
E 677404.27



PARCEL 505 AREA TABLE

NON-JURISDICTIONAL AREA	±35.52 ACRES
NON-JURISDICTIONAL ISOLATED WETLANDS	±0.42 ACRES
WETLAND AREA	±4.91 ACRES
TOTAL AREA	±40.85 ACRES

NOW OR FORMERLY LANDS OF RAYLAND COMPANY, INC. {D.B. 185, PG. 280}

PARCEL 505

PARCEL 506 AREA TABLE

NON-JURISDICTIONAL AREA	±11.63 ACRES
NON-JURISDICTIONAL ISOLATED WETLANDS	±1.09 ACRES
WETLAND AREA	±0.12 ACRES
TOTAL AREA	±12.84 ACRES

PARCEL 506
(SEE SURVEY BY PRIVETT & ASSOCIATES, INC. DATED: MARCH 21, 2002 DWG. No.: B-2-982(F)-3-02)

LEGAL DESCRIPTION OF PARCEL 506:

ALL THAT CERTAIN TRACT OR PARCEL OF LAND LYING IN THE CITY OF KINGSLAND, 29th DISTRICT, G.M., CAMDEN COUNTY GEORGIA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS; FOR A POINT OF REFERENCE COMMENCE AT A P.K. NAIL FOUND AT THE POINT WHERE THE CENTERLINE OF GROSS ROAD (A 110-FOOT RIGHT-OF-WAY AS ESTABLISHED BY DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAPS FOR PROJECT NO. PR. 179-2 (039)) INTERSECTS THE CENTERLINE OF COLERAIN TO ST. MARYS ROAD (A 100-FOOT RIGHT-OF-WAY AS ESTABLISHED BY DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAPS FOR PROJECT NO. PR. 5845), SAID P.K. NAIL FOUND AT USC & GS COORDINATES FOR THE GEORGIA EAST ZONE (NAD 27) NORTH 296224.15, EAST 668908.38, AND FROM SAID POINT RUN NORTH 37°-25'-16" EAST, A DISTANCE OF 8704.83 FEET TO A ½ INCH IRON PIPE FOUND AT USC & GS COORDINATES FOR THE GEORGIA EAST ZONE (NAD 27) NORTH 298119.90, EAST 677404.27 ON THE SOUTHERNMOST CORNER OF LANDS NOW OR FORMERLY OF J. CLARE PROCTOR (ACCORDING TO DEED RECORDED IN DEED BOOK 463, PAGE 271 OF THE PUBLIC RECORDS OF SAID COUNTY), SAID POINT ALSO LYING ON THE NORTHWESTERLY RIGHT-OF-WAY LINE OF MARSH HARBOUR PARKWAY (AN 80-FOOT RIGHT-OF-WAY BY DEED RECORDED IN DEED BOOK 662, PAGE 603 OF THE PUBLIC RECORDS OF SAID COUNTY) FOR THE POINT OF BEGINNING.

FROM THE POINT OF BEGINNING THUS DESCRIBED RUN SOUTH 65°-34'-12" WEST ALONG LAST MENTIONED NORTHWESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 448.44 FEET TO A ½ INCH IRON PIPE FOUND AT A POINT OF CURVATURE; RUN THENCE IN A WESTERLY DIRECTION ALONG THE ARC OF A CURVE IN THE NORTHERLY RIGHT-OF-WAY LINE OF SAID MARSH HARBOUR PARKWAY, SAID CURVE BEING CONCAVE TO THE NORTH AND HAVING A RADIUS OF 350.70 FEET, A CHORD DISTANCE OF 141.56 FEET TO A ½ INCH IRON PIPE FOUND AT THE POINT OF TANGENCY OF SAID CURVE, THE BEARING OF THE AFOREMENTIONED CHORD BEING SOUTH 77°-12'-51" WEST; RUN THENCE SOUTH 88°-51'-29" WEST ALONG LAST MENTIONED NORTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 189.38 FEET TO A ½ INCH IRON PIPE FOUND AT THE SOUTHEAST CORNER OF LANDS NOW OR FORMERLY OF MARSH HARBOUR DEVELOPMENT CO. (ACCORDING TO DEED RECORDED IN DEED BOOK 705, PAGE 285 OF THE PUBLIC RECORDS OF SAID COUNTY); RUN THENCE THE FOLLOWING FOUR (4) COURSES GENERALLY ALONG THE EASTERLY LINE OF LAST MENTIONED LANDS; (1) NORTH 01°-08'-31" WEST, A DISTANCE OF 431.47 FEET TO A ½ INCH IRON PIPE FOUND; (2) NORTH 44°-00'-00" WEST, A DISTANCE OF 444.00 FEET TO A ½ INCH IRON PIPE FOUND; (3) NORTH 30°-00'-00" WEST, A DISTANCE OF 273.98 FEET TO A ½ INCH IRON PIPE FOUND; (4) NORTH 13°-00'-00" WEST, A DISTANCE OF 41.06 FEET TO A ½ INCH IRON PIPE FOUND ON THE EDGE OF A SALT MARSH, SAID POINT BEING AT USC & GS COORDINATES NORTH 298927.38, EAST 678205.32; RUN THENCE IN GENERALLY A NORTHEASTERLY DIRECTION ALONG SAID SALT MARSH, A DISTANCE OF 470 FEET, MORE OR LESS, TO A 3/8 INCH REBAR FOUND AT THE NORTHWEST CORNER OF THE AFOREMENTIONED LANDS OF J. CLARE PROCTOR; SAID POINT BEING AT USC & GS COORDINATES NORTH 299096.61, EAST 676334.94; RUN THENCE SOUTH 34°-19'-09" EAST ALONG THE SOUTHWESTERLY LINE OF LAST MENTIONED LANDS, A DISTANCE OF 464.70 FEET TO A 3/8 INCH REBAR FOUND AT A JOG NORTHEASTERLY IN LAST MENTIONED LANDS; RUN THENCE NORTH 64°-00'-00" EAST ALONG LAST MENTIONED JOG, A DISTANCE OF 223.87 FEET TO A 3/8 INCH REBAR FOUND; RUN THENCE SOUTH 41°-15'-05" EAST ALONG THE SOUTHWESTERLY LINE OF LAST MENTIONED LANDS, A DISTANCE OF 919.24 FEET TO THE POINT OF BEGINNING.

THE LAND THUS DESCRIBED CONTAINS 12.84 ACRES MORE OR LESS AND IS SUBJECT TO ANY EASEMENTS OF RECORD THAT LIE WITHIN.

LEGAL DESCRIPTION OF PARCEL 505:

ALL THAT CERTAIN TRACT OR PARCEL OF LAND LYING IN THE CITY OF KINGSLAND, 29th DISTRICT, G.M., CAMDEN COUNTY GEORGIA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS; FOR A POINT OF REFERENCE COMMENCE AT A P.K. NAIL FOUND AT THE POINT WHERE THE CENTERLINE OF GROSS ROAD (A 110-FOOT RIGHT-OF-WAY AS ESTABLISHED BY DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAPS FOR PROJECT NO. PR. 179-2 (039)) INTERSECTS THE CENTERLINE OF COLERAIN TO ST. MARYS ROAD (A 100-FOOT RIGHT-OF-WAY AS ESTABLISHED BY DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAPS FOR PROJECT NO. PR. 5845), SAID P.K. NAIL FOUND AT USC & GS COORDINATES NORTH 296224.15, EAST 668908.38, AND FROM SAID POINT RUN NORTH 73°-23'-38" EAST, A DISTANCE OF 5994.64 FEET TO A ½ INCH IRON PIPE FOUND AT USC & GS COORDINATES NORTH 297922.31, EAST 674657.46 ON THE NORTHERLY RIGHT-OF-WAY LINE OF MARSH HARBOUR PARKWAY (AN 80-FOOT RIGHT-OF-WAY BY DEED RECORDED IN DEED BOOK 662, PAGE 603 OF THE PUBLIC RECORDS OF SAID COUNTY) FOR THE POINT OF BEGINNING.

FROM THE POINT OF BEGINNING THUS DESCRIBED RUN NORTH 06°-04'-36" EAST, A DISTANCE OF 216.23 FEET TO A ½ INCH IRON PIPE SET ON THE EDGE OF A SALT MARSH, SAID POINT BEING AT USC & GS COORDINATES NORTH 298137.32, EAST 674680.35; RUN THENCE IN GENERALLY A NORTHEASTERLY AND EASTERLY DIRECTION ALONG SAID SALT MARSH, A DISTANCE OF 2345 FEET, MORE OR LESS, TO A ½ IRON PIPE SET AT USC & GS COORDINATES NORTH 298927.38, EAST 676205.32; RUN THENCE SOUTH 13°-00'-00" EAST, A DISTANCE OF 41.06 FEET TO A ½ IRON PIPE SET; RUN THENCE SOUTH 30°-00'-00" EAST, A DISTANCE OF 273.98 FEET TO A ½ IRON PIPE SET; RUN THENCE SOUTH 44°-00'-00" EAST, A DISTANCE OF 444.00 FEET TO A ½ IRON PIPE SET; RUN THENCE SOUTH 01°-08'-31" EAST, A DISTANCE OF 431.47 FEET TO A ½ INCH IRON PIPE SET ON THE NORTHERLY RIGHT-OF-WAY LINE OF THE AFOREMENTIONED MARSH HARBOUR PARKWAY; RUN THENCE SOUTH 88°-51'-29" WEST ALONG LAST MENTIONED NORTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 1169.76 FEET TO A ½ INCH IRON PIPE FOUND AT A POINT OF CURVATURE; RUN THENCE IN A WESTERLY DIRECTION ALONG THE ARC OF A CURVE IN LAST MENTIONED NORTHERLY RIGHT-OF-WAY LINE, SAID CURVE BEING CONCAVE TO THE NORTH AND HAVING A RADIUS OF 4026.80 FEET, A CHORD DISTANCE OF 504.99 FEET TO A ½ INCH IRON PIPE FOUND AT THE POINT OF TANGENCY OF SAID CURVE, THE BEARING OF THE AFOREMENTIONED CHORD BEING NORTH 87°-32'-49" WEST; RUN THENCE NORTH 83°-57'-07" WEST ALONG LAST MENTIONED NORTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 250.80 FEET TO THE POINT OF BEGINNING.

THE LAND THUS DESCRIBED CONTAINS 40.85 ACRES MORE OR LESS AND IS SUBJECT TO ANY EASEMENTS OF RECORD THAT LIE WITHIN.

WETLANDS NOTE:

WETLANDS SHOWN HEREON ARE UNDER THE JURISDICTION OF STATE AND FEDERAL AGENCIES. OWNER MAY BE SUBJECT TO PENALTY BY LAW FOR DISTURBANCE TO THESE WETLAND AREAS WITHOUT PROPER AUTHORIZATION.

NOTES:

1.) BEARINGS AND COORDINATES SHOWN HEREON REFER TO THE U.S. COASTAL AND GEODETIC STATE PLANE COORDINATE SYSTEM FOR THE GEORGIA EAST ZONE AS ESTABLISHED FROM MONUMENTATION FOUND ON THE WEST LINE OF LANDS OF CARL M. DRURY, M.D. AND JOHN T. HOOKER, M.D., ACCORDING TO DEED RECORDED IN DEED BOOK 103, PAGE 297, PUBLIC RECORDS OF SAID COUNTY.

2.) THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE ABSTRACT.

3.) SEE CITY ZONING REGULATIONS FOR BUILDING SETBACK REQUIREMENTS.

4.) COMPUTER POINT NUMBERS SHOWN THUS: 204

5.) WETLAND FLAGGING NUMBERS SHOWN THUS: A15 (FLAGGED JULY, 1997 BY ENVIRONMENTAL SERVICES, INC.)

6.) ANGLE POINTS ALONG JURISDICTIONAL LINES ARE FLAGGING TIED TO VARIOUS TYPES OF VEGETATION AND WERE LOCATED FROM TRAVERSE LINES BY PRIVETT & ASSOCIATES, INC..

7.) ANGLE POINTS IN TRAVERSE LINES ARE MONUMENTED WITH 1/2" IRON PIPES.

8.) SEE WETLAND JURISDICTIONAL SURVEY OF ADJACENT LANDS BY PRIVETT & ASSOCIATES, INC. FOR THE CITY OF KINGSLAND, DATED: MAY 26, 1995, Dwg. No.: B-3-283-6-95.

9.) NON-JURISDICTIONAL ISOLATED WETLANDS ARE SHOWN HERON THUS:

CLOSURE NOTE:

THE FIELD DATA UPON WHICH THIS MAP IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 28,000 FEET AND AN ANGULAR ERROR OF 03 SECONDS PER ANGLE AND WAS ADJUSTED USING THE COMPASS RULE.

THIS MAP HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 339,000 FEET.

EQUIPMENT USED:

ANGULAR: TOPCON 303
LINEAR: TOPCON 303

0' 50' 100' 200'
SCALE: 1" = 100'

THIS MAP NOT VALID UNLESS THIS PRINT BEARS THE SEAL OF THE SIGNING SURVEYOR.

CERTIFICATE:

I HEREBY CERTIFY THAT THE LAND SHOWN HEREON WAS SURVEYED UNDER MY DIRECT SUPERVISION, THAT THERE EXIST NO ENCROACHMENTS UPON SAID LAND, EXCEPT AS SHOWN, AND THE CORNERS ARE POSITED UPON SAME AS SHOWN.

GEORGIA REGISTERED ERNEST R. BENNETT JR. No. 3267

ERNEST R. BENNETT JR.
LICENSED SURVEYOR No. 3267

THIS SURVEY WAS PREPARED IN CONFORMITY WITH THE TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN CHAPTER 180-7 OF THE RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS, THE GEORGIA SUPERIOR COURT OF CLERKS COOPERATIVE AUTHORITY AND AS SET FORTH IN THE GEORGIA PLAT ACT O.C.G.A. 15-6-67.

DWN. BY: TLP
CKD. BY: R.B.

BENNETT SURVEYING, INC.
Surveyors and Land Planners
102 MARSH HARBOUR PARKWAY, UNIT 103
KINGSLAND, GEORGIA 31548
LICENSED SURVEY FIRM No. 1267
(912) 258-8899
(912) 673-8940

DWG. No. B-2-168-11-18

CITY OF KINGSLAND ZONING APPLICATION

Please attach to this application a plot plan/survey showing the location and dimensions of the property to be rezoned. Also attach the appropriate fee for this request (fee schedule attached). If paid by check make payable to "City of Kingsland".

REQUEST

EXISTING ZONING PD

EXISTING USE _____

REQUESTED ZONING PD R-2

REQUESTED USE MULTI-FAMILY

PAID NOV 09 2018 City of Kingsland

PROPERTY OWNER(S)

Name(s) SAWYER & ASSOCIATES

Address 100 MARSH HARBOUR PKWY., KINGSLAND, GA. 31548

Phone No. 912-882-7725 (Work and/or home); Fax No. _____

___Individual ___Partnership ___Sole Proprietor ___Firm X Corporation ___Association

Corporation: Submit list of officers, directors and major stockholders with name, address and title.

Partnership: Submit list of all partners with name, address and title.

GENERAL INFORMATION

Location or Legal Property Description: LAUREL ISLAND LINKS DEVELOPMENT

Property Address: MARSH HARBOUR PARKWAY

Tax Map Reference Number: 120 008L, 120 013 Zoning Map: _____

Property Size: 53.69 ACRES Property Frontage: 2914 Feet

Attachment: Laurel Island Rezoning (2407 : Rezoning Parcels 120 008L, 120 013)

City of Kingsland Zoning Application
Page Two

Check One:

____	Paved Road or	✓	Unpaved
✓	Public Water or	____	Individual Well
✓	Public Sewer or	____	Individual Septic Tank

REASON FOR REQUEST

Would be in harmony with the character of the neighborhood because PROPOSED MULTI-FAMILY HOMES WILL COMPLY WITH SIMILAR MULTI-FAMILY USEAGE WITHIN LAUREL ISLAND LINKS

Would not be detrimental to property or persons in the area because DEVELOPMENT WILL CONSIST OF QUALITY DESIGN & HOMES.

Other Comments: _____

DISCLOSURE

Identify all members of the City Council of the City of Kingsland, City of Kingsland Planning Commission and Employees of the City of Kingsland Community Development who

(1) Have a property interest in the real property affected by this request

_____

(2) Have a financial interest (direct ownership interest of the total assets or capital stock of a business entity where such ownership interest is more than 10% in any business entity which has a property interest in the real property affected by this request

_____

(3) Have a member of the family (spouse, mother, father, brother, sister, son or daughter) having a property financial interest as herein defined, in the real property affected by this request

_____

Attachment: Laurel Island Rezoning (2407 : Rezoning Parcels 120 008L, 120 013)

City of Kingsland Zoning Application
Page Three

CAMPAIGN CONTRIBUTION

List below the names of local government officials of the City of Kingsland to whom campaign contributions were made, within two (2) years immediately preceding the filing of this application, which campaign contributions total $250.00 or more or to whom gifts were made having a total value of $250.00 or more.

Elected Officials Name	Amount of Description of Gift
_____	_____
_____	_____

SIGNATURE(S) OF OWNER(S)

I/We, the owner(s), submit this application and certify that the information is correct and true to the best of my knowledge.

Ronald H Sawyer
Owner

_____
Owner

_____
Owner

HEARING DATE

This application is scheduled to be heard by the City of Kingsland Planning Commission at their meeting of DEC. 3, 2018, at _____ P.M. in the Council Chambers of Kingsland City Hall, 107 S. Lee St., Kingsland, Georgia.

Owner or agent must be present in order for the request to be heard.

RECEIPT

Submission fee for rezoning received from Sawyer & Associates INC.
in the amount of $ 600.00.

City of Kingsland
BY: _____ Date: 11-7-18
Planning & Zoning Administrator

Attachment: Laurel Island Rezoning (2407 : Rezoning Parcels 120 008L, 120 013)

Planning and Community Development

Staff Report

Planning Commission Meeting Date: December 3, 2018

City Council Meeting Date: December 10, 2018

Agenda Item - Rezoning Parcels 120 008L, 120 013 53.69 acres

Background:

The parcels listed are located in the Laurel Island Plantation planned development area of the City of Kingsland. The developer has requested that the above mentioned parcels be rezoned from PD to PD-R2 for the construction of multi-family homes. The Laurel Island Plantation development currently has a number of other PD-R-2 multi-family areas within its boundary. This development option has proved to be popular with residents coming to the Kingsland area.

The developer has indicated that he will be following the same basic design style of the previous areas of Laurel Island to maintain consistency and fit within the original design context of the development.

Zoning:

Parcels are currently zoned PD General Planned Development. Request to rezone to PD-R2 Multi-Family Planned Development.

Summary:

Developer will follow the original PD-R2 agreement governing the previously developed areas of Laurel Island Plantation.

Is Proposal Consistent With the Comprehensive Plan?

Rezoning is consistent with the current Comprehensive Plan

Staff Recommendation:

Staff recommends approval with the condition that the original PD-R2 agreement be followed.

Attachment: Staff Report Laurel Island Rezoning (2407 : Rezoning Parcels 120 008L, 120 013)

Planning and Zoning
105 South Lee Street
Kingsland, GA 31548

SCHEDULED

Meeting: 12/03/18 06:00 PM
Department: Planning and Zoning
Category: Planning & Zoning
Prepared By: Paul Speich
Initiator: Paul Speich
Sponsors: Supervisor Paul Speich
DOC ID: 2408

AGENDA ITEM (ID # 2408)

Sign Variance 109 Haddock Road

Sign Variance 109 Haddock Road. Request to place signs on the rear of the building.

APPLICATION FOR VARIANCE
Kingsland, Georgia

Read Part A completely. Then answer each item in Part B. Please print or type. Do not write in Part C. The Building Inspector or Planning Director will help you, if necessary. You must file this application and all required materials with the Planning Director at least 26 days before the Planning Commission meeting at which it will be considered.

FEE: Residential - $100.00, Commercial $125.00

PAID
OCT 30 2018
City of Kingsland

PART A---GENERAL INFORMATION

You are encouraged to read the appropriate sections of the Kingsland Land Development Ordinance as they pertain to zoning variances or subdivision variances. Since zoning variances are much more common and require a public hearing, they are the only ones described in the Kingsland Land Development Ordinance

A variance is a "loosening" of the requirements of the Zoning Ordinance to relieve a hardship. A variance can only be granted because of a hardship beyond your control is being created by a dimensional requirement –that is, one dealing with distance, area, height, or some other dimension of your land or building. For example, you own a lot and wish to build a house on it. It is zoned "R-1, Single Family Residential", but it is too narrow to meet the building setback requirements. You are prevented, therefore, from building your house unless you get a variance from the Planning Commission that lets you build closer to your side property lines. Please note that a variance does not allow you to start a new use in a zoning district where it is presently not permitted. In other words, you could not put a grocery store in a residential neighborhood.

Once your have filed a complete application with the Planning and Development Director, he will advertise your request in the newspaper and send a letter to your neighbors. The Planning Commission will then hold a public hearing. At the meeting, you will tell the Planning Commission why you need the variance and your neighbors may ask questions and make comments. The Planning Commission will then make a recommendation to the City Council about the variance. The City Council will make final determination; generally the 2ND Monday of the month. The variance is valid for 1 year.

PART B---APPLICANT ONLY

1. This is an application asking the Kingsland Planning Commission to grant a variance from the requirements of Section(s)_____ of the Kingsland Land Development Ordinance.

2. Your Name Daniel Wheeler
   Phone 912-230-8986
   Address ~~109 Haddock~~ 2800 Osborne Rd.
   St. Marys, GA 31558

3. Location of Property:
   Street 109 Haddock Rd Suites 101 - 108
   Parcel No. 108 003C Lot No._____

4. This land is zoned: ( ) R-1 ( ) R-2 ( ) R-3 ( ) R-4 ( ) MH ( ) PD ( ) C-1 ( ) C-2 ( ) C-3 ( ) C-4 (✓) I-L

Attachment: Wheeler Variance Application (2408 : Sign Variance 109 Haddock Road)

5. Please describe the type of variance you need. (Example: Reduction of front yard setback from 35 feet to 13 feet):
Sign Varrance. We would like to install Signage on the back of building

6. All the following points must apply to your situation for the variance to be granted. Describe how you meet each "test":

A. Special conditions or circumstances over which I have no control affect my property.
High traffic & high visability from back

B. Because of this situation, I do not have the same property rights as my neighbors or as other property owners in the same zoning district do.
High traffic & high visability from back

C. The variance would not significantly defeat the purposes of any city plan, policy, ordinance, or regulation, nor would it interfere with my neighbors use of their property.
Most Commerical properties do not have the visability as from the back as this does

D. This is the minimum variance which would relieve my hardship.

7. In the case of a zoning variance, attach these to this application:
   - A simple map showing the location of the property, its dimensions, location of existing and proposed structures, and the nearest public road.

8. Signed Daniel Wheeler Date 10/24/18

****
****

Attachment: Wheeler Variance Application (2408 : Sign Variance 109 Haddock Road)

PART C---COMMUNITY PLANNING & DEVELOPMENT DIRECTOR ONLY

1. Date complete application filed _____

2. List of attachements: ( ) Simple map ( ) Final plat ( ) None
   ( ) Preliminary plat ( ) Other

3. Public hearing (If zoning variance):
   Date Applicant notified: _____
   Date hearing advertised: _____
   Date hearing held: _____

4. Planning Commission ( ) Approved ( ) Denied: Conditions of approval or reasons for denial
   _____
   _____
   _____
   _____
   _____

5. City Council ( ) Approved ( ) Denied: Conditions of approval or reasons for denial
   _____
   _____
   _____
   _____
   _____

6. Date Applicant notified of final action: _____

Attachment: Wheeler Variance Application (2408 : Sign Variance 109 Haddock Road)

Planning and Community Development

Staff Report

Planning Commission Meeting Date: December 3, 2018

City Council Meeting Date: December 24, 2018

Agenda Item: Sign Variance 109 Haddock Road Suites 101-108

Background:

The above mentioned property is located at 109 Haddock Road AKA Wheeler Square. It is a multi-unit retail complex with a workout, real estate and other business tenants. The front of the property faces Haddock Road, and the rear of the property faces the Lowes parking lot.

120.1.4 Variances . Variances from the provisions of this ordinance may be requested. All such variances shall be considered and recommended by the Planning Commission in accordance with officially adopted procedures and standards contained in the City of Kingsland Zoning and Land Development Ordinance. Once considered and recommended by the Planning Commission, such variance shall go before the City Council for final approval. The granting of a variance shall not establish precedence in the consideration of any other variance request.

Zoning: I-L Light Industrial

Summary:

In the past, the city has granted sign variances where a commercial establishment can be viewed from multiple sides fronted on each side by a public right of way. In the case of this variance application, the strip plaza in question is not fronted on multiple sides by a public right-of-way, but by a private parking lot. At this time, one of the business tenants is in violation of the city's sign ordinance by having a sign on the back of their portion of the building.

One of the major factors in granting a variance is that the individual or business is currently, or may in the future endure an undue hardship if the variance isn't granted. In this case, no hardship has been established by the applicant.

Is Proposal Consistent With the Comprehensive Plan? N/A

Attachment: Staff Report Wheeler Variance (2408 : Sign Variance 109 Haddock Road)

Staff Recommendation:

Staff recommends deferral until such time an undue hardship is established, or a compelling reason is presented by the applicant for granting of the variance.

Attachment: Staff Report Wheeler Variance (2408 : Sign Variance 109 Haddock Road)

Planning and Zoning
105 South Lee Street
Kingsland, GA 31548

SCHEDULED

Meeting: 12/03/18 06:00 PM
Department: Planning and Zoning
Category: Ordinance
Prepared By: Paul Speich
Initiator: Paul Speich
Sponsors: Supervisor Paul Speich
DOC ID: 2409

AGENDA ITEM (ID # 2409)

Draft Solar Ordinance

Review and comment for approval Draft Solar Ordinance.

Article I. - Intent

The purpose of this ordinance is to facilitate the siting, construction, installation, operation, maintenance, and decommissioning of solar energy systems ("SESs") in City of Kingsland.

The intent of ordinance is to increase energy security and diversify the energy portfolio, to promote the use of Georgia-based energy resources, to decrease the cost of energy, to bolster local economic development and employment prospects, to increase consumers' choices in energy consumption, to encourage the use of a renewable energy resource, to support the City of Kingsland's sustainability agenda, and to reduce air and water pollution.

Article II. – Applicability

A. This Ordinance applies to the siting, construction, installation, operation, maintenance, and decommissioning of any SES within the jurisdiction of City of Kingsland.
B. Any SES that, prior to the effective date of this Ordinance, (1) is currently in operation, (2) has received approval from City of Kingsland to operate, or (3) is being constructed, if no such approval was required, shall be exempt from complying with this Ordinance, unless:
    1) the acreage of land occupied by the SES is increased by more than 50%; or
    2) more than 50% of the solar panels on the SES are replaced.

    All SES shall comply with all applicable federal, state, and local laws and regulations, including the requirements of the City of Kingsland zoning ordinance.

Article III. –Definitions

Ordinance means this solar ordinance.

Permit means any permit required by federal, state, or local law or regulation, including this Ordinance.

Solar Energy System means a device or structural design feature that provides for the collection, storage, and distribution of solar energy for electricity generation.

For purposes of this Ordinance, SES refers only to (1) photovoltaic SESs that convert solar energy directly into electricity through a semiconductor device or (2) solar thermal systems that use collectors to convert the sun's rays into useful forms of energy for water heating, space heating, or space cooling. SES as used in this

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Ordinance excludes concentrated solar systems that use mirrors to focus the energy from the sun to create thermal energy that can be used to produce electricity.

Building-Integrated Solar Energy System means an SES where solar materials are used in place of traditional building components such that the SES is structurally an integral part of a house, building, or other structure, for example as a building facade, skylight, or shingles.

Rooftop Solar Energy System means an SES that is structurally mounted to the roof of a house, building, or other structure.

Ground Mounted Solar Energy System means an SES that is structurally mounted to the ground. For purposes of this Ordinance, the acreage of land occupied by a Ground Mounted Solar Energy System is calculated by drawing a perimeter around the outermost SES solar panels and auxiliary structures. Substations and transmission lines outside this perimeter shall not be included in the calculation.

Small Scale Ground Mounted Solar Energy System (Small Scale SES) means a Ground Mounted SES that occupies less than 3 acres.

Intermediate Scale Ground Mounted Solar Energy System (Intermediate Scale SES) means a Ground Mounted SES that occupies between 3 and 15 acres.

Large Scale Ground Mounted Solar Energy System (Large Scale SES) means a Ground Mounted SES that occupies more than 15 acres.

Visual Buffer means natural vegetation, which provides a visual and lighting barrier between an SES and a residential property. The Visual Buffer is not part of the SES and shall not be included when (1) calculating the acreage of land occupied by the SES, or (2) determining whether the SES adheres to applicable setback requirements.

Planning and Community Development Department means the applicable county or city land use decision-making body as determined by local ordinance and appeal procedures.

Article IV. - Requirements Applicable to Solar Energy Systems

Section 1. - Types of Solar Energy Systems

1. Building-Integrated Solar Energy Systems
2. Rooftop Solar Energy Systems
3. Ground Mounted Solar Energy Systems

a. Small Scale Solar Energy Systems- occupies less than 3 acres

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b. Intermediate Scale Solar Energy Systems- occupies 3 to 15 acres
c. Large Scale Solar Energy Systems- occupies more than 15 acres

Section 2. - Permissible Zoning Districts

System Type	Residential	Commercial	Industrial	Agricultural
Building Integrated SES	A	A	A	A
Rooftop SES	A	A	A	A
Ground Mounted SES				
a. Small Scale	A	A	A	A
b. Intermediate Scale	N	SAP	A	A
c. Large Scale	N	N	A	A

**A = Allowed*

**SAP = Special administrative permit required. If the applicant first obtains a Special Administrative Permit in accordance with Article V of this ordinance, the SES is allowed in this district.*

Section 3. – Requirements for Building-Integrated Solar Energy Systems

A. **Allowed Use**. A Building-Integrated SES is an allowed accessory use, regardless of whether the SES is visible from a public right-of-way.
B. **Solar Access**. A property owner may obtain a solar easement from another property owner for the purpose of ensuring the Building-Integrated SES adequate exposure to sunlight.

Section 4. – Requirements for Rooftop Solar Energy Systems

A. Allowed Use. A Rooftop SES is an allowed accessory use, regardless of whether the SES is visible from a public right-of-way.
B. Solar Access. A property owner may obtain a solar easement from another property owner for the purpose of ensuring the Rooftop SES adequate exposure to sunlight.
C. Safety. A Rooftop SES shall have a clear perimeter between the SES and the roofline to ensure emergency access and egress on the roof and to provide smoke ventilation opportunities. A Rooftop SES shall not extend beyond the exterior perimeter of the building, unless the SES is explicitly engineered to do so.
D. Height. A Rooftop SES mounted on a flat roof shall be given an equivalent exemption to the underlying zoning district's height standards as roof-mounted mechanical devices or equipment. A Rooftop SES

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mounted on a sloped roof shall not vertically exceed the highest point of the roof to which it is attached.

Section 5. – General Requirements for Ground Mounted Solar Energy Systems

The following requirements apply to all Small, Intermediate, and Large Scale Ground Mounted SESs, in addition to the specific requirements in this Ordinance that apply to each SES size respectively:

A. **Solar Access**. A property owner may obtain a solar easement from another property owner for the purpose of ensuring the Ground Mounted SES adequate exposure to sunlight.
B. **Visual Buffer.** A Ground Mounted SES shall require a Visual Buffer where the SES is visible from a residential property or public right-of-way. If the Visual Buffer utilizes natural vegetation, it shall be of a size and thickness sufficient to provide a visual and lighting barrier between the SES and the residential property within 12 months from the completion of construction of the SES. All other Visual Buffers shall be in place at the time the SES commences operation.
C. **Impervious Surface**. An SES shall comply with federal, state, and local storm water management, erosion, and sediment control provisions and impervious surface coverage requirements. For purposes of compliance with such regulations, an SES shall be considered pervious if it maintains sheet flow and allows for water to infiltrate under and around the panels through a pervious surface and into the subsoil.
D. **Lighting**. To reduce light pollution, lighting of a Ground Mounted SES shall:
    1. be limited to the minimum reasonably necessary for its safe operation;
    2. be directed downward where reasonably feasible;
    3. incorporate full cut-off fixtures; and
    4. reasonably utilize motion sensors.
E. **Lot Coverage.** The removal or destruction of trees or natural vegetation for an SES shall comply with the requirements of the underlying zoning ordinance.
F. **Maintenance.** A ground mounted SES shall be maintained in good working order.
G. **Abandonment.** A ground mounted SES shall be considered abandoned if it ceases to produce energy on a continuous basis for more than 12 months without prior approval from the Planning and Community Development Department.

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H. **Decommissioning.** If a Ground Mounted SES has reached the end of its reasonable life or it is abandoned, then:
   1. A Small Scale SES and all structures associated with it shall be removed and all materials shall be recycled or otherwise reused to the extent reasonably practicable; and
   2. An Intermediate or Large Scale SES shall be decommissioned in accordance with the decommissioning plan in the Permit Application (see Article V, Section 1E).

Section 6. - Specific Requirements for Small Scale Solar Energy Systems

A. **Allowed Use.** A Small Scale SES is an allowed primary or accessory use.

Section 7. - Specific Requirements for Intermediate Scale Solar Energy Systems

A. Permitted Use. An Intermediate Scale SES is a permitted primary or accessory use in any residential zoning district if the applicant obtains a Special Use Permit from the City Council. In any other zoning district, an Intermediate Scale SES is a permitted primary or accessory use if the Applicant obtains a Special Administrative Permit from the Planning and Community Development Department.
B. **Setbacks.** An Intermediate Scale SES shall comply with the following setback requirements:
   1. the Intermediate Scale SES shall be located no closer than the lesser of (a) feet from any property line or easement, or (b) the setback standards for the underlying zoning district, if any;
      the Intermediate Scale SES shall be located no closer than the lesser of 50feet
   2. from any public right of way, or (b) the setback standards for the underlying zoning district, if any; and
   3. the Intermediate Scale SES shall be located no closer than 100 feet from any residential dwelling unit.
C. **Signage.** An Intermediate Scale SES:
   1. Shall have warning signs (a) displaying the dangers associated with an Intermediate Scale SES, (b) identifying the owner or operator of the Intermediate Scale SES, and (c) providing a 24-hour emergency contact phone number;
   2. may have signs that contain educational information about the Intermediate Scale SES; and
   3. shall not have signs used for displaying any advertisement except for

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reasonable identification of the manufacturer or operator of the Intermediate Scale SES.

D. **Electrical Connections.** If the Intermediate Scale SES is connected to the public grid, then reasonable efforts shall be made to place underground all utility connections from the SES, depending on appropriate soil conditions, shape, and topography of the property and any requirements of the utility provider.

E. **Safe Installation**. The Intermediate Scale SES shall be installed by a licensed engineer, a certified electrician shall inspect the electrical connections prior to operation, and the appropriate public utility shall inspect any operating connection to the grid.

Section 8. - Specific Requirements for Large Scale Solar Energy Systems

A. **Permitted Use.** A Large Scale SES is a permitted primary or accessory use in any zoning district if the Applicant obtains a Special Use Permit from the Planning and Community Development Department.

B. **Setbacks.** A Large Scale SES shall comply with the following setback requirements:

1. the Large Scale SES shall be located no closer than (a) 50 feet from any property line or easement, or (b) the setback standards for the underlying zoning district, if any whichever is greater;
2. the Large Scale SES shall be located no closer than (a) 50 feet from any public right of way, or (b) the setback standards for the underlying zoning district, if any; and
3. the Large Scale SES shall be located no closer than 200 feet from any residential dwelling unit.

C. **Signage.** A Large Scale SES:

1. shall have warning signs (a) displaying the dangers associated with a Large Scale SES, (b) identifying the owner or operator of the Large Scale SES, and (c) providing a 24-hour emergency contact phone number;
2. may have signs that contain educational information about the Large Scale SES; and
3. shall not have signs used for displaying any advertisement except for reasonable identification of the manufacturer or operator of the Large Scale SES.

D. **Electrical Connection.** If the Large Scale SES is connected to the public grid, then reasonable efforts shall be made to place underground all utility connections from the Large Scale SES, depending on appropriate soil conditions, shape, and topography of the property and any requirements of

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the utility provider.

E. **Safe Installation.** The Large Scale SES shall be installed by a licensed engineer, a certified electrician shall inspect the electrical connections prior to operation, and the appropriate public utility shall inspect any operating connection to the grid.

Article V. - Plans & Permits

Section 1. - Permit Application

An application for a Special Administrative Permit or a Special Use Permit shall be submitted to the Planning and Community Development Department containing the following:

A. **Basic Information.** The applicant shall submit a document that lists the following:
   1. the address of the SES property;
   2. the applicant's name, address, telephone number, and email address;
   3. the property owner's name, address, telephone number, and email address;
   4. if known, the SES operator's name, address, telephone number, and email address;
   5. if known, the installation company's name, address, telephone number, email address, and license number; and
   6. evidence of the applicant's control of the property, such as a deed, lease, or option agreement with the landowner.

B. **Site Plan.** The applicant shall submit a site plan that contains the following:
   1. a diagram of the property and directly adjacent properties showing the locations of all existing and proposed structures (including solar arrays, inverters, transformers, electrical substations, and buildings), property lines, rights-of-way, roads, required setbacks, required signage, and required Visual Buffers;
   2. a one-line diagram of the SES that has been stamped and signed by a professional engineer licensed in Georgia that shows the configuration of the array, the wiring system, the overcurrent protection, the inverter, and the disconnects;
   3. a topographical map from the U.S. Geological Survey, or equivalent, that depicts in detail any vegetative cover, watersheds, floodplains, or wetlands on the property;
   4. a topographic drawing of the property that indicates how storm water

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currently drains from the property, identifies the location of discharge points or areas, and identifies any conditions present on the property that may contribute to significant soil erosion;

5. a map from the Georgia Department of Natural Resources that identifies any habitat for state endangered, threatened, or candidate species on or adjacent to the property;
6. a map from the U.S. Department of Fish and Wildlife ("FWS") and/or the National Oceanic and Atmospheric Administration ("NOAA") that identifies any habitat for federally endangered, threatened, or candidate species on or adjacent to the property; and
7. if the SES is located in an agricultural district, a map from U.S. Department of Agriculture Natural Resources Conservation Service ("NRCS") identifying prime farmland and farmland of statewide importance on the property.

C. **Mitigation of Impacts.** The applicant shall submit a mitigation plan that contains the following:

1. a plan for the prevention and mitigation of storm water runoff and soil erosion;
2. if the SES is located on prime farmland or farmland of statewide importance (as defined by NRCS), a plan to mitigate damage to the soil quality;
3. if the installation of the SES will result in potentially adverse changes to any state or federally endangered, threatened, or candidate species habitat, a mitigation plan, that includes (a) a process for minimizing changes to the species habitat, for example through habitat corridors, (b) a plan to relocate and monitor any impacted species, and (c) a plan to restore the original species habitat after the system is decommissioned; and
4. a map of 5 nautical miles around the property with the location of any airport in the shown space, and, if an airport is present in that area, a glare hazard analysis result by the Solar Glare Hazard Analysis Tool or its equivalent.

D. **Certifications.** The applicant shall submit an affidavit that provides:

1. construction and operation of the SES will comply with all applicable federal, state, and local laws and regulations, including the requirements of the underlying zoning ordinance, unless otherwise expressly stated in this Ordinance;
2. before operation, a fire safety and evacuation plan will be filed with

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the appropriate fire code and emergency management officials, and will be available in workplace for reference and review by employees working on the premises; and

3. general liability insurance will be maintained throughout the life of the SES project. If the underlying zoning ordinance does not specify the coverage, such general liability insurance will include, but not be limited to, commercial form, premises operations, products/completed operations hazard, contractual insurance, broad form property damage, and personal injury.

E. **Decommissioning Plan**. The applicant shall submit a decommissioning plan that, based on the best available information at the time of the application, contains the following:
   1. the name, address, telephone number, and e-mail address of the person(s) or entity(ies) responsible for implementing the decommissioning plan;
   2. a statement of conditions that require the decommissioning plan to be implemented;
   3. as part of decommissioning, a removal plan that (a) identifies all structures, components, and non-utility owned equipment that shall be removed, and (b) includes a plan for recycling or otherwise reusing all materials to the extent reasonably practicable; and
   4. as part of decommissioning, a restoration plan to return the property to its condition prior to the installation of the SES or to some other condition reasonably appropriate to the designated land use after the SES is removed, including a tree restoration plan to restore the original tree cover with similar tree types and numbers after the system is decommissioned.

Section 2. - Special Administrative Permit Review

1. Upon receiving an application for an SES, the Planning and Community Development Department shall review the permit application within [45 days] and either approve or deny the Applicant.
2. A Special Administrative Permit application may be approved only if the Planning and Community Development Department determines that the SES complies with all applicable federal, state, and local laws and regulations, including the requirements of this Ordinance.
3. The applicant's appeal rights are consistent with those rights

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expressed in the underlying zoning ordinance.

Article VI. - Severability

The invalidity or the unenforceability of any section, subsection, paragraph, sentence, clause, provision, or phrase of the aforementioned sections, as declared by the valid judgment of any court of competent jurisdiction, to be unconstitutional or in conflict with any code or regulation governing this subject matter shall not affect the validity or enforceability of any other section, subsection, paragraph, sentence, clause, provision, or phrase, which shall remain in full force and effect.

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Planning and Community Development

Staff Report

Planning Commission Meeting Date: December 3, 2018

City Council Meeting Date: December 24, 2018

Agenda Item: Solar Ordinance

Background:

Throughout the country, utilities are exploring alternate forms of energy for delivery to reduce the dependence on fossil fuels. Wind, solar hydro, and nuclear power are being experimented with throughout the country.

The City of Kingsland has been approached on a number of occasions in the recent past about installation of solar arrays in the city. Currently the city has no ordinance governing the installation of solar equipment for the generation of supplemental power by either individuals or commercial enterprises. Georgia Tech has published a Model Solar Ordinance for use by communities as a basis to tailor to their needs as solar generation becomes more prevalent.

Zoning:

See attached ordinance

Summary:

As alternate forms of energy become more popular throughout the country, it is in the best interest of the city and its residents to be ahead of the curve with regulations governing the appropriate installation and operation of solar equipment.

Is Proposal Consistent With the Comprehensive Plan? Y

Proposal promotes alternate forms of renewable energy

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Staff Recommendation:

Approval

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