
UNIFIED DEVELOPMENT CODE SUMMARY CHANGES

City of Social Circle

June 13, 2023

Purpose of Zoning/Land Development Regulations

Zoning and land development regulations are tools that serve communities in implementing planning and strategic visions that impact the built environment and underlying character of a place. The current regulations being enforced in Social Circle have been updated piecemeal since the original adoption of the ordinance and do not accurately and efficiently make use of all the mechanisms available to local governments to see their visions come to fruition. That said, zoning ordinances/land development regulations do not stand alone in a city's path toward implementation.

There are limitations to zoning and land development regulations that must be grounded in the protection of health, safety, and general welfare. Those limitations are well-documented in a series of constitutional case law and precedent decisions that influence the content and effect of the regulations proposed. With that, it is important that the City calibrate its set of regulatory procedures and policies to facilitate and manage growth.

Rewrite Process

Beginning in May 2022, the rewrite process kicked off with a project team meeting to review priority outcomes and understand the high-level barriers to successfully managing growth in the City of Social Circle. Through that meeting, the team developed an input process that connected with the community through a stakeholder committee appointed to represent a multitude of interests.

Stakeholder Committee Meetings

- June 21, 2022 – project introduction, demographic trends, Comprehensive Plan and current ordinance review, procedural best practices, moratoria review and recommendation discussion
- August 23, 2022 – commercial, gateway, and corridor characteristics; streetscapes; site design; design standards (materials, massing, buffering); planned development and Stanton Springs districts; industrial uses and related architectural standards

June 2023

- March 6, 2023 – summary of proposed amendments; planned unit development minimum requirements; permitting and process recommendations; public hearing petition changes; overlay district revamp; revised board and commission authority

Other Public Input

- Planning Commission Review March 28, 2023
- Two Public Open Houses Wednesday, April 12, 2023
- Planning Commission Review April 25, 2023
- Planning Commission Review May 25, 2023
- Multiple reviews by HPC and Tree Board

Stakeholder Interviews

- Staff
- Elected Officials
- Georgia Department of Transportation (GDOT)
- Northeast Georgia Regional Commission (NEGRC)

Council Retreats/Meetings

- January 28, 2023
- March 15, 2023
- May 11, 2023

Deliverables

- Findings Report and Diagnostic – July 27, 2022
- Public Draft #1 – February 24, 2023
- Public Draft #2 – March 6, 2023
- Public Draft #3 – March 21, 2023
- Public Draft #4 – April 24, 2023
- Public Draft #5 – May 15, 2023
- Public Draft #6 – June 13, 2023

Recommendations

This report outlines the general basis for recommendations in accordance with the findings from the current ordinance, observations from the Stakeholder Committee, priorities of the Comprehensive Plan, and cited deficiencies from staff and elected officials, all in an effort to modernize, clarify, and simplify the current ordinance. Below is a summary of major changes represented in the rewrite of the zoning/land development regulations, culminating in a completely new document, the Social Circle Unified Development Code (UDC). By design, the UDC document for consideration is a wholesale rewrite of the prior provisions that governed this scope of governance.

Zoning Districts

The ordinance currently adopted offers 14 base zoning and 4 special/overlay districts; those districts have been reduced to 9 base and 5 special/overlay districts to realize efficiencies and consolidations since many of the districts had almost duplicate land use and bulk standards. Preserved/amended/new zoning districts are as follows:

Base Zoning District Categories	
Rural Districts	
CS	Conservation District
AG	Agricultural District
Residential Districts	
R-25	Residential District-25 District
R-15	Residential District-15 District
RMD	Residential Medium-Density District
Nonresidential Districts	
OI	Office Institutional District
BUS	Business District
LI	Light Industrial District
HI	Heavy Industrial District

Planned Unit Development (PUD) District

While there were substantial concerns raised over the current Planned Unit Development (PUD) District, a completely reimagined district has been developed to address and alleviate the identified concerns – standards that empower decision makers to approve compliant and concurring proposals and reject those that are inconsistent. The proposed draft consists of new PUD enabling legislation that is simplified with clear parameters, purpose, and intent.

The purpose of a PUD is to provide the flexibility to consider projects that meet the long-range vision of the City but might not fit well within an existing zoning district. Through the regular rezoning process, a city can - PUD or No PUD - re-zone a property. For approval, the applicant is required to demonstrate how they meet the criteria required of a rezoning application.

The PUD district requires an applicant to draft a completely new and unique zoning district that is tailor-made for the subject property, tied to a plan, mixed-use in nature, a minimum of 10 acres in size, and consistent with the City's vision and long-range plans. The application submittal requirements of a PUD zoning are far more significant than those of a standard rezoning application. The applicant must outline the minimum standards (e.g.: maximum height, allowable uses, maximum lot coverage, an area dedicated to open space, etc.). Further, PUD district applications require a series of plans (site, landscaping, pedestrian circulation, grading, phasing, etc.), elevations, streetscape, a hardscape manual, and other design documents that fully articulate the proposed development to a level of detail beyond a typical rezoning.

Update – The minimum threshold for project size has been updated to ten (10) acres.

Downtown Corridor Overlay (DCO) District

The Downtown Corridor Overlay District (DCOD) is applicable to any properties in the historic district boundaries that do not have a contributing resource on them. These provisions provide design requirements for new construction to mandate high quality design adjacent to historic properties or structures but develops an alternative process for new construction.

Update – added dumpster screening and location exemptions in the DCO based on feasibility.

Update – a zero lot line was added to Section 5.1.1.C and cross-referenced in the bulk standards table.

Update – a 100% ISR standard was added to Section 5.1.1.D and cross-referenced in the bulk standards table.

Traditional Neighborhood Overlay (TNO) District

In response to calls for tools in the UDC to preserve and protect existing residential developments, the Traditional Neighborhood Overlay has been enabled in the draft UDC. Designed as an opt-in process that requires majority property owner participation, the District will not be applied anywhere on the map as part of the rewrite process. Rather, the TNO District is available for property owners seeking to apply the TNO District to a series of lots (more than 20) due to some compelling architectural or other special quality worthy of preserving. With a series of minimum property owner buy-in threshold requirements, community groups can petition City Council to get the opportunity to pursue the rezoning process so the TND District can be applied to a subject set of parcels. If adopted, all future development will be required to comply with the chosen design standards approved under that rezoning application.

Modernizing the Uses

One primary initiative in the rewrite process involved reviewing and addressing uses permitted in the City. Uses in the current ordinance may not align with the uses policy makers would like to promote (i.e.: what uses are defined, which are permitted by right versus requiring additional scrutiny), are outdated (i.e.: missing more contemporary use types that are not captured), or are difficult to navigate when needing to compare allowable uses among multiple districts due to the list format currently in place. After considering and making procedural updates to the allowable uses in each district, a series of use tables were developed to consolidate allowable uses into a single, easy-to-read and comparable format.

- Single-family attached and detached residential – added design standards to elevate quality of products
- Short-term rentals – to incorporate Padsplits and Airbnb uses
- Vending machine fulfillment centers – a definition and restrictions on car vending machines
- Place of worship – broadly defined accessory uses to include education, funeral homes, and occasional outdoor sales of seasonal goods with outdoor display

- Vape or other smoke shop – defined to cover tobacco, CBD or other similar product
- Farm winery/meadery and agri-tourism uses – defined and articulated agricultural/commercial hybrid supplemental provisions that are growing in popularity
- Craft Establishments (Brewery , Winery, or Meadery) – defined and regulated as a popular and modern use
- Wireless communications – compliant with FAA regulations; prioritizes co-locations
- Coffee roastery – increasing in popularity to occur in combination with coffee shops
- Data Management or Processing Center (including data centers and commercial cryptocurrency mining uses)
- Addition of specifically prohibited uses

Other use adjustments:

- Use determination process – process for staff to determine where a use fits if proposed use does not cleanly fit within a single category
- Updates to Stanton Springs District to make consistent with the current draft

Update – Vape shops have been listed as prohibited in every district. Supplemental regulations still apply to uses selling these products as ancillary to their principal use.

Update – solar energy facilities have been added as a special use permit in the Agriculture and Light Industrial Districts with some reduction in enforcement of tree ordinance and impervious surface applications.

Update – added “unmanned retail structure” as an accessory use to regulate location and quantity of items like soda machines, ice vending machines, and donation boxes.

Update – reverted Stanton Springs District uses to original terminology so that it would remain consistent with the other jurisdictions.

Update – added definition of “industrialized homes” from current ordinance and carried over design and construction standards. Use permitted with supplemental regulations in the AG district.

Update – In accordance with SB 213, a provision has been added to Section 3.1.2.D. and 11.3.2 to allow for the replacement of any preexisting manufactured home or mobile home without regard for re-establishment of a nonconforming use, structure, or development feature.

Update – Design requirements in Section 3.1.2 have been updated to reorganize applicability as well as add additional standards (e.g.: required brick water table, architectural articulation, limitations on number of different paint colors and materials, stoop/porch requirements, etc) to elevate the quality of residential structures.

Update – Relocated the Short-term rentals from the Principal uses Table to the Accessory Uses Table and added supplemental regulations in Section 3.3.7.E.

Update – Added minimum 2-acres lot requirement for institution of garden cottage accessory dwelling units in Section 3.7.3.E.3.

Industrial Uses

Regulation of industrial uses has become a particular priority of the UDC rewrite effort. Feedback identified industrial as a desired use, as envisioned in the Comprehensive Plan, but significant barriers were identified for the properties located within the local historic district. With a concurrent (but unrelated) review of the historic district boundaries, supplemental use standards have been developed to allow relaxed or alternative standards for development of industrial uses, while maintaining reasonable regulations on design, character, and impacts of these uses.

Update – removed prohibition on metal exteriors, instead requiring with a mandatory brick water table and screening.

District Regulations

The intention with the district regulations is similar to the conversation with the uses. Regulations were crafted to simplify the regulations into a bulk standards charts at the beginning of the district regulations for ease of comparison during development consultations. Some important regulations that have been incorporated are as follows:

- Impervious surface ratio maximums
- Building height
- Setbacks
- Lot size

Nonconforming Provisions

Currently, the ordinance provides guidance for how to manage nonconforming uses but provides no standards for nonconforming characteristics, lots, or situations. That general guidance has been provided, along with provisions that afford special considerations for existing lots of record to develop with bulk standards that are proportionate to the size of the deficient lot (e.g.: if the lot is half the size of the minimum lot requirement, setbacks can be applied at half the required distance).

Update – Section 3.1.2.B has been updated to include alternative standards for deficient lots of record for single-family attached uses as well as detached, as previously drafted.

Update – Section 3.1.2.B has been updated to revert back to the originally drafted alternative standards for deficient lots of record for single-family detached lots only.

Update – Table 2.1.5 – Required Dimensional Standards has been updated to revise Impervious Surface Ratios to be more restrictive. The following identifies a comparison in current (as adopted) and proposed standards:

District	Current Ordinance ISR	Proposed Ordinance ISR
AG	none	30%
AG-2	20%	
R-25	none	40%
R-15	none	45%
RMD	none	60%
OI	40%	75%
NC	45%	
CBD	100%	75% (BUS); 100% (DCO)
I-1	35%	40% (LI)
I-2	25%	45% (HI)

Procedural Updates

Review and Approval Process

The processes and procedures for each application type are scattered throughout the code, difficult to follow, and present some unpredictable time periods that make it difficult to properly advise applicants/members of the public of the duration of the process. Below is an outline of how some of those requirements may change and flow charts illustrating alternative application process timelines.

Procedure Summary

A summary table of the refined decision-making process is provided below. Once finalized, this chart can be included in the ordinance to clearly communicate the review and approval process to applicants and other users.

Community Meeting

A community meeting has been introduced that allows the Community Development Director to require such meetings hosted by the applicant prior to initiating a legislative process.

Decisions Run with the Land

Consistent with state law, all instances where a state mandated hearing process is pursued, it is noted that those decisions run with the land and do not expire with time or tenancy.

Update – Violations section has been expanded to capture all necessary procedures.

Update – Meetings held by all review bodies have been adjusted to be conducted as public hearings.

Update – for appeals of Mayor and Council decisions in Section 13.11.6, a reference to a “petition for review” has been added in addition to the “writ of certiorari” process in reference to both HB 1405, which reference the writ of certiorari and HB 916, which reference the petition for review.

Application Type	City Staff	Historic Preservation	Tree Board	Planning Commission	City Council
R= Review or Recommending Body DM = Decision-Making Body (final decision)					
<> = Public hearing required					
Text Amendments	R	--	--	<R>	<DM>
Rezoning (i.e., Map Amendments)	R	--	--	<R>	<DM>
Special Use Permit	R	--	--	<R>	<DM>
Variance	R	--	--	<R>	<DM>
Administrative Variance	DM	--	--	--	--
Historic District Amendments (Text, Maps)	R	<R>	--	--	<DM>
Tree Ordinance Amendments (Text)	R	--	<R>	--	<DM>
Certificate of Appropriateness, Administrative	DM	--	--	--	--
Certificate of Appropriateness, HPC	R	<DM>	--	--	--
Appeal of Admin. Decision	R	--	--	--	<DM>

Certificate of Appropriateness

- Clear outline of procedures

- More administrative authority for routine maintenance and updates
- Exemptions for emergency demolition

Update – HPC notice deadlines have been adjusted to be between 10-20 days to allow for a shorter application period.

Update – Section 12.4, 13.1, and 13.13 have been updated to reflect on comments received from DCA, Georgia Historic Preservation Division.

Platting Process

In an effort to streamline all decisions in the development process, plats have been transitioned to administrative decisions. The standards in the UDC have been proposed with minimum standards through a public input and (eventual) adoption process; therefore, the platting process will become the administrative implementation of those policies with both preliminary and final plats reviewed at the staff level.

Signs

The sign ordinance has been amended and incorporated into the UDC draft. Proposed amendments reflect recent Supreme Court case law as well as other updates to reflect changes in the rest of the draft for maximum concurrence.

Tree Preservation and Landscaping

Updates to the tree preservation ordinance include the following:

- Inclusion of fee in lieu recompense provisions
- Addition of ongoing maintenance requirements
- Tree board to hear text amendments and appeals of administrative decisions
- Conversion of tree requirements from canopy cover goal to minimum tree density requirements based on land use (100 and 50 inches).
- Specimen trees – emphasis on preservation of specimen trees
 - Preservation counts 1.5x the caliper inches; removal requires 2x the caliper inches

Other vegetative requirements added include:

- Parking lot interior and perimeter landscaping
- Open space requirements – 20% for multi-unit building uses; 10% for all other uses
- Maintenance and planting standards
- Transitional buffers

Update – Section 7.3.3 has been revised for the following:

- To clarify that a survey is to be prepared by an ISA certified arborist, forester, surveyor, or landscape architect;
- To strike the ability to relocate trees on a development site;
- Revised references to inch requirement to reflect non-residential (100 inches) and residential (50 inches) standards;
- Revised references to specimen tree replacement to require for every one inch removed, two inches are required to be replaced for removal of any specimen trees;
- Section 7.3.9.A. 3 and 4 have been updated to require the minimum tree to be counted toward density requirements is four inches;
- Section 7.3.14 revised to remove tree locations in chart; authority granted to arborist to site trees based on site requirements of each species.

Update – Section 7.3.14 revised to remove chart and to alternatively reference a chart maintained external to the ordinance.

Parking

Parking regulations have been modernized by offering the following:

- Transition to vehicle parking maximums as opposed to minimums
- Addition of requirements for bicycle parking
- Express allowance (but not a requirement) for properties to be able to install EV charging stations

Update – EV readiness requirement (mandated installation of conduit on lots with 30 parking spaces or more) has been removed.

Update – Added golf cart parking for some commercial uses (defined as personal transportation vehicles).

Other Site Standards

- Lighting – lighting standards that require full cut-offs and express maximum standards at property lines
- Redevelopment standards – required upgrades on redevelopment sites based on the proposed scope of work.

Update – added lighting standards for fuel station canopies, parking decks, and security lighting.

Update – added ability for common lots to be substandard for siting of detention ponds and other community resources in Section 9.3.1.K.