

Edits 2/29/23

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17.180.010 - Intent

A. It is the intent of this district to permit and encourage the development of property which would:

1. Allow greater flexibility with respect to development standards and site planning considerations;
2. Be in the best interest of Hall County in terms of its long range development plans; and
3. Permit the establishment or mixture of uses which without proper design and planning might not be compatible with surrounding uses or zoning districts.

B. This district is to be utilized as a "floating zone" which shall mean that areas will not be predesignated as planned development districts but rather each such designation shall result from a specific and separate application for amendment. Planned development districts are separate zoning districts and shall follow the same amendment procedures as other districts. ~~Unless otherwise stated in this section, the development standards and the land uses which are presented with the application for amendment shall, if approved, become the standards for the subject property and shall become a part of the zoning regulations.~~

*The standards of development for a particular application (which ~~shall mean to~~ includes all data, plans, specifications and land uses) shall be set forth in specific zoning conditions and/or variances and/or conditional uses, if approved.*

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17.180.040 – Administrative procedures for planned development districts.

A. Any request pertaining to the establishment of a planned development district shall be ~~considered an amendment to the zoning regulations and shall be~~ administered and processed in accordance with the regulations set forth in chapter 17.380.

B. All data, plans and specifications presented as part of the planned development district application shall, if approved, be ~~adopted as an amendment to the zoning regulations and shall be~~ the standards of development for that particular planned development., but only to the extent that they do not conflict with provisions of the Code. To the extent that they conflict with the provisions of the Code, all data, plans, and specifications become the standards of the development for that particular planned development only if they are set forth as a specific condition of zoning or approved as a zoning variance and / or conditional use.

C. ~~All further development on the property shall conform to the standards adopted for the district regardless of any change in ownership.~~ To the extent that the approved standards of development are consistent or inconsistent with the Code, as noted in the above Paragraph "B" above, and set forth as specific conditions, or approved as a zoning variance and / or conditional use, all further development on the property shall conform to the standards adopted for the district regardless of any change in ownership. Any proposed changes ~~to the those same~~ approved standards of development ~~shall be treated as amendments to the zoning regulations and~~ must be considered in accordance with the procedures set forth in chapter 17.380. Appeals based upon hardship or an alleged misinterpretation of the ordinance (this title) by the building official shall be processed in accordance with procedures set forth in chapter 2.40. In no case shall the approved land uses be appealed.

D. The violation of any provision of the planned development standards as submitted and approved under the provisions herein shall constitute a violation of these regulations.

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~~Green Highlights: Added~~

A new Section 17.180.042 (Planned Development District – Application) is hereby inserted into chapter 17.180 immediately following Section 17.180.040 which provides as follows:

A. Submission of Application. Any application for a planned development district shall

conform to Section 17.380.010. General Procedures. ~~be submitted to the Planning~~

~~Commission through its Planning Director or other designated staff member.~~

~~See Chapter 17.380.010 "General Procedures"~~

B. General Requirements.

1. All applications for zoning of property to a planned development district must conform to all requirements of chapter 17.380 except as may otherwise be required in this section. All applications that do not comply with the requirements of chapter 17.380 shall be returned to the applicant unfiled with notice of the deficiency or deficiencies.

~~See Chapter 17.380.010 "Submission Requirements"~~

2. No application to rezone property (20 acres or more) to a planned development district shall be accepted until after a pre-application meeting is held between the applicant, appropriate staff of the Planning Department, appropriate staff of Public Works Department, and/or any other applicable local or state agencies. Once a pre-application meeting is requested by the applicant, staff shall schedule it within ten

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(10) business days. Failure to meet this timeline by staff would negate the pre-application meeting requirement.

What about a timeframe that Staff is required to meet with an Applicant?