

- Three Amendments to Hall County Zoning Code dealing with Planned Development districts found in Chapter 17.180 – *Requires approval of Planning Commission and Board of Commissioners*
- Corresponding amendment to one Code section in the Hall County Subdivisions Code found in Chapter 16.50- *Requires approval of Board of Commissioners only*
- Language below with a ~~strike through~~ will be deleted and language displayed in **bold blue** is being inserted.

1. Section 17.180.010 (B)

a. Existing Language

This district is to be utilized as a "floating zone" which shall mean that areas will not be pre-designated 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.

b. Proposed Language

This district is to be utilized as a "floating zone" which shall mean that areas will not be pre-designated 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.~~

c. Reason – Language is improper and duplicative of 17.180.040 (B).

2. Section 17.180.040

a. Existing Language

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 shall, if approved, be adopted as an amendment to the zoning regulations and shall be the standards of development for that particular planned development.

C. 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

approved standards 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 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.

b. Proposed Language

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 the provisions of the Code, all data, plans, and specifications become the standards of development for that particular planned development only if they are set forth as a specific condition of zoning or approved as a zoning variance.**

C. **To the extent that the approved standards are consistent with the Code, set forth as specific conditions, or approved as a zoning variance,** 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 **those same** ~~the approved standards 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 by the building official shall be processed in accordance with **the** 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.

3. Section 17.180.0402 – A new section which shall read as follows:

**A. Submission of application. Any application for a planned development district shall be submitted to the Planning Commission through its Planning Director or other designated staff member.**

**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 by 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.

2. No application to rezone property 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 the Public Works Department, and any other applicable local or state agencies.

Proposed amendment to Section 16.50.150 does not require Planning Commission review but is as listed below for your reference.

**16.50.150 – Alternate design standards.**

a. Existing Language

Alternate design standards for subdivision streets shall be considered only in planned residential developments. Each alternate design must be justified in writing by the registered engineer, surveyor or landscape architect.

b. Proposed language

Alternate design standards for subdivision streets shall be considered only in planned residential developments. **Any deviation in street design in a planned residential development from the standards set forth generally in the Hall County Code shall require approval of a variance from the Hall County Board of Commissioners for the specific deviant standard. The variance request shall be justified in writing by the applicant and must meet the requirements of chapter 17.180.**