



# Hall County Government

## PLANNING & DEVELOPMENT

### Memorandum

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To: Hall County Planning Commission

From: Beth Garmon, Principal Planner

Date: December 27, 2021

Subject: A resolution to amend the code of ordinances of Hall County with regard to zoning regulations

Hall County Government has initiated changes in order to clarify the code relating to zoning uses and to provide the County with more flexibility in addressing growth, by: allowing minor subdivisions to include divisions of parcels into six or fewer lots rather than the current two or fewer lots; *and* designating both minor subdivisions and subdivisions as uses permitted subject to approval of the county commission, rather than permitted uses, in the Vacation-Cottage (V-C) and Residential-I (R-I) zoning districts; *and* designating subdivisions (other than minor subdivisions) as uses permitted subject to approval of the county commission, rather than permitted uses, Residential-I-Low Density (R-I-L), and Residential-II (R-II) zoning districts; *and* removing subdivisions (other than minor subdivisions) as uses permitted subject to approval of the county commission in the Agricultural-Residential III (AR-III) and Agricultural-Residential IV (AR-IV) zoning districts; *and* clarifying Section 17.330.010 of the zoning code as to uses which are not listed as permitted by right or subject to approval of either the county commission or the planning commission in a given district so as to provide that such unlisted uses are prohibited.

As proposed, Section 17.20.720 Definitions – Minor subdivisions is amended to read:

““Minor subdivision” means the subdivision of land into a total of no more than six (6) conforming lots, parcels, tracts, or building sites during a 12-month period. The resultant lots must meet all of the requirements (lot size, frontage, access, etc.) of the zoning district in which they are classified and the requirements of the county subdivision regulations. Minor subdivisions which conform to the aforementioned standards may be created on any lot, tract, or parcel which was recorded with the county clerk of superior court prior to January 1 of each calendar year, provided the subject lot and all resultant lots comply with the standards of the county zoning and subdivision regulations. Once any lot, tract, or parcel meeting the aforementioned standards has been subdivided into a total of no more than six (6) lots, tracts, parcels, or building sites, no further subdivision of any of the lots is permitted inherently for the 12-month period after the land was subdivided. Any additional subdivision beyond six (6) lots per 12-month period shall require consideration by the county planning commission as a use subject to planning commission approval.”

As proposed, Section 17.20.1210 Definitions –Subdivision is amended to read:

““Subdivision” means the division of a tract or parcel of land into seven (7) or more lots, building sites, or other divisions for the purposes of sale, legacy, a new street, or a change in existing streets, and includes resubdivision. Where appropriate to the context, subdivision also relates to the process of subdividing or to the land or area subdivided. The term shall also include the opening of a new street or road. The combination or recombination of portions of previously platted lots where the total number of lots is not increased and the resultant lots meet the standards of the county subdivision regulations is not included within this definition.”

As proposed, Section 17.50 Vacation Cottage District (V-C) is amended to read:

Deletion of “Minor subdivisions” as a Permitted use

Insertion of “Minor subdivisions” and “Subdivisions” as Uses permitted subject to approval of county commission

As proposed, Section 17.60 Residential-I District (R-I) is amended to read:

Deletion of “Minor subdivisions” as a Permitted use

Insertion of “Minor subdivisions” and “Subdivisions” as Uses permitted subject to approval of county commission

As proposed, Section 17.70 Residential-I-Low Density District (R-I-L) is amended to read:

Deletion of “Subdivisions” as a Permitted use

Insertion of “Minor subdivisions” as a Permitted use

Insertion of “Subdivisions” as Uses permitted subject to approval of county commission

As proposed, Section 17.80 Residential-II District (R-II) is amended to read:

Deletion of “Subdivision” as a Permitted use

Insertion of “Minor subdivisions” as a Permitted use

Insertion of “Subdivision” as Uses permitted subject to approval of county commission

As proposed, Section 17.110 Agricultural-Residential-III District (AR-III) is amended to read:

Deletion of “Minor subdivisions” as a Permitted use

Deletion of “Subdivisions” as Uses permitted subject to approval of county commission

As proposed, Section 17.120 Agricultural-Residential-IV District (AR-IV) is amended to read:

Deletion of “Minor subdivisions” as a Permitted use

Deletion of “Subdivisions” as Uses permitted subject to approval of county commission

As proposed, Section 17.330.010 Unclassified uses prohibited is amended to read:

“Any use not specifically permitted either by right (inherent use) or subject to approval of either the county commission, the board of adjustment, or the planning commission (conditional use) in a given district is prohibited in that district.”

The proposed new sections of the code are also enclosed.

The public hearing dates for these changes are as follows:

January 4, 2022 – Planning Commission Meeting

January 13, 2022 – County Commission Meeting (First Reading)

January 27, 2022 – County Commission Meeting (Second Reading)