



City of Statesboro
Department of Planning and Development Memorandum

50 East Main Street P.O. Box 348 » (912) 764-0630
Statesboro, Georgia 30458 Statesboro, Georgia 30459 » (912) 764-0664 (Fax)

Statesboro Planning Commission
February 7, 2017
5:00 P.M.
City Hall Council Chamber

Meeting Agenda (Revised)

- I. Call to Order**
- II. Invocation & Pledge of Allegiance**
- III. Motion to Approve Order of the Meeting Agenda**
- IV. Approval of Minutes**
 - 1.) January 3, 2017 Meeting Minutes
- V. Motion to Adopt the Rules of Order (Attachment A)**
- VI. New Business**
 1. **APPLICATION # RZ 17-01-03**: The Downtown Statesboro Development Authority requests a zoning map amendment for .29 acres of property located at 11 West Inman Street from HOC (Highway Oriented Commercial) and R4 (High Density Residential District) to the R4 (High Density Residential District) zoning district (Tax Parcel S19 000040 000).
- VII. Announcements**
- VIII. Adjourn**



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Statesboro Planning Commission
January 3, 2017
5:00 P.M.
City Hall Council Chamber

Meeting Minutes

Present: Planning Commission Members: James W. Byrd, Sr.; Jamey Cartee; David McLendon; Carlos Brown and Mary Foreman **City of Statesboro Staff:** Director of Planning and Development Frank Neal, Planning & Development Specialist Candra E. Teshome, Code Compliance Officer Mike Chappel and Code Compliance Officer Scott Brunson.

I. Call to Order

Commissioner Byrd called the meeting to order at 5:02 PM.
(Commissioner Brown arrived at 5:14 PM)

II. Invocation & Pledge of Allegiance

The Invocation and Pledge of Allegiance were given by Commissioner James W. Byrd, Sr.

III. Motion to Approve Order of the Meeting Agenda

Commissioner McLendon made a motion to approve the order of the meeting agenda, seconded by Commissioner Cartee and the motion carried 4 to 0.

IV. Approval of Minutes

Commissioner McLendon made a motion to approve the minutes of the December 6, 2016 Planning Commission meeting, seconded by Commissioner Cartee and the motion carried 4 to 0.

V. New Business

APPLICATION # V 16-12-03: Missy Bennett requests a variance from Article V Section 503(C) Table 3 of the *Statesboro Zoning Ordinance* regarding the minimum required side yard setback for the property located at 122 Park Avenue (Tax Parcel S41 000047 000).

Frank Neal presented the case to the commissioners and took any questions. Mr. Neal introduced Missy and Lovett Bennet, the applicants, who were present, but did not speak, on behalf of the request. No one spoke against the request.

Commissioner McLendon made a motion to approve the application, seconded by Commissioner Cartee, and the motion carried 4 to 0.

VI. Announcements

Frank Neal made the announcement that Russell Rosengart was appointed to the open seat on the Planning Commission.

VII. Brief Orientation

Frank Neal gave a brief orientation regarding ethics, due process, controlling a meeting, full disclosure and other important concepts for Planning Commission members.

VIII. Consideration of a Motion to Appoint a New Vice Chair to the Planning Commission

Commissioner Byrd requested a motion to appoint David McLendon as the Vice Chair to the Planning Commission, after some discussion, seconded by Commissioner Cartee and the motion carried 5 to 0.

IX. Adjourn

Commissioner McLendon made a motion to adjourn, seconded by Commissioner Cartee and the motion carried 5 to 0.

Chair – James W. Byrd, Sr.

**Secretary – Frank Neal, AICP
Director of Planning and Development**

ATTACHMENT A

RULES OF ORDER

FOR THE

CITY OF STATESBORO PLANNING COMMISSION

Policy Adoption Date: February 7, 2017

Policy Effective Date: February 7, 2017

Rules of Order For Meetings of the City of Statesboro Planning Commission

Meetings of the City of Statesboro, Georgia Planning Commission (hereinafter referred to as the Planning Commission) shall be governed by the following policies and procedures, effective as of the date of adoption, and continued until such time as rescinded or amended by vote of the Planning Commission as provided for herein.

I. Purpose.

These rules are intended to establish policies and procedures ensuring that the City of Statesboro Planning Commission performs its responsibilities in an efficient effective and fair manner.

II. Governing Statutes and Ordinances.

The City of Statesboro Planning Commission shall be governed by the laws of the State of Georgia and the City of Statesboro and all policies and procedures promulgated by the City of Statesboro Mayor and City Council and/or the Planning Commission for the purpose of governing the Planning Commission.

III. Meetings of the Planning Commission.

A. Regular Meetings.

1. Meetings of the Statesboro Planning Commission are held in the City Council Chambers, on the second floor of City Hall located at 50 East Main Street in Statesboro, Georgia, unless otherwise advertised.
2. Regular meetings of the Statesboro Planning Commission shall be held in accordance with the meeting schedule adopted for the purpose of establishing the regular meeting dates and times of the Commission. Such schedule shall be adopted at the last regular meeting of each calendar year. Each Member of the Planning Commission shall be provided with a copy of the regularly scheduled meetings for the calendar year. Such schedule may be amended by the Commission with the approval of the Mayor and City Council.
3. The Secretary shall ensure that a current schedule specifying the time and place of the Commission's regular meetings for the calendar year is kept on file with the City Clerk and for public inspection in the offices of the Department of Planning & Development.
4. All regular meetings shall be advertised and conducted in accordance with the Georgia Open Meetings Act.

5. The Chair may cancel or reschedule a regular meeting of the Planning Commission on determining that there will be no business coming before the Planning Commission for consideration at the meeting; or, upon notice that so many Members have indicated their probable absence at the meeting that a quorum will not be present.
6. Upon cancellation of any regular meeting, the Secretary shall notify all Commission Members of the cancellation, send notice of the cancellation to the City Clerk, and post a notice at the advertised location of the meeting as soon as practicable.

B. Special Meetings.

1. Special Meetings are meetings of the Statesboro Planning Commission, other than a rescheduled, continued, or regular meeting of the Commission. Special Meetings may be called upon at least 72 hours notice by the Chair of the Commission; the Director of the Department of Planning & Development, or, upon the consent of any three Members of the Commission.
2. The Secretary shall immediately give notice of the time, place, and purpose of the meeting to the City Clerk, and the Commission Members. Written materials, agendas, etc. regarding the special meeting shall be delivered to the City Clerk and each Commission Member as soon as possible after the meeting is called.
3. Special Meetings shall be advertised and conducted in accordance with the Georgia Open Meetings Act.

IV. Members and Terms of Office.

- A. The Members of the Planning Commission and their corresponding terms of office shall be as established by the Statesboro Mayor and City Council in the City of Statesboro Municipal Code.

V. Officers.

- A. The officers of the Statesboro Planning Commission shall consist of a Chairperson and Vice-Chairperson.

B. Election of Officers.

1. Officers shall be elected at the beginning of each term of the Commission (generally June). The Secretary shall notify Commission Members of the upcoming election at least thirty (30) days before the meeting at which the elections are to be held.
2. If the offices of both the Chairperson and the Vice-Chairperson become vacant before the end of their terms, the Commission shall hold a special meeting and special election as soon as possible to fill both offices.
3. When conducting elections, the Chair shall first request nominations from Commission Members. If only one Member is nominated, the election may be by unanimous consent. Otherwise, on hearing no further nominations, the Chair shall announce the names of all Members nominated, and then conduct a vote on each nominee, in the order nominated, until someone is elected. The favorable vote of a majority of the full Membership of the Commission is necessary to elect a Member as Chair or Vice-Chair.

C. Chairperson.

1. The Planning Commission shall elect one of its Members as Chair, to serve a two year term and until the Commission elects a successor. The Chairperson has the following duties and powers:
 - a. To preside at all meetings of the Commission;
 - b. To decide all points of order and procedure, subject to these Rules of Procedure;
 - c. To call special meetings in accordance with these Rules and the Georgia Open Meetings Act;
 - d. To sign documents on behalf of the Planning Commission, or to authorize the Secretary to do so;
 - e. To place items for consideration on the agenda of the Planning Commission;
 - f. To request, on behalf of the Planning Commission, placement of items on working or voting agendas of the Statesboro Mayor and City Council;
 - g. To present the Commission's recommendations concerning City business to the Mayor and City Council and to otherwise represent the Planning Commission;
 - h. To act as parliamentarian of the Planning Commission; and
 - i. As otherwise provided.
2. The Chairperson shall preside over all Commission meetings and shall take whatever action is necessary to:
 - a. Enforce compliance with these Rules;
 - b. Provide a full opportunity for public comments;
 - c. Focus comments and discussions on issues directly related to the items being considered;
 - d. Promote the efficient and effective disposition of matters before the Commission;
 - e. Limit the time allotted to speakers;
 - f. Provide for the selection of one or two spokespersons to represent groups of persons with common interest;
 - g. Interrupt unnecessary repetition of statements and opinions;
 - h. Interrupt personal attacks or digressions into immaterial issues;
 - i. Order an end to disorderly conduct; and
 - j. Otherwise ensure a polite, orderly, and effective meeting of the Planning Commission.

D. Vice-Chairperson.

1. The Commission shall elect another of its Members, to serve a two year term and until the Commission elects a successor, to serve as Vice-Chairperson. The Vice-Chairperson shall serve as acting chair if the Chairperson is absent or the office of Chairperson becomes vacant. During such times, the Vice-Chairperson shall have the same powers and duties as the Chairperson.
2. If both the Chairperson and Vice-Chairperson are absent from the meeting, the Commission Members present shall elect a temporary Chair from among them to preside over the meeting.

VI. Secretary.

- A.** The Director of the Department of Planning & Development shall serve as Secretary to the Commission for most purposes. The Secretary is not a Member of the Commission and therefore cannot vote or otherwise act as a Commission Member. The Secretary, subject to the discretion of the Chairperson, has the following powers and duties:
- 1.** To attend all meetings of the Planning Commission;
 - 2.** To record minutes of the all Commission meetings (including committee meetings);
 - 3.** To conduct correspondence on behalf of the Commission;
 - 4.** To authenticate, by his/her signature, along with the Chairperson, resolutions, policies, minutes, or other documents adopted by the Commission;
 - 5.** To arrange for all public notices required to be given on behalf of the Commission;
 - 6.** To notify Commission Members and interested parties of pending meetings and agendas;
 - 7.** To act as custodian of all Commission records;
 - 8.** To maintain records regarding Commission Members, specifically including each Members appointment and term of Membership; attendance at meetings; training credits; residency; contact information; resignations, etc;
 - 9.** To timely advise the Chair of all resignations, Membership vacancies and appointments, and necessary elections;
 - 10.** To timely and adequately prepare and distribute the meeting agendas and packets for the Planning Commission;
 - 11.** To handle all funds allocated to the Commission in accordance with Commission directive and applicable City regulations and policies; and
 - 12.** To generally supervise the clerical work of the Commission.

VII. Meeting Notices and Agendas

- A.** All meetings of the Statesboro Planning Commission shall be advertised and conducted in accordance with the Georgia Open Meeting Act.
- B.** Matters for placement on the Commission's agenda may include: matters requiring Planning Commission action as established within the Statesboro Municipal Code; appropriately and timely submitted applications for consideration by the Planning Commission; matters continued, postponed, or tabled from a previous meeting; matters the Commission scheduled during a previous meeting; matters for which Commission review has been requested by a Commission Member; matters for which Commission review has been requested by the Mayor and City Council; reviews, adoptions, and matters associated with long range plans affecting the City- such as the Statesboro Comprehensive Plan, the Bulloch County/City of Statesboro Long Range Transportation Plan, regional plans including or affecting Bulloch County; Service Delivery Agreements, etc.; and any other matters necessitating the attention of the Planning Commission.
- C.** Any Commission Member who wishes the Commission to consider a particular matter at an upcoming meeting should notify the Chair or the Director of Community Development of that wish well in advance of the meeting date to allow the Director and the Chair ample

opportunity to review the appropriateness of the request and gather any necessary information for inclusion within the agenda packet.

- D. The agenda shall generally organize matters to be addressed at the meeting so as to best promote opportunities for effective public input and the timely and efficient performance of Commission responsibilities. Items of business likely to attract the attendance of many interested persons (such as those involving notice to adjoining property owners and those involving other public notice) should generally be placed early on the agenda, thereby minimizing the time those persons must wait for consideration of the item that brought them to the meeting).
- E. At least five (5) calendar days prior to a regular meeting, and as soon as practicable for a special meeting, the Secretary shall send each Commission Member and the City Clerk a meeting agenda and all materials related to items on the agenda (commonly referred to as an agenda packet).

VIII. Quorum.

- A. A total of three (3) Planning Commission Members shall be present to constitute a quorum. A quorum must be present at a meeting if the Commission is to transact any business other than to adjourn. The Chair may not call a meeting to order until such a quorum is present unless, after waiting a reasonable time past the meeting's scheduled starting time, the Chair determines that there is no hope of obtaining a quorum. In that case, the Chair shall call the meeting to order and note the lack of a quorum for the record by either stating the names of the Members present and absent or by establishing a lack of quorum by a voice roll call of the Members.
- B. If a quorum ceases to be present at any time during a meeting, the Chair shall note the lack of a quorum, instruct the Secretary to so note the lack of quorum in the meeting's minutes, and order the cessation of business.
- C. Reports and other general matters may be heard in the absence of a quorum, but no business of the Commission may be conducted.

IX. Voting.

- A. Planning Commission Members attending a meeting shall vote on each matter placed before the Planning Commission. A Member may abstain from voting only in the instance of a conflict of interest. Where a Member abstains from voting due to a conflict of interest, the nature of the conflict must be stated for the record and included in the meeting's minutes.
- B. A record of all votes shall be taken by the Secretary and maintained in the Planning Commission's official records.
- C. The concurring votes of two-thirds (2/3) of the Members present shall be necessary to adopt the following motions:
 - 1. Suspend or change the Commission's rules, policies, or procedures;
 - 2. Change the established order of business;
 - 3. To limit or close debate;

4. To extend the limits of debate;
 5. To call for the previous question;
 6. Motions objecting to consideration of a question; and
 7. Placement of a non-agenda item before the Commission.
- D.** All other matters coming before the Planning Commission shall require the concurring vote of a majority of Commission Members present unless a different vote is required by law.
- E.** Votes are generally taken by voice (“ayes and nays”). The Chair may take a vote by a show of raised hands if the Commission’s discussion indicates that the vote may be close; or, if after the Chair announces a voice vote, a Commission Member or the Secretary questions the vote count or how Members voted.
- F.** The Commission may not vote by secret ballot, and may vote by written ballot only if each Member signs his or her ballot, the minutes record each Member’s vote, and the Secretary keeps the ballots available for public inspection until the minutes are approved.
- G. Commission Action by Vote:** The Commission has not disposed of an agenda item, until it has adopted some action on the item-whether the action is final (e.g., to approve, approve with stated conditions, deny), or procedural (e.g., refer to staff or committee, to postpone, to table, etc.) A Commission action is adopted by vote only after:
1. A Commission Member makes a proper motion for action;
 2. Another Commission Member seconds the motion;
 3. The Chair restates the motion (including making any clarifications);
 4. All Commission Members have had an opportunity to discuss the motion in accordance with these Rules;
 5. The Chair restates the motion again and asks for a vote;
 6. The requisite proportion of Commission Members present vote in favor of the motion; and
 7. The Chair announces the result of the vote (including the vote count). Where no discussion occurs regarding the motion, the Chair need only state the motion once, when asking for the vote.

X. Conflict of Interest.

- A.** A conflict of interest for purposes of the Statesboro Planning Commission shall be as defined by the Conflict of Interest in Zoning Act in the Official Code of Georgia, Section 36-67A-1 et al, as amended.
- B.** No Member shall vote on a question or participate in the discussion on a matter which the Member has a conflict of interest. Where such a conflict is known to the Member, the Member shall complete a disclosure form, provided in Appendix A of this document, and shall announce on the record the conflict prior to commencement of discussion on the issue. When such conflict exists the Member involved shall remove him/herself from the debate until the Commission has acted on the subject matter.
- C.** Each Planning Commission Member shall have the duty to avoid even the appearance of a conflict of interest. A Commission Member, therefore, shall ask the Chair to be excused

from participation in any matter before the Commission in which the Member's impartiality might reasonably be questioned, including, but not limited to, instances where:

1. The Commission Member has a personal bias or prejudice concerning any interested party, or representative of a party, to a matter before the Commission; or
 2. The Commission Member has a close personal or financial relationship with any party or party representative; or
 3. The Commission Member, or Member of the Member's household, has a personal or financial interest that may be substantially affected (directly or indirectly) by the Commission's action on the matter.
- D. If any person questions the impartiality of a Commission Member before or during the Commission's consideration of a matter, the Chair shall treat this as a request that the Member be excused from participation. Any request that a Commission Member be excused from participation must disclose the basis for the request.
- E. On concurring that an actual or apparent conflict of interest exists, the Chair shall excuse the Member from participation in the matter. If excused from participation in a matter, the excused Commission Member may not sit with the Commission during its consideration of the matter, and may not vote on, discuss, advocate, influence, or otherwise take part in the Commission's consideration of the matter, either in public or in private.
- F. On finding that an actual or apparent conflict of interest does not exist, the Chair shall refuse the request and allow the Member to fully participate in the matter.

No actual or apparent conflict of interest shall be deemed to exist where the matter would similarly affect all citizens of Statesboro or where the Commission Member's bias, prejudice, relationship, or interest is so insignificant, is so remote, or is of such a nature as to render it unlikely to affect the Member's actions in any way.

XI. Minutes.

- A. The adopted and executed Minutes of the Planning Commission meetings represent the official record of the Commission's deliberations and actions.
- B. The minutes may be in any format allowed by State law and local ordinance and approved by vote of the Planning Commission.
- C. The Minutes, at minimum, shall contain the following information:
1. A roll of the present and absent Planning Commission Members;
 2. Each item considered by the Planning Commission;
 3. The content of each motion before the Commission, identify who made and seconded the motion, and record the vote on the motion, and unless unanimous, the names of those voting for or against the motion.
 4. If the vote called for or recommended adoption of an ordinance, resolution, plan, policy, the acceptance of a report, or other such document, the minutes shall also include a copy of such.
- D. An official minute book, containing the agenda, agenda packet, and meeting minutes for each meeting of the Planning Commission shall be maintained by the Secretary.

- E. The Secretary shall maintain the minutes of the Commission meetings on file in a safe and conveniently accessible place within the Department of Planning & Development, and permit them to be inspected at reasonable times by any person.
- F. Request for voluminous information, information pertaining to a specific matter, copies, or certified copies of the minutes and agendas shall be considered a request for information under the Georgia Open Records Act. As records of the Planning Commission are City of Statesboro records, all requests for open records shall be forwarded to, and be issued a response from, the City of Statesboro City Clerk or other duly appointed records custodian for the City of Statesboro.

XII. Planning Commission Hearings.

- A. The Statesboro Planning Commission does not hold public hearings on zoning or subdivision issues. The legally required public hearings are held before the Mayor and City Council for the City of Statesboro. However, consideration of an issue by the Commission may be referred to as a “hearing”, understanding that such is not the legally required “public hearing” mandated by Georgia law.
- B. All meetings of the Statesboro Planning Commission shall be governed by the Georgia Open Meetings Act. It is recognized that a purely social gathering or communication amongst the Members of the Commission does not constitute a “meeting” as defined by and subject to the Georgia Open Meetings Act.

XIII. Conduct of Meetings of the Statesboro Planning Commission.

A. Call to Order and Opening of the Meetings of the Planning Commission:

- 1. At the time the meeting is scheduled to begin (or at some reasonable waiting time thereafter if a quorum is not initially present), the Chair shall call the meeting to order and establish the presence or lack of a quorum.
 - 2. The Chair shall open the meeting, welcome those in attendance, notify the persons attending the meeting of the availability of copies of the agenda, make any general announcements, and otherwise conduct the opening ceremonies of the meeting of the Planning Commission.
 - 3. The Chair shall request the submittal or presentation of any written or oral petitions unrelated to items on the agenda. After receiving or hearing a petition, if any, the Commission may refer the matter to the staff or schedule the matter for discussion (or action, if appropriate) at a later meeting.
- B. The Chair shall put the order of the agenda for a vote of approval or accept any motion by a Commission Member to amend the agenda before considering any substantive matter of business.
- ### **C. Consideration of Substantive Agenda Items/Matters of Business:**
- 1. **Chair’s Introduction.** The Chair shall begin the Commission’s consideration of each agenda item by announcing the title of the item, identifying the nature of the decision involved, and briefly explaining the steps in Commission consideration of the item. In

doing so, the Chair shall note the opportunity for public comments and briefly note the circumstances under which the Commission will receive public comment.

2. Staff Report and Recommendation:

- a. Most items considered by the Commission will involve prior review by City staff. After announcing such an agenda item, the Chair shall then ask City staff to describe the nature of the matter being considered and to present the staff's findings and recommendations for Commission action.
- b. At the conclusion of the staff report, Commission Members may ask staff Members for more information about the item and request clarification or explanation of the reasons for the staff's findings and recommendation.

3. Presentation or Comments from the Applicant:

- a. The Chair shall then provide the applicant or his/her representative an opportunity to make a presentation and respond to staff findings and recommendations. The applicant is not required to make a presentation. The applicant or his/her representative must state his/her name, address, and interest in the proceeding for the record. Following the applicant's presentation (or the Chair's solicitation of applicant comments, where the applicant declines to make a presentation), the Commission Members may ask the applicant for more information about the proposal or request the applicant's response to staff recommendations. Members may also ask the staff to clarify their recommendations in light of the applicant's comments.

4. Comments from Other Interested Persons:

- a. The Chair shall then solicit comments on the agenda item from persons attending the meeting, asking them to first state their name and address.
- b. If the number of persons attending the meeting indicates that a large number of persons may wish to comment on an item, the Chair may first ask those wishing to comment to raise their hands. If a large number of persons wish to comment, the Chair may limit the time allotted to each speaker, encourage those with common interest to select a spokesperson to represent them, or take whatever other action may be necessary to ensure a full opportunity for public comments to be heard in an efficient manner.
- c. The Chair shall determine the order in which persons may speak.
- d. Prior to each interested person's presentation, each presenter must state his/her name and address for the record. Commission Members may ask the person about the nature of his or her interest and to clarify his or her comments.

5. Questions from Non-Commission Members:

- a. Persons other than Commission Members, who have questions related to previous presentations and comments, shall direct them to the Chair, who may then redirect them to the appropriate persons. The Chair may choose not to redirect questions that are immaterial, simply rhetorical, misleading, unreasonably biased, that have already been answered, or that constitute a personal attack.

6. Commission Discussion:

- a. If the item involves a request for specific Commission action, the Chair shall invite Commission Members to formally discuss the item and recommended action, without the need for a prior motion. Otherwise, the Chair shall state that a motion is in order, and Commission Members may discuss the item only in response to a motion for specific Commission action.
- b. The Chair shall determine the order in which Commission Members are recognized to comment on the pending item or motion, and shall ordinarily give each Member present an opportunity to comment before allowing one Member to comment a second time.
- c. Only Commission Members may participate in the Commission's discussion of an item. If, however, the discussion raises requests for more information or questions about the previously heard presentations and comments, the Chair may relay those questions to the appropriate persons and invite their response in the context of the Commission discussion.

7. Commission Action:

- a. At the conclusion of the Commission Discussion, the Chair shall seek a motion from the Commission Members regarding the matter, or re-state a motion given by one of the Members, thereby putting the motion to a vote.
- b. The Commission's action on any matter before it should not only be rational, but should also be perceived as rational. Therefore, any final action by the Commission on substantive matters shall be based on expressed conclusions that reflect a logical connection between the information available to the Commission and the ordinances, standards, policies, and considerations applicable to the particular type of decision being made. These conclusions may be expressed in the motion for action, either directly or indirectly (by reference to adoption of a resolution, or concurrence with a staff report, that includes appropriate conclusions). Or they may have been expressed during the Commission discussion that immediately preceded the Commission's final action. If, when restating a motion before taking a vote, the Chair is uncertain whether the reasons for the moved action are explicit to all persons attending the meeting, the Chair shall ask the Member making the motion to clarify the reasons for the moved action.

D. Consideration of Routine Business Matters:

- 1. In accordance with the approved order of the agenda, the Chair shall introduce and invite Commission discussion on those routine business matters on the agenda, such as scheduling, reports, updates, etc. The Commission may act on a routine matter of business by voting on a proper motion for action, or after discussion and motion.

E. Approval of Minutes:

1. In accordance with the approved order of the agenda, the Chair shall also present the minutes of the previous meeting before the Commission and inquire as to whether the Commission Members wish to make any corrections and revisions to the draft Minutes. The Commission may adopt or revise the Minutes by voting on a proper motion for action. The Minutes shall become final, and act as the official record of the meeting, upon adoption by the Commission and execution by the Chair and attestation by the Secretary.

F. Points of Order:

1. All points of order and procedure in the conduct of meetings of the Statesboro Planning Commission may be governed by Robert's Rules of Order, Newly Revised, unless such directly contradicts with the adopted rules, policies, procedures, or ordinances of the Planning Commission, in which case the rules and policies of the Planning Commission shall apply.

XIV. Outside Communications

- A. To preserve public confidence in the fairness of the Planning Commission deliberations and decisions, the Commission should ensure that the public and interested parties have the opportunity to know, and respond to, all information the Commission considers in making its decisions. The Commission should also ensure that each Commission Member has the opportunity to know and consider the information available to other Commission Members.
- B. When considering issues involving an administrative determination (or quasi-judicial) determinations (such as a request for a hardship variance from the Zoning Ordinance), the Commission deals with parties who are directly affected by the Commission's decisions. Each of these interested parties needs the assurance that other interested parties will not have unfair advantage in presenting their version of the relevant facts or concerns to the Commission. In such cases, therefore, the Commission Members shall avoid communicating with applicants or other interested parties about the proposal except during the public Commission meetings at which the proposal is being considered. If a Commission Member receives unsolicited communications about such a proposal outside of a Commission meeting, the Member has the duty to reveal the communications during the Commission's consideration of the proposal. This ensures that the communicated information will become part of the record and those other Commission Members and interested parties will have an opportunity to consider and refute the information.
- C. When the Commission considers rezoning petitions, it is considering a legislative determination, but one that generally pertains to a specific parcel of land, and thus directly affects the interests of specific parties. Because rezoning are legislative determinations, and the Planning Commission's role is only advisory, Commission Members are not required to avoid outside communications about a rezoning proposal. To further foster the appearance of fairness in their deliberations, however, Commission Members are encouraged to do so.
- D. When the Commission considers issues pertaining to the City as a whole, or principally to the general public interest, (such as the Comprehensive Plan, ordinance amendments, etc.),

it often finds access to a broad range of public input helpful in making a decision on the issue. In such cases, therefore, Commission Members may communicate with interested persons outside of the meetings at which the issue is being considered, but each Member has the duty to reveal the general nature and scope of relevant information and opinions gleaned from such communications during the Commission's consideration of the issue. To ensure that each Commission Member's decision is based on the full range of information and public opinion available to the Commission, Members should avoid committing themselves to a position on the issue during any outside communications.

XV. Parliamentary Authority.

1. Roberts' Rules of Order, Newly Revised, as amended, together with these Rules of Order are binding upon the Statesboro Planning Commission and shall constitute the rules of parliamentary procedure and authority for this body.

XVI. Amendments

1. These Rules, may, within the limits allowed by law, be amended at any time, by an affirmative vote of at least two-thirds (2/3) of the Commission's membership, provided that the amendment is first presented to the Commission in writing at a regular or special meeting held at least forty-eight (48) hours before the meeting at which the vote is taken.

SO ADOPTED, this 7th day of February 2017, with an effective date of the same.

James W. Byrd, Sr.; Chair, Statesboro Planning Commission

Attest:

Frank Neal
Director Department of Planning & Development
Secretary, Statesboro Planning Commission

Appendix A

CONFLICT OF INTEREST IN ZONING, SITE PLAN AND SUBDIVISION ACTIONS
DISCLOSURE OF FINANCIAL/PROPERTY INTERESTS

A Planning Commission Member, who has one or more of the following interests in the rezoning, site plan or subdivision action identified herein, shall disqualify him/herself from voting on such action and shall not take any other action on behalf of him/herself or any other person to influence the action.

Signature of Statesboro Planning Commission Member **Date**
CASE Number _____
Property Address _____

CHECK THE FOLLOWING STATEMENTS WHICH APPLY:

_____ I have a property interest in real property affected by this rezoning, site plan or subdivision action upon which I am authorized to vote.

_____ A member of my family (i.e. spouse, mother, father, brother, sister, son, daughter, niece, nephew or the spouse of one these named relatives) has a property interest in the real property affected by this rezoning, site plan or subdivision action.

_____ I have a financial interest in a business entity which has a property interest in the real property affected by this rezoning, site plan or subdivision action.

_____ A member of my family has a financial interest in a business entity which has a property interest in real property affected by this rezoning, site plan or subdivision action.

NAME OF FAMILY

MEMBER: _____

DESCRIPTION OF NATURE AND EXTENT OF PROPERTY INTEREST:

DESCRIPTION OF NATURE AND EXTENT OF FINANCIAL INTEREST:

Definition of terms:

Business Entity: means any corporation, partnership, limited partnership, firm, enterprise, franchise, association or trust.

Financial Interest: means all direct ownership interests of the total assets or capital stock of a business entity where such ownership interest is 10 percent or more.

Property Interest: means the direct ownership of real property and includes any percentage of ownership less than total ownership.

Real Property: means any tract or parcel of land and, if developed, any buildings or structures located on the land.

Date: _____



City of Statesboro-Department of Planning and Development
DEVELOPMENT SERVICES REPORT

P.O. Box 348
 Statesboro, Georgia 30458

(912) 764-0630
 (912) 764-0664 (Fax)

RZ 17-01-03
ZONING MAP AMENDMENT REQUEST
11 WEST INMAN STREET

LOCATION: 11 West Inman Street

REQUEST: Rezone from HOC (Highway Oriented Commercial) to R4 (High Density Residential District) to permit construction of a new three-bedroom single-family dwelling.

APPLICANT: Downtown Statesboro Development Authority

OWNER(S): Downtown Statesboro Development Authority

ACRES: .29 acres (parcel combined total)

PARCEL TAX MAP #: S19 000040 000

COUNCIL DISTRICT: 2 (Jones)



PROPOSAL:

The subject site is located at 9 West Inman Street (listed as 11 West Inman Street in the Bulloch County Tax Assessor’s website) and is currently split-zoned R4 (High Density Residential District) and HOC (Highway Oriented Commercial). The Downtown Statesboro Development Authority (DSDA) owns the property and is proposing the construction of one (1) single-family dwelling for the Homes for Heroes project. South Walnut Street divides the property and the western-most portion of the parcel contains one (1) single-family residence currently undergoing renovation for the Homes for Heroes project. The eastern-most portion of the parcel, which is zoned HOC (Highway Oriented Commercial) is the subject of this application (Tax Parcel S19 000040 000) (See **Exhibit A**—Location Map, **Exhibit B**—Construction Plans and **Exhibit C**—Sketch of Proposed Lot).

SURROUNDING ZONING/LAND USES:

	ZONING:	LAND USE:
NORTH:	HOC (Highway Oriented Commercial)	Vacant lot and single-family residential
SOUTH:	HOC (Highway Oriented Commercial)	Single-family residential
EAST:	HOC (Highway Oriented Commercial)	Single-family residential and automobile repair shop
WEST	R4 (High Density Residential District)	Single-family residential

Properties to the north and south are predominantly residential in nature and include the Walnut Grove development. The site is one (1) block west of South Main Street. The adjacent parcel to the east is single-family residential, although it is zoned HOC (Highway Oriented Commercial) and the Meineke Car Care Center is located on South Main Street.

BACKGROUND:

On October 17, 2016, the Statesboro City Council granted a demolition request (Case Number DSDA 16-09-003) for the removal of one (1) duplex located on the eastern portion of the parcel (See **Exhibit D**—Photos of Demolished Structure). The applicant recently completed the demolition and requires a zoning map amendment because the HOC (Highway Oriented Commercial) zoning district's regulations are too restrictive to construct the proposed single-family structure (See **Exhibit E**—Current Photos of Parcel after Demolition and **Exhibit F**—Photos of Surrounding Properties).

COMPREHENSIVE PLAN:

The subject site lies within the "Urban Core/Downtown" character area as identified by the City of Statesboro 2014 Future Development Map (See **EXHIBIT G**—2014 Future Development Map) within the *City of Statesboro Updated 2014 Comprehensive Plan* – which calls for the protection of "historic buildings from demolition or inappropriate restoration" while encouraging the construction of multi-family residential uses in the area.

Vision:

Downtown is the historic core of the city and should remain the activity and cultural hub of the region. In the Urban Core, traditional development patterns of buildings along the sidewalk and a lively streetscape should be respected and promoted. Historic buildings should be protected from demolition or inappropriate restoration which can degrade the architectural details of the structures. Additional residential opportunities, especially in the form of lofts or other residential over retail, should be promoted. Street-level uses should be reserved for retail, entertainment, or similar high activity uses.

Appropriate Land Uses

- Neighborhood-scale retail and commercial, especially niche market stores which serve as a destination
- Arts and entertainment venues
- Civic uses
- Office
- Neighborhood services
- Range of housing styles & price points
- Multifamily Residential
- Loft, mixed use, and urban residential, including small lot single-family residential along secondary streets
- Multi-story buildings with retail on the street and office/residential above
- Government offices & services

Suggested Development & Implementation Strategies

- Historic structures should be preserved or adaptively reused wherever possible.
- Create local historic districts.
- Economic development strategies should continue to nurture thriving commercial activity.
- New development should respect historic context of building mass, height and setbacks.
- New developments that contain a mix of residential, commercial and/or community facilities at small enough scale and proximity to encourage walking between destinations should be encouraged.
- Encourage mixed-use infill and redevelopment. Uses should typically transition across the rear of properties instead of across the street to soften the transition and maintain appropriate streetscapes.

Statesboro Updated 2015 Comprehensive Plan, Community Agenda page 14.

TAX ALLOCATION DISTRICT REDEVELOPMENT PLAN:

The 2014 Tax Allocation District Redevelopment Plan (TAD) seeks to "encourage the private redevelopment of outmoded, highway-oriented commercial development into pedestrian friendly, mixed-use centers" to achieve the vision set forth in the 2011 Statesboro Downtown Master Plan and the 2009 and 2014 Comprehensive Plans. The plan does not set forth specific suggestions for this subject site. The parcel in this request is listed in the TAD under Appendix B (page 42); however, the TAD values the entire parcel, which includes another structure under renovation for the Homes for Heroes program (See **Exhibit H**—List of Parcels Included in the TAD). The combined parcel had an appraised value of \$53,566, an assessed value of \$21,426 and a tax value of \$21,426, at the time the Tax Allocation Redevelopment Plan was written.

STATESBORO DOWNTOWN MASTER PLAN:

The 2011 Statesboro Downtown Master Plan Redevelopment Initiatives Locational Guidance land use map places the parcel in Zone 9: Residential. The plan establishes this zone of secondary importance and calls for the creation of appropriately scaled residential uses as a key focus. (See **Exhibit I**—Locational Guidance/Zone Implementation Table).

COMMUNITY FACILITIES AND TRANSPORTATION:

The subject properties are currently serviced by city utilities, sanitation, and public safety. No significant impact is expected on community facilities or services as a result of this request.

ENVIRONMENTAL:

The subject properties do not contain wetlands and are not located in a special flood hazard area. There is no expected environmental impact associated with this request. Any environmental issues associated with the proper demolition of the structures and/or removal and disposal of debris are the responsibility of the applicant.

ANALYSIS:

The request to rezone the subject property from the HOC (Highway Oriented Commercial) zoning district to the R4 (High Density Residential) zoning district should be considered in light of the standards for determination of zoning map amendments given in Section 2007 of the *Statesboro Zoning Ordinance*; the vision and community policies articulated within the Statesboro Comprehensive Plan, the 2035 Bulloch County/City of Statesboro Long Range Transportation Plan, the Tax Allocation District Redevelopment Plan, the Statesboro Downtown Master Plan, the 2015 Tax Allocation District Redevelopment Plan, and the potential for the property to develop and be utilized in conformance with the requirements of the proposed R4 (High Density Residential) zoning district as set forth in the *Statesboro Zoning Ordinance*, including the recently adopted Design Standards in Article XXX.

Current Zoning Compared to Requested Zoning

HOC – Highway Oriented Commercial zoning districts allow for uses that are automobile dependent, in which the principal use of land is for establishments offering accommodations and supplies or services to motorists and the traveling public and require more land area.

R4 – High Density Residential District uses are restricted to apartments, single-family attached dwelling units, non-commercial recreational facilities and accessory uses.

Section 2007 of the Statesboro Zoning Ordinance provides eight (8) standards for the Mayor and City Council to consider “in making its determination” regarding a zoning map amendment in “balancing the promotions of the public health, safety, morality (morals), and general welfare against the right of unrestricted use of property.” Those standards are as follows:

- (1) Existing uses and zoning or (of) property nearby;**
 - a. Adjacent property to the north, south and east of the eastern most portion of the parcel is zoned HOC (Highway Oriented Commercial). Adjacent property to the west, which is a portion of the parcel, is zoned R4 (High Density Residential).
 - b. The subject site has been used for residential dwellings despite its current zoning of HOC (Highway Oriented Commercial).
- (2) The extent to which property values are diminished by the particular zoning restrictions.**
- (3) The extent to which the description of property values of the property owner promotes the health, safety, morals or general welfare of the public.**
- (4) The relative gain to the public, as compared to the hardship imposed upon the property owner.**
- (5) The suitability of the subject property for the zoned purposes.**
 - a. The proposed land use could be developed in conformance with the dimensional standards of the R4 (High Density Residential District) standards of the Statesboro Zoning Ordinance.
 - i. The eastern most portion of the parcel exceeds the minimum lot area and width requirements of Article VI Section 603(A)(1) at 90 feet in depth (See **Exhibit C**—Sketch of Proposed Lot)and having a total lot area of roughly 12,632.4 square feet.
 - ii. The concept submitted by the applicant proposes one (1) three-bedroom single-family dwelling, which falls well within the maximum density requirements for the R4 (High Density Residential District) zoning district requirements.
- (6) The length of time the property has been vacant as zoned, considered in the context of land development in the area in the vicinity of the property.**

(7) The extent the proposed change would impact the following: population density in the area; community facilities; living conditions in the area; traffic patterns and congestion; environmental aspects; existing and future land use patterns; property values in adjacent areas; and

- a. The applicant is proposing the construction of one (1) three-bedroom single-family dwelling for the Homes for Heroes project.
- b. The proposed use is limited in size and therefore not expected to have a negative impact on community facilities, living conditions, traffic patterns and congestion or property values in adjacent areas.

(8) Consistency with other governmental land use, transportation, and development plans for the community.

- a. Appropriate infill within established areas of the City is supported by the Comprehensive Plan. However, the plan also supports that the placement and scale of infill is complimentary to surrounding uses and zones and requires it to occur in a manner which protects established residential areas.
- b. The applicant's request to rezone tax parcel S19 000050 000 and S19 000051 000 from CR to R4 (High Density Residential) is not inconsistent with the vision or land use policies adopted in the Statesboro Comprehensive Plan or those articulated within the 2035 Bulloch County/City of Statesboro Long Range Transportation Plan.
- c. The subject sites lie one (1) block west of the South Main Street corridor—affectionately known as the “Blue Mile”—a concentrated area of redevelopment.
- d. The Tax Allocation District Redevelopment Plan supports redevelopment within the district.

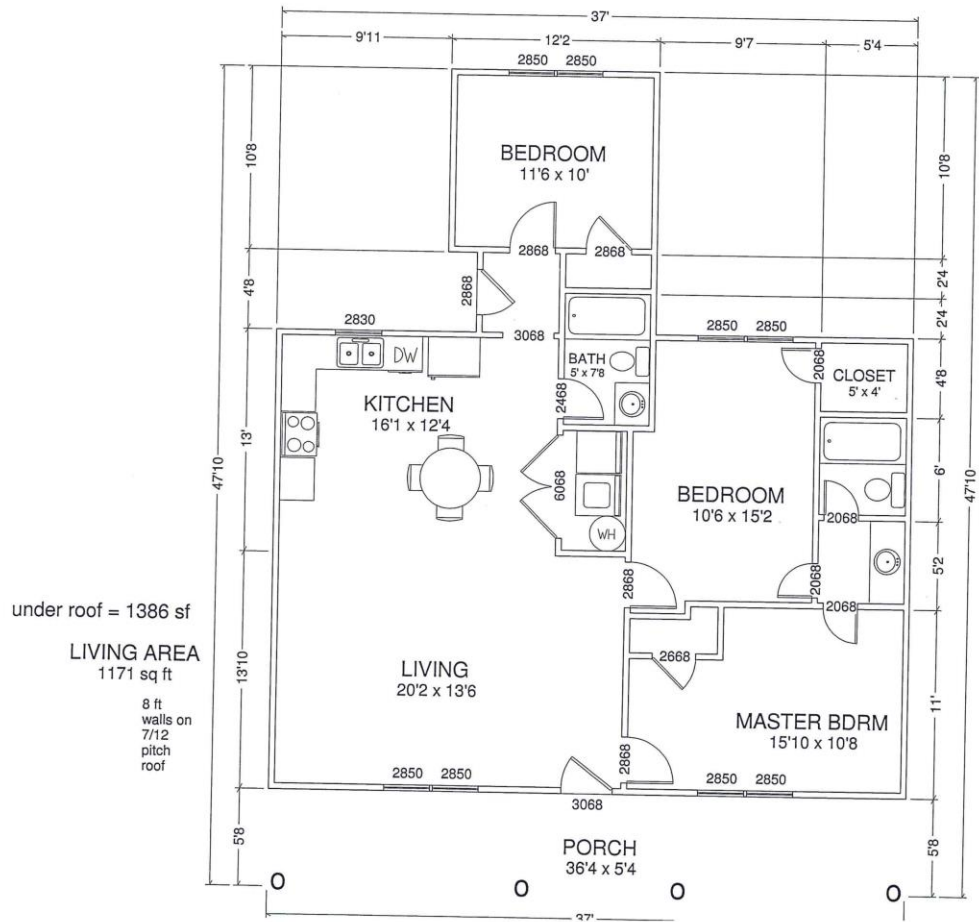
STAFF RECOMMENDATION:

Staff recommends approval of the zoning map amendment requested by application RZ 17-01-03.

EXHIBIT A: LOCATION MAP



EXHIBIT B: CONSTRUCTION PLANS

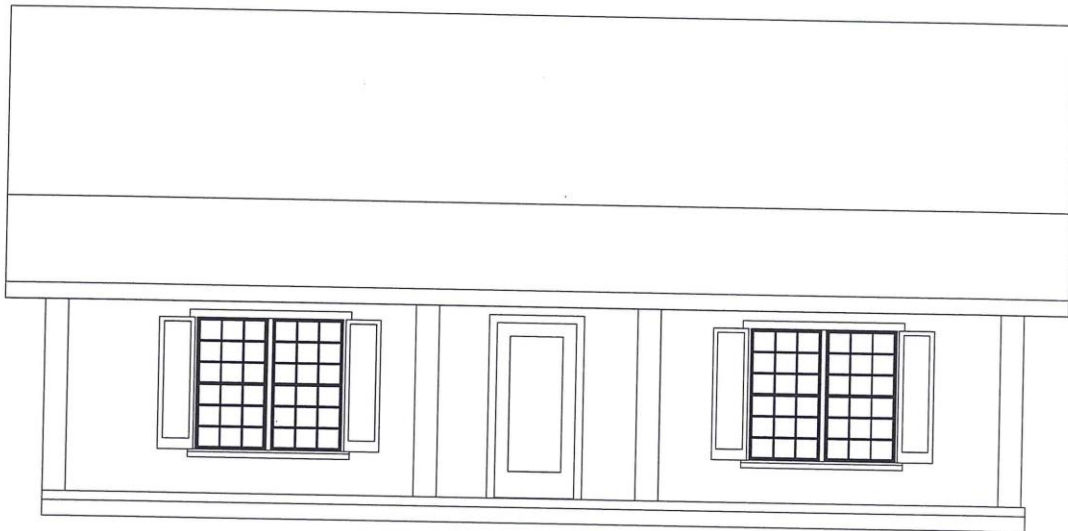


Picture 1 Floor Plan which Meets Minimum Requirements of Article XXII (General Requirements) of the Statesboro Zoning Ordinance

EXHIBIT B: CONSTRUCTION PLANS (CONT)

12/8/2016

HBA HOMES FOR HEROES FRONT.JPG



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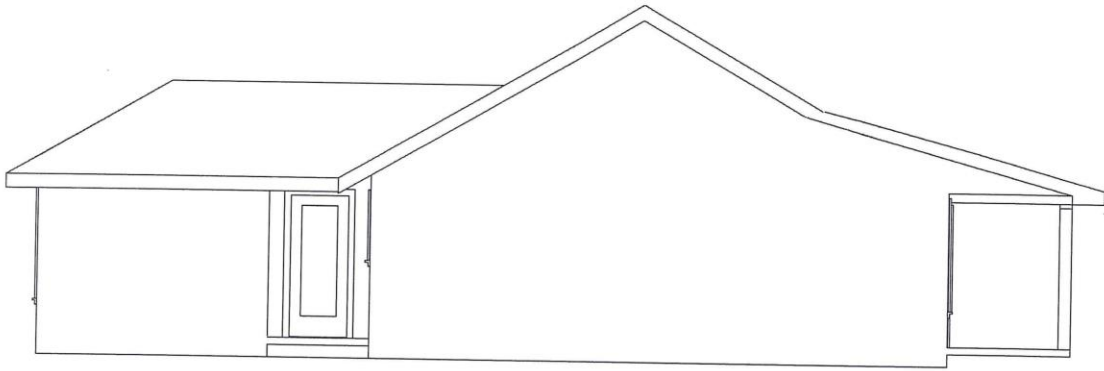
44

Picture 2 Exterior Front Elevation

EXHIBIT B: CONSTRUCTION PLANS (CONT)

12/8/2016

HBA HOMES FOR HEROES LEFT.JPG



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4/4

Picture 3 Exterior Left Elevation

EXHIBIT B: CONSTRUCTION PLANS (CONT)

12/8/2016

HBA HOMES FOR HEROES REAR.JPG



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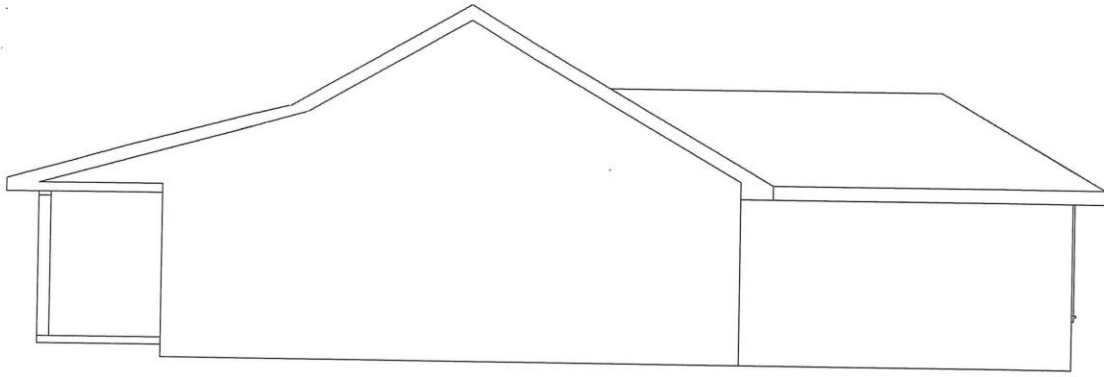
44

Picture 4 Exterior Rear Elevation

EXHIBIT B: CONSTRUCTION PLANS (CONT)

12/9/2016

HBA HOMES FOR HEROES RIGHT.JPG



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Picture 5 Exterior Right Elevation

EXHIBIT C: PHOTOS OF DEMOLISHED STRUCTURE



EXHIBIT D: CURRENT PHOTOS OF PARCEL AFTER DEMOLITION



Picture 6 Subject Site facing North Depicting Width of Parcel from Street Line to Rear Property Line



Picture 7 Subject Site facing North East Depicting Depth of Parcel from South Walnut Street Line to Adjacent Property Line

EXHIBIT D: CURRENT PHOTOS OF PARCEL AFTER DEMOLITION



Picture 8 Subject Site facing South East Depicting Adjacent Property Line and Single-Family Dwelling

EXHIBIT E: PHOTOS OF SURROUNDING PROPERTIES



Picture 9 Single-Family Dwelling and Meineke Car Care Center facing east toward South Main Street



Picture 10 Single-Family Dwelling Directly South from Subject Site across West Inman Street

EXHIBIT E: PHOTOS OF SURROUNDING PROPERTIES



Picture 11 Single-Family Dwelling located South West of Subject Site



Picture 12 Single-Family Residence on Same Parcel West of Subject Site Depicting South Walnut Splitting Parcel

EXHIBIT F: CITY OF STATESBORO 2014 FUTURE DEVELOPMENT MAP

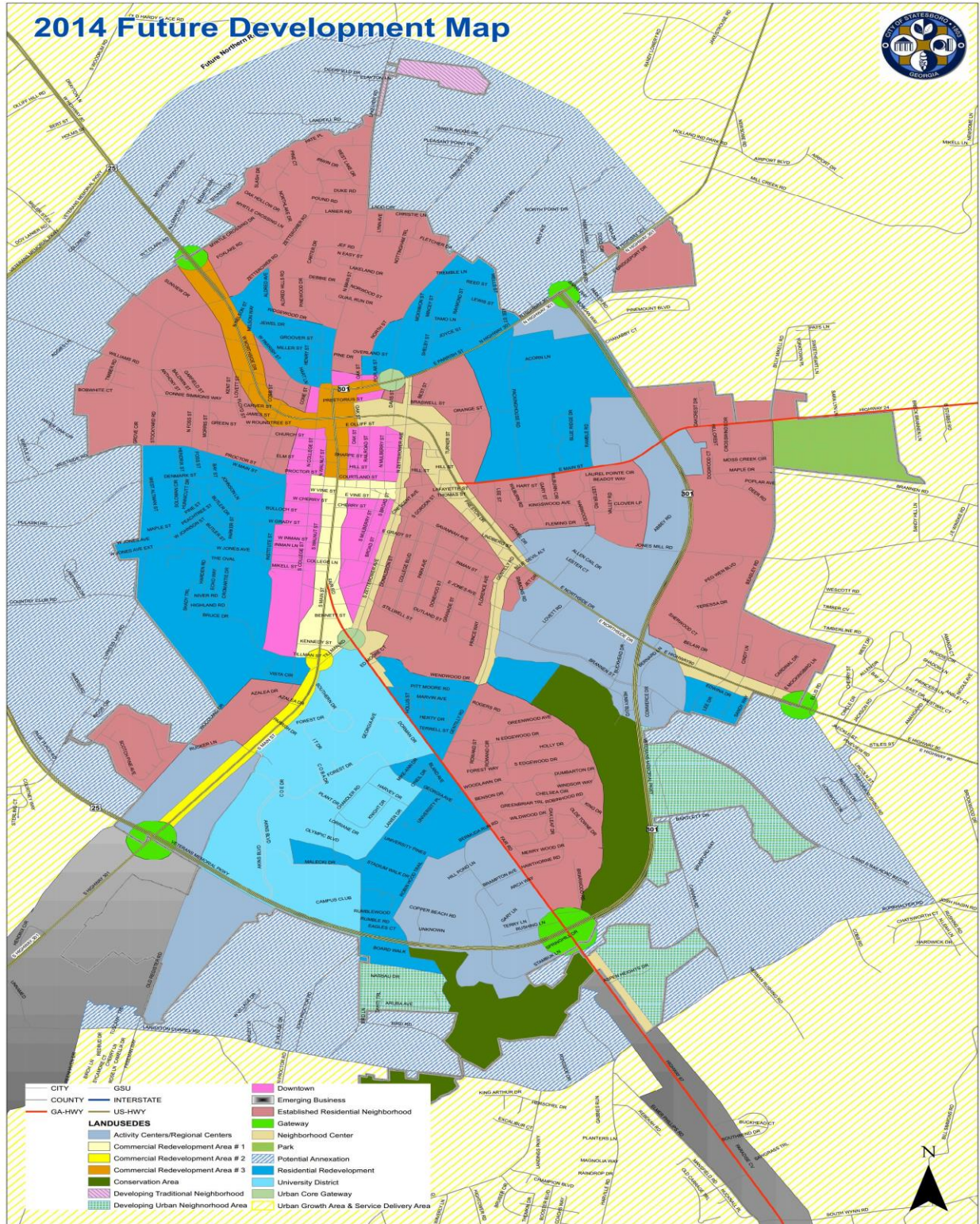


EXHIBIT G: LIST OF PARCELS INCLUDED IN THE TAD

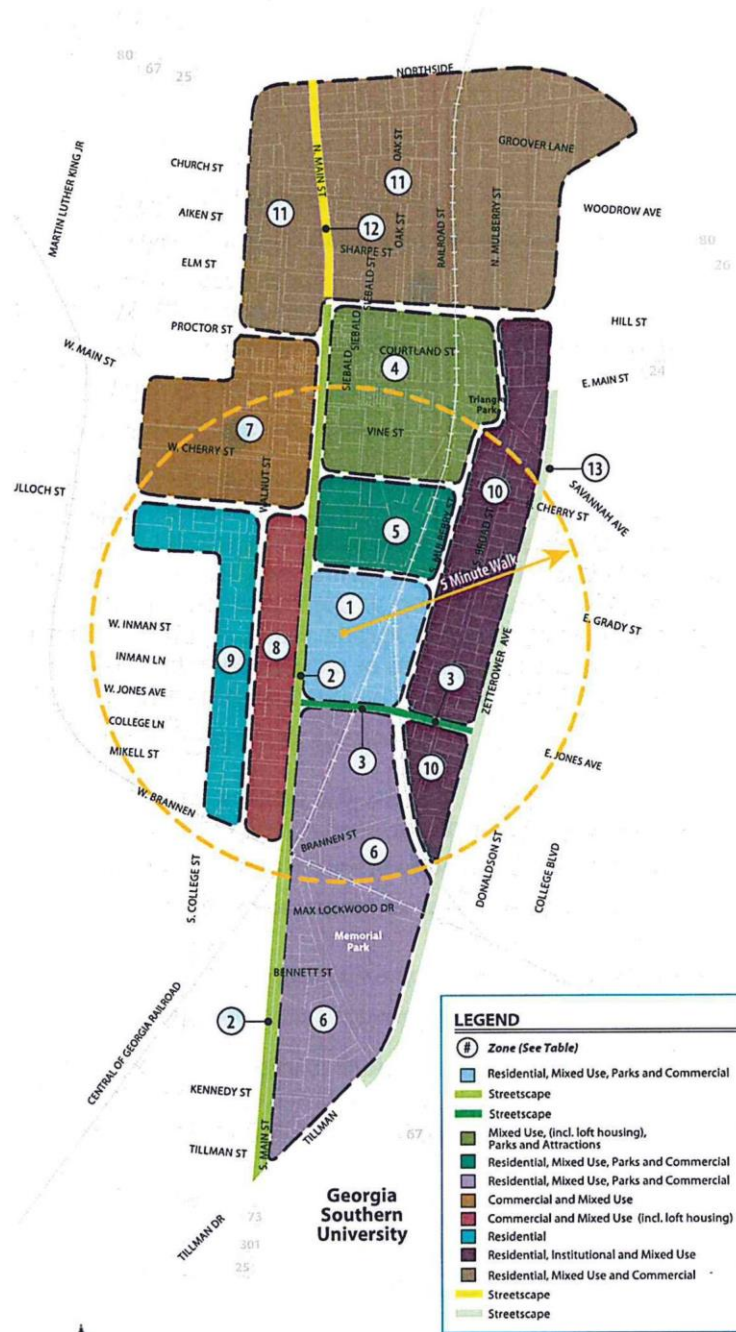
City of Statesboro Tax Allocation District #1: South Main Redevelopment Plan

2014

Appendix B: List of Parcels to be Included in Bulloch County Tax Allocation District #1: South Main

GEOPIN	PARCEL_NO	Legal Description	DIG CLASS	TAXD ISTRIC	Appraised Vaue	Assessed Value	Tax Value
7879-42-4450	S27 000079 000	124 N MAIN ST	C	1	154,649	61,860	61,860
7879-42-5471	S27 000078 000	7 WOODROW AVE	R	1	79,930	31,972	31,972
7879-42-5542	S27 000081 000	128 N MAIN ST	C	1	62,503	25,001	25,001
7879-42-5632	S27 000082 000	130 N MAIN ST	R	1	39,100	15,640	15,640
7879-42-7045	S28 000001 000	108 NORTH MAIN/CHURCH	E	1	9,532,207	3,812,883	0
7879-52-0424	S27 000067 000	202 OAK ST/HOME	R	1	40,859	16,344	16,344
7879-52-1450	S27 000064 000	23 WOODROW AVE	R	1	49,356	19,742	19,742
7879-60-8404	S39 000067 000	2 LOTT ST	R	1	13,300	5,320	5,320
7879-60-8523	S39 000068 000	4 LOTT ST(N.CRESCENT ST)	R	1	46,850	18,740	18,740
7879-60-8629	S39 000069 000	LT 25 PT 26/CRESCENT	R	1	30,615	12,246	12,246
7879-60-9014	S40 000082 000	GORDON STREET/ LOT 1	R	1	56,131	22,452	22,452
7879-60-9458	S39 000083 000	GORDON ST	R	1	98,823	39,529	39,529
7879-70-0378	S40 000084 000	20 GORDON ST/PARK	R	1	11,800	4,720	4,720
7879-70-0638	S39 000082 000	LTS 5-6 & 7 GORDON ST	R	1	113,052	45,221	45,221
7879-70-1188	S40 000083 000	GORDON STREET	R	1	52,500	21,000	21,000
7879-70-1598	S39 000084 000	LT 38/GORDON ST	R	1	34,538	13,815	13,815
7879-70-2611	S39 000085 000	14 GORDON ST/LIFE EST	R	1	3,000	1,200	1,200
7879-70-2626	S39 000086 000	12 GORDON ST LTS 23&24	R	1	7,600	3,040	3,040
7879-70-3495	S39 000095 000	HWY 80 E/THOMAS ST	C	1	305,617	122,247	122,247
7879-70-4602	S39 000094 000	10 LAF ST/LT25-27,39-42/12HSES	R	1	51,960	20,784	20,784
7878-48-3567	S30 000001 000	248 S MAIN ST/STORE #226	C	1	552,917	221,167	221,167
7878-48-3959	S29 000031 000	S MAIN TACO BEL/SBO/ 0.86 AC	C	1	320,255	128,102	128,102
7878-48-5575	S30 000002 000	0.21 AC/11 EAST JONES STREET	C	1	38,528	15,411	15,411
7878-48-5855	S29 000030 000	QUALITY INN/MANNYS	C	1	3,442,410	1,376,964	1,376,964
7878-49-3188	S29 000032 000	SHONEY'S/1.04 AC	C	1	501,021	200,408	200,408
7878-49-5087	S29 000030 001	1.438 AC / PAR B	C	1	64,130	25,652	25,652
7878-49-7108	S29 000044 000	LOTS 7 & 8 SOUTH MAIN ST	E	1	26,500	10,600	0
7878-38-8175	S20 000085 000	7 MIKELL/8-APT/ALLEN	C	1	167,042	66,817	66,817
7878-38-8284	S20 000093 000	LT 2/ 0.526 AC/S MAIN ST	C	1	139,900	55,960	55,960
7878-38-8495	S20 000092 000	12 W JONES AVE	R	1	49,822	19,929	19,929
7878-38-9385	S20 000089 000	305 S MAIN ST	C	1	463,836	185,534	185,534
7878-38-9600	S19 000019 000	W JONES AVE/LT 4/MCDONALD'S	C	1	38,120	15,248	15,248
7878-38-9726	S19 000020 000	232 S WALNUT STREET	R	1	103,090	41,236	41,236
7878-38-9834	S19 000021 000	128 S WALNUT ST	C	1	80,701	32,280	32,280
7878-38-9933	S19 000022 000	10 W INMAN/LANIER	R	1	91,302	36,521	36,521
7878-48-0110	S20 000086 000	317 S MAIN ST	C	1	249,931	99,972	99,972

EXHIBIT E: LOCATIONAL GUIDANCE/ZONING IMPLEMENTATION MAP AND TABLE









Locational / Zone Implementation



EXHIBIT F: LOCATIONAL GUIDANCE/ZONING IMPLEMENTATION MAP AND TABLE (CONT)

IMPLEMENTATION STRATEGY

Locational / Zone Implementation Table – continued

Zones	Targeted Use/Enhancement	Importance Level	Discussion
	4 Mixed Use (incl. loft housing), Parks and Attractions	Primary, this zone represents the downtown core and is one of the primary redevelopment and infill zones in the master plan	<ul style="list-style-type: none"> Emphasis on catalyst and specialty projects as well as supportive streetscape enhancements (i.e., Vine Street Retail) In terms of timing, this area should be targeted in the initial phases of implementation of the master plan
	5 Residential, Mixed Use, Parks and Commercial	Secondary, this zone represents the transitional redevelopment zone between downtown core and those identified as a primary targeted redevelopment areas for new residential mixed use and commercial projects	<ul style="list-style-type: none"> A transitional zone that is an extension of the downtown core and the adjacent zone to the south Unless opportunities for acquisition, property assemblage or partnership become available, this area be focused upon secondarily in terms of timing or phasing
	6 Residential, Mixed Use and Commercial	Secondary, this area is viewed as a business/commercial zone and redevelopment should be focused on support or uses related to the University	<ul style="list-style-type: none"> Potential areas to be targeted may include the closure or redesign of Brannen Street to support contiguous assemblage of parcels Emphasize reduction of pedestrian/ vehicular conflicts Improve connectivity with Memorial Park and enhance amenities
	7 Commercial and Mixed Use	Primary, as an extension of the downtown core, this area is important to the master plan based on existing/planned projects and the potential for redevelopment opportunities	<ul style="list-style-type: none"> This area is deemed primary due to opportunities available and the potential of assemblage of larger development tracts In the short term exhaust redevelopment opportunities in this areas as appropriate
	8 Commercial and Mixed Use (incl. loft housing)	Primary, the frontage along South Main is a critical part of the master plan. The creation of a mixed use, pedestrian-oriented corridor should be the primary focus in this area	<ul style="list-style-type: none"> The frontage on the west side of South Main Street is an important supporting element to University and local traffic enhancements Potential redevelopment should foster pedestrian-scaled neighborhood and community commercial uses Commercial, office, residential utilization is appropriate for this area
	9 Residential	Secondary, deemed a supporting element to the master plan, the improvements in this area should be market driven and a product of activities occurring in areas deemed as primary importance level	<ul style="list-style-type: none"> Assemblage of redevelopment parcels could be challenging in this area The creation of appropriately scaled residential uses is the focus in this zone Implement neighborhood residential revitalization and stabilization programs to improve and maintain housing stock

