

**AMENDMENT
TO THE UNIFIED DEVELOPMENT CODE OF OCONEE COUNTY, GEORGIA
AND THE ZONING MAPS OF OCONEE COUNTY, GEORGIA**

TITLE

An Ordinance amending the Unified Development Code of Oconee County, Georgia, and the Zoning Maps of Oconee County, Georgia, pursuant to Article 12, Division I et seq., to rezone from zoning classification AG (Agricultural District) to OBP (Office-Business Park District) pursuant to an application for rezoning of property owned by Andersen-Wells II, LLC submitted on June 19, 2023.

ENACTMENT CLAUSE

Pursuant to the authority conferred by the Constitution and Laws of the State of Georgia and after consideration of an application for zoning change submitted by Carter Engineering Consultants on June 19, 2023, requesting a rezone of a ±29.44-acre tract of land located at 1291 Aiken Road and University Parkway in Oconee County, Georgia, (tax parcel number B-01-072K and a portion of tax parcel number B-01-072T), the Board of Commissioners of Oconee County does hereby ordain and enact to law the following:

SECTION 1. An Ordinance known as the "Unified Development Code of Oconee County, Georgia" as enacted and amended by the Board of Commissioners of Oconee County and the Zoning Maps described therein are hereby amended as follows:

The zoning change in conditions for the property described on the attached "Exhibit A" is hereby changed for the purpose as set forth in "Exhibit A" attached hereto.

Said rezone is subject to the following conditions: as set forth in "Exhibit A" attached hereto.

SECTION 2. Severability. It is intended that the provisions of this Ordinance be severable and should any portion be held invalid, such invalidity shall not affect any other portion of the Ordinance.

SECTION 3. Repeal of Conflicting Resolutions or Ordinances. All Resolutions or Ordinances and parts or sections of Resolutions or Ordinances in conflict with this Ordinance are hereby repealed.

SECTION 4. Effective Date. This Ordinance shall take effect this date.

Said Zoning Petition was submitted to the Oconee County Planning Commission and a Public Hearing was duly held by the same on August 21, 2023, and a Public Hearing was held by the Oconee County Board of Commissioners at its regular meeting on September 12, 2023.

ADOPTED AND APPROVED, this 12th of September, 2023.

OCONEE COUNTY BOARD OF COMMISSIONERS

BY: _____

John Daniell
John Daniell, Chairman

Mark Thomas
Mark Thomas, Member

Absent
Chuck Horton, Member

Amrey Harden
Amrey Harden, Member

Absent
Mark Saxon, Member

ATTEST:

Holly Stephenson
Holly Stephenson
Clerk, Board of Commissioners

EXHIBIT “A” TO REZONE NO P23-0139

Page 1 of 13

CONDITIONS

1. Development design and structures shall meet or exceed the standards indicated on the concept plan, narrative, representative architectural sketches, and other documents submitted with the zoning application and attached hereto. This condition shall not construe approval of any standard that is not in conformity with the Oconee County Unified Development Code and Bogart Zoning Ordinance.
2. The owner at their own expense shall construct the improvements required by the County and City of Bogart for public water and public waste services for the subject property and shall convey the same to the County and/or City, as appropriate, free of all liens. Said improvements shall include all on-site improvements and such off-site improvements as are required by the County and/or City to provide service to subject property.
3. At its expense, Owner shall make all right of way improvements and shall dedicate all rights of way which are required by the County and/or City of Bogart after the County's and City's review of Owner's development plans pursuant to the County's and City's ordinances and regulations. All such improvements shall be shown on the preliminary site plan and site development plans for the project and no development permit shall be issued until Owner has agreed to such improvements and dedication.
4. The Owner shall convey water and sewer easements as required by Oconee County.
5. The Owner shall install a 20-foot landscape buffer along the University Parkway/Hwy 316 frontage that meets the design standards per Sec. 808. of the Oconee County Unified Development Code.

EXHIBIT "A" TO REZONE NO P23-0139

Page 2 of 13

TAX MAP

Rezone # P23-0139 - Andersen-Wells II, LLC

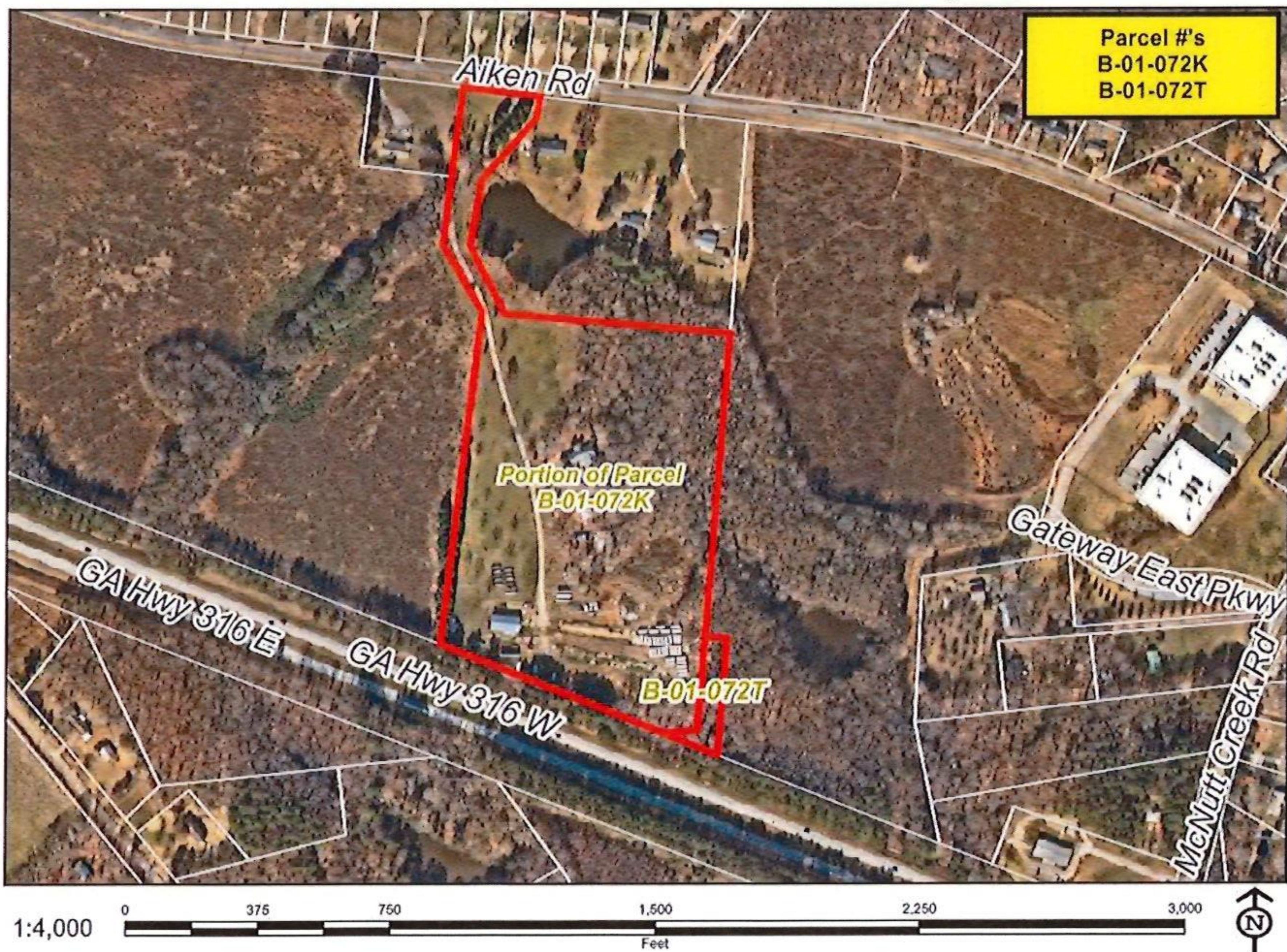


EXHIBIT "A" TO REZONE NO P23-0139

Page 3 of 13

LEGAL DESCRIPTION - OBP



ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN THE 240TH GEORGIA MILITIA DISTRICT, OCONEE COUNTY, GEORGIA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A 1/2" SQUARE IRON FOUND ALONG THE SOUTHERLY RIGHT-OF-WAY OF AIKEN ROAD (80' RIGHT-OF-WAY), SAID POINT HAVING A GEORGIA STATE PLANE COORDINATE VALUE OF (N: 1,434,606.60, E: 2,485,324.17, NAD 83, GEORGIA WEST ZONE) AND BEING THE POINT OF COMMENCEMENT; THENCE FROM THE POINT OF COMMENCEMENT AS THUS ESTABLISHED AND DEPARTING THE SOUTHERLY RIGHT-OF-WAY OF AIKEN ROAD SOUTH 04 DEGREES 55 MINUTES 16 SECONDS WEST TO A POINT; THEN SOUTH 85 DEGREES 36 MINUTES 19 SECONDS EAST A DISTANCE OF 61.93 FEET TO A POINT; THENCE SOUTH 04 DEGREES 23 MINUTES 37 SECONDS WEST A DISTANCE OF 17.18 FEET TO THE POINT OF BEGINNING.

THENCE FROM THE POINT OF BEGINNING AS THUS ESTABLISHED SOUTH 04 DEGREES 23 MINUTES 37 SECONDS WEST A DISTANCE 312.22 FEET #4 REBAR FOUND; THENCE NORTH 68 DEGREES 34 MINUTES 28 SECONDS WEST A DISTANCE OF 161.89 FEET TO A RIGHT-OF-WAY MONUMENT FOUND; THENCE NORTH 06 DEGREES 58 MINUTES 04 SECONDS EAST A DISTANCE OF 1.73 FEET; THENCE ALONG THE SAID BOGART CITY LIMITS SOUTH 89 DEGREES 50 MINUTES 03 SECONDS EAST A DISTANCE OF 810.65 FEET TO THE POINT OF BEGINNING.

SAID TRACT OR PARCEL BEING 2.920 ACRES (127,236 SQUARE FEET).

REZONE AREA OF OBP IN OCONEE COUNTY

EXHIBIT "A" TO REZONE NO P23-0139

Page 4 of 13

LEGAL DESCRIPTION – IND



ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN THE 240TH GEORGIA MILITIA DISTRICT, OCONEE COUNTY, GEORGIA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A 1/2" SQUARE IRON FOUND ALONG THE SOUTHERLY RIGHT-OF-WAY OF AIKEN ROAD (80' RIGHT-OF-WAY), SAID POINT HAVING A GEORGIA STATE PLANE COORDINATE VALUE OF (N: 1,434,606.60, E: 2,485,324.17, NAD 83, GEORGIA WEST ZONE) AND BEING THE POINT OF COMMENCEMENT; THENCE FROM THE POINT OF COMMENCEMENT AS THUS ESTABLISHED AND ALONG THE SAID SOUTHERLY RIGHT-OF-WAY OF AIKEN ROAD THE FOLLOWING TWO COURSES AND DISTANCES: NORTH 83 DEGREES 06 MINUTES 15 SECONDS WEST A DISTANCE OF 593.33 FEET TO A POINT; THENCE NORTH 82 DEGREES 52 MINUTES 38 SECONDS WEST A DISTANCE OF 27.75 FEET TO THE POINT OF BEGINNING.

THENCE FROM THE POINT OF BEGINNING AS THUS ESTABLISHED AND DEPARTING THE SAID SOUTHERLY RIGHT-OF-WAY OF AIKEN ROAD SOUTH 06 DEGREES 55 MINUTES 9 SECONDS WEST A DISTANCE OF 37.82 FEET TO A POINT; THENCE SOUTH 39 DEGREES 59 MINUTES 29 SECONDS WEST A DISTANCE OF 257.12 FEET TO A POINT; THENCE SOUTH 06 DEGREES 54 MINUTES 00 SECONDS WEST A DISTANCE OF 176.14 FEET TO A POINT; THENCE SOUTH 30 DEGREES 24 MINUTES 15 SECONDS EAST A DISTANCE OF 238.36 FEET TO A POINT; THENCE SOUTH 85 DEGREES 35 MINUTES 47 SECONDS EAST A DISTANCE OF 643.40 FEET TO A POINT; THENCE SOUTH 04 DEGREES 24 MINUTES 13 SECONDS WEST A DISTANCE 865.55 FEET TO A POINT; THENCE SOUTH 85 DEGREES 36 MINUTES 19 SECONDS EAST A DISTANCE OF 61.93 FEET TO A POINT, THENCE SOUTH 04 DEGREES 23 MINUTES 37 SECONDS WEST A DISTANCE 17.18 FEET; THENCE NORTH 89 DEGREES 50 MINUTES 03 SECONDS WEST A DISTANCE OF 810.65 FEET ALONG THE BOGART CITY LIMITS LINE; THENCE NORTH 06 DEGREES 58 MINUTES 04 SECONDS EAST A DISTANCE 943.59 FEET TO A #4 REBAR FOUND; THENCE NORTH 30 DEGREES 24 MINUTES 15 SECONDS WEST A DISTANCE OF 220.48 FEET TO A #4 REBAR FOUND; THENCE NORTH 06 DEGREES 54 MINUTES 00 SECONDS EAST A DISTANCE OF 193.01 FEET TO A #4 REBAR FOUND; THENCE NORTH 06 DEGREES 53 MINUTES 56 SECONDS EAST A DISTANCE OF 253.98 FEET TO A #4 REBAR FOUND ON THE SAID SOUTHERLY RIGHT-OF-WAY OF AIKEN ROAD; THENCE ALONG THE SAID SOUTHERLY RIGHT-OF-WAY OF AIKEN ROAD SOUTH 82 DEGREES 52 MINUTES 38 SECONDS EAST A DISTANCE OF 190.40 FEET TO THE POINT OF BEGINNING.

SAID TRACT OR PARCEL BEING 16.488 ACRES (718,252 SQUARE FEET).

REZONE AREA OF IND IN CITY OF BOGART

NARRATIVE



Request for Rezone
for
MLU Services, Inc.

1291 Aiken Road
Bogart, GA 30622
(Parcel No. B 01 072K, B 01 072KB, B 01 072T)

Prepared By:
Carter Engineering Consultants, Inc.
1010 Commerce Drive
Bogart, GA 30622

Prepared for:
MLU Services, Inc.
2500 Daniels Bridge Road
Building 200, Suite 1D
Athens, GA 30606

June 19, 2023 – Revised June 29, 2023



Mark Campbell

EXHIBIT "A" TO REZONE NO P23-0139

Page 6 of 13

NARRATIVE



Request for Rezone
1291 Aiken Road
Bogart, GA 30622
June 29, 2023
Page 12

Table of Contents

<u>Introduction</u>	3
<u>Adjacent Zoning</u>	3
<u>Architecture</u>	3
<u>Access and Traffic</u>	3
<u>Water & Sewer</u>	4
<u>Stormwater Drainage</u>	4
<u>Schools</u>	4
<u>Garbage Collection</u>	4
<u>Landscape Planting and Buffers</u>	4
<u>Outdoor Lighting</u>	4
<u>Public and Semi-Public Areas</u>	5
<u>Signage</u>	5
<u>Schedule</u>	5

EXHIBIT "A" TO REZONE NO P23-0139

Page 7 of 13

NARRATIVE



Request for Rezone
1291 Aiken Road
Bogart, GA 30622
June 29, 2023
Page 13

Introduction

Parcels B-01-072K & B-01-072KB, & B-01-072T are located at 1291 Aiken Road Bogart and total just under 30 acres. The site currently has existing residential structures along Aiken Road and an existing asphalt access road along the western side of the site to the rear of the where there existing buildings and storage areas to allow non-residential uses.

The OBP Office Business Park District allows location for offices, institutions, limited related business and service activities and limited industrial operation and processes.

The subject site is located on the north side of University Parkway and the south side of Aiken Road and is accessed via Aiken Road. The existing access is approximately 2700 ft west of the intersection of Aiken Road, Mars Hill Road, McNutt Creek Road and S Burson Ave. The proposed rezone will allow the expansion of an existing business approximately 1000 ft north along Whitehead Road. The existing structures and outdoor storage area requesting to be rezoned are not visible from University Parkway. The property has been owned by ANDERSEN-WELLS, LLC for more than 10 years.

Adjacent Zoning

The adjacent property to the east is currently zoned OBP and the majority of the property to the west, owned by Oconee County Industrial Development Authority, is also zoned OBP. The property to the north of Aiken Road is zoned residential and would be compatible with the approximately 10 acres on the northern portion of this parcel which would remain zoned R-1. The 2023 Comprehensive Plan identifies this parcel and all adjacent parcels as Workplace Center. The proposed rezone is consistent with the Workplace Center.

Architecture

At this time, there is no proposed architectural buildings. Any existing buildings would be required to meet the current building standards. Any future buildings would also be required to meet the Oconee County Code.

Access and Traffic

The access to this small site is via an existing asphalt drive off Aiken Road. The number of existing trips to this site per day is less than 20. There are no proposed large commercial trucks expected as a result of this rezone only employee work trucks or F250-F350 type trucks to move the emergency trailers.

TRAFFIC GENERATION

EXHIBIT "A" TO REZONE NO P23-0139

Page 8 of 13

NARRATIVE



Request for Rezone
1291 Aiken Road
Bogart, GA 30622
June 29, 2023
Page 14

A Trip Generation Analysis has been prepared for the site by referencing the Institute of Transportation Engineers (ITE) Trip Generation Manual (10th Edition). The ITE is the industry standard source for providing and analyzing trip generation for various land uses. In summary, the analysis does not find any adverse impacts associated with the traffic generated by this development and the adjacent properties, streets, and intersections.

LAND USE	ITE CODE	WEEKDAY TRIPS	PM PEAK HOUR	
			IN	OUT
General Light Industrial	110	57	2	8

**Calculations are based on existing approximately 11,500 sq ft of building area total in the rezone area of the subject parcel. Average Rate of 4.96 ADT per 1,000 sq ft of building for Weekday and 0.83 PM Peak Hour with 20% entering and 80% exiting*

Water and Sewer

Public water will be utilized for this project by existing utilities along the right-of-way of Aiken Road. There is not currently public sewer available to this site so on-site septic would continue to be utilized for all existing buildings. Oconee County Utility Department Letter Dated June 19, 2023 confirms the availability of water utility but not sewer utility. There is a possibility of future sanitary sewer access via an existing gravity line approximately 750 ft to the east, but none is proposed at this time.

Stormwater Drainage

The existing topography of this site drains either to the existing on-site Pond or to the east in the area of the existing pond outfall. No additional impervious area is proposed as part of this rezone. If any future impervious area is added the required stormwater management facilities will be installed as required by Oconee County Code and the State of Georgia.

Schools

The proposed development of this parcel increases the tax base while not increasing the student population. The net impact to Oconee County Schools based on the proposed development will be positive.

Garbage Collection

Any garbage generated as a result of this rezone will be contracted privately with Roll Off Systems and access for any trash vehicles will be via the existing asphalt driveway and will be far away from any public roadway or existing residential use.

NARRATIVE



Request for Rezone
1291 Aiken Road
Bogart, GA 30622
June 29, 2023
Page 15

Landscaping Planting and Buffers

The approximate 19 acres of rezone area allows more than sufficient room between the OBP use interior to the property and any adjacent properties. There is an existing 8 ft wooden fence along the southern boundary and existing mature vegetation along the southern boundary making the site not visible from University Parkway.

Outdoor Lighting

There is no proposed outdoor lighting as part of the existing buildings and outdoor storage. Any future development will orient security lighting to the interior of the site and will meet the requirements of the Oconee County UDC.

Public and Semi-Public Areas

The proposed development will be accessible via the existing asphalt driveway from Aiken Road. The maintenance of all on-site facilities will be the responsibility of the property owner.

Signage

Any future signage will be via on-building signage and a free-standing sign as allowed by the Unified Development Code of Oconee County.

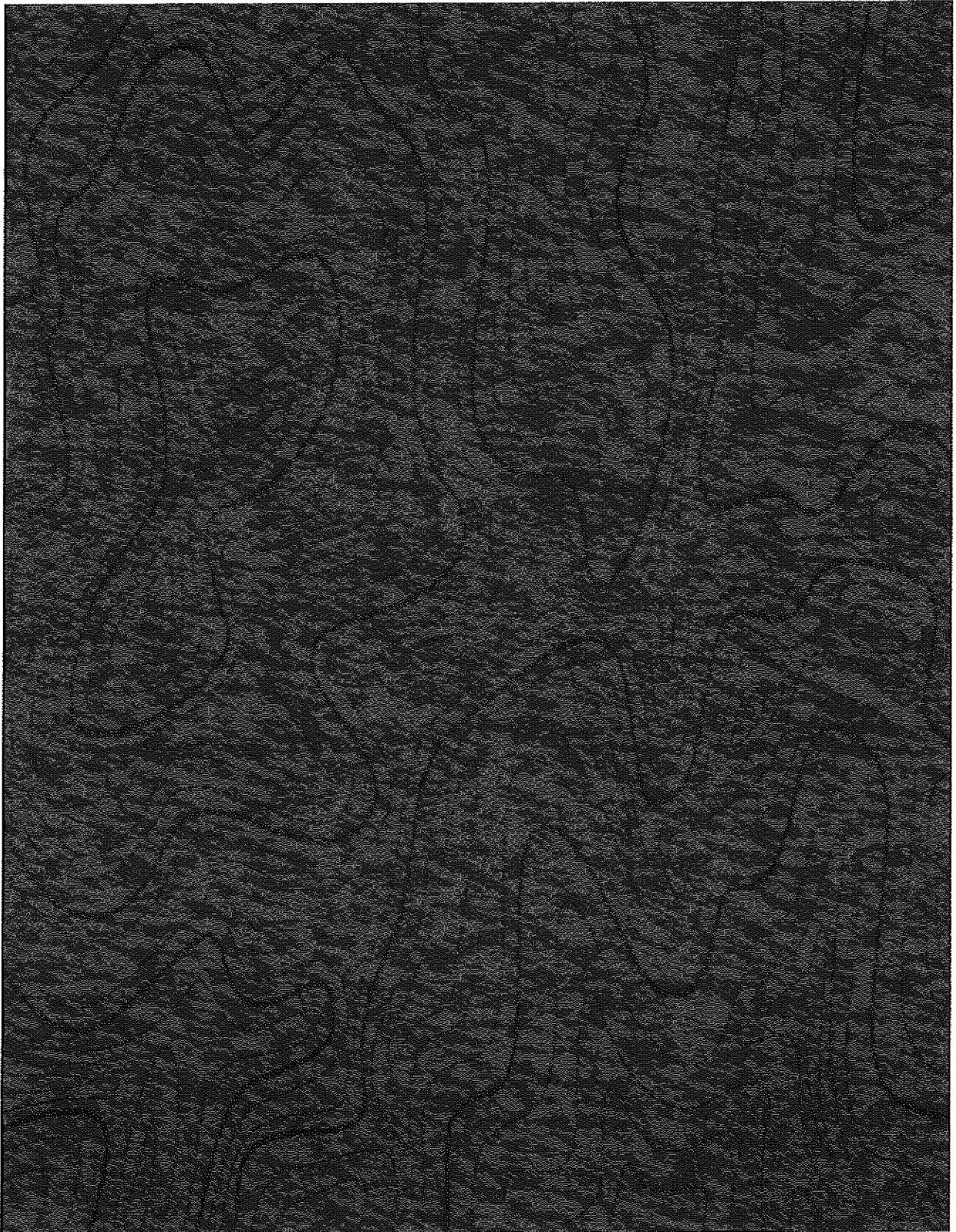
Schedule

The proposed rezone will allow the expansion of an existing business in the City of Bogart and Oconee County. Since no building or additional development is proposed at this time there will be no construction delay.

EXHIBIT "A" TO REZONE NO P23-0139

Page 10 of 13

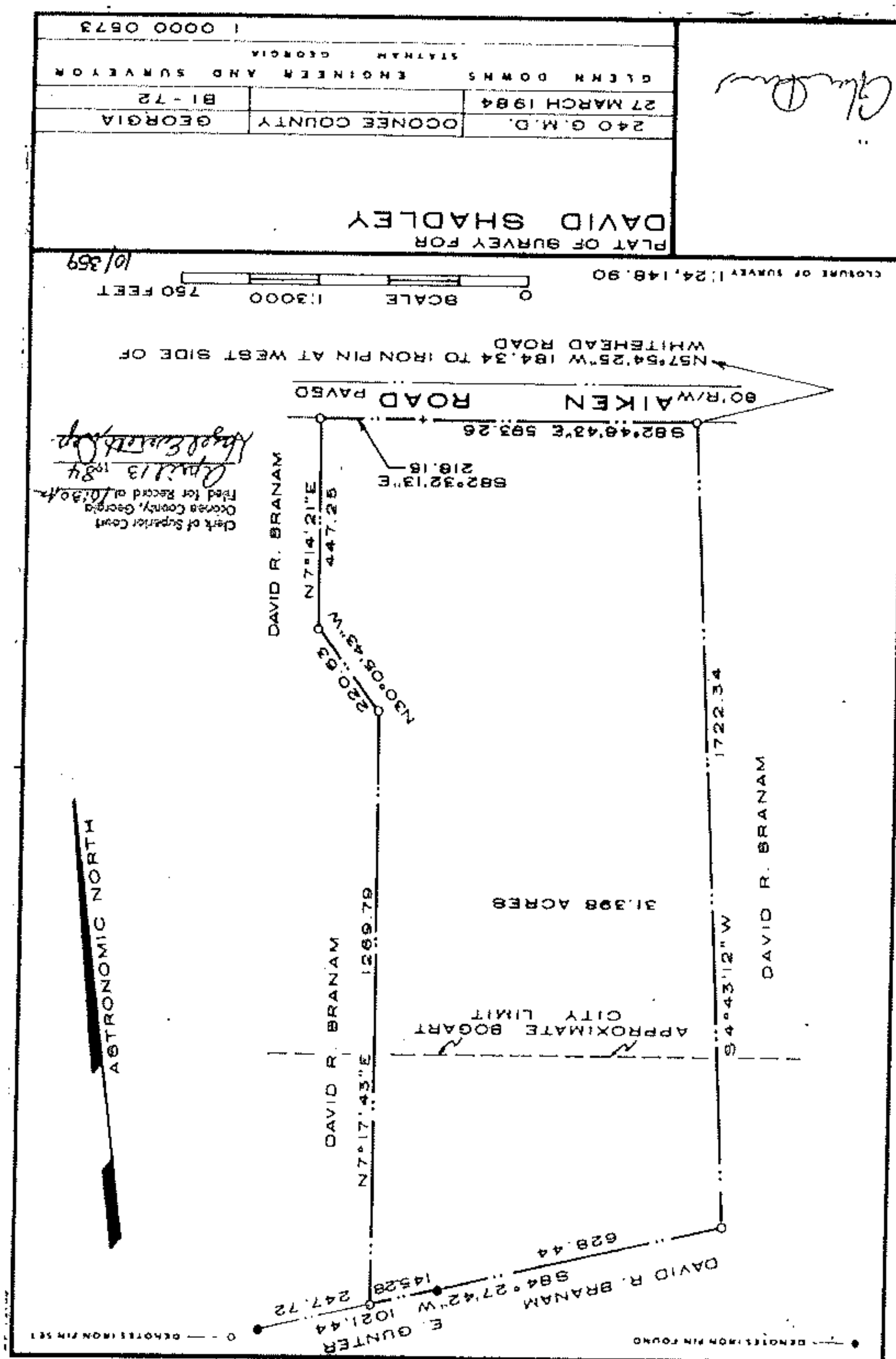
NARRATIVE



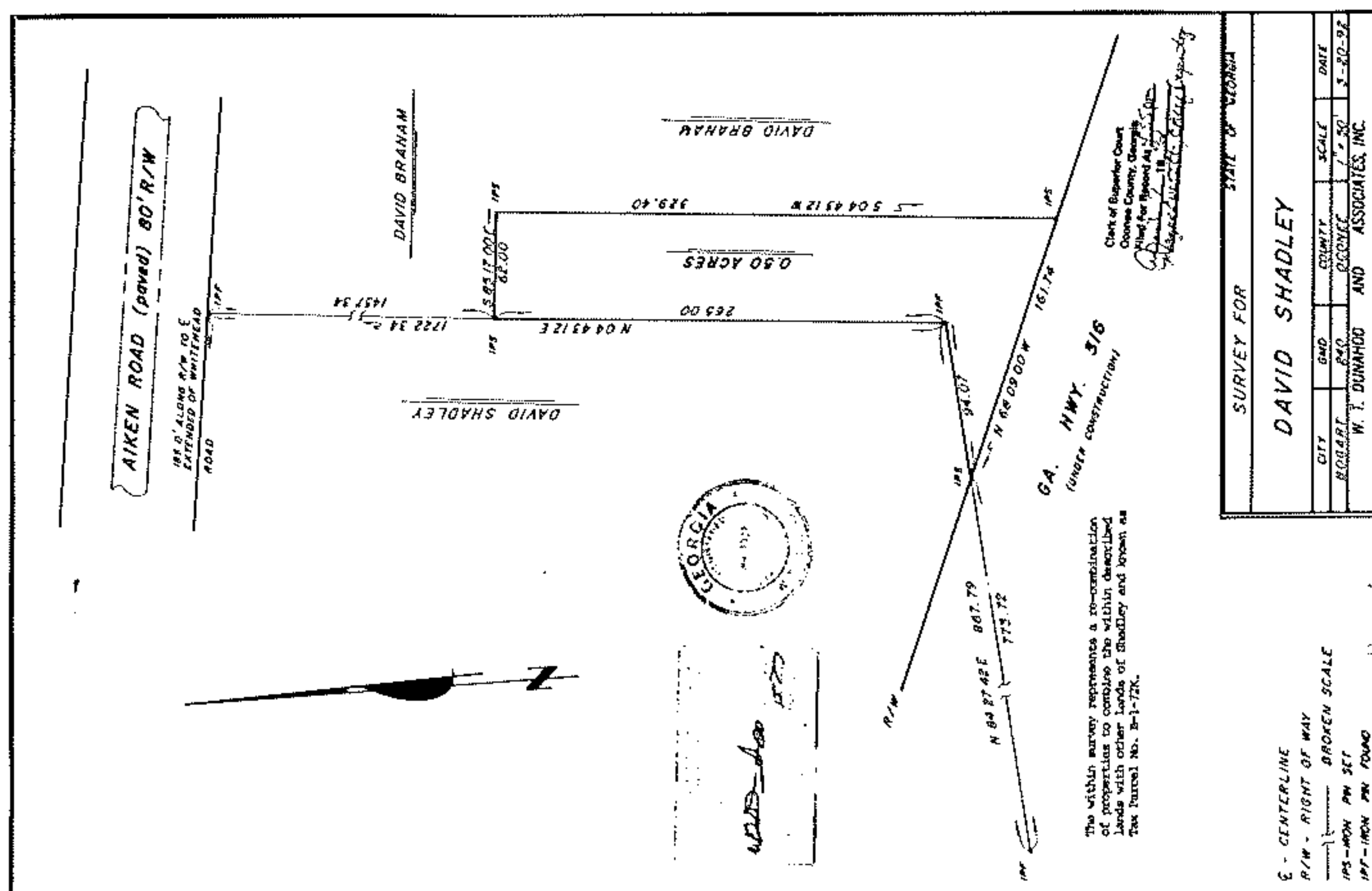
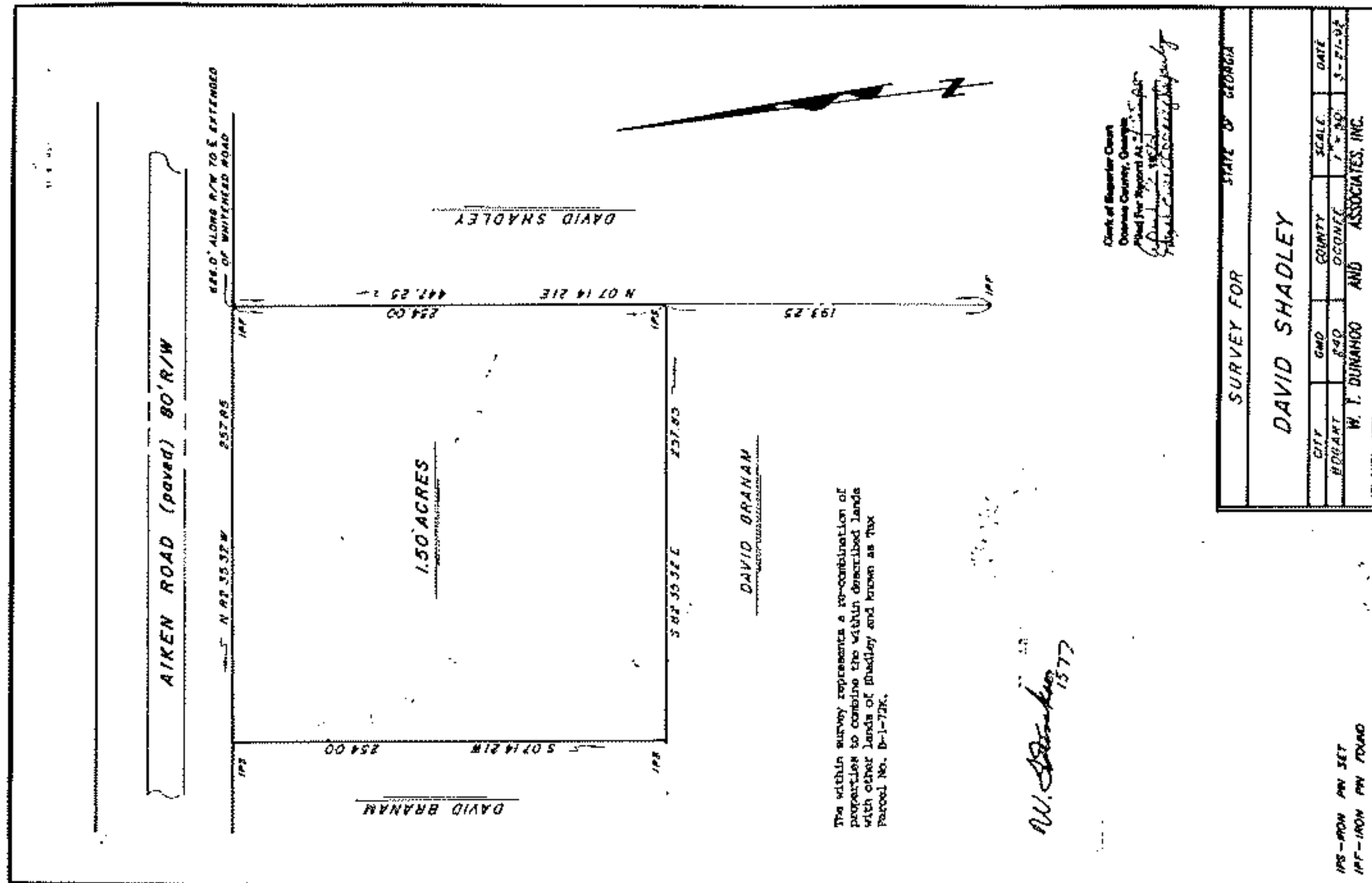
Page 11 of 13

PLAT

6545



PLAT





**Planning Department
Oconee County, Georgia
STAFF REPORT**

REZONE CASE #: P23-0139

DATE: August 8, 2023

STAFF REPORT BY: Guy Herring (Director of
Planning and Code
Enforcement)

APPLICANT NAME: Carter Engineering
Consultants

PROPERTY OWNER: Andersen-Wells II, LLC

LOCATION: Aiken Road, west of McNutt Creek
Road, B-01-072K, B-01-072KB and
B-01-072T

PARCEL SIZE: ±29.44 acres



EXISTING ZONING: City of Bogart: R-1 (Single-family Residential), Oconee County: AG (Agricultural District)

EXISTING LAND USE: Residential and Agricultural uses.

FUTURE DEVELOPMENT MAP CHARACTER AREA DESIGNATION: Workplace Center

ACTION REQUESTED: Rezone a portion of the property from R-1 (City of Bogart) and AG (Oconee County) to IND (City of Bogart) and OBP (Oconee County) to bring into compliance the ongoing un-permitted uses of the property.

STAFF RECOMMENDATION: Staff recommends conditional approval of this request.

DATE OF SCHEDULED HEARINGS

PLANNING COMMISSION: August 21, 2023

BOARD OF COMMISSIONERS: September 12, 2022

ATTACHMENTS: Application (Oconee County)
Application (City of Bogart)
Narrative
Recorded Plats
Concept Plan
Water & Sewer Capacity Letter

BACKGROUND INFORMATION & FINDINGS OF FACT

HISTORY

- The portion of the property within the City of Bogart is zoned R-1.
- The portion of the property within Oconee County is zoned AG which dates to the original adoption of the zoning.
- The applicant's request is to rezone a portion of the property from R-1 (City of Bogart) and AG (Oconee County) to IND (City of Bogart) and OBP (Oconee County) to bring the ongoing non-permitted uses of the property into compliance.
- The zoning for the residential portion of the property fronting Aiken Road will be unchanged and remain R-1.

SURROUNDING LAND USE AND ZONING

	EXISTING LAND USES	EXISTING ZONING
NORTH	Residential property (across Aiken Road)	R-1 and R-2
SOUTH	University Parkway	N/A
EAST	Undeveloped property	TB
WEST	Undeveloped property	TB and R-2

PROPOSED DEVELOPMENT

- The proposed use of the property will be for the storage of emergency trailers.
- The existing buildings on the property to be zoned IND range from 2,200 SF to 3,500 SF and total approximately 11,500 SF. No additional buildings are proposed at this time.
- Access to the property to be zoned IND will be from an existing paved driveway. No access to University Parkway is proposed.

PROPOSED TRAFFIC PROJECTIONS

- The applicant indicates that current trips to the site total less than 20 per day. Provided calculations (Trip Generation Manual, 10th Edition) indicate a total of 57 weekday trips with a peak hour of 10 trips.

PUBLIC FACILITIES

Water:

- The project is proposed to utilize County water services.
- The Oconee County Utility Department has indicated in a letter dated 6/19/2023 that potable water is available at this location.

Sewer:

- The project is proposed to utilize an existing on-site septic system.
- The Oconee County Utility Department has indicated in a letter dated 6/19/2023 that wastewater treatment capacity is not available at this location.
- The applicant indicates that there is a possibility of future sanitary sewer access via an existing gravity line approximately 750 ft to the east of the property.

Roads:

- Proposed access would be from an existing asphalt drive off Aiken Road.

ENVIRONMENTAL

- The US Fish and Wildlife data shows a stream crossing the site.
- While neither jurisdictional wetlands nor state waters have been delineated, their presence is likely.
- No 100-year flood plain is known to exist on the site.

COMMENTS FROM OTHER DEPARTMENTS & AGENCIES

OCONEE COUNTY PUBLIC WORKS DEPARTMENT

- No comments

OCONEE COUNTY WATER RESOURCES DEPARTMENT

- No comments

GEORGIA DEPARTMENT OF TRANSPORTATION

- Per an email received on 7/31/2023 the applicant will not be allowed to work within the GDOT R/W since this area of University Parkway is Limited Access.

STAFF ANALYSIS

THE ANALYSIS OF THE APPLICATION IS MADE BASED UPON THE “STANDARDS OF REVIEW” AS SET FORTH IN SECTION 14.03.001 OF THE *CITY OF BOGART ZONING ORDINANCE*.

Per that section “The following standards governing the exercise of the City’s zoning power are to be considered by the MAYOR AND COUNCIL and the PLANNING COMMISSION in balancing the interest of the public health, safety, morality or general welfare against the unrestricted use of property:

- A. The existing land use pattern;**
The existing land use pattern in the area around the property is generally undeveloped. Staff is of the opinion that the proposed zoning and use is not in conflict with the existing land use pattern.
- B. The possible creation of an isolated DISTRICT unrelated to adjacent and nearby DISTRICTS;**
The City of Bogart Character Areas Map of the 2023 Oconee County Comprehensive Plan Update labels the area as Workplace Center. Staff is of the opinion that the proposed zoning and use will not create an isolated district that is unrelated to adjacent and nearby districts.
- C. The population DENSITY pattern and possible increase or over-taxing of the load on public facilities including, but not limited to, SCHOOL, utilities, and STREETS;**
The proposed use will not include significant additional residents. Staff is of the opinion that the proposed zoning and use will not increase or over-tax the load on public facilities.
- D. The costs to the City and other governmental entities in providing, improving, increasing or maintaining public utilities, SCHOOLS, STREETS, law enforcement, fire protection and other public services;**
Staff is of the opinion that the proposed zoning and use will not significantly increase the cost of providing, improving, increasing or maintaining public utilities, schools, streets, law enforcement, fire protection and other public services.
- E. The possible impact on the environment, including, but not limited to drainage, soil erosion and sedimentation, flooding, air quality and water quality;**
The existing development has had no apparent impact on the environment. Any future development will be required to meet all development requirements intended to mitigate environmental impacts. Staff is of the opinion that the proposed zoning and use will not significantly impact the environment.
- F. Whether the proposed zoning amendment will allow uses which will be a detriment to the value of adjacent property in accordance with existing regulations;**
The proposed zoning and use is consistent with the identified Workplace Center character area. Staff is of the opinion that the proposed zoning and use will not be a detriment to the value of adjacent property.
- G. Whether there are substantial reasons why the property cannot be used and developed in accordance with the existing regulations;**
The existing land use is in conflict with the existing residential zoning. Staff is of the opinion that the proposed zoning and use is not allowable under the existing R-1 zoning district and regulations.

H. The aesthetic effect of the existing and proposed use of the property as it relates to the surrounding area;

The aesthetic of the proposed use is similar to the aesthetics of the surrounding area, and the proposed use will not significantly change from the current appearance. Staff is of the opinion that the proposed zoning and use will not negatively impact the aesthetics of the surrounding area with the implementation of the conditions of zoning.

I. The extent to which the proposed zoning amendment is consistent with the comprehensive land use plan;

The City of Bogart Character Areas Map of the 2023 Oconee County Comprehensive Plan Update identifies the subject parcel and surrounding area as Workplace Center. Staff is of the opinion that the proposed zoning and use is consistent with the Comprehensive Plan.

J. The possible effects of the proposed zoning amendment on the character of the zoning DISTRICT.

Per the Comprehensive Plan, the Workplace Center Character Area “is intended primarily for larger-scale heavy commercial, industrial, wholesale, and office uses that may be land intensive, generate high employee, or truck traffic, or create noise, odor, or other impacts associated with manufacturing and production uses.” Staff is of the opinion that the proposed zoning and use is appropriate for the Character Area.

K. The relationship that the proposed zoning amendment bears to the purpose of the overall zoning scheme, with due consideration given to whether or not the proposed zoning change will carry out the purposes of these zoning regulations;

Staff is of the opinion that the proposed zoning and use is in keeping with the overall zoning scheme and will carry out the purpose of the zoning regulations.

L. Any application for a zoning map amendment which does not contain a specific site plan carries a rebuttable presumption that such rezoning shall adversely affect the zoning scheme;

The concept plan as submitted indicates that the proposed use will generally be similar to the existing use. Staff is of the opinion that the proposed zoning and use will not adversely affect the zoning scheme.

M. The consideration of the preservation of the integrity of residential neighborhoods shall be considered to carry great weight;

Staff is of the opinion that the proposed zoning and use will not negatively impact the integrity of residential neighborhoods in the area of the property as the existing use coexists with existing residential uses in the broader vicinity.

N. In those instances, in which property fronts on a major THOROUGHFARE and also adjoins an established residential neighborhood, the factor of preservation in the residential neighborhood shall be considered to carry great weight;

The comprehensive plan identifies Aiken Road as a minor collector, thus the property does not front on a major thoroughfare.

O. Whether the property affected by the zoning decision has a reasonable economic use as currently zoned, and;

The property affected by the zoning decision has a reasonable economic use as currently zoned.

P. Whether other conditions exist that affect the use and development of the property in question and support either approval or denial of the ZONING ACTION.

The property currently in use is consistent with the requested zoning but incompatible with existing zoning.

THE ANALYSIS OF THE APPLICATION IS MADE BASED UPON THE “STANDARDS FOR REZONING CONSIDERATION” AS SET FORTH IN SECTION 1207.01 OF THE *OCONEE COUNTY UNIFIED DEVELOPMENT CODE*.

A. Whether the zoning proposal will permit a use that is suitable in view of the existing uses, development, and zoning of nearby property.

The existing land use pattern in the area around the property is generally undeveloped. Staff is of the opinion that the proposed zoning and use is not in conflict with the existing land use pattern.

B. Whether the property to be rezoned has a reasonable economic use as currently zoned.

The property affected by the zoning decision has a reasonable economic use as currently zoned.

C. The extent to which the zoning proposal promotes the health, safety, morals or general welfare of the public with consideration to:

i. Population density and effect on community facilities such as streets, schools, water, and sewer;
The proposed industrial use will not include additional residents. Staff is of the opinion that the proposed zoning and use will not significantly increase the cost of providing, improving, increasing or maintaining public utilities, schools, streets, law enforcement, fire protection and other public services.

ii. Environmental impact;

The existing development has had no apparent impact on the environment. Any future development will be required to meet all development requirements intended to mitigate environment impacts. Staff is of the opinion that the proposed zoning and use will not significantly impact the environment.

iii. Effect on the existing use, usability and/or value of adjoining property.

The proposed use is consistent with the identified Workplace Center character area. Staff is of the opinion that the proposed zoning and use will not be a detriment to the value of adjacent property.

D. The length of time the property has been vacant as zoned, considered in the context of land development in the vicinity of the property.

The subject property is currently used in a manner consistent with the proposed zoning, but inconsistently with the existing R-1 zoning.

E. Consistency of the proposed use with the stated purpose of the zoning district that is being requested.

Staff is of the opinion that the proposed zoning and use is consistent with the proposed OBP zoning.

F. Whether there are other existing or changing conditions or land use patterns affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.

The concept plan as submitted indicates that the proposed use will generally be similar to the existing use.

G. Conformity with or divergence from the Future Development Map or the goals and objectives of the Oconee County Comprehensive Plan.

The Character Areas Map of the 2023 Oconee County Comprehensive Plan Update labels the area as Workplace Center. Per the comprehensive plan, the Workplace Center Character Area “is intended primarily for larger-scale heavy commercial, industrial, wholesale, and office uses that may be land intensive, generate high employee, or truck traffic, or create noise, odor, or other impacts associated with manufacturing and production uses.” Staff is of the opinion that the proposed zoning and use is appropriate for the Character Area.

H. The availability of adequate sites for the proposed use in districts that permit such use.

It is likely that other OBP-zoned properties exist in the county that would permit the requested trailer storage use. However, the proposed use of the subject property aligns with Comprehensive Plan recommendations.

STAFF RECOMMENDATION & CONDITIONAL REQUIREMENTS

Based on Board of Commissioners policies, decision-making criteria, and standards outlined in the development codes of Oconee County, as well as the City of Bogart policies, decision-making criteria, and standards outlined in the zoning ordinance of the City of Bogart, staff recommends conditional approval of this request subject to the following conditions to be fulfilled at the expense of the owner/developer:

1. Development design and structures shall meet or exceed the standards indicated on the concept plan, narrative, representative architectural sketches, and other documents submitted with the zoning application and attached hereto. This condition shall not construe approval of any standard that is not in conformity with the Oconee County Unified Development Code and Bogart Zoning Ordinance.
2. The owner at their own expense shall construct the improvements required by the County and City of Bogart for public water and public waste services for the subject property and shall convey the same to the County and/or City, as appropriate, free of all liens. Said improvements shall include all on-site improvements and such off-site improvements as are required by the County and/or City to provide service to subject property.

3. At its expense, Owner shall make all right of way improvements and shall dedicate all rights of way which are required by the County and/or City of Bogart after the County's and City's review of Owner's development plans pursuant to the County's and City's ordinances and regulations. All such improvements shall be shown on the preliminary site plan and site development plans for the project and no development permit shall be issued until Owner has agreed to such improvements and dedication.
4. The Owner shall convey water and sewer easements as required by Oconee County.
5. The Owner shall install a 20-foot landscape buffer along the University Parkway/Hwy 316 frontage that meets the design standards per Sec. 808. of the Oconee County Unified Development Code.