

**SUPPLEMENTAL FOR DISCUSSION FOR THE BRICK STORE
OVERLAY DRAFT**

The Planning Commission (PC) held a public hearing on 2/23/2016 and on 3/22/2016 for the Brick Store Overlay Ordinance. The following items were submitted for discussion to the PC on 3/22/2016 and the PC voted unanimously (5-0) to recommend approval of items #1, #2 and #3 (as listed below) to be incorporated into the ordinance sent onto the Board Of Commissioners (BOC) for adoption. These changes have been made in the version the BOC will be considering as a Resolution Ordinance Amendment on 4/19/2016. Items #4, #5, and #6 were struck from recommendation by the PC to the BOC (vote 5-0). Because these were items discussed during public hearing, Staff has included them for your information.

The Planning Commission made a second motion to forward the document to the BOC for consideration at the 4/19/2016 meeting. The vote was (3-2) and the item will be presented as a Resolution Ordinance Amendment for adoption at the BOC meeting 4/19/2016.

7 below (last page) – is an updated discussion point proposed by District 5 Commissioner, Mr. Levie Maddox.

- 1. Based on conversation at the Planning Commission meeting on 2/23/2016, Staff offered the following example for consideration to allow eating establishments to offer on-site consumption of alcohol by amending Sec. 510-325 & Sec. 510-543. The Planning Commission voted to approve these additions.**

Sec. 510-325 HOTELS, MOTELS & EXTENDED STAY HOTELS

F. In order to be eligible for an alcoholic beverage license under the Newton County Alcoholic Beverage Ordinance, a hotel or motel meeting the definition of Hotel (as that term is defined by the Newton County Alcoholic Beverage Ordinance) which contains an Eating Establishment (as that term is defined by the Newton County Alcoholic Beverage Ordinance) must be located in the following areas: Tiers 2 and 3 of the Almon/Crowell Road Overlay District, Tiers 2 and 3 of the Salem Overlay District, **Tiers 2 and 3 of the Brick Store Overlay District**, the Town Center Overlay in the Multi-County Mixed Use Business Park District, or commercial areas within 1,200 feet of a state or interstate highway in the Multi-County Mixed Use Business Park.

Sec. 510-543 RESTAURANT

A. In order to be eligible for an alcoholic beverage license under the Newton County Alcoholic Beverage Ordinance, a restaurant meeting the definition of Eating Establishment (as that term is defined by the Newton County Alcoholic Beverage Ordinance) must be located in the following areas: Tiers 2 and 3 of the Almon/Crowell Road Overlay District, Tiers 2 and 3 of the Salem Overlay District, **Tiers 2 and 3 of the Brick Store Overlay District**, the Town Center Overlay in the Multi-County Mixed Use Business Park District or commercial areas within 1,200 feet of a state or interstate highway in the Multi-County Mixed Use Business Park.

2. Throughout the draft document there were reference sections that needed to be amended prior to adoption of the Brick Store Overlay. Such changes were necessary as items were added or deleted. One example of a change was shown below. Staff suggested since certain type establishments were not allowed uses throughout the County at this time, to simply remove these from print. **The Planning Commission voted to approve these additions.**

Sec. 470-020 Sec. 470-020 GENERAL REQUIREMENTS (ALL TIERS)

H. Commercial and Mixed-Use Standards

- 4. Off-street Parking
 - a. Off-street parking shall be provided consistent with Division 515 except for the parking ratios noted in the table below.

Business	Parking Requirement
Food Stores/Convenience Stores	One (1) space for each 300 square feet of floor area designated for retail sales only (gasoline dispenser spaces count as one parking space per nozzle).
Restaurants, including bars, grills, diners, cafes, taverns, night clubs, lunch counters, and all similar dining and/or drinking establishments	One (1) space for each 150 square feet of floor area.
Office buildings, including banks, business commercial and professional offices and buildings, but excluding medical, dental and health offices, clinics, and government offices	One (1) space for each 350 square feet of floor area.
General business, commercial or personal service establishments catering to the retail trade, but excluding food stores	One (1) space for each 300 square feet of floor area designated for retail sales only.

3. As indicated in Sec. 470-000 “The individual parcels included can be seen on the map entitled “Newton County Brick Store Overlay District Tiers” contained in Appendix A, incorporated herein by reference thereto.” below is a draft of the last presented overlay boundary map (6-10-2014) with designated Tiers. **After discussion, the Planning Commission agreed this was the Tier version they recommended to move forward to the BOC for adoption. The primary change is the change to Tier 2 on the north side of I-20 and the area just south of Hwy 278.**

Newton County Brick Store Overlay District Tiers Appendix A



4. **The Planning Commission discussed the following information and voted to not allow properties to opt in or opt out of the overlay boundaries citing years of community planning that designated the area defined as Brick Store. Below is the information they had for consideration:**

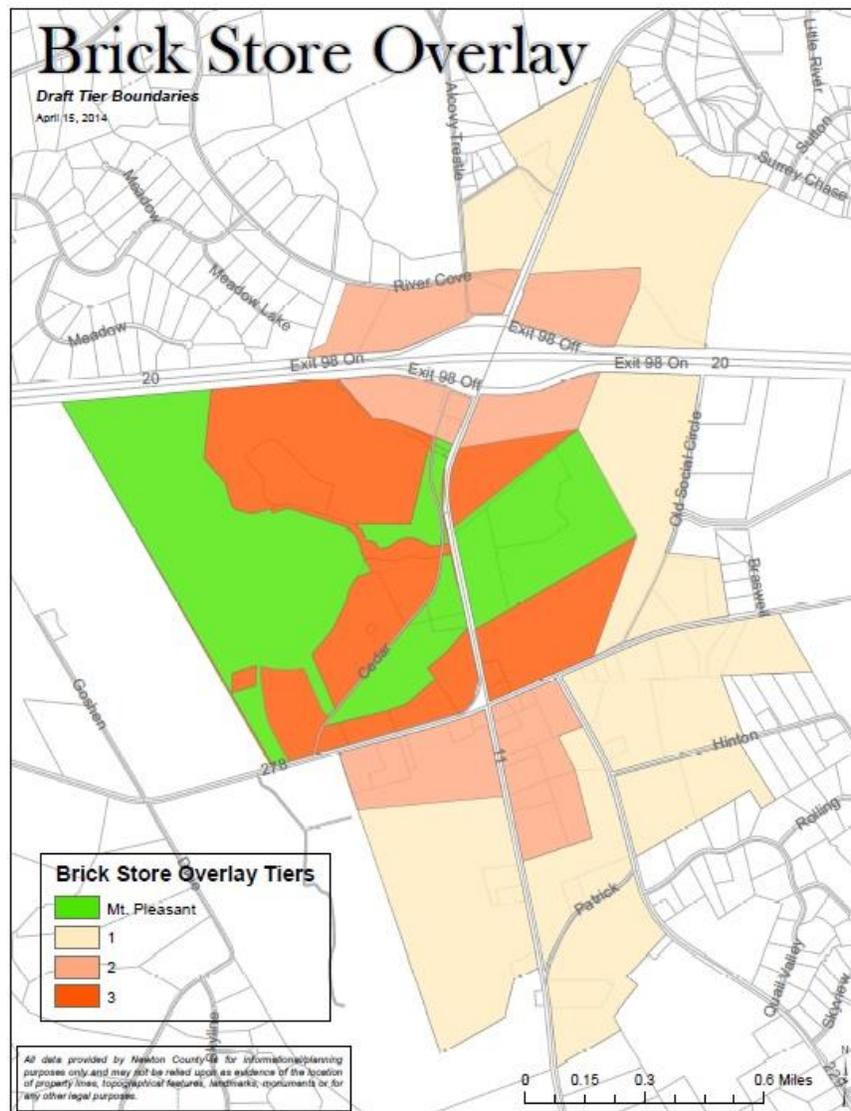
There has been a request to look into adding language as found in the Salem Overlay District that would allow an adjoining/adjacent property to request entrance or removal from the Brick Store Overlay. Below is the language from the Salem Overlay for your consideration of this request:

Salem Overlay Excerpt from Sec. 460-130 C. TIER CHANGES:

1. Any property owner may apply for an amendment to the “Newton County Salem Overlay District Tiers” map. Amendments may request the expansion of a Tier, a change in Tier designation, or removal from the Overlay.
 - a. Any property proposed for addition to the Overlay shall be adjacent to a property inside the Overlay. Said property shall be of an equal or lesser tier as compared to the adjoining property inside the Overlay.
 - b. Any property proposed for removal of the Overlay shall be adjacent to other property outside of the Overlay.
2. Applications for amendments shall be processed in accordance with Sections 620-020 – 050 and 620-080 -120.
 - a. In addition to the application information required by Section 620-050, the applicant shall also provide sufficient justification for the change in accordance with standards set forth in subsection 3.
 - b. Application forms shall be developed by the Department.
 - c. All applications shall be accompanied by a fee as set forth by the Board of Commissioners for Future Land Use Map amendments.

5. **The Planning Commission discussed the following information and concluded that road improvements in the area should not affect the proposed Ordinance and did not list this as a concern. There is a GDOT/County project that includes plans for a Round-A-Bout at the Hwy 278-Hwy 11 interchange. How does this affect the proposed Brick Store and should any changes be considered for the area surrounding the intersection or does the current plan work? Staff has requested information to provide a synopsis of where the proposal stands at the PC Meeting; nevertheless, at some point in the future this intersection will be improved due to existing and proposed development in the area so any direction the Planning Commission can provide is appreciated.**

6. Also included below is the original overlay boundary map (4/15/2014). The boundaries remain the same; however, the primary difference, as referenced in #3 above, between the two maps is the expansion of Tier 2 in the map above from the original map. “Tier 2 is a more intense commercial area promoting highway oriented development near I-20.” **The Planning Commission voted to keep the June 10, 2014 version and not revert to the version with more of Tier 1 Residential.** Furthermore, there was a request to review the area north of I-20 where Tier 2 has been expanded to define the suitability of this tier in the area and to protect the existing residential community. Although the entire overlay works in conjunction with each tier & references properties located outside the boundaries, for the specifics of Tier 2 you may reference following sections: 420-020 A.; 420-020 F.; 420-020 G.; 420-020 J.2.; 420-020 K.9.; 470-030 A.2. **The Planning Commission concluded that the additional transitional buffers put in place to protect properties adjoining the overlay boundaries were sufficient and other controls such as prohibited uses and required conditional use permits would help guide development to appropriate areas.**



7. Separate from the consideration(s) above, there are 2 different maps included as “Exhibit A”/Appendix “A” for the Brick Store Overlay Boundary Map

Commissioner Maddox would like to consider all acres of the tract that is on the northeast intersection of I-20 and Hwy 11 N and has asked staff to prepare a map that includes the entire tract. The tract in the past has been referred to as the “Penland property”. The parcel itself is 449+ acres and is currently transected by the Brick Store boundary map including approximately 150 +- acres into Tier 2 of the Brick Store Overlay. Review of other overlay adoptions included whole parcels and did not subdivide a property by an overlay boundary. Staff has forwarded and shown below both the June 2014 Map & the April 2016 Map for your consideration for the boundary map for the Brick Store Overlay District. The map will need to be agreed upon at the adoption of the Brick Store Overlay for “Exhibit A”/Appendix “A”.

