



Arthur A. Mendonsa Hearing Room
May 8, 2012 1:00 P.M.
MINUTES

May 8, 2012 MPC Planning Meeting

This Agenda and supporting material will be available after 5:00 p.m. on the Friday prior to the meeting date at <http://www.thempc.org/administrative/Archive/2012agenda.htm>

All persons in attendance are requested to sign-in on the "Sign-In Sheet" located on the table outside the entrance of the meeting room. Persons wishing to speak on an agenda item should indicate their intent on a blue speaker card, noting the agenda item by number. Please give speaker cards to a MPC staff member.

It is the intent of the Planning Commission to allow all interested parties to comment on a particular item. To ensure that those present have the opportunity to comment, the Chairman shall reserve the right to set time limits on the debate as per the *MPC Procedure Manual and By-Laws*. Both sides of the issue shall be afforded a total of at least ten [10] minutes but not more than thirty [30] minutes for testimony. Groups are encouraged to designate a spokesperson who should identify him/herself on the speaker card and when coming to the podium. Regardless, the Chairman has the discretion to limit or extend time limits.

The *Georgia Conflict of Interest in Zoning Actions Statute* (OCGA Title 36 Chapter 67A) requires disclosure of certain campaign contributions (totaling \$250.00 or more) made by applicants or opponents for rezoning actions. Failure to comply is a misdemeanor. More information is available on the internet at www.lexis-nexis.com/hottopics/gacode/default.asp. Forms are available from MPC staff for individuals subject to this disclosure.

I. Call to Order and Welcome

II. Notices, Proclamations and Acknowledgements

Notice(s)

1. [May 15, 2012 Finance Committee Meeting at 11:30 AM in the West Conference Room](#)
2. [May 15, 2012 Regular MPC Meeting at 1:30 P.M. in the Arthur A. Mendonsa Hearing Room, 112 E. State Street.](#)

III. Regular Business

3. [March 20, 2012 MPC Planning Meeting Minutes](#)

Attachment: [03.20.12 PLANNING MEETING MINUTES.pdf](#)

Mr. Ragsdale opened the meeting. He stated Item 1, Approval of the March 20, Planning Meeting Minutes would be postponed until a quorum was met.

4. Planning Commission Meetings: General Considerations

Attachment: [2012 Meeting Schedule.pdf](#)

Mr. Ragsdale explained that Item 2 was to discuss and determine how the Commission wanted to continue regarding the Planning Commission Meetings in regard to the UZO. The regular meetings are published through the end of the year and the Planning meetings are published through June 12, 2012. Item 3 is to decide if additional meetings are needed.

Mr. Pannell asked if any other items would be on the planning agenda or would it be solely dedicated to UZO.

Mr. Ragsdale stated at this time, he suggests solely for UZO.

Mr. Thomson stated if something else needed to be added it could be, but it would be more probable it would be added to the regular agenda.

Mr. Manigault stated he has a problem with the lack of commission members attendance for the planning meetings and then the regular meetings are not productive because of it. He asked Mr. Ragsdale if he was happy with the production at the end. He stated he was not happy with it.

Mr. Ragsdale stated that has been scheduled on the agenda to discuss, particularly what is a legitimate number of commissioners to have a planning meeting. He stated he thinks ten is a good number, but today we've only had nine to RSVP, but only eight are here.

Ms. Myers stated we know right off that we won't have the City and County managers.

Mr. Ragsdale stated the City Manager has been here consistently, with the exception of today.

Mr. Thomson stated she is out of town this week.

Mr. Farmer stated Mr. Abolt's been here as well.

Mr. Pannell stated he agrees with Mr. Manigault, we are spinning wheels. Whatever is covered, the others will not be up to speed and not much is accomplished. There needs to be a minimum and a measure of accountability to get caught up.

Mr. Ragsdale stated he agrees. He suggests observing the attendance of the June 12 meeting. If the attendance continues to be low, eliminate the planning meetings altogether and moving UZO discussions back to the regular MPC agenda.

Mr. Lufburrow stated he would like to have a discussion at the next regular meeting or pre-meeting to try to get a commitment or not to the planning meetings from the commissioners prior to the next planning meetings.

Mr. Ragsdale stated he believes ten is a good number for a Planning quorum.

Mr. Pannell asked what is the opportunity for catch-up if one has a legitimate reason for not being in attendance to the Planning meeting?

Mr. Ragsdale stated there will be DVDs.

Mr. Pannell stated the missing commissioner needs to make a responsible effort to stay informed and know the changes and case studies. Perhaps enlist the staff's help to get caught up so as not to drag down the Commission and meeting.

Mr. Farmer stated the choir is being preached to. The ones here today are the ones that are always here. He suggested the Chairman speak individually with the habitually absent to gain or deny commitments to the Planning meetings.

Mr. Ragsdale stated it is incumbent for him to run the meetings accordingly. The rules have gotten very lax.

Mr. Lufburrow stated since the City and County Attorneys are here, perhaps this can be discussed at a later time so as to not hold up their valuable time. He stated he is anxious to hear their input.

Mr. Manigault suggested some reading material that would assist with the proper and timely running of a meeting; not to get bogged down with nothing settled.

Mr. Ragsdale briefly outlined the Robert's Rules of Order; we are currently not following the order. The discussion is precluding the motions. That should be discussed and considered before the next meeting.

Ms. Myers asked when is question and discussion to be had with the applicant.

Mr. Lufburrow asked for point of order and stated we should not discuss that now. We should move on with the UZO.

Mr. Pannell agreed.

Mr. Ragsdale stated he would run the meeting. He addressed Ms. Myers stating questions should be asked when the petitioner is presenting his request.

5. City-County Staff Assistance with the Unified Zoning Ordinance

Mr. Ragsdale thanked the City and County for their assistance with the UZO development. He acknowledged the attendance of City Staff: Mr. J. B. Blackburn, City Attorney; Mr. J. Blackburn; Mr. Pete Shonka, City Engineer; Ms. McClain; and Mr. Tiras Petrea, Zoning Inspector. County staff: Mr. Jonathan Hart, County Attorney; and Mr. Robert Sebek, Zoning Inspector. The County Engineer or representative is scheduled to be in attendance at the next meeting. He opened the forum for questions to the City and County staff for the Commissioners.

Mr. Farmer stated he wanted to know how much these staff members were involved. He stated he'd been told by some that they were involved; some said they were very involved at the beginning yet were made to feel their input was not welcomed, so they stopped coming. Some never came. It also needs to be determined if we are trying to fix enforcement issues with a new zoning ordinance. He cited the signage section of the ordinance as an example. Looking at the UZO, it appears it will place more of a burden for the City and County zoning staff with enforcement issues. He asked the attending City and County staff how they feel about UZO; did they have a part in its development; have they had a chance to see how it would affect their jobs; do you have the staff to handle the proposed changes.

Pete Shonka stated he was pretty much at all of the draft meetings and during the review. He stated he believed his input was utilized; not all but most. He stated the current zoning ordinance is difficult to enforce and the new would be a much better tool to work with enforcing zoning issues.

Mr. Farmer asked if any of his authority has been transferred to the MPC.

Mr. Shonka stated that was a concern in the earlier draft, but believes it has been addressed. He has not seen the absolute latest draft, but they have worked with staff to address concerns.

Mr. Thomson stated the latest is called Draft 2. It addresses everything that has been heard.

Mr. Farmer asked when Draft 2 would be presented to the Planning Commission.

Mr. Ragsdale stated that is on the agenda to discuss as well.

Mr. Thomson stated it will be meted out as we get caught up with it. We will go through it in order.

Mr. Farmer asked if Ms. Small-Toney's concerns were addressed in Draft 2.

Mr. Thomson replied it depends on her read of it.

Mr. Shonka stated he met with MPC staff regarding Ms. Small-Toney's concerns and believe they are being addressed.

Mr. Farmer stated he would like to hear from Bob Sebek.

Mr. Robert Sebek, County Zoning Administrator, stated the MPC staff has taken on a really ambitious project and thinks they have done a good job. They've addressed some of his issues. He believes many have fussed about the project since its release. They were asked to be a part of the process but they did nothing. He stated he was at most of the meetings and there were a lot of empty chairs. They still have a right to their input, but many issues should have been addressed at the outset of the project.

Mr. Sebek continued regarding enforceability: there are some issues that have been addressed with Ms. Moore and Ms. Bunce. He is not aware if they have been addressed or not. Their issues haven't been a problem. The best example is yard sales: the UZO limits to two a year, but there is no way to enforce it. He suggests some sort of registration requirement, which would be cumbersome. And he does not have the manpower to police its adherence. He is concerned how to enforce the things in the UZO; it needs to be clearly defined, such as too-high grass or derelict vehicles. He does not want to see micromanagement.

Mr. Lufburrow expressed his appreciation for Mr. Sebek's expressions. He agreed with Mr. Sebek regarding participation and lack thereof. He is also leery of adding new things that don't rise to a certain level of importance. He appreciated the example Mr. Sebek cited. Certain things need to be added, but certain things may not need to be.

Mr. Lufburrow further continued by requesting to see the concerns of City and County staff in writing so that the Commission may be privy to them as well, not just staff.

Mr. Manigault asked Mr. Sebek if he is happy with the merger of the two ordinances.

Mr. Sebek stated from his position, he believes it is a good idea. He can help many in the City, we are one community.

Mr. Farmer stated some parts have resulted in micromanagement of some businesses.

Mr. Sebek stated he may be correct, but some issues of enforcement may be complaint driven. He will not send one of his two staff members out with a measuring tape. Specific complaints will definitely be investigated. He stated he will enforce what is in the ordinance.

Mr. Farmer stated he feels there is undue burden being put on businesses through the UZO. He

asked why have an ordinance that requires such.

Mr. Ragsdale stated we as a Commission can decide what will go forward to the City or County.

Ms. Myers addressed merchandising in the Landmark District streets by merchants. She stated that may be some of the reason for these proposed standards.

Mr. Farmer stated that makes sense regarding a sidewalk, but he said he is referencing private property and the business owner is trying to do business. The new ordinance is more restrictive than the old ordinance in that area and it concerns him.

Mr. Ragsdale stated he would like to reserve this discussion for when the ordinance is being reviewed.

Ms. Myers asked Mr. Thomson when City and County staff express a concern to him or MPC staff, how much weight is given to those comments in the making of the UZO.

Mr. Thomson stated the principle for the team was to get the ideas out and get reactions from all in the community. The draft is a draft and we can pull it back to be in general consensus with the Board and community. To say comments are not listened to is not a fair statement: we listened and staff had to make a decision as to what to put in.

Ms. Myers asked if there is a process that City and County staff can comment back to the MPC.

Mr. Thomson stated that has been ongoing. There is dialog with any that choose to show up.

Mr. Lufburrow thanked Mr. Sebek and asked for the sake of time, that we move on.

Mr. Ragsdale asked the County Attorney to some forward.

Mr. Pannell stated he would like to hear about the legal ramifications and issues that the Commission needs to be aware of, in particular, if the UZO is accomplished, how is it prevented from becoming two ordinances again because of amendments.

Mr. Jonathan Hart, County Attorney, replied it won't happen. He stated that is probably the greatest misnomer. There are lots of things that make sense for its commonalities of both ordinances. Some things work well for the City or County and not both, so it will create some unique circumstances. It is not perfect or a cure all, but it will be an improvement. There will need to be an educational period for the community. He suggested considering how amendments will be handled; how will differing decisions are applied or what body's decision will supersede.

Mr. Farmer asked Mr. Hart what was his understanding of what the Commission's mandate was for UZO. He stated his understanding was to streamline the document.

Mr. Hart replied that he did not. He stated it has morphed over 7 or 8 years and the general consensus was the current ordinance was over 50 years old. Some of the terminology and procedures were antiquated and needed to be changed. The advantage of the old one was that it was familiar to those that use it regularly. The new one has limited familiarity. It is to be expected that factual patterns that just don't seem to work; it is inherent, not a criticism.

Mr. Farmer asked if we would be better off just streamlining and taking the good ideas from the UZO and apply to the existing ordinances, or continue to implement the UZO.

Mr. Hart replied he does not know the answer to that. Either way won't be easy. Most may prefer the existing because of familiarity, not necessarily because its better, it's just familiar. However, in time,

the new would become familiar. The focus should be on efficiency, predictability, adhering to the Zoning Procedures Act, and cost effectiveness. Zoning should be the main issue; there is a difference between planning and zoning. Zoning is a defined art and term. That should be where the focus is right now. It needs to be something that is accessible and yields productivity.

Mr. Hart continued there are things in the UZO that he personally does not feel needs to be in there. Those are policy decisions; if you want it in there and the City and County says it needs to be in there, he gets no vote on that. If his opinion is asked, he will express his concerns. Some policy decisions will have to be made by the City and County that are already in the document to ensure that what is really desired in the UZO. For example, what will be the intention for the Zoning Board of Appeals? Will it be unified? Should they be separate? These policy issues should be ironed out prior to.

Mr. Hart stated he agrees with Mr. Sebek that it should not be cluttered with many things that are unenforceable. He stated the worst situation for a City or County attorney or manager is to have a citizen to make a complaint about something in the ordinance and there is no way to enforce it. He stated he reads about these circumstances daily in other jurisdictions.

Mr. Marshall stated he believes the procedure for UZO needs to be redone. Lots of good information has been gathered but it is impossible for a lay person to understand how it came about or where it was in the original. He asked Mr. Hart would his office have someone to compare the two or assume others have done that and the County will vote to kill the one and adopt the other.

Mr. Hart replied they would try to make constructive comments about the UZO regarding their concerns. If it is a zoning matter, it will have to follow the Zoning Procedures Act. If you put something in the zoning code, some of those provisions will have to comply with the Zoning Procedures Act. There is a need to be sure that what is wanted to be encompassed is really wanted in that document. This is a big comprehensive document. Some information may need to be reference material. It needs to be cleared up so that the governing authorities are known. For example, the historic district ordinance may not have as big an impact in the County as it does in the City.

Mr. Marshall stated a few years ago the procedure of the City ordinance was adopted and is now being presented for change in language. That brings forth his concern that unless someone takes the existing ordinance and marries every page, line, and word to the proposed new ordinance, the same thing is likely to occur with UZO. How will you know when you recommend to the County Commission to adopt there is not a line missing or even paragraphs.

Mr. Hart stated there is no perfect document.

Mr. Marshall asked if you would just recommend without - I will back off of that if you are comfortable legally that you don't need to be able to say to your clients that the document you have been evolving and living under for the past 50 years is all covered in the new document without . . .

Mr. Hart replied that he will not be able to say that. He stated he would be able to say that he's reviewed it and there are things he strongly agrees with and there are things that if he had a vote, he would not put in there, but you need to be aware of that. There will be some things that he and the City Attorney agree on that they may both have strong objections to basically we don't think that the way it is now written, it will necessarily pass the mustard if it were legally challenged. That's to be expected in a 400-page document.

Mr. Marshall stated many will have to pay for assistance and to understand the UZO and apply it. His concern is that thousands of dollars are being spent by the community for something that the government and MPC, if they are proposing the new document, should be doing in a fashion that is

easy so that anyone in this community to be able to look at understand how - what I've lived with and the evolution over 50 years is being impacted by the new document.

Mr. Hart stated he agrees insofar as every property owner that has property in this community needs to look at the UZO and determine if the new zoning ordinance classification or the use will affect their property positively or negatively. He strongly recommended anytime anyone has a question, make sure they look at it. The vast majority will probably feel comfortable with it, but something this size cannot be changed without having unintended consequences.

He continued with the combined marina classifications: though simplified, some may see as an asset, others a negative. The concern should be voiced as soon as possible. MPC staff has been pretty good about listening to most people's concerns regarding what is being done to their properties. That's just the nature of the beast.

Mr. Marshall stated unless you're just plain lucky, you might not find the impact was there because they are totally different formats.

Mr. Lufburrow stated he thinks it would be more efficient use of everyone's time if we could possibly get some specifics from you and Mr. Blackburn as to these issues. He stated he is very interested in knowing more specifics about the difference between zoning and policy; for instance, historic preservation. He would like the benefit of their counsel to know if it should even be considered to be in there. As a commissioner, he would like to see, presumably, that when the document is in its final state to send to the City and County, it is in its best form possible. Addressing Mr. Hart and Mr. Blackburn, he stated if there are elements you have issues with - you say you have no vote - but as far as he is concerned, your opinions matter greatly. He stated he would like to benefit from it as much as possible as the process is going forward. As we are currently refining it, he would like to incorporate your thoughts and concerns, if that is possible.

Mr. Hart stated the Commission is asking for a major undertaking. He knows Mr. Blackburn's nor is the County Attorney's staff the largest in the world. There are many issues they deal with. He stated he does not like to answer specific questions dealing with the new ordinance unless he has had time to think about it. He advised that the Commission's time may be well served continuing their discussion and as questions are had, articulate to Tom in some format. That will give them opportunity to look at it and think about it. Mr. Hart stated he does not mind coming over to talking with the Commission. Mr. Blackburn's viewpoint is how he sees it; he defers to him as to how the City wishes to handle it.

Mr. Hart continued that as you walk through this, you will have things stick out about concerns. You may not like my answer; it may be somewhat nebulous. Ultimately the Commission makes the decision. However, he is willing to work with the Commission, if that is what they would like.

Mr. Lufburrow replied that he was not asking them to do their job, however for instance, you brought up historic preservation but that is something we had not thought about or discussed. So, if there are hidden reasons we may not understand because provisions that may be broader by putting into zoning ordinances as opposed to keeping it as a separate document, he would just like to know those things. He would like whatever input you all can provide; he'd welcome hearing it.

Mr. Hart replied stated he would defer to Mr. Blackburn on the Historic Preservation Ordinance because the County is fixed in by statute on what we can do.

Mr. Farmer stated he spoke with Mr. Hart's assistant and was very impressed with her. She had concerns with private property rights; it's a balancing act with personal property rights versus the common good. These ordinances were written by professional planners; he has a fear of what's going

to happen when the new ordinance about the non-conforming uses it will generate. As you apply the old standard for non-conforming uses, it may be overly restrictive because these people will be put in different situations. He doesn't understand why people take non-conforming uses lightly because it can affect the entire future of your business and use of your property. We have to make sure that we don't overlook how is it on going to have impact of the value of people's property and the uses of their property. We need to do this ahead of time. Many people will need to read the new ordinance ahead of time to find out what their issues will be. It's going to come up and we're going to end up in court. We're going to end up in court with people like the National Association of Realtors who are looking at this ordinance. They will say 'if you don't protect the private property rights, we will make you.' He stated he is concerned and advised that we can't wait until the cases start coming in to address these problems. At least give some leniency with non-conforming uses than we have in the past since we have such a wholesale change.

Mr. Hart stated he understood Mr. Farmer's perspective. The truth with any zoning ordinance with major changes; you have to be sure to have some phasing or adjustment period, as Tom recommended. Much thought would have to be given to it to be sure how it will work.

Mr. Manigault stated the Commission keeps hearing how many organizations are hiring lawyers to understand applicable parts of the UZO. Obviously the Commission is afraid of lawyers. People have a right to hire their lawyers, but people have a responsibility for those items in their different areas to be at these meetings for input. He asked if they are not here, what is the good of hiring a lawyer. He asked to come at a later date. He stated we need to hear it now. He asked Mr. Hart what he has heard, if anything.

Mr. Hart replied that through no fault of anyone, the planning part of the zoning ordinance has occurred probably at the worst economic time we've had since the great depression. The staff, in trying to do this, did not have the benefit of having great amounts of petitions and projects to come down the line during the process because most developers were sitting on the sideline waiting on the economy to return. To some extent, in a perfect world and this could have been done earlier before the economy dropped, we would have had the benefit of real-life comparisons. Also, many are struggling to survive in the development community. Being able to attend public civic meetings, as good as they may be, is not easy for them right now. We need to remember we can pass this ordinance and the economy goes on a boom; it's only when we get to doing projects and doing them regularly are the things we need to address are going to surface. That is the reality of the situation; it is not staff's fault, they are trying to do as best they can. When we start seeing 50 projects moving instead of two, it will be helpful with the pragmatic part of the ordinance.

Ms. Myers asked Mr. Hart what was his concern with the preservation ordinance.

Mr. Hart stated anything in the zoning ordinance has to meet the Zoning Procedures Act by Georgia Constitution according to law. What is traditionally considered zoning is often times a lot different than is considered in Historic Preservation Ordinance. It will have to pass the test of the Zoning Procedures Act; that is what it will be measured against if it is in UZO.

Ms. Myers stated it's been in our zoning ordinance.

Mr. Hart stated he does not know about that.

Mr. Thomson stated it is currently in the City zoning ordinance from the revisions we did about three years ago. That may be a conversation MPC staff needs to have with you all to understand it better. If you see some of the elements in there are fundamental to operating and implementing zoning (*inaudible*). The document was made to be comprehensive, that is why we may have overstepped in a

few areas and put in standards from other ordinances that may be better pointed to than duplicated. He thanked Mr. Hart for his time.

Mr. J. B. Blackburn stated he does want anyone to feel there is any difference at all between Mr. Hart and himself. They have worked a lot together; in principle they have no real differences. In response to some of the questions is this: the concept of what you are doing, zoning is land use. The procedural aspect you spent too much time on, but zoning ultimately is legislative. The Supreme Court 1983 Constitution says, "The State is not in the zoning business. It is all local legislative." The basic point of it is land use; you draw lines for uses within the district. The Planning Commission is to recommend what it ought to be to the legislative body. Don't ever lose sight of the fact that any county commissioner or city alderman can move within those proceedings legislatively to dot an "i" or cross a "t" or strike a sentence. We have avoided that a great deal and you have an unusual adoption rate of your recommendations. When you have problems is when you stray from that. His stated his observation is the State really didn't accept the fact that they were not in the business of land use. So, the legislature came along with two things: first, you must grant due process, which he agrees with. The Zoning Procedures Law was adopted which says you must give your citizens these rights. The procedural aspect of what is done is under the State Law, the Zoning Procedures Law, which legislature does have the right to grant due process. The second way the State got into this, and always with the power of a purse, they mandated the need of a Comprehensive Plan. The Comprehensive Plan really determines to a great extent what your land use is going to be.

Mr. Blackburn continued stating his observation is that in seeking to do this, more attention was devoted to how many members would be on the Historic Review Board. We don't need to change - and he stated he is not saying don't change, don't misunderstand him - but that's not really what you ought to be doing. Your job is to recommend what the Land Use says. How it's administered is a legislative function that is handled by the legislative body. You can make recommendations but don't get carried away with it. Focus your time and effort in recommending the land use.

Mr. Blackburn stated he and the City Manager have discussed and she has put in place a procedure in which the point person is Pete Shonka. The City will have a line of procedure. Enforcement is not your job. You are not an administrative body. Your staff is not an administrative staff to go out and enforce. Enforcement and lines of authority in doing enforcement ought to be in the governing body, not you; it's not your job. Those should be clear. He stated he does not believe you will get one interpretation from the County attorney and another from the City attorney; they have no problems coming to interpretations. Planning Commission: plan. Come up with a plan, but the plan you come up with should be workable for the land use in the area. If you do that, he thinks you will get this through, but if you spin off on various things - The enforcement is still the administrative body and the interpretation of what the legislative body does is perhaps the lawyers, advising the staff people. He stated he does not know of any differences of opinion we've ever had regarding interpretation.

Mr. Farmer asked Mr. Blackburn what was his interpretation of what the mandate was from the City standpoint for our UZO - to rewrite or streamline.

Mr. Blackburn stated he believed Planning Commission staff was in the area of almost legislating the variances and appeals and so forth; they got into the administration area too far. The document has too many things; the districts should be there, but the general thought was that it could be streamlined somewhat. He does not believe that Council had any concept of it getting into rewriting. There was no real mandate; the City and County just agreed that if we could have the same nomenclature - he believes that is what they had in mind. He asked Mr. Cook if he agreed.

Mr. Cook stated he believed the original intent was to simplify some of the text amendments . . .

Mr. Blackburn stated he is not a critic of the masterful job that was done, but on the other hand, it has been very difficult to comb through and highlight the differences. He does not believe there was ever the idea that history was going to be rewritten.

Mr. Farmer restated people are hiring attorneys for explanation. He asked Mr. Blackburn if it should be a layman's document or if people are always going to require an attorney. People are on an information and fact finding mission now. Is this something we can live with on a day-to-day basis.

Mr. Blackburn responded replied that one of them is a zoning ordinance, easily understood with uses and a table. Hiring attorneys has to do with complying with the regulations within administering the plan units. He is not sure that was the original intent of the Planning Commission; most cities don't have that in a body as we do. They have it in a planning body within the development office of a city. Most of the interpretation there has to do with administering the regulations within the planned units. He stated he is not being adversarial; he then offered Mr. Thomson the floor.

Mr. Thomson stated he would agree that property owners hire attorneys for a number of reasons: to help them understand the code and protect their interests. Attorneys may be necessary when a developer is doing something major.

Mr. Blackburn stated that has to do with administration with the ordinance rather than the ordinance itself.

Mr. Thomson stated the typical citizen should be able to open current ordinance and find out what their zoning is. A lot of information is being automated.

Mr. Blackburn restated to the Commission to make recommendations on land use and what the proper uses of land ought to be.

Mr. Coleman he believed it would be impractical to think there would not be attorneys involved. Few can truly understand it, including design professionals. We need to take the new document for what it is and critique it for where it stands now. It is very important that we're able to work and move forward. He stated he would like to see something clearer and easier to work with. We have to remember there are new technologies and ways to do things and the old manual does not allow, hence the amendments.

Ms. Milton stated she is a lay person. She does not believe that the lay person can understand the UZO. She understood their function was to make a recommendation, not pick it apart. We came up with original four big books because we did things as they came about. If this was a challenge, it was fixed in some way. The UZO will have to be tweaked too as we go along. She thinks we were into too much because some of us know too much.

Mr. Farmer stated Ms. Milton and Mr. Coleman made his point. Few have the capability to compare the old to what is new. Many are hiring attorneys so that they can explain what their clients need to know. He does not believe an ordinance can be written that a layman can read.

Mr. Ragsdale adjourned the meeting.

6. UZO Review Process and Considerations

7. [Case Study Committee](#)

8. [Information Items Relating to Stakeholders](#)

9. [Related Attachments](#)

Attachment: [11.01.11 MEETING MINUTES.pdf](#)

Attachment: [11.22.11 MEETING MINUTES.pdf](#)

IV. Adjournment

The Chatham County - Savannah Metropolitan Planning Commission provides meeting summary minutes which are adopted by the respective Board. Verbatim transcripts of minutes are the responsibility of the interested party.