

MINUTES

UNION CITY PLANNING COMMISSION - REGULAR MEETING

AUGUST 27TH, 2018

CITY OF UNION CITY

7:00 P.M.

Present: Chairwoman Marilyn McCain, Commissioner Trevor Cason, Commissioner Jo Croom, Commissioner Linda Johnson, Commissioner Robert Potts, Community Development Planner Kalanos Johnson, Community Development Planner Giavani Smith, Community Development Director Ellis Still, Assistant City Attorney Patrick Stough

Absent:

Meeting Called to Order: Chairwoman Marilyn McCain at 7:00pm

I. REVIEW OF MINUTES:

Approval July 30th, 2018 Meeting Minutes.

Commissioner McCain had corrections to the minutes.

Motion: Commissioner Croom made a motion to approve the minutes.

Second: Commission Johnson seconded the motion.

Vote: The motion passed unanimously.

II. OLD BUSINESS:

III. NEW BUSINESS:

- a) #_2018TA-002 - Revising the Zoning Ordinance of the City of Union City by (1) amending Section 6-11 to remove “Telecommunications” as a Permitted Use in the GC General Commercial zoning district and to add “Towers” as a Conditional Use in said zoning district, as provided in Articles III and VIII of the Zoning Ordinance; (2) amending



Section 8-3 by adding a specific conditional use for towers in the GC General Commercial zoning district, where the applicant has demonstrated a gap in coverage that cannot be remedied by placing a tower on property zoned to the M-1, M-2 or TCMU districts; and (3) amending Section 8-4 by removing Subsection B of said section pertaining to “Specific Administratively Approved Uses”.

Staff: Director Still presented the Staff report to recommend changes to 6-11 of the zoning ordinance. He stated the reasoning for removing telecommunications is because it is vague and doesn’t define what telecommunications is. He also talked about adding towers as a conditional use in general commercial for an administrative review; he stated that the applicant must demonstrate that there isn’t enough coverage to forgo putting the tower in the designated zoning district.

Commissioner Potts stated that he has an issue with the tower approval going through Community Development instead of the board.

Attorney Stough stated that these changes to the ordinance are about new towers.

Commissioner Potts asked where it states the applicant won’t be allowed to continue to add 20 feet onto the tower.

Director Still stated that the specific portion of the ordinance he is talking about is being removed and it will not be in the ordinance.

Attorney Stough stated that currently the administrative review allows for up to 20 feet and that the administrative review will stay.

Director Still asked if there were any examples.

Commissioner Potts stated that there was one off of Flat Shoals near Bank of America and Verizon wanted to increase the height.

Attorney Stough stated that it may have been a height variance and it may have been over 20 feet.

Director Still stated that in that case it would still go to the Zoning Board of Appeals.

Attorney Stough stated that under federal law, we cannot prevent a tower from preventing a gap in coverage.

PUBLIC HEARING

PUBLIC HEARING CLOSED

Motion: Commissioner Potts made a motion to approve the recommended changes to the text amendment for Telecommunications.

Second: Commission Croom seconded the motion.

Vote: The motion passed unanimously.

- b) #_2018TA-003__ - revising the Zoning Ordinance of the City of Union City by (1) amending Sections 6-13 and 6-14 to remove “Amusement & recreation facilities, indoor or outdoor”, “Civic & social organizations; business, professional, political & similar organizations”, “Drive-in motion picture theaters” and “Technical & trade schools” as Permitted Uses in the M-1 Light Industrial and M-2 Heavy Industrial zoning districts; and (2) amending Section 6-13 to remove “Carnival, rodeo, horse show or athletic event and community fair” as a Conditional Use in the M-1 Light Industrial zoning district.

Staff: Director Still presented the Staff report to recommend changes to 6-13 and 6-14 of the zoning ordinance. He stated that Staff is trying to make the ordinance consistent by removing all things out of the ordinance that could be perceived as assembly in the M1 & M2 zoning district. Also, he stated that Staff would like to remove assembly out of the conditional uses in M-1 & M-2 to be more consistent.

Attorney Stough stated that in the past they have taken assembly in and out of the ordinance and we can’t allow churches in M-1 & M-2. Under federal law, you can’t treat churches different than other places of assembly.

PUBLIC HEARING

PUBLIC HEARING CLOSED

Motion: Commissioner Croom made a motion to approve the recommended changes to the text amendment for 6-13 & 6-14.

Second: Commission Cason seconded the motion.

Vote: The motion passed unanimously.

- c) #_2018TA-004___ - revising the Zoning Ordinance of the City of Union City by adopting regulations pertaining to “Donation boxes”

Staff: Director Still presented the Staff report to adopt regulations pertaining to donation boxes. He stated that this was Mayor and Council led for which they talked with legal and

Staff to put together language for donation boxes. The City has had complaints about them being unsightly.

Attorney Stough stated that the original directive from Mayor and Council was to prohibit them entirely, however he doesn't think that legally they can remove them entirely according to his research. If you ban them, someone would still have to deal with the ones that are illegal.

Commissioner McCain asked if the donation boxes would be policed by code enforcement.

Director Still stated that Community Development would handle the fees and applicant and Code Enforcement would handle the enforcement.

Commissioner Potts asked if the donation box owner gets to a point where they have infractions, if it could be removed.

Attorney Stough stated that they can have their permit revoked.

Commissioner Cason asked that if the proposed regulations were in place now, what would be the reduction.

Attorney Stough stated that they don't know yet but it would be easier for the donation boxes to be found and cited.

Commissioner Johnson asked about the donation book box at Hapeville Charter and asked if they would be fall under the regulations since they are in Union City.

Director Still stated that they would fall under the regulations.

PUBLIC HEARING

PUBLIC HEARING CLOSED

Motion: Commissioner Cason made a motion to approve the recommendation to adopt regulations for donation boxes.

Second: Commission Johnson seconded the motion.

Vote: The motion passed unanimously.

ADJOURNMENT

Motion: Commissioner Croom made a motion to adjourn the meeting.



Community Development
5047 Union Street
Union City, GA 30291-1497

(770) 515-7950
www.UnionCityGa.org

Second: Commission Johnson seconded the motion.

Vote: The motion passed unanimously.

Meeting was adjourned.