

TEXT AMENDMENT

Sec. 9-2-1. General.

~~Land use plan~~ *Future Development Map*: The future land use ~~plan~~ *development map* adopted by the Athens-Clarke County Mayor and Commission which is based directly upon the "Future Development Map" and incorporates the language of the implementation strategies of the Athens-Clarke County Comprehensive Plan and includes any amendments by the Athens-Clarke County Mayor and Commission.

Sec. 9-3-3. Official zoning map.

A. The following maps are adopted contemporaneously with the text of this title and shall be considered an integral part of this title:

~~2. Future Land Use map, previously adopted as an integral component of the comprehensive plan, and dated as of the effective date of this ordinance, and signed by the Athens-Clarke County Mayor and Clerk of Commission, with the following certification. "This is to certify that this is the Official Future Land Use Map of Athens-Clarke County referred to and incorporated in the Zoning Ordinance of Athens-Clarke County, Georgia." Pursuant to Section 9-3-3 of such ordinance, this map supersedes the Official Future Land Use Map certified December 19, 2000. Said map is made a part of the "Comprehensive Plan for Athens-Clarke County and the City of Winterville, Georgia" by reference herein and a part of Title 9 of the Code of Athens-Clarke County by reference and incorporation as if fully set forth herein.~~

2. Future Development map, adopted on July 3, 2008 as an integral component of the Athens-Clarke County Comprehensive Plan under the title "Future Development Map" and incorporating language of the implementation strategies, the Future Development Map is signed by the Athens-Clarke County Mayor and Clerk of Commission, with the following certification: "This is to certify that this is the Official Future Development Map of Athens-Clarke County referred to and incorporated in the Zoning Ordinance of Athens-Clarke County, Georgia." This map supersedes the Official Future Land Use Map certified February 10, 2006, as amended by Athens-Clarke County Mayor and Commission.

Sec. 9-4-3. Type I procedure--General provisions.

A. The following actions shall follow the Type I procedure:

3. The adoption of an amendment to the zoning ordinance which rezones property from one zoning map classification to another, which is not in conformance with the future land use ~~element of the comprehensive plan~~ *development map*, as ~~defined~~ *established* in table 9.4, compatibility matrix;

6. The adoption of an amendment to the ~~future land use plan element~~ ~~future development map~~ of the ~~comprehensive plan~~ Athens-Clarke County and the City of Winterville Comprehensive Plan; or
7. The adoption of an amendment to the ~~future land use plan~~ development map, as contained in the ~~comprehensive plan~~ and adopted simultaneously with the enactment of this zoning ordinance, as incorporated herein by reference established in Section 9-3-3-A2.

B. Type I zoning or planning actions--Generally:

1. Scope--Every Type I application shall address the impact of the proposed change on the following:
 - a. The ~~future land use plan~~ development map and its intended outcome;

C. Type I procedure:

8. After closing the public hearing, the Athens-Clarke County Mayor and Commission may:
 - a. Vote to approve both the amendment to the ~~future land use plan~~ development map and the rezoning with conditions or without conditions; or
 - b. Vote to deny the rezoning and approve amendment to the ~~future land use plan~~ development map; or
 - c. Vote to send the rezoning back to the planning commission and to approve amendment to the ~~future land use plan~~ development map; or
 - d. Vote to deny both the amendment to the ~~future land use plan~~ development map and the rezoning; or
 - f. Rezone the subject property to the most appropriate zoning classification consistent with the ~~future land use plan~~ development map, pursuant to the public notice provisions found in subsection 9-4-9E.3.a.

Sec. 9-4-4. Type II procedure--General provisions.

A. The following actions shall follow the Type II procedure:

1. The adoption of an amendment to the zoning ordinance which rezones property from one zoning classification to another, which conforms to the ~~future land use element of the comprehensive plan and future land use map~~ development map which was adopted ~~simultaneously with~~ under Section 9-3-3-A2 of this zoning ordinance ~~and incorporated by reference herein~~, as defined in table 9-4, compatibility matrix;

B. Type II planning actions--Generally:

1. Actions in subsection 9-4-4 A. may be approved when the following standards are met:
 - a. The proposed rezoning conforms to the ~~future land use element of the comprehensive plan~~ development map; or

Sec. 9-6-7. Institutional (IN) development approval procedure.

- B. Any request pertaining to the establishment of an IN zoning district shall be considered an amendment to the zoning ordinance and shall be administered and processed as a Type I or Type II procedure as defined in chapter 9-4 of the zoning ordinance, depending upon the agreement of the proposed zoning classification with the future ~~land-use~~ development map.

Sec. 9-12-1. Purpose and intent.

The mayor and commission of Athens-Clarke County hereby enacts into law the following special district overlays for the following purposes:

- I. Other purposes, all in accordance with the adopted future ~~land-plan~~ development map; and

Sec. 9-14-3. "PD" approval procedures.

- B. Any request pertaining to the establishment of a "PD" zoning district shall be considered an amendment to the zoning ordinance and shall be administered and processed as a Type I or Type II procedure as defined in chapter 9-4 of the zoning ordinance, depending upon the agreement of the proposed zoning classification with the future ~~land-use~~ development map.

Sec. 9-14-4. "Sunset clause" provision.

It is the intent for the purposes of this section that "planned development" includes only those planned developments for which no building permit to construct a portion or all of the approved planned development has been obtained.

All planned developments approved in accordance with this title shall have two years from the date of approval in which to obtain a building permit to construct a portion or all of the approved planned development. If no building permit is issued during this two-year period, the planned development will be subject to prompt rezoning by Athens-Clarke County, and Athens-Clarke County shall make application to rezone the subject property to an appropriate future ~~land-use~~ development map designation and zoning classification as determined by the Mayor and Commission.

Sec. 9-20-5. Approval criteria.

- C. That the special use will have no greater adverse material effect on the livability of the impact area when compared to the development of the subject lot with the target use of the zone. When evaluating the effect of the proposed use on the impact area, the following factors of livability of the impact area shall be considered in relation to the target use of the zone:

6. The development of adjacent properties compatible with the future ~~land use plan~~ **development map** and the zoning district.

Sec. 8-1-3. Powers; duties.

The Athens-Clarke County Planning Commission shall have the power and duty:

- (3) To initiate amendments to the future ~~land use plan~~ **development map** and the Athens-Clarke County Comprehensive Plan.
- (4) To hear and make recommendations to the mayor and commission on proposed amendments to the future ~~land use plan~~ **development map** and the Athens-Clarke County Comprehensive Plan.

Sec. 8-1-4. Land use plan adopted.

The future ~~land use plan~~ **development map** of Athens-Clarke County, as amended, and *The Comprehensive Plan of Athens-Clarke County and the City of Winterville, Georgia*, as adopted by resolution of the mayor and commission, including amendments, are hereby adopted by reference.

TABLE 9.4 COMPATIBILITY MATRIX

TABLE INSET:

| Future Land-Use Future Development Designation | Zoning Districts | | | | | | | | | | | | | | | | | | | | |
|--|------------------|-------|-------|-------|------|------|------|------|------|-----|-----|-----|-----|-----|-----|-----|---|----|---|---|---|
| | AR | RS-40 | RS-25 | RS-15 | RS-8 | RS-5 | RM-1 | RM-2 | RM-3 | C-R | C-O | C-N | C-G | C-D | E-O | E-I | I | IN | G | P | |
| Corridor Business | | | | | | | | | • | | • | • | • | | • | | | | • | • | • |
| Downtown | | | | | | | | | • | | | | | • | | | | | • | • | • |
| Main Street Business | | | | | | | | • | • | | • | • | | | • | | | | • | • | • |
| Community Center Mixed Use | | | | | | • | • | • | • | | • | • | • | | • | | | | • | • | • |
| Employment | | | | | | | | | | | | | | | • | • | • | | • | • | • |
| Government | | | | | | | | | | | | | | | | | | | • | • | • |
| University District | | | | | | | | | | | | | | | | | | | • | • | • |
| Community Institutional | | | | | | | | | | | | | | | | | | | • | • | • |
| Neighborhood Mixed Use | | | | | | • | • | • | • | | • | • | | | | | | | | • | • |
| Residential Mixed Use | | | | | • | • | • | • | | | • | • | | | | | | | | • | • |
| Corridor Residential | | | | | | • | • | • | | | • | | | | | | | | | • | • |
| Traditional Neighborhood | | | • | • | • | • | • | | | | | • | | | | | | | | • | • |
| Single Family Residential | | • | • | → | → | → | | | | | | | | | | | | | | • | • |
| Rural | • | | | | | | | | | | • | | | | | | | | | • | • |
| Rural Residential | • | | | | | | | | | | | | | | | | | | | • | • |
| Parks & Open Space | • | • | • | • | • | • | • | • | • | • | • | • | • | • | • | • | • | • | • | • | • |

• = Future Land-Use Future Development designation is compatible with the zoning district.