

Chairman Jason Sheffield, Vice-Chairman Jim Quinn, Kyle Luckie, Renea Miller,
Shirley Stiles, Johnny Golden, Charlie Barner

AGENDA

June 5, 2025 at 6:00 p.m.

Opal Cannon Auditorium

T. Page Tharp Governmental Building

102 Starksville Avenue North

Leesburg, GA 31763

- I. **CALL TO ORDER**
- II. **ACKNOWLEDGMENT OF GEORGIA LAW REGARDING CAMPAIGN CONTRIBUTIONS**
- III. **APPROVAL OF MINUTES**
 - (A) **Approval of the minutes from the May 1, 2025, Planning Commission Meeting.** 3-8
- IV. **NEW BUSINESS**
 - (A) **None**
- V. **PUBLIC HEARINGS**
 - REZONING APPLICATIONS – City of Leesburg** 9-19
 - (A) **Kurt Lamon (LZ25-026)** has submitted an application to the City of Leesburg requesting to rezone about 130 acres from C-2, C-1, R-2 and R-2 to PUD (Planned Unit Development). The proposed development consists of a mixture of single-family lots, multi-family dwelling units, office uses and commercial uses. The property owner is Mossy Dell, Inc. and the applicant is Kurt Lamon. The subject property fronts Robert B Lee Drive and is parcel number 037C276.
 - TEXT AMENDMENTS- Lee County** 20-22
 - (A) **(T25-004)** Lee County has submitted a request to amend the zoning ordinance Chapter 70, Article XI, Section 70-347 (12) of the Lee County Code of Ordinances, to remove the permitted use, “Medical and/or dental clinics” and to add the use as a conditional use under Chapter 70, Article XI, Section 70-348, to read as “Clinics: Medical and/or dental”.
 - (B) **(T25-005)** Lee County has submitted a request to amend the zoning ordinance Chapter 70, Article VI, Sections 70-196, 70-199, 70-200, 70-201, and 70-202 of the Lee County Code of Ordinances, to remove, amend, and add regulations, based on the Lee County R-2 moratorium and the results of the requested studies for the R-2 Multi-Family Zoning District. 23-31
- VI. **UNFINISHED BUSINESS**
 - None**
- VII. **ANNOUNCEMENTS**

The Joint Planning Commission will conduct a public hearing on **Thursday, June 5, 2025, at 6:00 p.m.**, in the Opal Cannon Auditorium of the T. Page Tharp Governmental Building,

Planning Commission

Lee County, Leesburg, & Smithville



located at 102 Starksville Avenue North, Leesburg, Georgia 31763. The Planning Commission will forward its recommendation.

The Lee County Board of Commissioners will conduct a public hearing on **Tuesday, June 10, 2025, at 6:00 p.m.**, and a final vote on **Tuesday, June 24, 2025, at 6:00 p.m.**, in the Opal Cannon Auditorium of the T. Page Tharp Governmental Building, located at 102 Starksville Avenue North, Leesburg, Georgia 31763.

The City Council of Leesburg will conduct a special called public hearing on the City of Leesburg cases on **Tuesday, June 17, 2025, at 6:00 p.m.**, at City Hall located at 107 Walnut Avenue, North, Leesburg, Georgia 31763.

VIII. ADJOURNMENT

Agenda subject to change without notice

Meetings of the Planning Commission and the Board of Commissioners are open to the public. Georgia law requires that all parties who have made campaign contributions to any member of the Board of Commissioners in excess of two hundred fifty dollars (\$250) within two (2) years immediately preceding the filing of this request, and who desire to appear at the public hearing in opposition to the application, shall, at least five (5) days prior to the public hearing, file a campaign contribution report with the Lee County Planning Commission.

Persons with special needs relating to handicapped accessibility or foreign language interpretation should contact the ADA Coordinator at (229) 759-6000 or through the Georgia Relay Service (800) 255-0056 (TDD) or (800) 355-0135 (voice). This person can be contacted at the T. Page Tharp Building in Leesburg, Georgia between the hours of 9:00 a.m. and 4:00 p.m., Monday through Friday, except holidays, and will assist citizens with special needs given proper notice of seven (7) working days. The meeting rooms and buildings are handicap accessible.

Chairman Jason Sheffield, Vice-Chairman Jim Quinn, Kyle Luckie, Renea Miller,
Shirley Stiles, Johnny Golden, Charlie Barner

Meeting Minutes
May 1, 2025 at 6:00 p.m.
Opal Cannon Auditorium
T. Page Tharp Governmental Building
102 Starksville Avenue North
Leesburg, GA 31763

Members Present: Jim Quinn, Kyle Luckie, Johnny Golden, Shirley Stiles, Charlie Barner, and Renea Miller

Members Absent: Jason Sheffield

Staff Present: Director Amanda Nava-Estill, GIS Manager Kacee Smith, Planner Kara Hanson, City Manager Bob Alexander, and City Planning Consultants Foresite Group

I. CALL TO ORDER

Vice-Chairman Jim Quinn called the meeting to order at 6:00 p.m.

II. ACKNOWLEDGMENT OF GEORGIA LAW REGARDING CAMPAIGN CONTRIBUTIONS

Kyle Luckie read the Georgia law regarding campaign contributions.

III. NEW BUSINESS

- (A) **Lanier Engineering (GD25-003)** has submitted a revised General Development Plan (GDP) for the proposed development Sawtooth Oaks. The GDP has been modified to add the second entrance to Lovers Lane back into the overall development. It has been revised to split Phase 1 into 1 and 1A to match the current plan. The subject property is zoned R-1 and consists of all that certain tract or parcel of land lying in and being part of Land Lots 209 and 210 of the Second Land District, Lee County, Georgia. Said tract or parcel consists of 256.583 acres. The parcel # is 039D120, off Lovers Lane Road, Leesburg, GA. 31763.

Staff Presentation

Kara Hanson presented the staff report. The applicant is submitting a revised GDP for the Sawtooth Farms. The applicant proposes a change to phase 2 of the development, as previously approved, which adds lots 51-60 with frontage on Cherrybark Lane, which intersects with Lovers Lane to the East. The total acreage will be 256.825 acres. The addition of a Cherrybark lane subdivision entrance is expected to be beneficial providing more options for ingress/egress from subdivision.

Applicant Presentation

Bobby Donley with Lanier Engineering was present to answer any questions.

Commission Discussion

The Commissioners held a brief discussion.

Renea Miller made a **MOTION** to **APPROVE** the modified GDP as presented. Seconded by Kyle Luckie. The **MOTION** was unanimous with remaining commissioners voting yea.

IV. APPROVAL OF MINUTES

- (A) **Approval of the minutes from the April 3, 2025, Planning Commission Meeting**

Commissioners requested any changes that are made to applications be submitted no later than the Monday before the meeting date so that they have time to review the changes.

Director Amanda asked that they consider last minute changes if presented to them at least a couple days before the meeting due to particular circumstances. Members agreed to changes as long as they have adequate time to review.

Shirley Stiles made a **MOTION** to **APPROVE** the minutes. Seconded by Charlie Barner. The **MOTION** was unanimous with remaining commissioners voting yea.

V. PUBLIC HEARINGS

Vice- Chair Jim Quinn read the variance application into record.

VARIANCE APPLICATIONS

- (A) **Lanier Engineering (Z25-026)** has submitted an application to the Lee County Planning Commission requesting a variance from Section 38-319 (b) (1), Additional design for nonresidential streets of the Lee County Code of Ordinances, from the regulation of a maximum cul-de-sac length of 800 feet, to allow the construction of a commercial drive with a total length of 1,036 feet. The property is zoned C-2 (General Business District), located at 3268 Palmyra Road, Lee County, at parcel number 037C023, in Land Lot 83 of the Second Land District of Lee County, Georgia.

Public Hearing Discussion

Staff Presentation

Kara Hanson presented the staff report. The request is to allow the construction of a commercial drive with a total length of 1,036 feet. The cul-de-sac cannot comply with the maximum 800 feet length required per the ordinance, due to the presence of an existing building. Staff recommends approval as the application of the Chapter to this particular piece of property would create an unnecessary hardship due to the conflict with the location of an existing building, per the optimal layout. Approval of the request or variance to allow this would not be expected to cause detriment to the public. If the variance is approved the cul-de-sac must adhere to all design standards per the ordinance.

Vice- Chair opened the Public Hearing at 6:20 P.M.

Applicant Presentation

Bobby Donley with Lanier Engineering was present to answer any questions.

Public Supporters

Bobby Donley

Public Opposition

None

Vice-Chair closed the Public Hearing at 6:38 P.M.

Commission Discussion

The Commissioners held a brief discussion.

Renea Miller made a **MOTION** to **APPROVE** the modified General development as presented. Seconded by Kyle Luckie. The **MOTION** was unanimous with remaining commissioners voting yea.

TEXT AMENDMENTS- CITY OF LEESBURG

- (A) **(T25-001)** The City of Leesburg has submitted a request for a zoning text amendment to the City of Leesburg Code of Ordinances. The purpose of the zoning text amendment is to create a Planned Unit Development zoning district to allow site-specific mixed used development that is planned and developed as a single unified project.

Public Hearing Discussion

Staff Presentation

Robin Cailloux, City Planner, presented that the City of Leesburg would like to continue with the drafting of a text amendment to create a zoning district called Planned Unit Development (PUD) which includes a mix of commercial, office, and residential development. Industrial development would be permitted. Its purpose will allow for a cohesive design for a piece of property so that you can meet the market needs at the time. It will allow a proposal of mixed uses within a single design. The PUDs are tailored to each city's desired vision and have been proven to be very beneficial with the research provided throughout Georgia.

PUD would have to have property of at least five acres and include a letter of intent of clear description of what they are planning to use the property for. There is a commitment up front of what the developer plans to use the property for. It requires a minimum of 10% open space for central gathering spaces. A PUD ordinance does not mean that anyone can come in and automatically get it. They still must go through the public hearing process and rezoning process.

Robin mentioned that the PUD travels with the land. If a mixed used development requires that the ground floor be commercial and in 20 years from now and someone else gets development, they couldn't just change it to residential apartments. They would have to go through the public hearing process.

Vice- Chair opened the Public Hearing at 6:28 P.M.

Public Supporters
 None

Public Opposition
 None

Vice-Chair closed the Public Hearing at 6:38 P.M.

Commission Discussion

The City of Leesburg did not provide a transcript of the discussion. The audio is on file with the City of Leesburg.

Kyle Luckie made a **MOTION** to **APPROVE** the case T25-001. Seconded by Shirley Stiles. The **MOTION** was unanimous with remaining commissioners voting yea.

TEXT AMENDMENTS- LEE COUNTY

(A) (T25-002) Lee County has submitted several requests for zoning text amendments to the Lee County Code of Ordinances to include:

A request to amend Article I.-Introductions, Sec.70-6. Definitions of the Lee County Code of Ordinances, with respect to removing the Motor Vehicle Establishment definition and adding the Car Wash Establishment definition

A request to repeal Article III.- General Provisions, Sec. 70-94- Land Conservation of the Lee County Code of Ordinances.

A request to amend Sec. 70-95. (e) – Buffers in residential districts of the Lee County Code of Ordinances, with respect to removing the sentence, "This buffer area may account for the land conservation area required by section 70-94 of this chapter."

A request to amend Article V. - R-1 Single Family Residential District, Sec. 70-162. – Permitted uses of the Lee County Code of Ordinances, to remove the permitted use, "zero lot-line housing shown on approved subdivision plat."

A request to amend Article V. - R-1 Single Family Residential District, Sec. 70-163. - Conditional uses of the Lee County Code of Ordinances, to add “Zero lot-line housing if shown on an approved subdivision plat. Not to exceed two per 1.5 acres.”

A request to amend Article V. Sec 70-164. Area, height, bulk, and placement requirements of the Lee County Code of Ordinances, with respect to the Dwelling Units Per Acre of Developable Land- R-1 chart, amending the three (3) per every one (1) acre requirement for water and sewer to two (2) for every one (1) acre for water and sewer.

A request to add Car Wash Establishment to Article XII. - C-2 General Business District under Sec. 70-383. - Conditional uses.

Public Hearing Discussion

Staff Presentation

Director Amanda Nava- Estill presented the staff report. These text amendments were a direct response from a special called meeting with the Lee County Board of Commissioners.

Vice- Chair opened the Public Hearing at 6:41 P.M.

Public Supporters

None

Public Opposition

None

Vice-Chair closed the Public Hearing at 7:02 P.M.

Commission Discussion

The Commissioners held a brief discussion.

Kyle Luckie made a **MOTION** to **APPROVE** the request to amend Article I.-Introductions, Sec.70-6. Definitions of the Lee County Code of Ordinances, with respect to removing the Motor Vehicle Establishment definition and adding the Car Wash Establishment definition. Seconded by Renea Miller. The **MOTION** was unanimous with remaining commissioners voting yea.

Renea Miller made a **MOTION** to **APPROVE** the request to repeal Article III.- General Provisions, Sec. 70-94- Land Conservation of the Lee County Code of Ordinances. Motion Failed due to lack of Second.

Shirley Stiles made a **MOTION** to **DENY** the request to repeal Article III.- General Provisions, Sec. 70-94- Land Conservation of the Lee County Code of Ordinances. Motion Failed due to lack of second. **No recommendation.**

No **MOTION** was made to the request to amend Sec. 70-95. (e) – Buffers in residential districts of the Lee County Code of Ordinances, with respect to removing the sentence, “This buffer area may account for the land conservation area required by section 70-94 of this chapter.”

Kyle Luckie made a **MOTION** to **APPROVE** the request to amend Article V. - R-1 Single Family Residential District, Sec. 70-162. – Permitted uses of the Lee County Code of Ordinances, to remove the permitted use, “zero lot-line housing shown on approved subdivision plat.” Seconded by Rena Miller. The **MOTION** was unanimous with remaining commissioners voting yea.

Kyle Luckie made a **MOTION** to **APPROVE** the request to amend Article V. - R-1 Single Family Residential District, Sec. 70-163. - Conditional uses of the Lee County Code of Ordinances, to add “Zero lot-line housing if shown on an approved subdivision plat. Not to exceed two per 1.5 acres. “Seconded by Rena Miller. The **MOTION** was unanimous with remaining commissioners voting yea.

Jim Quinn made a **MOTION** to **APPROVE** the request to amend Article V. Sec 70-164. Area, height, bulk, and placement requirements of the Lee County Code of Ordinances, with respect to the Dwelling Units Per Acre of Developable Land- R-1 chart, amending the three (3) per every one (1) acre requirement for water and sewer to two (2) for every one (1) acre for water and sewer. Seconded by Kyle Luckie. The **MOTION** was unanimous with remaining commissioners voting yea.

Kyle Luckie made a **MOTION** to **APPROVE** the request add Car Wash Establishment to Article XII. - C-2 General Business District under Sec. 70-383. - Conditional uses. Seconded by Shirley Stiles. The **MOTION** was unanimous with remaining commissioners voting yea.

- (B) **(T25-003)** Lee County has submitted a request for a text amendment to the Lee County Code of Ordinances, to amend Chapter 58 Subdivisions Sec. 58-159. - Effect of approval of general development plan (e) with respect to removing the wording, "All designated greenspace area shall meet the requirements for greenspace as established in section 70-94 of this Code."

Public Hearing Discussion

Staff Presentation

Director Amanda Nava- Estill presented the staff report. She expressed that these text Amendments were a direct response from a special called meeting with the Lee County Board of Commissioners who expressed the desire for these changes to the Lee County Ordinance.

Vice- Chair opened the Public Hearing at 7:04 P.M.

Public Supporters

None

Public Opposition

None

Vice-Chair closed the Public Hearing at 7:08 P.M.

Commission Discussion

The Commissioners held a brief discussion.

No **MOTION** was made to the request to amend Sec. 58-159- Effect of approval of general development plan (e) with respect to removing the wording "All designated greenspace area shall meet the requirements for greenspace as established in section 70-94 of this Code."

VI. UNFINISHED BUSINESS

None

VII. ANNOUNCEMENTS

The Lee County Planning Commission will conduct a public hearing on **Thursday, May 01, 2025, at 6:00 p.m.**, in the Opal Cannon Auditorium of the T. Page Tharp Governmental Building, located at 102 Starksville Avenue North, Leesburg, Georgia 31763. The Planning Commission will forward its recommendation.

The Lee County Board of Commissioners will conduct a public hearing on **Tuesday, May 13, 2025, at 6:00 p.m.**, and a final vote on **Tuesday, May 27, 2025, at 6:00 p.m.**, in the Opal Cannon Auditorium of the T. Page Tharp Governmental Building, located at 102 Starksville Avenue North, Leesburg, Georgia 31763.

The City Council of Leesburg will conduct a special called public hearing on the City of Leesburg cases on **Tuesday, May 13, 2025, at 6:00 p.m.**, at City Hall located at 107 Walnut Avenue, North, Leesburg, Georgia 31763.

VIII. ADJOURNMENT

Commissioner Shirley Stiles made a **MOTION** to **ADJOURN**, seconded by Charlie Barner. The **MOTION** was unanimous with remaining Commissioners voting yea. The meeting adjourned at 7:12 p.m.

Note: all meetings are audio recorded and are filed in the Planning & Zoning Department

Meetings of the Planning Commission and the Board of Commissioners are open to the public. Georgia law requires that all parties who have made campaign contributions to any member of the Board of Commissioners in excess of two hundred fifty dollars (\$250) within two (2) years immediately preceding the filing of this request, and who desire to appear at the public hearing in opposition to the application, shall, at least five (5) days prior to the public hearing, file a campaign contribution report with the Lee County Planning Commission.

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City of Leesburg

MEMORANDUM

To: Planning Commission

From: Robin Cailloux, Foresite Group for the City of Leesburg

Date: May 26, 2025

Subject: Rezoning request for Parcel 037C 276 on Robert B Lee Drive

Request

Applicant: Kurt Lamon

Owner: Mossy Dell, Inc.

Request: Rezoning about 130 acres from to R-1, R-2 and C-2 to PUD for a mixed use development.

Property Information: Located on Robert B Lee Drive, Parcel 037C 276

Adjacent Zoning/ Use: AG (North), AG (South); C-2, R-1 and AG /Lee County Elementary School (East); R-2 and C-2 (West)

Available Public Services: Leesburg water, sewer and utilities

Discussion

The property owner is requesting a rezoning from the straight zoning classifications of R-1, R-2, and C-2 to the PUD classification to allow the development of the property as proposed during the original rezoning. During post-rezoning staff review, it was discovered that the proposed development plan does not comply with the single-family residential lot width requirements in the R-1 or R-2 zoning districts. The applicant is requesting the PUD classification to allow for flexibility in the single-family lot design, a portion of which will be developed under the rural housing grant provided by the State. The PUD classification also provides the City a guarantee that the development will be constructed as shown on the plan, and that amenities such as the multi-use path system will be provided within the development.

The attached conceptual site plan, which would be binding if the PUD zoning is approved, is the same plan proposed with the original rezoning request. The proposed development is a mixed-use planned community consisting of:

- 197 single-family residential lots (about 37 acres)
-

- 206 multi-family residential townhomes and condominiums, some of which are age-restricted (about 8 acres)
- 13.8 acres of commercial uses
- 4.4 acres of office uses
- About 39 acres of greenspace/ opens space
- Remaining portion in stormwater maintenance

Staff Recommendation

Staff is of the opinion that the request meets a majority of the rezoning criteria and recommends approval of the rezoning request with the following conditions (please note that conditions numbered 5, 6, and 7 were the conditions of approval from the previous rezoning approval):

1. The development shall conform significantly to the conceptual development plan submitted with the rezoning request. Changes in gross density of five percent or greater or changes in land use locations shall require a rezoning action.
2. Single-family residential lot sizes shall be a minimum of 60 feet wide and contain at least 6,500 square feet. Setbacks shall be:
 - a. Side setback minimum 7.5 feet
 - b. Front setback minimum 20 feet
 - c. Rear setback minimum 20 feet
3. Parking shall comply with the zoning code ordinance, except for the provision of boat parking in multi-family uses.
4. The development shall comply with the design requirements established in the PUD ordinance, including but not limited to minimum driveway lengths, sidewalk designs, street tree locations, and open space requirements.
5. The proposed development must provide adequate buffering between residential and commercial land uses within the site.
6. A traffic study shall be conducted that meets the approval of the City of Leesburg and the Department of Transportation. The traffic study shall address the existing and projected Level of Service (LOS) of intersections of Highways 19 and 32 with Robert B Lee Drive, via Lovers Lane, and shall address needs for turning lanes along Robert B Lee Drive. Ultimate project development approval should be contingent on developer implementation of improvements directly tied to the development impacts recommended by the traffic study.
7. Internal networks of streets and paths shall be designed to maximize connectivity and comply with all Leesburg development regulations.
8. A multi-use path easement parallel to Robert B Lee Drive shall be dedicated to the City of Leesburg for the purpose of a future multi-use path connection. The exact location of this easement shall be determined during the Final Site Development Plan process step. This easement may be located within the portions of the commercial parking lot, if appropriate.

9. A publicly accessible multi-use path connection shall be provided to the adjacent YMCA. The exact location shall be determined by the Final Site Development Plan process step.
10. A Homeowners' Association or similar legal body shall be formed by the developer for the long-term ownership and maintenance of the proposed greenspace, landscaping, trail system, and sidewalks within the development.
11. Final Site Development Plan review and approval process shall involve the Planning Commission.

Evaluation Criteria

Per Section 17.05 of the Zoning ordinance, City Council shall consider the following factors, where relevant, when evaluating a proposed change to the zoning map:

1. Will the zoning proposal permit a use that is suitable in view of the use, development and zoning of adjacent and nearby property?

The proposed rezoning does not change the land uses that are already approved on the property. Adjacent properties are zoned C-2 and Agriculture, which is primarily undeveloped and used for timber growth rather than active farming/ranching. Nearby community facilities include the YMCA, Lee County High School and Lee County Elementary School. The rezoning request for commercial and office along the adjacent roadways and medium density residential near the YMCA and schools is a suitable land use to the adjacent and nearby properties.

2. What is the effect on the property value of the subject property should the existing zoning be retained?

The applicant is seeking the PUD zoning classification to allow flexibility in the single-family residential lot design. They have stated that if this proposed layout is not approved, the viability of the project will be in jeopardy due to the financial requirements of the rural housing grant.

3. If denied, will the effect on the applicant's property value under the existing zoning be offset by the gain to the health, safety, morals or general welfare of the public?

Potential negative impacts to the public welfare include increased traffic generated by the development. A traffic study assessing the direct impacts of the development on the adjacent roadways, along with construction of improvements associated with the direct impacts of the project, would mitigate these potential negative impacts to the public general welfare.

4. Has the property been undeveloped an unusual length of time as currently zoned, considered in the context of land development in the area in the vicinity of the property?

The property has remained undeveloped while properties in the vicinity have developed.

- 5. Will the zoning proposal result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, schools, police protection, fire protection, public health facilities, or emergency medical services?**

The proposed development may have negative impacts on adjacent transportation facilities. A traffic study quantifying these impacts and identifying roadway improvements should be provided by the developer.

- 6. Is the zoning proposal in conformity with the policy and intent of the future land use plan for the physical development of the area?**

The proposed development complies with the Future Land Use map of the Lee County Comprehensive Plan, which designated the subject property for commercial use along the corridor and residential use on the remaining portion of the property.

Per the Lee County Comprehensive Plan, the proposed development complies with Goal 11, which states a need for a diversity of housing types in walkable mixed-use environments.

- 7. Is the subject property well suited for the proposed zoning purpose?**

The proposed residential uses are appropriate given the proximity to the YMCA and nearby schools. The commercial uses along Robert B Lee Drive is appropriate. The office use is appropriate considering the adjacent railroad right of way.

- 8. Will the zoning proposal adversely affect the existing use or usability of adjacent or nearby property?**

The proposal does not affect the existing uses or usability of the adjacent and nearby properties.

- 9. Does the subject property have a reasonable economic use as currently zoned?**

The current zoning allows for multiple potential uses that could provide economic value to the property owner.

- 10. Are there other existing or changing conditions affecting the use or development of the subject property which give supporting grounds for either approval or disapproval of the zoning proposal?**

Continued growth and development in the City of Leesburg supports the approval of the zoning proposal.

- 11. Would the change create an isolated district unrelated to the surrounding districts, such as "spot zoning"?**

The proposed development is surrounded by similar zoning and development patterns and would therefore not be considered spot zoning.

12. Are the present zoning district boundaries illogically drawn in relation to existing conditions in the area?

The present zoning boundaries are not illogically drawn based on the existing conditions in the area.

13. Is the change requested out of scale with the needs of the city as a whole or the immediate neighborhood?

The change is not out of scale with the needs of the city given the growth in the community and the expressed development goals of the Comprehensive Plan.

14. Is it impossible to find adequate sites for the proposed use in districts permitting such use and already appropriately zoned?

There are no undeveloped properties available for a similar development.

15. Would there be an ecological or pollution impact resulting from the proposed zoning if it is granted?

Compliance with the development standards of the City will ensure that there will not be any ecological or pollution impacts associated with the development.

May 2nd, 2025

Electronic Mail to: rcailloux@fg-inc.net

Foresite Group, LLC c/o
Leesburg Planning Department
Attn: Robin Cailloux
3740 Davinci Ct, Suite 100
Peachtree Corners, GA 30092

RE: LETTER OF INTENT in relation to The Lamon Company, LLC Application for Rezoning from R-1, R-2, and C-2 to PUD, for the property located off Robert B. Lee Dr. in Lee County, Georgia.

I, Kurt Lamon ("Applicant") in connection with its application for rezoning approval (the "Application"), am providing this Letter of Intent to supplement the Application and be incorporated therein.

The Applicant is seeking Leesburg approval to rezone portions of the property commonly known as parcel 037C 276 located on Robert B. Lee Dr., in Leesburg, Lee County, Georgia, from R-1 (Single-Family Residential), R-2 (Multi-Family Residential), and C-2 (General Commercial) to PUD (Planned Unit Development)

Subject Property – General Information

The total acreage for parcel # 037C 276 is 130.19. The subject property total to be rezoned for is 130.19 Acres. Upon rezoning approval, a new plat will be submitted for review and approval.

The Parcel is currently zoned R-1 (Single-Family Residential), R-1(Multifamily Residential), and C-2 (General Commercial). It is located off Robert B. Lee Dr., is vacant/undeveloped and is owned by Mossy Dell, Inc.

Proposed Use

If approved for rezoning, Applicant will construct 197 single-family residential lots for development (purple and blue), 206 multi-family residential townhome/condos (maroon and pink), and future office park and general commercial development (yellow and red) and is expected for parcel 037C 276.

The expected schedule of the development will be over the course of 2-5 years.

Based on the city's existing zoning classifications, the proposed mixed use of the property as depicted at the planning commission and rezoning meetings is not permitted. In order to allow for middle housing, including cottage courts, a PUD zoning designation is necessary.

I look forward to working the Community Development team, the Planning Commission, and the City Council, and are happy to answer any questions or address any concerns.

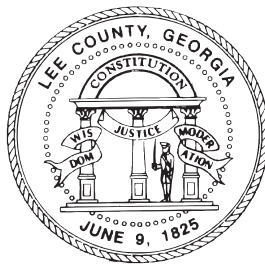
Sincerely,



Kurt Lamon

The Lamon Company, LLC

LEE COUNTY
CITY OF LEESBURG
CITY OF SMITHVILLE



ZONING APPLICATION

Owner: MOSSY DELL, INC.

Address: 697 STATE HWY 32 W, LEESBURG, GEORGIA 31763

Daytime Phone #: 229-288-4276

Email: KLAMON@LAMONCOMPANY.COM

Address or location of the property: ROBERT B. LEE DRIVE LEESBURG, GEORGIA 31763
PARCEL NO. 037C 276

In order that the general health, safety and welfare of the citizens may be preserved, and substantial justice maintained, I (We) the undersigned request in connection with the property hereinafter described:

Present Zoning R-1,R-2,C-1

Present Use of Property: PROPERTY IS CURRENTLY UNDEVELOPED

Proposed Zoning: PUD

PLANNED UNIT DEVELOPMENT -
Proposed Use of Property: COMMERCIAL/RESIDENTIAL/PROFESSIONAL

81,82,83,110,

111&112 Land Lot Number

2ND

Land District

130.191

of Acres

The subject property is described as follows:

MIXED USE COMMERCIAL/PROFESSIONAL, SINGLE FAMILY RESIDENTIAL AND MULTI-FAMILY
RESIDENTIAL DEVELOPMENT

ALSO ATTACH: (18 COPIES REQUIRED) ☒ Plat of property, including vicinity map

☒

Legal description Containing Metes and Bounds

DISCLOSURE

☐ I (owner) have made campaign contributions having an aggregate value of \$250.00 or more, or made gifts having an aggregate value or \$250.00 or more to an official of (Lee County, City of Leesburg, City of Smithville) (circle one) within two (2) years of application.

☒ I (owner) have NOT made campaign contributions having an aggregate value of \$250.00 or more, or made gifts having an aggregate value or \$250.00 or more to an official of (Lee County, City of Leesburg, City of Smithville) (circle one) within two (2) years of application.

I hereby certify that I am the owner and/or legal agent of the owner, in fee simple of the above-described property.

WITNESS _____

OWNER _____

DATE _____

DATE _____

Application Fee: _____ Date Paid: _____ Received by: _____

In my absence, I authorize the person named below to act as the applicant in the pursuit of action for the application.

Applicant Name: KURT LAMON

Address: 2808 WILMAR LANE, ALBANY, GEORGIA 31707

Phone #: 229-288-4276

Email: KLAMON@LAMONCOMPANY.COM

SURVEYED LEGAL DESCRIPTION

EXISTING Commercial Zoning – 18.115± Acres
TO BE REZONED TO PUD

ALL OF THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 82 & 83 OF THE 2ND LAND DISTRICT OF LEE COUNTY, GEORGIA, CONTAINING 18.115± ACRES AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT AT THE INTERSECTION OF THE EASTERLY RIGHT OF WAY OF THE NORFOLK SOUTHERN RAILROAD (150' R/W) AND THE SOUTH RIGHT OF WAY OF ROBERT B. LEE DRIVE (100' R/W) GO ALONG THE SOUTHERN RIGHT OF WAY OF ROBERT B. LEE SOUTH 89 DEGREES 57 MINUTES 00 SECONDS EAST A DISTANCE OF 2063.65 FEET; DEPARTING THE RIGHT OF WAY OF ROBERT B. LEE DRIVE GO SOUTH 00 DEGREES 03 MINUTES 00 SECONDS WEST A DISTANCE OF 300.00 FEET TO A POINT; THENCE GO NORTH 89 DEGREES 57 MINUTES 00 SECONDS WEST A DISTANCE OF 1488.41 FEET TO A POINT; THENCE GO SOUTH 00 DEGREES 03 MINUTES 00 SECONDS WEST A DISTANCE OF 563.82 FEET TO A POINT; THENCE GO NORTH 89 DEGREES 57 MINUTES 00 SECONDS WEST A DISTANCE OF 217.88 FEET TO A POINT ON THE EASTERLY RIGHT OF THE NORFOLK SOUTHERN RAILROAD; THENCE GO ALONG THE EASTERLY RIGHT OF WAY OF THE NORTHFOLK SOUTHERN RAILROAD NORTH 22 DEGREES 25 MINUTES 29 SECONDS WEST A DISTANCE OF 934.83 FEET TO A POINT AND BEING THE TRUE POINT OF BEGINNING.

SAID TRACT CONTAINS 18.115± ACRES ~ 789,081± SQ. FT.

SURVEYED LEGAL DESCRIPTION

EXISTING Residential Zoning – 112.076± Acres
TO BE REZONED TO PUD

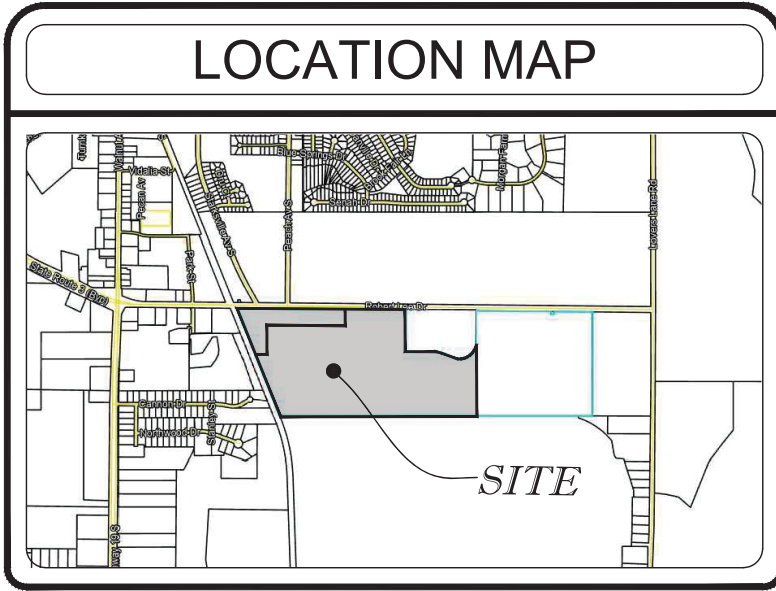
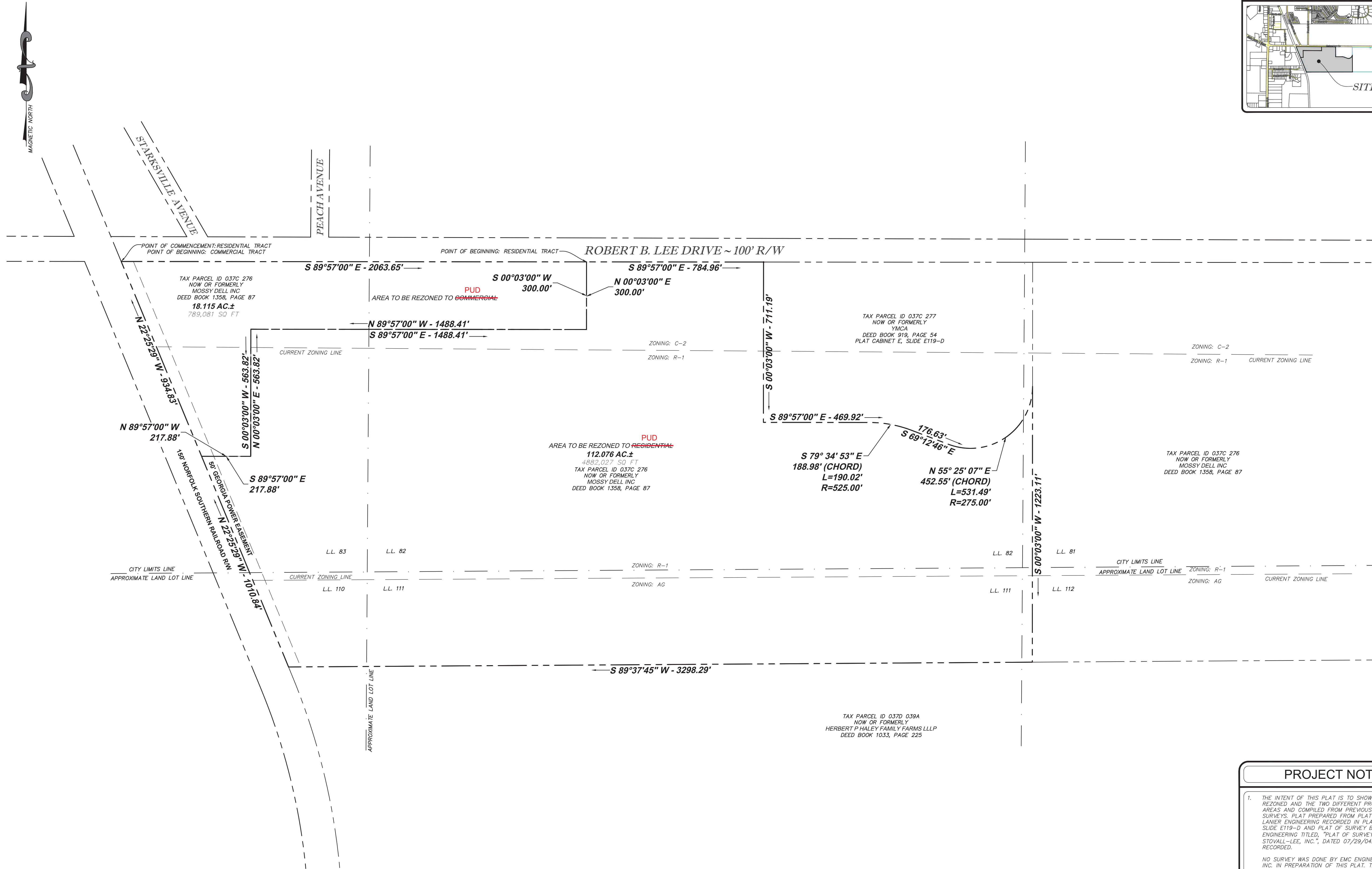
ALL OF THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 81, 82, 83, 110, 111 AND 112 OF THE 2ND LAND DISTRICT OF LEE COUNTY, GEORGIA, CONTAINING 112.076± ACRES AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT AT THE INTERSECTION OF THE EASTERLY RIGHT OF WAY OF THE NORFOLK SOUTHERN RAILROAD (150' R/W) AND THE SOUTH RIGHT OF WAY OF ROBERT B. LEE DRIVE (100' R/W) GO ALONG THE SOUTHERN RIGHT OF WAY OF ROBERT B. LEE SOUTH 89 DEGREES 57 MINUTES 00 SECONDS EAST A DISTANCE OF 2063.65 FEET TO A POINT AND BEING THE POINT OF BEGINNING.

FROM SAID POINT OF BEGINNING, CONTINUE ALONG THE SOUTH RIGHT OF WAY OF ROBERT B. LEE DRIVE SOUTH 89 DEGREES 57 MINUTES 00 SECONDS EAST A DISTANCE OF 784.96 FEET TO A POINT; DEPARTING THE RIGHT OF WAY OF ROBERT B. LEE DRIVE GO NORTH 00 DEGREES 03 MINUTES 00 SECONDS EAST ALONG THE COMMON PROPERTY LINE SHARED NOW OR FORMERLY WITH YMCA A DISTANCE OF 711.19 FEET TO A POINT; THENCE GO SOUTH 89 DEGREES 57 MINUTES 00 SECONDS EAST A DISTANCE OF 469.92 FEET TO A POINT; THENCE GO ALONG A CURVE HAVING A RADIUS OF 525.00 FEET, AN ARC LENGTH OF 190.02 FEET, SUBTENDED BY A CHORD BEARING OF SOUTH 79 DEGREES 34 MINUTES 53 SECONDS EAST AND A CHORD DISTANCE OF 188.98 FEET TO A POINT; THENCE GO SOUTH 69 DEGREES 12 MINUTES 46 SECONDS EAST A DISTANCE OF 176.63 FEET TO A POINT; THENCE GO ALONG A CURVE HAVING A RADIUS OF 275.00 FEET, AN ARC LENGTH OF 531.49 FEET, SUBTENDED BY A CHORD BEARING OF NORTH 55 DEGREES 25 MINUTES 07 SECONDS EAST AND A CHORD DISTANCE OF 452.55 FEET TO A POINT; THENCE GO SOUTH 00 DEGREES 03 MINUTES 00 SECONDS WEST A DISTANCE OF 1223.11 FEET TO A POINT; THENCE GO SOUTH 89 DEGREES 37 MINUTES 45 SECONDS WEST ALONG A COMMON PROPERTY LINE NOW OR FORMERLY SHARED WITH HERBERT P HALEY FAMILY FARMS LLLP FOR A DISTANCE OF 3298.29 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY OF THE NORFOLK SOUTHERN RAILROAD; THENCE GO ALONG THE EASTERLY RIGHT OF WAY OF THE NORFOLK SOUTHERN RAILROAD NORTH 22 DEGREES 25 MINUTES 29 SECONDS WEST A DISTANCE OF 1010.84 FEET TO A POINT; DEPARTING THE EASTERLY RIGHT OF WAY OF THE NORFOLK SOUTHERN RAILROAD GO SOUTH 89 DEGREES 57 MINUTES 00 SECONDS EAST A DISTANCE OF 217.88 FEET TO A POINT; THENCE GO NORTH 00 DEGREES 03 MINUTES 00 SECONDS WEST A DISTANCE OF 563.82 FEET TO A POINT; THENCE GO SOUTH 89 DEGREES 57 MINUTES 00 SECONDS EAST A DISTANCE OF 1488.41 FEET TO A POINT; THENCE GO NORTH 00 DEGREES 03 MINUTES 00 SECONDS EAST A DISTANCE OF 300.00 FEET TO A POINT AND BEING THE TRUE POINT OF BEGINNING.

SAID TRACT CONTAINS 112.076± ACRES ~ 4,882,027± SQ. FT.

O:\2024\24-6131_130 AC REZONING R B LEE DRIVE LEEBURG GA\SURVEY\DWG\24-6131_201.DWG 8/23/2024 9:20 AM



LEGEND	
PROPERTY LINE	---
RIGHT-OF-WAY LINE	---
ADJACENT OWNER LINE	---

PROJECT NOTES	
1.	THE INTENT OF THIS PLAT IS TO SHOW THE AREA TO BE REZONED AND THE TWO DIFFERENT PROPOSED ZONING AREAS AND COMPILED FROM PREVIOUS PLATS AND SURVEYS. PLAT PREPARED FROM PLAT OF SURVEY BY LANIER ENGINEERING RECORDED IN PLAT CABINET E, SLIDE E119-D AND PLAT OF SURVEY BY LANIER ENGINEERING TITLED, "PLAT OF SURVEY, PROPERTY OF STOVALL-LEE, INC.", DATED 07/29/04. PLAT NOT RECORDED.
	NO SURVEY WAS DONE BY EMC ENGINEERING SERVICES, INC. IN PREPARATION OF THIS PLAT. THIS PLAT IS NOT TO BE RECORDED OR USED FOR THE TRANSFER OF LAND.
2.	TOTAL AREA IN COMMERCIAL TRACT = 18.115 AC. TOTAL AREA IN RESIDENTIAL TRACT = 112.076 AC. OVERALL DEVELOPMENT TRACT = 130.191 AC. BEING REZONED TO PUD
3.	THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 2,884,142 FEET.
4.	THIS PROPERTY IS IN FLOOD ZONE "X" AS PER FLOOD INSURANCE RATE MAP FOR LEE COUNTY, GEORGIA AND INCORPORATED AREAS, PANEL 235 OF 300, AS SHOWN ON MAP NUMBER 13177C02350, WITH AN EFFECTIVE DATE OF SEPTEMBER 2, 2009.
	ZONE "X" DENOTES AREAS DETERMINED TO BE INSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.

NO.	REVISION DESCRIPTION	DATE
###	###	###
###	###	###
###	###	###
###	###	###
###	###	###
###	###	###

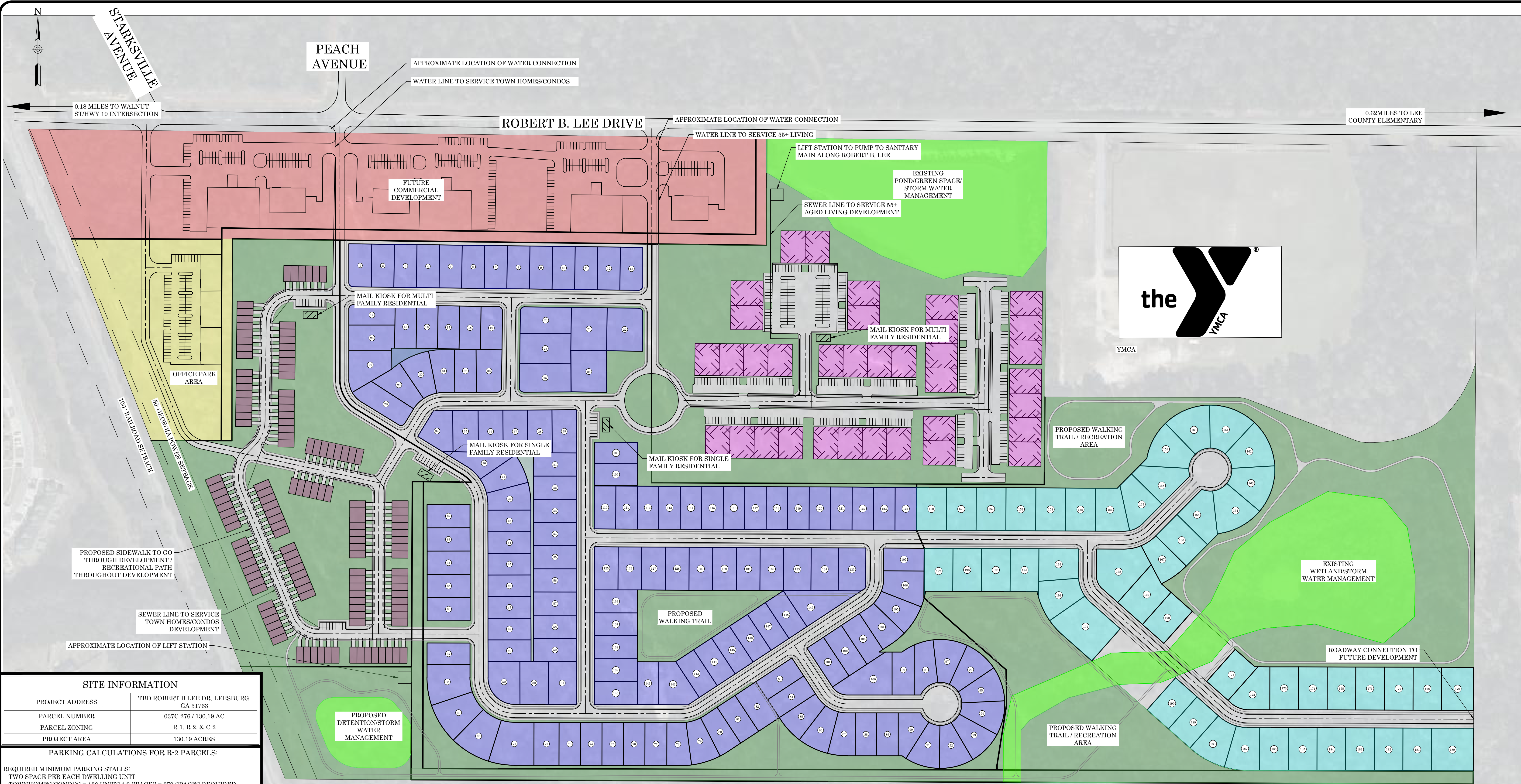
GRAPHIC SCALE: 1" = 200'

EMC ENGINEERING SERVICES, INC.
1344 US Hwy 195, Suite A
Leesburg, GA 31763
Ph: (229) 433-6133
www.emc-eng.com

PROPERTY OF MOSSY DELL, INC.
LYING IN LAND LOTS 81, 82, 83, 110, 111 & 112, 2ND LAND DISTRICT
LEE COUNTY, GEORGIA
Prepared for:
THE LAMON COMPANY, LLC

PROJECT NO.:	24-6131
DRAWN BY:	JSM
DESIGNED BY:	-
SURVEYED BY:	N/A
CHECKED BY:	CFR
SCALE:	1" = 200'
DATE:	08/23/2024

SHEET 1
OF 1



SITE INFORMATION	
PROJECT ADDRESS	TBD ROBERT B LEE DR, LEESBURG, GA 31763
PARCEL NUMBER	037C 276 / 130.19 AC
PARCEL ZONING	R-1, R-2, & C-2
PROJECT AREA	130.19 ACRES

PARKING CALCULATIONS FOR R-2 PARCELS:

REQUIRED MINIMUM PARKING STALLS:
TWO SPACE PER EACH DWELLING UNIT
TOWNHOMES/CONDOS = 136 UNITS * 2 SPACES = 272 SPACES REQUIRED
55+ AGED LIVING = 35 UNITS * 2 SPACES = 70 UNITS REQUIRED

PROVIDED PARKING STALLS:
TOWNHOMES/CONDOS = 123 SPACES PROVIDED (1 DRIVEWAY + 1 GARAGE) +
PARKING PROVIDED THROUGHOUT DEVELOPMENT
55+ AGED LIVING = 305 PROVIDED

HATCH LEGEND:		GREEN SPACE PER AREA (%)
	FUTURE ON-ROAD COMMERCIAL: ±13.8 AC (C-2)	25%
	TOWNHOMES/CONDOS: ±2.8 AC (R-2)	25%
	55+ AGED LIVING: ±4.9 AC (R-2)	25%
	SINGLE FAMILY RESIDENTIAL (60' WIDE LOTS): ±27.5 AC (R-1)	25%
	SINGLE FAMILY RESIDENTIAL (80' WIDE LOTS): ±9.8 AC (R-1)	25%
	OFFICE PARK COMMERCIAL: ±4.4 AC (C-2)	25%
	PROPOSED GREEN SPACE / OPEN SPACE: ±39.41 AC	NA
	EXISTING WETLANDS / STORMWATER RETENTION: ±10.9 AC	NA

- GENERAL SITE NOTES:**
- THERE WILL BE A LAND TRUST THAT CAN BE IDENTIFIED AS AN ALTERNATE CONSERVATION FOR OPEN SPACE IF THE HOMEOWNERS ASSOCIATION WERE TO DISSOLVE.

AES
Advanced Engineering Services, LLC

ALBANY VALDOSTA
1741 PHILEAS RD 4560 E VALNORTH DR.
WARNERSBORO WARREN COUNTY, GA 30356
110A TOMMY STANARD RD.
(800) 416-8136

ZONING ACREAGE	
(C-2)	± 18.17 ACRES
(R-1)	± 74.84 ACRES
(R-2)	± 38.18 ACRES

ROBERT B. LEE DR CONCEPT

THE LAMON COMPANY

CONCEPTUAL SITE PLAN

AES PROJECT NUMBER

62060

DATE OF PLANS

JANUARY 28, 2025

LEE COUNTY, GA

SHEET

1 OF 1

RIGHT OF WAY FOR ALL STREETS TO BE DEDICATED TO CITY OF LEESBURG UPON CONSTRUCTION



Lee County Planning, Zoning & Engineering Department

Amanda Nava-Estill
Director

Kara Hanson
Planner/Zoning Administrator

Kacee Smith
GIS Manager

Charles Talley
GIS Technician

MEMORANDUM

TO: LEE COUNTY PLANNING COMMISSION & BOARD OF COMMISSIONERS

FROM: AMANDA NAVA-ESTILL, PLANNING AND ZONING

DATE: MAY 20, 2025

RE: T25-005 ARTICLE XI. - C-1 NEIGHBORHOOD BUSINESS DISTRICT

Lee County Planning is requesting to amend Section 70-347. Permitted uses in the C-1 Neighborhood Business District of the Lee County Code of Ordinances. The request will remove the permitted use, "Medical and/or dental clinics."

Additionally, a separate request is submitted to amend Section 70-348. Conditional use in the C-1 Neighborhood Business District of the Lee County Code of Ordinances. This request will add the conditional use, "Clinics: Medical and Dental."

LEE COUNTY
CITY OF LEESBURG
CITY OF SMITHVILLE



County
Initiated

ZONING APPLICATION

Owner: Lee County Board of Commissioners
Address: 102 Starksville Ave, Leesburg GA

Daytime Phone #: _____ Email: _____

Address or location of the property: n/a

In order that the general health, safety and welfare of the citizens may be preserved, and substantial justice maintained, I (We) the undersigned request in connection with the property hereinafter described:

Present Zoning _____ Present Use of Property: n/a Text Amendment

Proposed Zoning: _____ Proposed Use of Property: _____

_____ Land Lot Number _____ Land District _____ # of Acres

The subject property is described as follows:

Text Amendment to Zoning codes: Sec 70-347
& Sec 70-348, & Sec 70-6

ALSO ATTACH: (18 COPIES REQUIRED) _____ Plat of property, including vicinity map

_____ Legal description Containing Metes and Bounds

DISCLOSURE

_____ I (owner) have made campaign contributions having an aggregate value of \$250.00 or more, or made gifts having an aggregate value of \$250.00 or more to an official of (Lee County, City of Leesburg, City of Smithville) (circle one) within two (2) years of application.

_____ I (owner) have NOT made campaign contributions having an aggregate value of \$250.00 or more, or made gifts having an aggregate value of \$250.00 or more to an official of (Lee County, City of Leesburg, City of Smithville) (circle one) within two (2) years of application.

I hereby certify that I am the owner and/or legal agent of the owner, in fee simple of the above-described property.

WITNESS _____ OWNER _____

DATE _____ DATE _____

Application Fee: n/a Date Paid: n/a Received by: Kara Hanson

In my absence, I authorize the person named below to act as the applicant in the pursuit of action for the application.

Applicant Name: Lee County Planning & Zoning
Address: 102 Starksville Ave, Leesburg GA

Phone #: _____ Email: _____

ARTICLE XI. - C-1 NEIGHBORHOOD BUSINESS DISTRICT

Sec.70-347.-Permitted uses

AMEND

All permitted uses are subject to the restrictions set forth in [section 70-351](#) of this chapter.

- 1) Barber or beauty shops and similar uses.
- 2) Custom dress making and tailoring establishments and similar uses.
- 3) Personal service establishment.
- 4) Eating or drinking places.
- 5) Laundry, dry cleaning, coin laundry.
- 6) Business, professional, or governmental office designed to attract and serve customers or client on premises.
- 7) Household appliance repair shop without outdoor storage, display, or business operations of any type.
- 8) Retail store for food, drugs, clothing, etc. with no outdoor storage, display, or business operations of any type.
- 9) Contractor's office with no outdoor storage, display, or business operations of any type.
- 10) Veterinarian offices provided there are no outdoor kennels. Runs designed for animal exercise are allowed as long as the animals are kept inside at night.
- 11) Post office.
- ~~12) Medical and/or dental clinics.~~
- 12) Other uses similar to the above, subject to the restrictions set forth in [section 70-351](#) of this chapter.
- 13) Temporary trailer for emergency construction and repair of buildings.
- 14) Nursery schools, kindergartens or day care facilities provided all state licensing requirements are met.
- 15) Family personal care home (two to four residents).

ARTICLE XI. - C-1 NEIGHBORHOOD BUSINESS DISTRICT

Sec. 70-348. - Conditional uses.

ADD

All conditional uses are subject to the restrictions set forth in [section 70-351](#) of this chapter.

- 1) Bed and breakfast inn.
- 2) Horticulture sales with outdoor display.
- 3) Family personal care homes (five to six residents); group personal care homes (seven to 15 residents); and congregate personal care homes (16+ residents).
- 4) Clinics: Medical & Dental.
- 5) Child-welfare facility (one to 16+ residents).
- 6) Rooming house, lodging house, minimum of a weekly stay, maximum of 20 rooms.



MEMO

TO: Amanda Nava
FROM: Lee Walton, AICP
SUBJECT: Summary of proposed amendments to the Zoning Code
DATE: May 29, 2025

INTRODUCTION

The following changes are proposed to clarify and enhance the Lee County Zoning Code. The changes include the following:

- Revise the R-2 sections as follows:
 - Set the maximum single-family residential density at 6 units per acre, minimum lot width at 60' and the maximum height at 35' or three stories.
 - Make any development other than single-family a planned unit development (PUD) and establish that the PUD approval process is a conditional use process.
 - Restrict transfer of ownership of individual portions of a PUD to after the approval and recordation of the final plat.
 - Add requirements for the connection to public water and sewer, access, parking, site layout, design requirements, and the submission of applications with development plans.

SPECIFIC CHANGES

Article VI., - R-2 Multi-Family Residential District

Section 70-196 – Statement of Purpose

1. Add text to clarify that public water and sewer shall be required for all duplex, triplex, townhouse, and multi-family apartment developments.

Section 70-199 – Single-family and duplex developments

1. Delete “and duplex” from the heading to limit this section to single-family developments.
2. Change the minimum lot width at setback from “Staff review” to “60”.
3. Change the maximum density to 6 units per acre, maximum building height from “85' or 8 stories” to “35' or 3 stories” with the caveat that the Lee County Fire Chief must approve any building over 2 stories.



Section 70-200 - Townhouse, condominium, and apartment developments

1. Delete this section and change title to “Reserved”

Sec. 70-201. Planned unit development

1. Add “Duplex, triplex, townhouse, and multi-family apartment” to the title
2. Change the maximum building height from “85' or 8 stories” to “35' or 3 stories” with the caveat that the Lee County Fire Chief must approve any building over 2 stories.
3. Add a requirement that approval of a PUD shall be as conditional use per chapter 70 of this code. (Note that this addition becomes the new part (1) and the subsequent parts are renumbered. The following changes use the un-edited part numbers.)
4. Delete “rezoning for” from part (1).e.
5. Add part (1).g. to restrict transfer of ownership of individual portions of the PUD to after the approval and recordation of the final plat.
6. Add part (3) to require connection to public water and sewer.
7. Add part (4) to require access to arterial and/or major collector streets.
8. Add part (5) to specify parking standards for PUD.
9. Add part (6) to add general requirements for site layout and development plan submittals. These proposed planned unit development requirements and standards are designed to be compatible with those of the City of Leesburg and include open space requirements specific to R-2 planned unit development.

Sec. 70-202. Open space requirements

1. Delete this section and change title to “Reserved”

Lee County Multi-Family

Existing Lee County Code of Ordinances

- Sec. 70-78. – Only one principal building per lot
- Article VI., - R-2 Multi-Family Residential District
 - Sec. 70-196 – Statement of Purpose

The R-2, multi-family residential district is designed to permit residential use of land with various types of multiple dwellings and related uses. For good accessibility, this district shall be located adjacent to arterial and/or collector roads as described in chapter 38 of this Code. Public water and sewer shall be required for all new duplex, triplex, townhouse, and multi-family apartment developments.

Any developments in this district shall be designed to complement adjacent, existing or planned, single-family developments. Various types and sizes of residential accommodations, for ownership or rental, would thereby be provided to meet the needs of the different age and family groups in the community without overtaxing existing community facilities, utilities or services.

It is also the intention of this section to provide areas of sufficient size and allowing reasonable flexibility in design and orientation for the establishment of a structure or group of structures which include multiple dwellings designed in a planned unit development of more than one building on a given site. The requirements of area, height, bulk, and placement regulations, as they are usually applicable to individual buildings and individual lots of record would in certain cases of large scale development have results affording less protection to the public health, safety and welfare than if a measure of flexibility were permitted. The permitting of these planned unit developments as special and particular land uses can, in certain cases, increase the desirability and convenience to the residents or occupants of the planned unit development without causing adverse effects on adjoining properties. This type of development will permit a creative approach to residential development. A planned unit development will provide for an efficient use of land potentially resulting in more economical networks of streets and utilities thereby lowering housing and other land development costs as well as enhancing the appearance of neighborhoods through the preservation of natural features and the provision of recreation areas and open space.

In creating this zoning district the county intends to encourage home ownership; increase the variety of dwelling types in the housing market; and allow for innovative uses of real property which may not be suitable for development for other kinds of residential uses.

- Sec. 70-197. – Permitted Uses (see code for full list)
- Sec. 70-198. – Conditional Uses (public cemeteries, nursery schools, outdoor recreation facilities, and family personal care homes)
- Sec. 70-199. – Single-family ~~and duplex~~ developments.

Minimum Development Size: 5 acres

Maximum Dwelling Units Per Acre of Developable Land: ~~4~~6 units per acre

Minimum Lot Width at Setback: ~~Staff review~~60'

Minimum Building Setback

Front: 35'

Side and rear: 10'

Maximum Building Height: ~~85'~~35' or ~~8~~3 stories subject to approval by the Lee County Fire Chief for any structure over 2 stories.

*Each lot shall have, at a minimum, a 30-foot-wide access to a public road.

(1) Lot length shall not be more than four times the lot width.

(2) This height limitation shall not apply to grain elevators, silos, windmills, elevator legs, cooling towers, water towers, chimneys and smokestacks, or church spires.

(3) The minimum distance between buildings on separate lots shall be 20 feet.

(4) All new roads in this district shall be curb and gutter roads as specified in chapter 38 of the Code.

(5) All new roads in this district shall directly connect to existing, paved, public roads.

(6) Developments in this district shall only access arterial and/or major collector streets as defined in the land development chapter of the Code.

o Sec. 70-200. – ~~Townhouse, condominium, and apartment developments~~Reserved

~~(a) An accessory building may abut an accessory building located on an adjacent lot along interior lot lines in developments in this district subject to all county building and fire codes.~~

~~(b) Each individual dwelling unit in this district shall contain at least 900 square feet of floor area within outside walls exclusive of basements, unfinished attics, garages, porches or other such areas not normally used for human habitation.~~

~~(c) No more than four individual dwelling units shall be built in a row having the same building line. In setting forth this requirement, the county intends to discourage that creation of long unbroken lines of dwelling units. In complexes having more than four dwelling units, the required minimum offset in the building line shall be three feet. A row or grouping of dwelling units shall not exceed 250 feet in length.~~

~~(d) Any dwelling unit in this district on a subdivided lot shall have the required minimum frontage on a public street.~~

~~(e) Parking:~~

~~(1) A minimum of two paved off-street parking spaces constructed in compliance with chapter 38 of this Code, shall be provided for each individual dwelling unit.~~

~~(2) Each dwelling unit in this district on a subdivided lot shall have its own parking spaces with direct access to a county road. Parking spaces and driveways are permitted in the front yard of a lot if a setback of 35 feet from the right-of-way is maintained and the front yard is properly landscaped.~~

~~(3) All parking facilities shall be constructed according to the requirements of chapter 38 of this Code.~~

~~(f) All buildings shall be constructed in accordance with the building and fire codes adopted by the board.~~

~~(g) All new roads in this district shall be curb and gutter roads as specified in chapter 38 of this Code and shall directly connect to existing, paved, public roads.~~

- o Sec. 70-201. Duplex, triplex, townhouse, and multi-family apartment pPlanned unit development

Maximum Individual Dwelling Unit Per Acre In R-PUD:

1. Single-family: ~~4-6~~ per acre

2. Duplex: 6 per acre

3. Multi-family: 12 per acre

Building setbacks from exterior lot lines: 35 feet

Building height: ~~85-35~~ feet or ~~8-3~~ stories subject to approval by the Lee County Fire Chief for any structure over 2 stories

(1) Approval. Approval of a PUD shall be as conditional use per chapter 70 of this code.

(2) Ownership. There shall be unified control of the entire site. Prior to final approval of the development plan, evidence of unified control of the entire site shall be submitted to the planning commission. In addition, an agreement shall be submitted to the planning commission by all owners of the planned unit development, which includes their commitment to:

a. Proceed with the proposed development in accordance with the planned unit development plans as submitted, and such conditions and safeguards as may be set by the county commission granting the rezoning; and,

b. Provide agreements and deed restrictions acceptable to the county commission for completion of such development according to plans approved and for the maintenance of such areas, functions, and facilities as are not to be provided, operated or maintained by the county, pursuant to written agreement; and,

c. To notify and bind their successors in title to any commitments made in their petitions ~~of~~ for PUD approval.

d. All plans approved shall be reviewed as a form of commitment to execute the development precisely, and only as submitted to and ultimately accepted and approved by the county commission. No variations, changes, departures or exceptions to the approved plans shall be permitted except through the formal amendment process.

e. After ~~rezoning for~~ a PUD in this district has ~~been given~~ received formal approval no use shall be made of a PUD site except that which had been approved as a result of the application or the continuation of uses that existed at the time of the application.

f. All new roads in this district shall be curb and gutter as specified in chapter 38 of this Code and shall directly connect to existing paved public roads.

g. The transfer of ownership of individual properties in the planned unit development may be made only after a final plat has been approved and recorded and with the said properties subject to private deed covenants that will assure the continuance of the planned unit development as originally approved and developed.

(3) All Planned unit developments shall be connected to public water and sewer.

(4) Planned unit developments per this section shall only access arterial and/or major collector streets as defined in the land development chapter of the Code.

(5) Parking:

a. A minimum of two paved off-street parking spaces constructed in compliance with chapter 38 of this Code, shall be provided for each individual dwelling unit.

b. Each dwelling unit in this district on a subdivided lot shall have its own parking spaces with direct access to a county road. Parking spaces and driveways are permitted in the front yard of a lot if a setback of 35 feet from the right-of-way is maintained and the front yard is properly graded and stabilized with landscaping.

c. All parking facilities shall be constructed according to the requirements of chapter 38 of this Code.

(6) General requirements. These requirements apply to R-2 planned unit development. The development plan submission for each planned unit development shall include the elements identified within chapter 38 of this code.

Additionally, the development plan shall include the following elements:

a. The development plan shall specify a phasing plan for the overall development and proposed amenities. The phasing plan for amenities shall correspond with the overall development phasing schedule and shall provide for the reasonable completion of amenities to maximize enjoyment by residents.

b. The following site development characteristics shall be determined and set in the approved development plan:

1. List of proposed land uses and a summary table of gross land area dedicated to each proposed land use, including open space.

2. Minimum and maximum density including total number of residential units broken down by type.

3. Minimum lot area(s), if applicable.

4. Minimum lot width(s), if applicable.

5. Proposed building setbacks.

6. Proposed maximum structure height(s).

7. Layout of lots, streets, and any other infrastructure serving the development, including bicycle and pedestrian facilities.

8. Summary of proposed parking, both off-street and on-street, broken down by land use.
9. Open space plan; for planned unit developments incorporating multi-family residential dwellings, a portion of the open space shall be conveniently located to the multi-family dwellings and designated for the recreational or leisurely use by residents.
10. Location, size and/or amount of buffers, screening, landscaping and tree save areas.
11. Spacing and species of street trees to be installed.
12. Statement of maintenance plan for common areas, landscaping, signage, etc.
13. Optional development-specific architectural designs.
14. Optional sign plan showing location, size and design of any permanent signage.
15. Any other proposed site-specific prescription(s) deemed necessary for the development of the site.

c. Projects shall meet the following design requirements:

1. Residential driveways and/or parking pads shall be a minimum of 25 feet in length between the garage and sidewalk or back of curb (where sidewalks are not present).
2. Streets shall be designed as a hierarchy of street types in an interconnected pattern:
 - a. Interconnecting sidewalks with a minimum width of five feet shall be installed on both sides of all streets. A walking trail with a minimum width of eight feet may be installed in lieu of sidewalks along one side of major neighborhood streets where the installation of sidewalks is unnecessary or impractical, as determined by the Planning Department.
 - b. Streets shall terminate at other streets within the development and shall be stubbed out at the edge of the project site to provide linkages with future development. Connections shall be made to street stub outs on adjacent parcels. The use of dead-end streets and culs-de-sac should be minimized. Compliance with this requirement shall not result in dead end streets without provisions for the turn around of large vehicles like buses and garbage trucks and shall include either a cul-de-sac or T type turn around in compliance with Chapter 38.
3. Street trees shall be planted on both sides of all streets (except alleys).
 - a. Street trees shall be planted within a street tree planting area with a minimum width of six feet, either between the back of the curb and the sidewalk, or between the sidewalk and the building.

b. Required street trees shall be installed prior to the issuance of a certificate of occupancy for the building to which the street trees closely relate.

c. Existing tree canopy along streets may substitute for the installation of street trees as approved by the Planning Department.

4. Roadway design and stormwater standards shall adhere to the County's development standards, regardless of public or private ownership.

5. A minimum of ten percent of the usable project area shall be permanently allocated to open space.

a. A portion of the required open space shall be centrally located within the development.

b. Stormwater infrastructure may not be counted toward the required open space, unless designed as part of a low-impact system that utilizes bio-swales and natural recharge areas.

c. Utility easements may not be counted toward the required open space, unless utilized as part of a common trail network or other amenity.

6. No more than four individual dwelling units shall be built in a row having the same building line. In setting forth this requirement, the county intends to discourage that creation of long unbroken lines of dwelling units. In complexes having more than four dwelling units, the required minimum offset in the building line shall be three feet. A row or grouping of dwelling units shall not exceed 250 feet in length.

7. The site development characteristics prescribed by the approved development plan associated with a planned unit development conditional zoning approval shall override any conflicting standards for site development established in the Lee County Code of Ordinances. Any site development characteristics not prescribed in the approved plans for a planned unit development shall be subject to the minimum standards of the Lee County Code of Ordinances.

○ Sec. 70-202. - ~~Open space requirements~~Reserved

~~Open space, as defined in section 70-94 of this chapter, shall be required. In addition:~~

~~(1) The common open space shall be situated such that it will best serve residents and be totally integrated within the various uses of the development.~~

~~(2) The development schedule must coordinate the improvement of the common open spaces, the construction of the buildings, structures and~~

~~improvements in the common open space, and the construction of residential dwellings in the development.~~

~~(3) The pedestrian circulation system and its related walkways shall be separated as completely as possible from the street or vehicular circulation system. All walks shall be of permanent nature and material and shall be constructed in accordance with chapter 38 of this Code.~~

- Sec. 70-203. - Access.

Private vehicular access drives not maintained by the county throughout the development shall meet all county road and street requirements.

- Sec. 70-204. - Off-street parking.

All parking and loading in developments in this district shall meet all off-street parking and loading requirements of this chapter and be constructed in accordance with chapter 38 of this Code.