

**AMENDMENT
TO THE UNIFIED DEVELOPMENT CODE OF OCONEE COUNTY, GEORGIA
AND THE ZONING MAPS OF OCONEE COUNTY, GEORGIA**

TITLE

An Ordinance amending the Unified Development Code of Oconee County, Georgia, and the Zoning Maps of Oconee County, Georgia, pursuant to Article 12, Division I et seq., to rezone from zoning classification AR (Agricultural Residential District) to zoning classification AG (Agricultural District) pursuant to an application for rezoning of property owned by Rancho Tesoros, LLC submitted on December 18, 2023.

ENACTMENT CLAUSE

Pursuant to the authority conferred by the Constitution and Laws of the State of Georgia and after consideration of an application for zoning change submitted by Pittman & Greer Engineering on December 18, 2023, requesting a rezone of a ±68.34-acre tract of land located at Old Barnett Shoals Road in, Oconee County, Georgia, (tax parcel no. D-02-029A), the Board of Commissioners of Oconee County does hereby ordain and enact to law the following:

SECTION 1. An Ordinance known as the “Unified Development Code of Oconee County, Georgia” as enacted and amended by the Board of Commissioners of Oconee County and the Zoning Maps described therein are hereby amended as follows:

The zoning change in conditions for the property described on the attached “Exhibit A” is hereby changed for the purpose as set forth in “Exhibit A” attached hereto.

Said rezone is subject to the following conditions: as set forth in “Exhibit A” attached hereto.

SECTION 2. Severability. It is intended that the provisions of this Ordinance be severable and should any portion be held invalid, such invalidity shall not affect any other portion of the Ordinance.

SECTION 3. Repeal of Conflicting Resolutions or Ordinances. All Resolutions or Ordinances and parts or sections of Resolutions or Ordinances in conflict with this Ordinance are hereby repealed.

SECTION 4. Effective Date. This Ordinance shall take effect this date.

Said Zoning Petition was submitted to the Oconee County Planning Commission and a Public Hearing was duly held by the same on February 19, 2024, and a Public Hearing was held by the Oconee County Board of Commissioners at its regular meeting on March 5, 2024.

ADOPTED AND APPROVED, this 5th of March, 2024.

OCONEE COUNTY BOARD OF COMMISSIONERS

BY: _____

John Daniell
John Daniell, Chairman

Mark Thomas
Mark Thomas, Member

Chuck Horton
Chuck Horton, Member

Amrey Harden
Amrey Harden, Member

Mark Saxon
Mark Saxon, Member

ATTEST:

Holly Stephenson

Holly Stephenson
Clerk, Board of Commissioners

EXHIBIT “A” TO REZONE NO P23-0286

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CONDITIONS

1. Development design and structures shall meet or exceed the standards indicated on the concept plan, narrative, representative architectural sketches, and other documents submitted with the zoning application and attached hereto. This condition shall not construe approval of any standard that is not in conformity with the Unified Development Code.

EXHIBIT "A" TO REZONE NO P23-0286

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TAX MAP

Rezone # P23-0286 - Rancho Tesoros, LLC

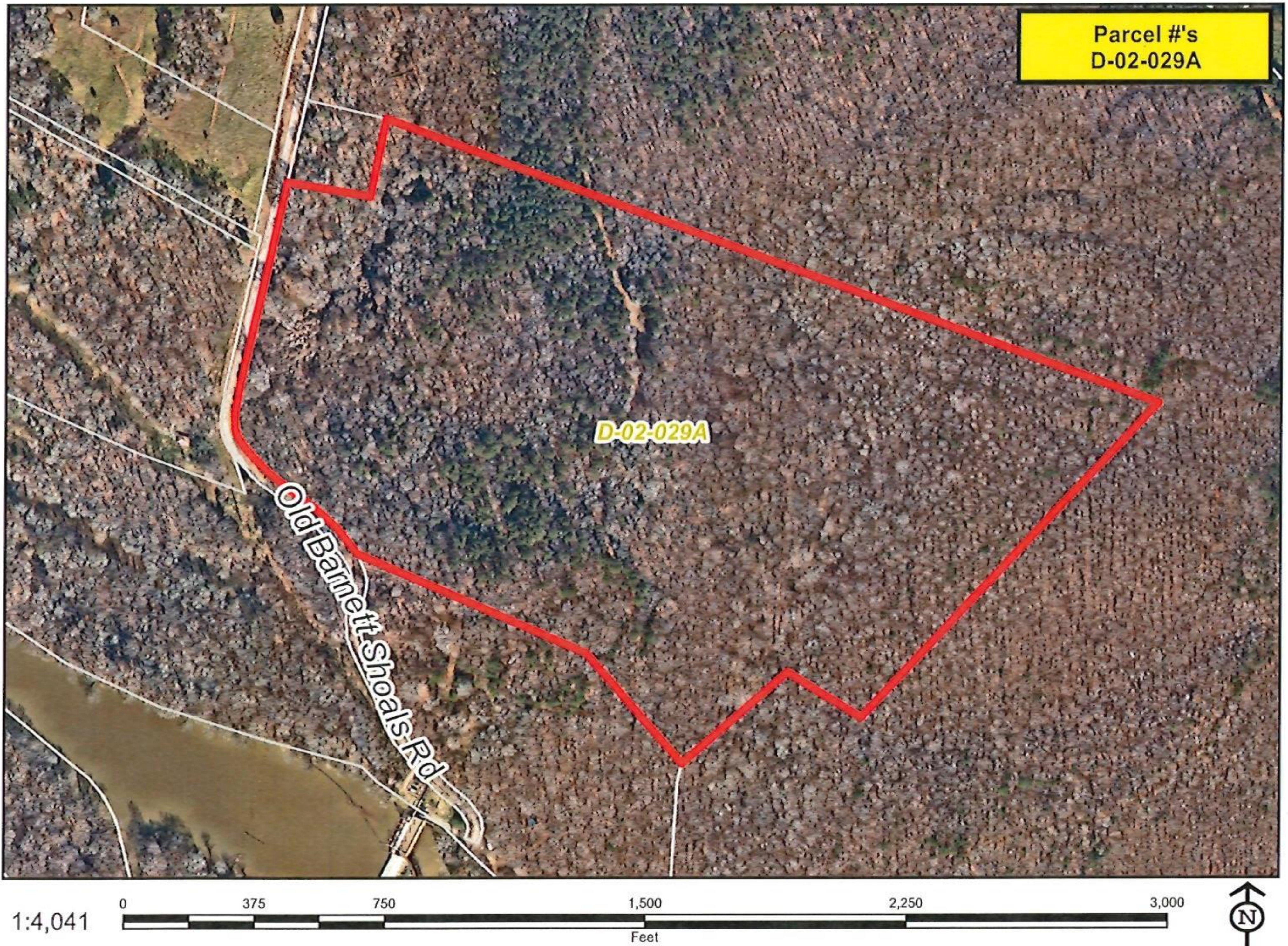


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LEGAL DESCRIPTION

LEGAL DESCRIPTION

All that tract or parcel of land, together with all improvements thereon, containing 68.34 acres, more or less, lying and being in the 225th District, G.M., Oconee County, Georgia, and being more particularly described as follows:

Beginning at the centerline intersection of Bob Godfrey Road and Old Barnett Shoals Road thence southwest approximately 3356.58 feet to an iron pin located south of the cemetery on the easterly right-of-way of Old Barnett Shoals Road being the POINT OF BEGINNING; thence leaving said right-of-way South 78 degrees 12 minutes 16 seconds East, 164.78 feet to an iron pin; thence North 12 degrees 00 minutes 40 seconds East, 210.33 feet to a 3/4 inch open top pipe; thence South 70 degrees 18 minutes 28 seconds East, 2,589.58 feet to an iron pin; thence South 44 degrees 56 minutes 00 seconds West, 1,257.89 feet to an iron pin; thence North 60 degrees 04 minutes 03 seconds West, 279.26 feet to an iron pin; thence South 44 degrees 48 minutes 48 seconds West, 470.82 feet to an iron pin; thence North 39 degrees 01 minutes 00 seconds West, 201.86 feet to a 3/4 inch open top pipe; thence North 56 degrees 22 minutes 20 seconds West, 799.68 feet to a 3/4 inch open top pipe; thence North 71 degrees 14 minutes 13 seconds West, 442.56 feet to an iron pin located along the right-of-way of Old Barnett Shoals Road; thence along the right-of-way of North 49 degrees 27 minutes 54 seconds West, 154.92 feet to point; thence continuing along the right-of-way of Old Barnett Shoals Road 134.79 feet along an arc of a curve to the right, said curve having a radius of 123.70 feet, a chord bearing of North 18 degrees 14 minutes 54 seconds West, and a chord distance of 128.22 feet to a point; thence continuing along the right-of-way of Old Barnett Shoals Road North 12 degrees 57 minutes 26 seconds East, 842.68 feet to the POINT OF BEGINNING.

Said tract being the same as that shown on a Retracement Boundary Survey for "The Richard and Patricia Torrey Living Trust Dated June 14, 2021 and The Chicago Title Insurance Company" by Baseline Surveying & Engineering, Inc. dated 09.07.2023.

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NARRATIVE

OLD BARNETT SHOALS ROAD LOT SPLIT

REZONE SUBMITTED 12/18/2023

REVISED 1/23/2024

GENERAL DATA

Property Address: 0 Old Barnett Shoals Road

Parcel: D02-029A

Owner: Rancho Tesoros, LLC

Existing Zoning: AR

Proposed Zoning: AG

Existing Use: Vacant land

Proposed Use: Single-family Residential

Property Area: 68.3419 acres

ADJACENT LAND USES AND ZONING

North – Vacant agriculturally zoned property (AR zoning)

West – Barnett Shoals Road

South – Vacant agriculturally zoned property (AG zoning)

East – Vacant agriculturally zoned property (AR zoning)

OWNERSHIP TYPE

The development will be privately owned.

SITE NARRATIVE

The property is 68.3419 acres and is currently zoned AR and undeveloped. The property was a part of a 284.29 acre rezone in 2007 for an upscale single-family residential subdivision of approximately 197 lots. The current property owner is Rancho Tesoros, LLC. with Richard Torrey as manager. The owner is seeking to rezone the property from AR to AG to divide the parcel into 5 single-family lots.

SITE DESCRIPTION

The property is located on the east side of Old Barnett Shoals Road southeast of the intersection of Bob Godfrey Road & Old Barnett Shoals Road. The Character Area for the property and its surrounding properties is identified as ‘Agricultural Preservation’ according to the 2023 Character Areas Map.

The property is wooded with slopes primarily draining from the north to the south.

PROPOSED USE

The proposed use of the property is five single-family residential lots. Homes will range in size, with a minimum of 1,800 sf. proposed. The proposed architectural design theme is a traditional style and will feature pitched shingled or metal roofs, shed dormers, wide overhanging eaves, wood or masonry columns, and divided light windows/doors. Predominant exterior materials will be cementitious plank siding, with the combination of stone or brick water tables, some shingle siding accents, and low-maintenance composite trim and ornamentations. See attached representative architecture.

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NARRATIVE

ACCESS

Access will be via individual driveways from Old Barnett Shoals Road. The petitioner does reserve the right to combine access to individual lots as needed via a private access drive should the onsite topo and driveway grading necessitate.

TRAFFIC IMPACT

The projected traffic is significantly less than that which was approved under the 2007 rezone plan.

Per the Institute of Transportation Engineers, Trip Generation, 10th Edition (ITE Manual), the proposed development does not generate the 1,000 trips per day that is required to trigger a Traffic Impact Analysis.

Trip Generation Data is as follows:

Land Use	Intensity	Daily	AM Peak	PM Peak
Single Family Detached Housing (210)	5	47	4	5

WATER SUPPLY

Water supply will be provided via individual private wells.

SEWAGE DISPOSAL

Sewage disposal for each use shall consist of onsite conventional septic tanks and drain-fields.

GARBAGE COLLECTION

Garbage collection will be handled by private contractor.

UTILITIES

Electricity and Data will be supplied through power/data providers in the area.

STORMWATER MANAGEMENT AND DRAINAGE

There are no specific stormwater management or drainage improvements required under the UDC for this type of zoning and use.

IMPACT TO SCHOOL SYSTEM

Impact to the school system will be significantly less than that which was anticipated as part of the approved 2007 rezone plan. It is anticipated that there will be minimum impact to the school system from this development due to the limited number of lots proposed.

PROJECT SCHEDULE

Once zoning is approved in approximately April 2023, then an administrative subdivision plat will be created and permitted to make lots available for purchase the first quarter of 2024.

BUFFERS AND LANDSCAPING

There are no specific buffers or landscaping required under the UDC for this type of zoning and use.

NARRATIVE

MAINTENANCE OF COMMON AREAS

There are currently no common areas proposed for the project. If a private drive is utilized to access a portion of the lots, an agreement shall be put in place to address the maintenance of the drive and shall be shared between the lots the drive serves.

SIGNAGE

There is no signage proposed for this development.

ESTIMATED VALUE OF PROJECT

The valued the 5 lots is estimated to be \$2.04 Million.

REPRESENTATIVE ARCHITECTURE

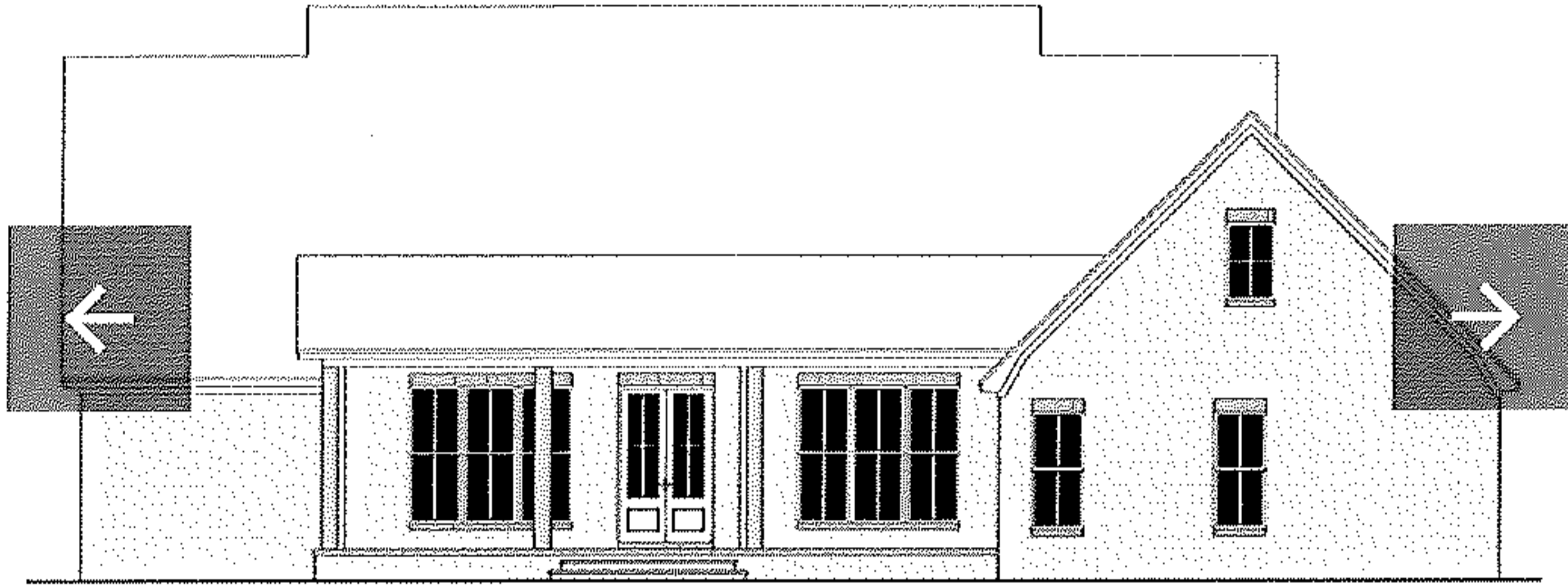


FRONT VIEW

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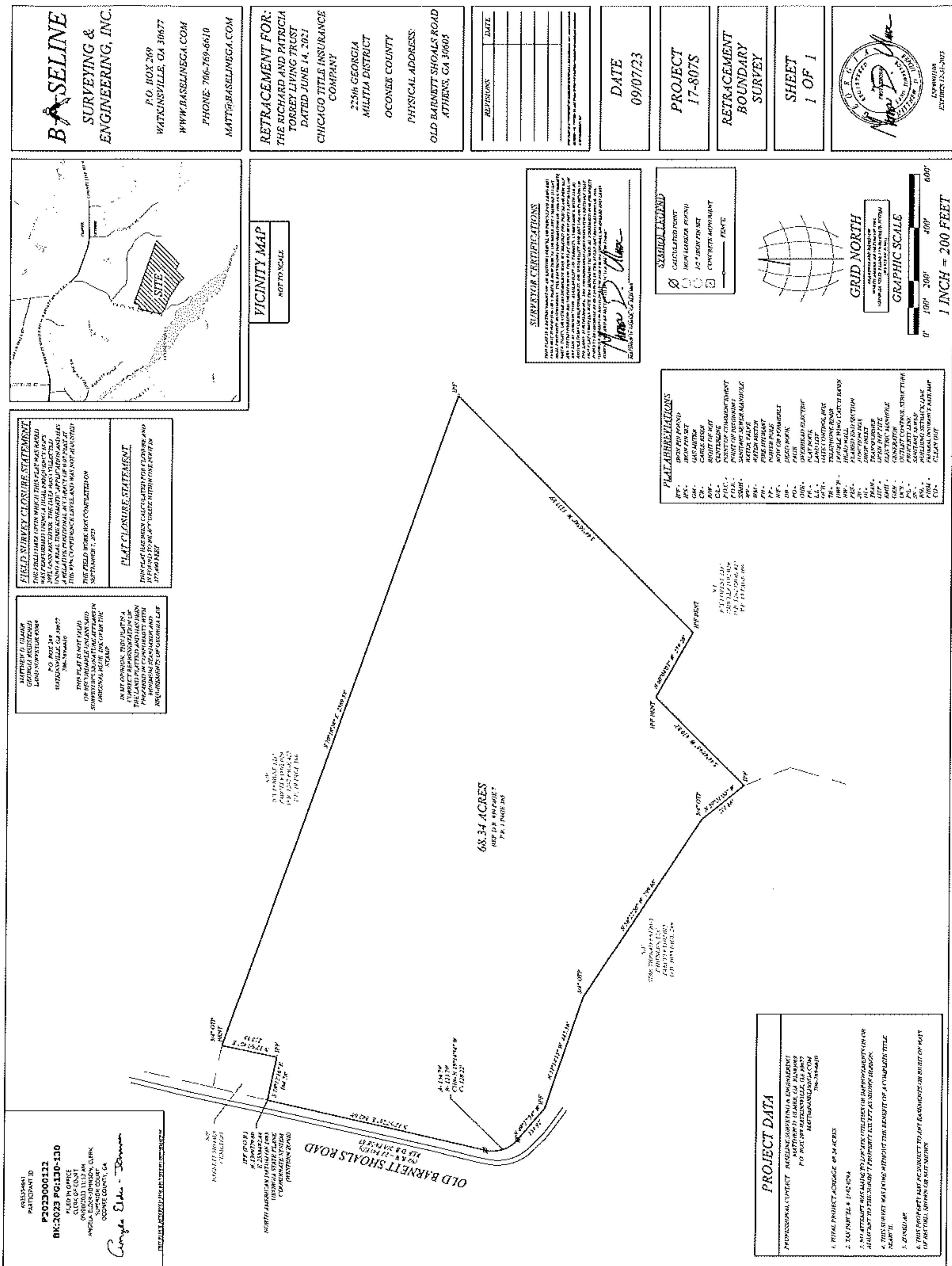
NARRATIVE

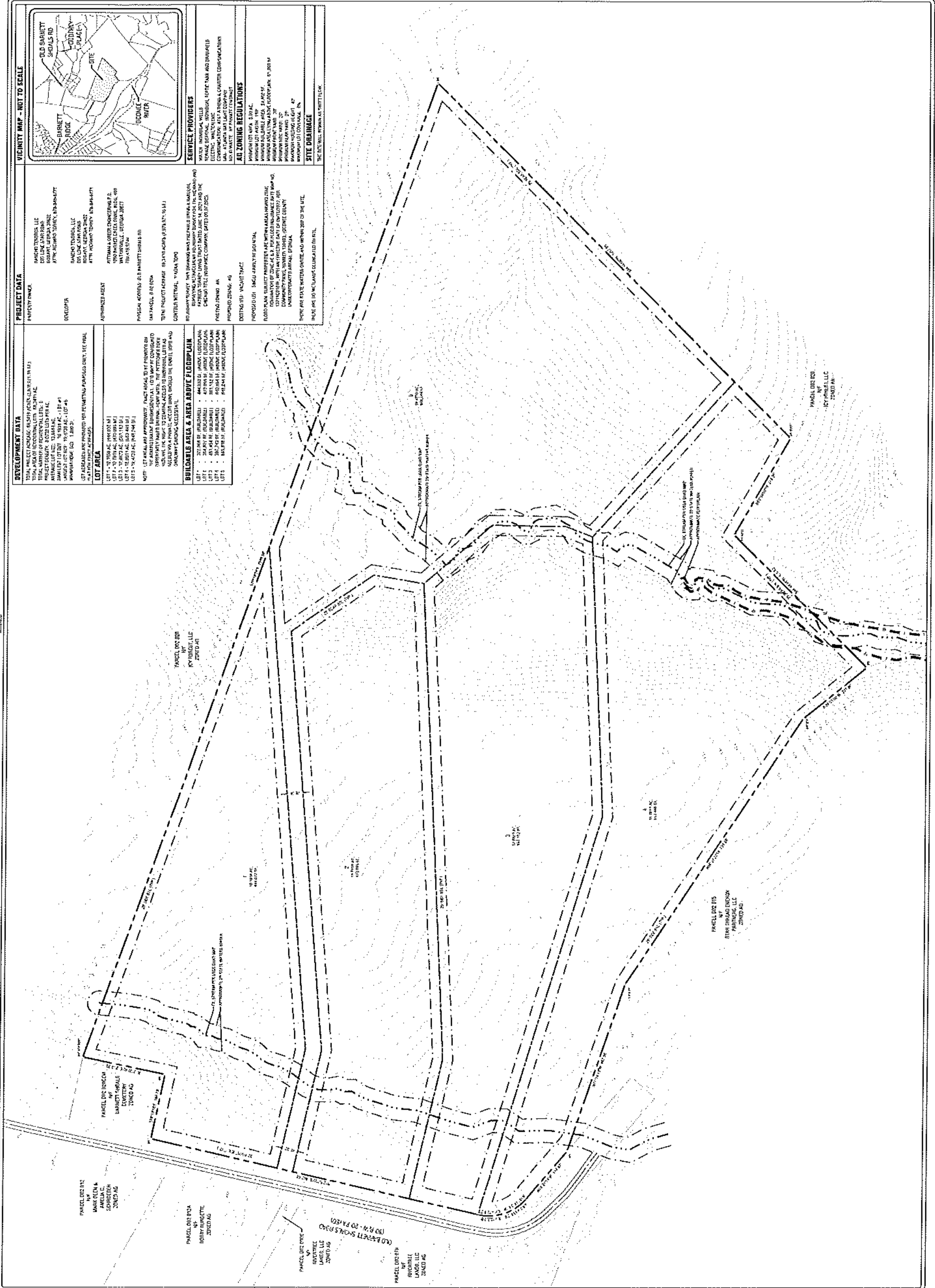


REAR VIEW

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PLAT







**Planning Department
Oconee County, Georgia
STAFF REPORT**

REZONE CASE #: P23-0286

DATE: February 8, 2027

STAFF REPORT BY: David Webb, AICP (Senior Planner)

APPLICANT NAME: Justin Greer, Pittman & Greer Engineering, P.C.

PROPERTY OWNER(S): Rancho Tesoros, LLC

LOCATION: East side of Old Barnett Shoals Rd.,
± 3,245 feet from the intersection with Bob Godfrey Rd.
Parcel number D 02 029A

PARCEL SIZE(s): ±68.34 acres

EXISTING ZONING: AR (Agricultural Residential)

EXISTING LAND USES: Vacant/ wooded

FUTURE DEVELOPMENT MAP CHARACTER AREA DESIGNATION: Agricultural Preservation

ACTION REQUESTED: Rezone the ±68.34 acre property from AR (Agricultural Residential) to AG (Agricultural)

STAFF RECOMMENDATION: Staff recommends conditional approval of this request.

DATE OF SCHEDULED HEARINGS

PLANNING COMMISSION: February 19, 2024

BOARD OF COMMISSIONERS: March 5, 2024

ATTACHMENTS: Application
Narrative
Zoning Impact Analysis
Plat of Survey
Concept Plan
Architectural Renderings



BACKGROUND INFORMATION & FINDINGS OF FACT

HISTORY

- The subject property (68.34 acres) was part of a 284-acre rezoning to AR-1 approved August 7, 2007. The rezoning case number is 5490. At that time, the applicant proposed a 196 lot single family subdivision.
- As a condition of rezoning, the developer at the time was required to improve Old Barnett Shoals Road to current standards and extend a public water line 1.7 miles, with the line crossing the Oconee River.
- No construction plans were approved for the proposed “Old Barnett Estates” subdivision and no road or utility improvements were made after the rezoning approval.
- The property is adjacent to property that contains the retired Barnett Shoals Hydro-electric power plant and dam.

SURROUNDING LAND USE AND ZONING

	EXISTING LAND USES	EXISTING ZONING
NORTH	Vacant/ wooded and cemetery	AR (Agricultural Residential) and AG (Agricultural District)
SOUTH	Hydro-electric dam and power facility (not in service)	AG (Agricultural District)
EAST	Vacant/ wooded	AR (Agricultural Residential)
WEST	Residential and vacant	AG (Agricultural District)

PROPOSED DEVELOPMENT

- The request is a proposed rezoning to AG and to remove the previous conditions of approval of the AR zoning.
- The concept plan and narrative indicate a proposed subdivision of 5 single family lots with frontage on Old Barnett Shoals Rd.
- The proposed lots range in size from 10.19 acres to 19.47 acres.

PROPOSED TRAFFIC PROJECTIONS

- An additional 47 ADT (average daily trips) are estimated with 4 AM peak hour trips and 5 PM peak hour trips (Trip Generation Manual, 11th Edition). The trip generation projections are based on single family detached housing.

PUBLIC FACILITIES

Water:

- The applicant proposes water supply via individual private wells.

Sewer:

- The applicant proposes individual on-site septic systems.

Roads:

- The project proposes to access the five lots using the existing Old Barnett Shoals Rd. The existing road is paved with vegetated ditches. The road does not meet current UDC standards.

ENVIRONMENTAL

- The Concept Plan identifies two creeks that are potentially state waters on the site. No 100-year flood plain or jurisdictional wetlands are shown on the site.

COMMENTS FROM OTHER DEPARTMENTS & AGENCIES

OCONEE COUNTY PUBLIC WORKS DEPARTMENT

- Comments pending as of 2-6-2024.

OCONEE COUNTY WATER RESOURCES DEPARTMENT

- Comments pending as of 2-6-2024.

OCONEE COUNTY FIRE CHIEF

- Comments pending as of 2-6-2024.

OCONEE BOARD OF EDUCATION

- Comments pending as of 2-6-2024.

STAFF ANALYSIS

THE ANALYSIS OF THE APPLICATION IS MADE BASED UPON THE “STANDARDS FOR REZONING CONSIDERATION” AS SET FORTH IN SECTION 1207.01 OF THE *OCONEE COUNTY UNIFIED DEVELOPMENT CODE*.

- A. Whether the zoning proposal will permit a use that is suitable in view of the existing uses, development, and zoning of nearby property.**
The proposed zoning is consistent with the adjacent AG zoning. There is no apparent conflict with adjacent uses. Staff analysis indicates that the proposed AG zoning with the requirement for 5-acre minimum lot sizes would be suitable in view of the low-density development in the area.
- B. Whether the property to be rezoned has a reasonable economic use as currently zoned.**
The development proposed for 196 lots with AR zoning has not moved forward in the 17 years since it was rezoned. The costs associated to extend the public water line 1.6 miles and improve ±3,245 feet of Old Barnett Shoals Rd. to current standards would not be supported by the proposed 5 lots. The current zoning conditions do not match the needs for the proposed low-density residential lots. As currently zoned, the property does not appear to have a reasonable economic use.
- C. The extent to which the zoning proposal promotes the health, safety, morals or general welfare of the public with consideration to:**
- i. Population density and effect on community facilities such as streets, schools, water, and sewer;**
The request proposes to down zone the property to AG. There would be no increase in population density. The request to downzone to allow 5 acre lots would be a decrease in the impact to schools from the current zoning.
 - ii. Environmental impact;**
The Concept Plan identifies two creeks that are potentially state waters on the site. Buffer rules for State Waters would apply to mitigate any impacts. Stormwater management must be conducted on the site according to Oconee County ordinances.
 - iii. Effect on the existing use, usability and/or value of adjoining property.**
The proposed development is in keeping with surrounding uses and is not anticipated to affect the existing use, usability, and/or value of adjoining property. No buffers are indicated to be required on site as the uses will be single family residential.
- D. The length of time the property has been vacant as zoned, considered in the context of land development in the vicinity of the property.**
The subject property has been vacant for the 17 years since the current AR zoning was passed. Staff finds the proposed AG zoning with lots that exceed 10 acres to be in harmony with the surrounding land uses.
- E. Consistency of the proposed use with the stated purpose of the zoning district that is being requested.**
Per the UDC, The Agricultural (AG) district is intended “to preserve prime agricultural areas, allow mini farm estates where appropriate, and discourage the subdivision of land into suburban development which requires significant increases in public services such as schools, fire protection, transportation improvements or waste disposal.” (Unified Development Code Sec. 205.01). The specific lots must be developed according to the proposed single-family residential use in the narrative. Staff analysis indicates that the requested low-density residential development with lots that exceed 10 acres is consistent with the stated purpose of the Agricultural (AG) zoning district.

F. Whether there are other existing or changing conditions or land use patterns affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.

There are no known existing or changing conditions or land use patterns affecting the use and development of the property.

G. Conformity with or divergence from the Future Development Map or the goals and objectives of the Oconee County Comprehensive Plan.

The subject property lies within the Agricultural Preservation Character Area as shown on the Character Areas Map, 2023 Oconee County Comprehensive Plan Update. The Comprehensive Plan indicates “This Character Area includes lands in row crops, hay fields, or in pasture; woodlands and areas under forestry management; commercial wholesale nurseries; sparsely settled homes on individual tracts; and areas of sensitive natural resources.” The Development Strategies for this Character Area recommend to:

- Preserve the Character Area for active agricultural activities
- Allow minor subdivisions or individual lot splits; limit to a density of 5 acres or more per parcel.
- Foster traditional rural lifestyles, rural-based economies, and opportunities to both live and work in a rural setting.

The Comprehensive Plan supports AG zoning in this Character Area. Staff finds the proposed AG zone is in conformity with the Comprehensive Plan.

H. The availability of adequate sites for the proposed use in districts that permit such use.

It is likely that other AG-zoned properties exist in the county that would permit the requested low-density residential development. However, the proposed use of the subject property aligns with the Comprehensive Plan and is an expansion of the adjacent AG zoning district.

STAFF RECOMMENDATION & CONDITIONAL REQUIREMENTS

Based on Board of Commissioners policies, decision-making criteria, and standards outlined in the development codes of Oconee County, staff recommends conditional approval of the request to rezone ±68.29 acres to AG (Agricultural District) subject to the following conditions to be fulfilled at the expense of the owner/developer:

1. Development design and structures shall meet or exceed the standards indicated on the concept plan, narrative, representative architectural sketches, and other documents submitted with the zoning application and attached hereto. This condition shall not construe approval of any standard that is not in conformity with the Unified Development Code.

SITE PICTURES



Looking South along Old Barnett Shoals Road



Looking South along Old Barnett Shoals Road

SITE PICTURES



Looking North along Old Barnett Shoals Road



Looking North along Old Barnett Shoals Road

Rezone # P23-0286 - Rancho Tesoros, LLC

Parcel #'s
D-02-029A

D-02-029A

Old Barnett Shoals Rd

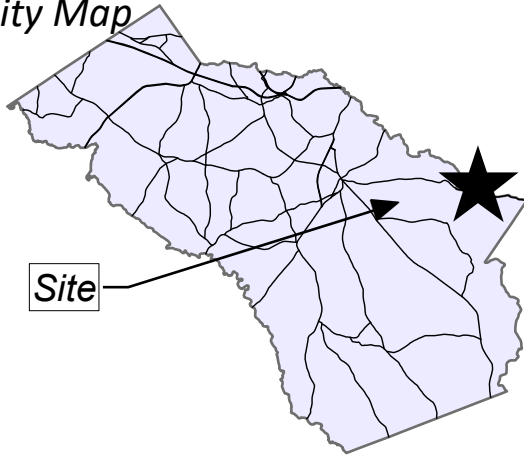
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Feet

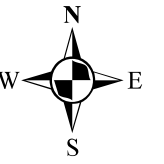


Vicinity Map

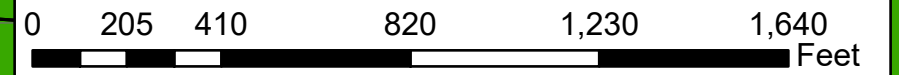


Site

**Oconee County
Planning Department**



This map is a representation of the future development map
and should be used for planning purposes only

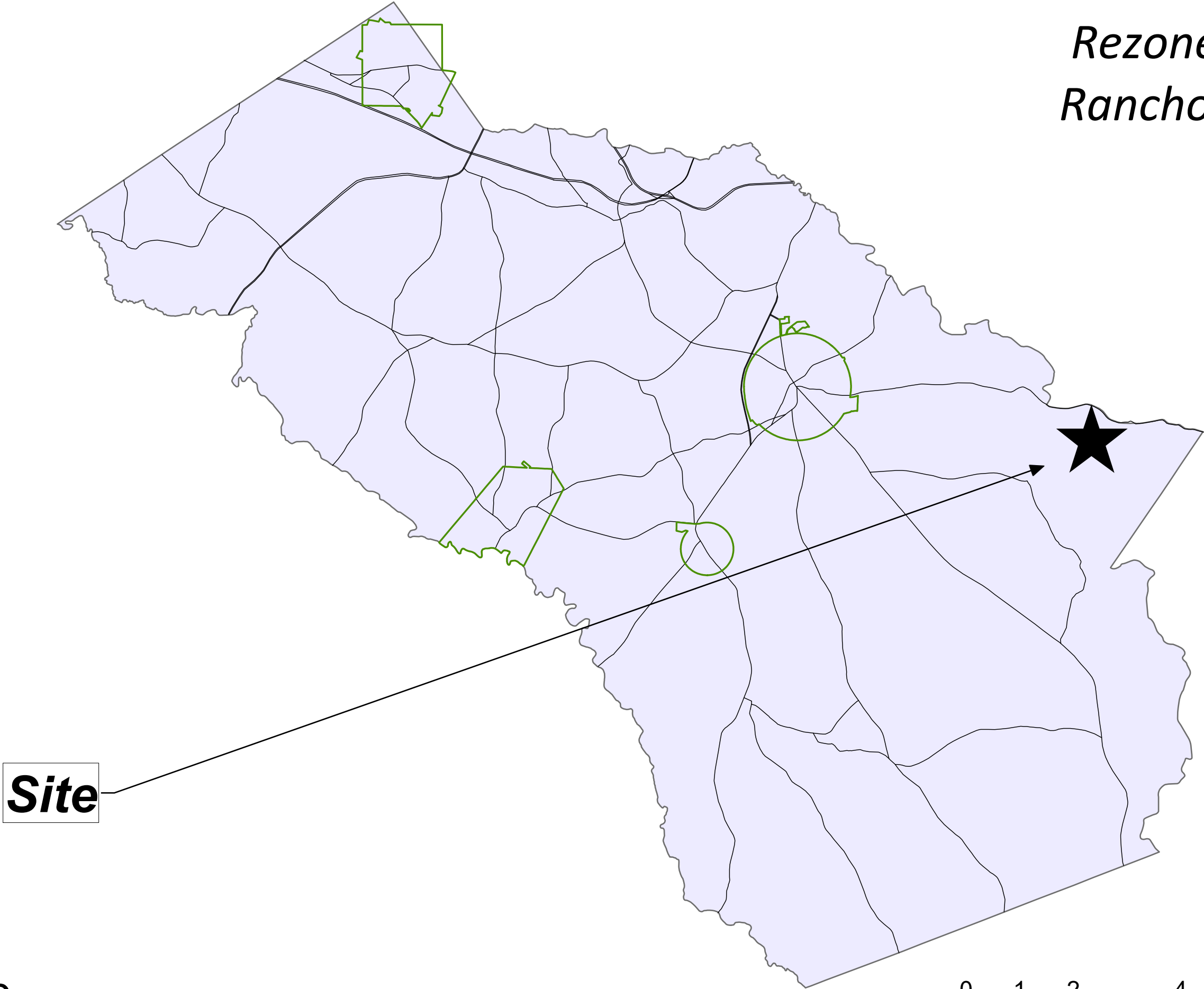


**Character Areas Map -
2023 Joint Comprehensive Plan**

Agricultural Preservation

Parks/Recreation/Conservation

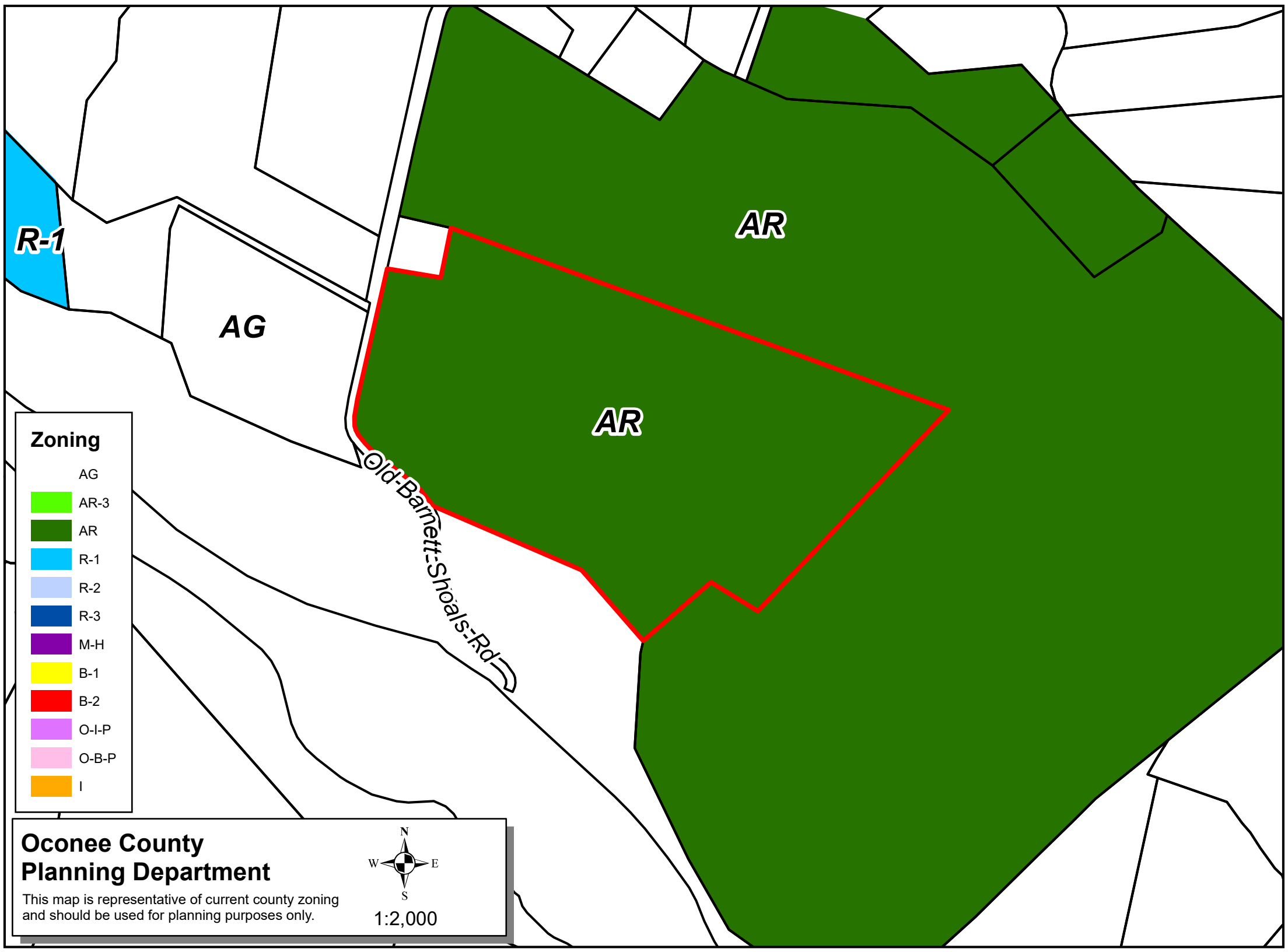
*Location Map -
Rezone # P23-0286
Rancho Tesoros, LLC*



Site

1:120,000

0 1 2 4 6 8 Miles



Zoning

- AG
- AR-3
- AR
- R-1
- R-2
- R-3
- M-H
- B-1
- B-2
- O-I-P
- O-B-P
- I

**Oconee County
Planning Department**

This map is representative of current county zoning
and should be used for planning purposes only.

1:2,000