



Bulloch County Departmental Review

Agenda Item:	1	Meeting Date:	November 4, 2025 (BOC)
Application #:	RZNE-2025-00194	Application Type:	Text Amendment
Request:	James Pope has submitted a text amendment application requesting to modify text within the Bulloch County Code of Ordinance Appendix C to include modifications to 202 Definitions, 802 Commercial and Industrial Principle Uses to include Microbrewery and Brewpub, 1404 Accessory Dwellings, 1414 Church or Place of Worship, 1426 Home Occupation-Residential, 1439 Planned Residential Developments with single-family and for two-family dwellings, including mixed-use residential developments, 1453 Go Cart, ATV, and Motorbike Track and Trails, 1454 Microbrewery and Brewpub, and 1455 Conservation Subdivisions.		

Applicant:	Bulloch County	Location:	County wide
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PLANNING AND ZONING COMMISSION MEETING OVERVIEW

The Bulloch County Planning and Zoning Commission convened on September 16th, at 5:30 p.m., for the monthly meeting to review the text amendment to Appendix C of the Bulloch County Code of Ordinance, submitted by James Pope. The meeting was attended by Planning and Zoning Commission Board members; Schubert Lane, Matthew Lovett, Adam Bath, Ryne Brannen, Charles Chandler, Betsy Riner, and Chairman Jeanne Marsh. County staff, the applicant, and members of the public were also in attendance.

Appendix C of the Bulloch County Code of Ordinance was last updated in December of 2024. Bulloch County staff initiated this request for a text amendment to Appendix C. After hearing the presentation of the request, the planning commission voted unanimously (6-0) to recommend approval of the text amendment request. The Bulloch County Board of Commissioners first heard this case October 7th, 2025. After hearing from planning staff and a member of the public, the case was tabled until the next zoning meeting. The final decision is scheduled to be made by the Bulloch County Board of Commissioners at their meeting on November 4th, 2025.

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Staff proposes the following amendment to the Zoning Ordinance of Bulloch County:

STATE OF GEORGIA
COUNTY OF BULLOCH

AMENDMENT TO THE BULLOCH COUNTY CODE OF ORDINANCES

BE IT ORDAINED by the Bulloch County Board of Commissioners that Section 202 of Article 2 of Appendix C – Zoning of the Code of Ordinances of Bulloch County, Georgia is hereby amended by modification to the flag lot, and dwelling-multiple family definitions and adding definitions for Dwelling – Townhouse, Conservation Easement, Conservation Subdivision, Recreation Facility, outdoor commercial, go cart, ATV, and motorbike track and trails to read as follows:

Conservation Easement: A legally enforceable agreement between a property owner and the holder of the easement, in a form acceptable to the County Attorney and recorded in the office of the Clerk of The Superior Court of Bulloch County. A conservation easement restricts the existing and future use of the defined tract or lot to conservation use, agriculture, passive recreation, or other use approved by the Bulloch County Board of Commissioners and prohibits further subdivision or development. Such agreement also provides for the maintenance of open spaces and any improvements on the tract or lot. Such agreement cannot be altered except with the express written permission of the easement holder and any other co-signers. A conservation easement may also establish other provisions and contain standards that safeguard the tract or lot's special resources from negative changes.

Conservation Subdivision: A subdivision, as defined by this Code, where open space is the central organizing element of the subdivision design and that identifies and permanently protects all primary and all or some of the secondary conservation areas within the boundaries of the subdivision. Designed based first and foremost on the provision and preservation of open space, but that accommodate the entire amount of development that would otherwise be legally possible under conventional subdivision designs.

Dwelling, multiple-family: A building designed, constructed, altered or used for three or more adjoining dwelling units. A multiple-family dwelling may be apartments or condominiums. Each unit shall have a heated floor area of at least 600 square feet per dwelling unit and be compatible with other conventional construction which may be permitted in the same general area, or existing development, or proposed development in the same zoning classification or area, or as set forth in the comprehensive plan of the county. Various multifamily dwellings are further defined below:

Apartment: One of a series of three or more attached dwelling units under a single roof, developed and/or operated under single ownership and rental agreements, and occupied by families living independent of each other.

Condominium: A lot developed in accordance with the provisions of the Georgia Condominium Act codified at O.C.G.A. § 44-3-70 et seq.



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Health care: One of a series of three or more attached dwelling units under a single roof, developed and/or operated under single ownership and rental agreements/medical fees, and occupied by health care recipients as further defined in applicable Georgia state codes. Health care facilities include nursing homes and assisted living/limited care dwellings, and shall be limited to two stories with ground level entry/exit facilities provided for both stories.

Townhouse: One of a series of three or more attached dwelling units on separate zoning lots which units are separated from each other by party wall partitions extending at least from the lowest floor level to the roof, and are occupied by families living independently of each other.

Dwelling, townhouse: One of a series of three or more attached dwelling units on separate zoning lots which are separated from each other by party wall partitions extending at least from the lowest floor level to the roof.

Flag lot: A lot with road frontage no greater in width than one-half the required lot width for the applicable zoning district and with access to the bulk of the lot provided by means of a narrow corridor. For purposes of this definition, the access to the lot shall be considered a "narrow corridor" if the lines of the corridor diverge ten degrees or less. Flag lots shall be subject to the following restrictions and conditions:

- (1) Flag lots are only allowed in the AG-5 zoning district.
- (2) No flag lot may be subdivided from a single lot or parcel of property with less than 500 feet of road frontage.
- (3) With the exception of adjacent flag lots, no more than one flag lot shall be permitted to front on the same side of the road every 500 feet when subdividing a single lot or parcel of property. Provided however, that this distance requirement shall not be applicable to flag lots that are created from separate lots or parcels of property. For purposes of this provision, the distance shall be measured along the road between the nearest property lines.
- (4) No more than two flag lots created from the same lot or parcel of property shall be permitted to be adjacent to one another.
- (5) The limitations regarding road frontage, distance, and adjacent flag lots in subsections (2), (3), and (4) shall not be applicable to flag lots created pursuant to the provisions of subsection 503(a)(154) of this chapter (the AG-5 family provision), provided that no more than five flag lots are created from a single lot or parcel pursuant to said provision.

Recreation facility, outdoor commercial: This use includes commercial unenclosed recreation facilities including, but not limited to: archery ranges, fairgrounds, paintball fields/facilities, firearms shooting range, golf driving ranges, parks and trails for ~~motorized or~~ nonmotorized vehicles (including bicycles, and skateboards) and race tracks for animals ~~or motor vehicles having more than two wheels or 2,000 pounds or more.~~

Go Cart, ATV, and Motorbike Track and Trails: Operating a motorcycle, all-terrain vehicle, or similar motorized vehicle for commercial gain over a permanent constructed track or course or where the continuous use of the land creates a track, trail, or course. Individual landowner activity shall be exempt from this definition.

Microbrewery: An establishment where beer and malt beverages are made on the premises and then sold or distributed, and which produces less than 15,000 barrels (a barrel is approximately 31 gallons) of beer per year. Microbreweries sell to the public by one or more of the following



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methods: the traditional three-tier system (brewer to wholesaler to retailer to consumer); the two-tier system (brewer acting as wholesaler to retailer to consumer); and directly to the consumer. Microbreweries may also include the production of mead as permitted by the State of Georgia.

Brewpub: An establishment where beer, malt beverages and mead are made on the premises in conjunction with a restaurant or bar and where 40% or more of the beer produced on site is sold on site. Where allowed by law, brewpubs may sell beer "to go" and /or distribute to off-site accounts.

Large Brewery: An establishment where beer and malt beverages are made on the premises at an annual beer production rate of over 15,000 barrels.

Tap Room: A room that is ancillary to the production of beer at a microbrewery, brewpub, or large brewery where the public can purchase and /or consume only the beer or mead produced on site

BE IT FURTHER ORDAINED by the Bulloch County Board of Commissioners that Section 503 (b) of Article 5 of Appendix C – Zoning of the Code of Ordinances of Bulloch County, Georgia is hereby revised to include “Go Cart, ATV, and Motorbike Track and Trails (subject to supplemental standards)” as a Conditional Use subject to supplemental standards;

BE IT FURTHER ORDAINED by the Bulloch County Board of Commissioners that Section 503 of Article 5 of Appendix C – Zoning of the Code of Ordinances of Bulloch County, Georgia is hereby revised to include “Conservation Subdivision (subject to supplemental standards)” as a Permitted Use subject to supplemental standards;

BE IT FURTHER ORDAINED by the Bulloch County Board of Commissioners that Section 602 of Article 6 of Appendix C – Zoning of the Code of Ordinances of Bulloch County, Georgia is hereby revised to include “Conservation Subdivision” as a permitted use subject to supplemental standards in the R-80, R-40, and R-25 zoning districts with the designation P,S under the R80, R40, & R25 columns in the use chart;

BE IT FURTHER ORDAINED by the Bulloch County Board of Commissioners that Article 14 of Appendix C – Zoning of the Code of Ordinances of Bulloch County, Georgia is hereby amended by adding a new Section 1453 to read as follows:

Section 1453: Go Cart, ATV, Motorbike Track and Trails

1. The use is limited to parcels greater than 100 acres
2. Any activity proposing to use a dirt track must include a plan whereby no dust shall leave the property on which the track is located.
3. All stream crossings shall be by way of a drainage structure (No fording of creeks).
4. Hours of operation shall be limited to the following:
 - A. Sunday thru Thursday no earlier than 7:00 a.m. and no later than one hour after the sun sets.
 - B. Friday and Saturday no earlier than 7:00 a.m. and no later than 10:00 p.m.
5. All ATV and motorcycles operating on the trails will be limited to a maximum decibel level of 120db at operating speeds. Tested no more than five feet from the vehicle.
6. All ATV and motorcycles operating on the trails will be required to have spark arrestors.
7. The entirety of the property must be fully fenced.
- 8.



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9. "Quiet zones" to limit loud music and noise other than that produced by the vehicles shall be enforced within 500 feet of property lines in trail areas that are adjacent to residential properties. Quiet zones shall be clearly marked with signage visible to patrons.
10. Access to public streets shall require permit approval by the County Engineer or designee.
11. No trail shall be located within 50 feet of the property boundaries.
12. Where trails are proposed to disturb wetlands, Chapter 4, Section 4-50.1 of the Bulloch County Code of Ordinances and requirements of the Federal Clean Water Act, as amended, are required. Generally, a wetland determination by the U.S. Army Corps of Engineers must be provided prior to site plan or other permit approval.

BE IT FURTHER ORDAINED by the Bulloch County Board of Commissioners that Article 14 of Appendix C Zoning of the Code of Ordinances of Bulloch County, Georgia Section 1414 Church or Place of Worship is hereby amended to read as follows:

- (a) It must be located on either an arterial or collector road.
- (b) The lot must have a minimum road frontage of 200 feet (except in a MHP district).
- (c) No church building shall be located within 100 yards of any establishment that has been licensed for the sale or consumption of alcoholic beverages. For purposes of this subsection, distance shall be measured by the most direct route of travel on the ground.
- (d) In R80, R40, R25, R15, **R8**, R2, R3 and MHP districts, the lot must have an area of at least two and one-half acres, unless a cemetery is adjacent, then five-acre lot size is required.
- (e) In R80, R40, R25, R15, and **R8** districts, off street parking shall be provided as set forth in the parking section of this ordinance.
- (f) Setbacks for churches (where no cemetery is developed):

Setback	R80, R40, R25	R15, R8	R2, R3	MHP	HC, NC	GC, AG-5
Front yard:	80'/70'	70'/60'	60'/50'	80'/70'	50'	100'
Arterial street/collector street						
Side yard	150'	150'	150'	150'	50'	50'
Rear yard	60'	50'	50'	60'	50'	50'

Uses accessory to churches:

- (a) Religious education building, including an assembly room that may be used for church-related recreation activities.
- (b) Parsonage, parsonage or parish house, including any use accessory to a dwelling as permitted within section 603.

BE IT FURTHER ORDAINED by the Bulloch County Board of Commissioners that Article 14 of Appendix C Zoning of the Code of Ordinances of Bulloch County, Georgia Section 1404 Accessory Dwellings is hereby amended to read as follows:

Section 1404: Accessory Dwellings.

- (a) Accessory dwellings include, but are not limited to, site-built constructed structures including basement apartments, garage apartments, caretaker or other employee quarters, guesthouses,



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and other accessory dwellings.

- (b) Accessory dwellings are permissible within the principal dwelling or as a freestanding dwelling in the following zoning districts: AG-5, R80, R40, and R25 **provided it is in a planned residential subdivision.**
- (c) There shall be no more than one accessory dwelling unit per lot. Accessory dwellings contained within a principal dwelling shall comply with the following standards:
 - (1) There shall be no more than one accessory dwelling in a principal dwelling unit.
 - (2) The accessory dwelling shall not exceed 25 percent of the habitable floor area of the principal dwelling.
 - (3) One additional off-street parking space shall be provided to serve the accessory dwelling.
 - (4) The accessory dwelling shall comply with all building and health code standards.
- (d) Freestanding accessory dwellings shall comply with the following standards:
 - (1) The accessory dwelling unit may be located in a second floor over a detached garage or may be a separate structure.
 - (2) The accessory dwelling shall be located only within the side or rear yard.
 - (3) Façade materials shall be identical to the principal structure **or have a coordinated architectural rhythm with the primary structure as determined by the zoning official. Material samples may be required by the zoning official for building permit approval.**
 - (4) The lot shall comply with the minimum lot area standards set forth in section 606.
 - (5) One additional off-street parking space shall be provided to serve the accessory dwelling unit.
 - (6) An accessory dwelling located in the AG-5 district shall be 750 (conditioned space) square feet or greater but shall not exceed 60 percent of the primary structure square footage up to 1,500 square feet, whichever is less.
 - (7) Accessory dwellings located in residential districts shall be 750 (conditioned space) square feet or greater but shall not exceed 60 percent of the primary structure square footage up to 1,200 square feet, whichever is less.

BE IT FURTHER ORDAINED by the Bulloch County Board of Commissioners that Article 14 of Appendix C Zoning of the Code of Ordinances of Bulloch County, Georgia Section 1426 Home occupation, residential is hereby amended to read as follows:

Section 1426. - Home occupation, residential

- (a) The following and similar uses shall be considered home occupations, but are not limited to this list: accountant, addressing service, architect, art instructor, beauty shop (with no more than one operator), drafting, dressmaking, insurance agent, manufacturing agent, music instruction, (students: limited to two students at a time), teacher, notary public, photographer, real estate agent, and tax consultant.
- (b) The following and similar uses are considered appropriate uses of accessory buildings for home occupations: artist or craftsman's work area, photographic darkroom, clock repair shop, gunsmith shop, laboratory, pottery shop, and basket weaver's shop.
- (c) The following uses are prohibited as home occupations: auto sales or auto repair, restaurants, animal hospitals, veterinary clinics, funeral homes, retail or wholesale shops, machine shops or manufacturing.
- (d) The home occupation shall be operated by a resident of the home.
- (e) No home occupation shall employ more than two persons who do not reside in the dwelling located on the premises.
- (f) The home occupation must be incidental and subordinate to the residential use of the dwelling



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- (g) and must not change the residential character of the property.
- (h) No internal or external alterations shall be permitted which would change the fire rating for the structure.
- (i) The home occupation shall be limited to 25 percent of one floor of the square footage of the principal structure.
- (j) If an accessory structure is used for the business, the size of the accessory structure is limited to 25 percent of the square footage of the residential building. It shall be located behind the residential building with setback requirements of no less than 20 feet from the property line and 30 feet from the side yard.
- (k) No display of products shall be visible from the street.
- (l) One non-illuminated name plate, not more than two square feet in area may be attached to the building which shall contain only the name of the occupation conducted on the premises.
- (m) A home occupation shall be operated in such a manner as not to be a nuisance to adjacent residential structures. This shall apply to noise, lighting, traffic, and unsightly outside storage, where applicable.
- (n) No outside storage of materials or supplies used in connection with the home occupation shall be permitted.
- (o) All parking for the home occupation shall be located on the property and only on the side or rear yards.
- (p) ~~Only vehicles designed and used primarily as passenger vehicles (including pickup trucks) shall be used in connection with home occupations in residential zoning districts.~~ **Truck deliveries or pick-ups of supplies or products associated with a home business shall be limited to the type of vehicles and pick-up/delivery hours that are typical and customary for residential dwellings and uses located in the zoning district within which the home business is located. Specifically, these vehicles shall be limited to the types of vehicles associated with the delivery of domestic mail and packages.**
- (q) **Owners/proprietors of all home businesses shall maintain a valid occupational tax certificate. Failure to hold a valid occupational tax certificate will invalidate the home occupation or professional home office.**

BE IT FURTHER ORDAINED by the Bulloch County Board of Commissioners that Article 14 of Appendix C Zoning of the Code of Ordinances of Bulloch County, Georgia Section 1439 Planned residential developments with single-family and/or two-family dwellings, including mixed-use and mixed-use residential developments is hereby amended to read as follows:

Section 1439. - Planned residential developments with single-family and/or two-family dwellings, including mixed-use and mixed-use residential developments.

1. Anti-Monotony Facades.

- (a) There should be distinctly different front façade designs for each dwelling unit including variation in width or height, roof planes, location and proportion of front porches and garages. **This does not prohibit the home to the rear from being the same front elevation.**
- (b) **Mirror images or repetition of the same configuration of each dwelling are prohibited.**
- (c) **No dwelling shall be of the same front elevation design as any other house within two houses to each side of the subject lot nor directly across the street.**
- (d) **No single front elevation design may be applied to more than twenty-five (25%) percent of the front elevations within any single phase of a development.**



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NO



YES



2. Front Façade

Each front elevation shall include architectural elements from the following list that total a minimum of six (6) points. Unless specified, all features are worth one (1) point.

- a) Front porch, minimum eight (8) feet in width and six (6) feet in clear depth supported by columns and with a rail (2 points)
- b) Side-loaded or court-entry garage (2 points)
- c) A separate overhead door for each single garage bay
- d) Brick, stone or textured concrete masonry on one-hundred (100%) percent of the front elevation (excluding openings)
- e) Turret
- f) Two (2) or more roof planes visible (change in elevation or direction of roof ridge) on the front of the house
- g) Veranda/balcony
- h) At least four (4) feet of relief at one or more points along the front or rear elevations
- i) Bay, dormer or oriel windows
- j) Decorative geometric front, rear and side gable roof vents or windows
- k) Architectural details such as quoins, pilasters, cornices, and dentil molding
- l) Architectural-grade roof shingles
- m) Dormer windows/shed dormer



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- n) Architectural brackets or corbels
- o) Twelve (12") inch roof overhang
- p) Chimneys beginning at grade and faced with brick or stacked stone; extend chimneys between three and six feet above the roof line
- q) Mullions, muttons, true divided lights on the exterior of the window surface
- r) Shutters, each, half the width of the adjacent window, mounted with shutter hinge and anchor hardware; not mounted directly to the surface of the adjoining façade
- s) Decorative accent roofs using secondary material (copper accent roof)

3. Wall Finishes/Materials

- (a) ~~Except for trim, each dwelling unit should have a primary and secondary material coverage on the front and side building façade.~~
- (b) ~~If the primary materials and finishes except for trim and accents include aluminum or vinyl siding, then secondary materials and finishes are required to consist of 25 percent natural wood, brick, brick veneer, stacked stone, unglazed tile, fiber cement, or a combination thereof.~~
- (b) Exterior wall finish materials (excluding foundations, trim, windows, and doors) are limited to the following.
 - (1) Brick: Full-depth masonry brick, but not adhered brick veneers;
 - (2) Stone: Unpainted natural stone, unpainted cast stone or manufactured stone having the appearance of natural stone, and unpainted terra cotta;
 - (3) True three (3) coat cement stucco;
 - (4) Siding: Natural wood, vinyl or cementitious siding including lap siding and board and batten
 - (5) Shingles: Wood or cementitious shakes and shingles.

4. Street Lighting

- (a) Street lighting within the development will only be allowed under a county streetlight special tax district.
- (b) Night-time intersection lighting at primary subdivisions entrances will be required, with the cost for installation and maintenance to be borne by the developer or a common interest element.
- (c) All outdoor lighting fixtures must be recessed and downcast and shall not produce glare or a nuisance to drivers or the surrounding properties.

5. Foundation Walls

- (a) Exposed foundation walls must be faced in brick, stone, or manufactured stone to the level of the first finished floor for the entire perimeter wall. When the building has a slab on grade construction, at least eighteen (18) inches above grade for the entire perimeter is required.

6. Windows

- (a) Any exterior wall facing the side yard must provide window openings or false windows that equal or exceed five percent (5%) of the total area of that wall. Any exterior wall facing the front yard must provide window openings that equal or exceed thirteen percent (13%) of the area of the wall. Walls that face the side yard and are finished in brick, stone, or manufactured stone are exempt from the window area requirement.
- (b) Garage door windows may count towards ratio requirements.

7. Garage Doors.

- (a) For single-family detached dwellings with attached garages, garage doors facing a street must not project or be recessed less than eighteen (18) inches, or project more than ten (10) feet from the surface of the exterior wall or from the front face of a porch. For the sake of this requirement, a porch must be:



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- (1) At least six (6) feet deep. The depth of a porch shall be measured from the outermost edge of the walking surface to the lowest projecting face of the wall cladding.
- (2) At least thirty-three percent (33%) of the width of the exterior wall from which it projects.
- (3) Covered and continuous.
- (4) If a porch exceeds the thirty-three (33%) percent width requirement, the portion which exceeds this standard may measure less than six (6) feet in depth.

BE IT FURTHER ORDAINED by the Bulloch County Board of Commissioners that Section 802 of Article 8 of Appendix C – Zoning of the Code of Ordinances of Bulloch County, Georgia is hereby revised to include “Microbrewery and Brewpub” as a permitted use subject to supplemental standards in the Light Industrial zoning district with the designation P,S under the LI column in the use chart; and revised to include “Microbrewery and Brewpub” as a conditional use subject to supplemental standards in the Highway Commercial zoning district with the designation C,S under the HC column in the use chart.

BE IT FURTHER ORDAINED by the Bulloch County Board of Commissioners that Article 14 of Appendix C Zoning of the Code of Ordinances of Bulloch County, Georgia Section 1454 Microbrewery and Brewpub is hereby created to read as follows:

(a). Standards applicable to Brewpubs:

1. In HC district a brewpub may not exceed 5000 square feet gross floor area.
2. In the LI district a brewpub cannot exceed 7500 square feet gross floor area.
3. All activities shall comply with the Bulloch County Noise Ordinance.

(b). Standards applicable to Microbreweries

1. In HC district, a microbrewery may not exceed 5000 square feet gross floor area.
2. In the HC microbreweries shall have a tap room that is oriented to the street or main pedestrian entrance of the building. A minimum of 500 square feet shall be provided for the tap room and this area shall be open for business at least one quarter of the time each week the business facility is operating.
3. In the LI district a microbrewery cannot exceed 7500 square feet gross floor area.
4. No loading or distribution activities shall take place outside of the enclosed building between the hours of 9:00 pm and 7:00 am when the microbrewery is located within 500 feet of any residential or institutional use.



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BE IT FURTHER ORDAINED by the Bulloch County Board of Commissioners that Article 14 of Appendix C Zoning of the Code of Ordinances of Bulloch County, Georgia Section 1455 Conservation Subdivision is hereby created to read as follows:

1455 Conservation Subdivisions

a. PURPOSE

A conservation subdivision is intended to provide for residential subdivisions that are designed based first and foremost on the provision and preservation of open space, but that accommodate the entire amount of development that would otherwise be legally possible under conventional subdivision designs, and that:

1. Minimize the environmental and visual impacts of new development on critical resources, aesthetically pleasing areas, and historically and culturally significant sites and structures;
2. Encourage more efficient development of land by affording greater flexibility of design and placement of buildings and structures;
3. Reduce infrastructure construction costs;
4. Contribute to an interconnected network of permanent open space in the County;
5. Provide for undivided open space within new developments;
6. Enhance quality of life for residents by creating more attractive and pleasing living environments;
7. Reduce the demand on public expenditures for open space, parkland, play fields, and other areas for active and passive recreation;
8. Minimize disturbances to streams, steep slopes, and vegetation and provide increased opportunities to maintain natural conditions; and
9. Meet design requirements and guidelines established in this chapter for the protection of conservation areas.

b. OPEN SPACE AND CONSERVATION AREAS:

Required Specifications.

- (1) Minimum Size. The minimum size of a conservation subdivision shall be twenty-five (25) contiguous acres. Division of the subject property by a public road is prohibited.
- (2) Area in Open Space.
 - (1) Each conservation subdivision shall provide a minimum of forty percent (40%) of its total land area as open space, as defined by this Code. The amount of acreage dedicated to secondary conservation areas must equal at least thirty percent (30%) of the total primary conservation areas. If the total amount of open space provided is comprised of sixty percent (60%) or more secondary conservation area as described below, the overall total open space amount required shall be reduced to thirty percent (30%) of the total land area. Open space may be comprised of up to one hundred percent (100%) secondary conservation area.



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- (2) Open space shall be no less than five (5) contiguous acres.
- (3) The width of any open space tract shall be at least twenty-five (25) feet.
- (4) Exterior buffers cannot be counted towards the secondary conservation area total.

(3) Primary Conservation Areas.

Primary conservation areas refer to the most ecologically sensitive and often severely constrained land, including land as shown in Table 1455.1. A conservation subdivision shall identify and integrate all primary conservation areas into permanent open space. Refer to figure 1455.1 for guidance on the conservation subdivision design process.

(4) Secondary Conservation Areas.

Secondary conservation areas refer to locally noteworthy or significant features of the natural or cultural landscape and include land as shown in Table 1455.1. A conservation subdivision shall identify secondary conservation areas and shall strive to integrate all or a portion of them into undivided, permanent, open space. "Undivided" refers to contiguous, usable open space; small strips of land remaining randomly among parcels or isolated "alley" strips do not qualify as meeting the required conservation area standards. Refer to figure 1455.1 for guidance on the conservation subdivision design process.

Table 1455.1

DEFINITIONS FOR PRIMARY AND SECONDARY CONSERVATION AREAS

Primary Conservation Areas	Secondary Conservation Areas
Habitats for endangered or threatened species	Open meadows and/or pastures of 3 contiguous acres or more
Wetlands	Orchards
Flood plains	Existing forests of 3 contiguous acres or more
State water, shorelines, and associated buffers	Specimen tree stands
Steep slopes of 35% or greater	Aquifer recharge areas
	Slopes between 25% and 35%
	Historical and Archeological sites
	Trails
	Trailheads constructed with pervious materials connecting to identified County trails

Standards for Open Space. This section provides standards and guidelines for establishing open space.

(1) **Location.** When a conservation subdivision site abuts an existing conservation area, park, nature preserve, or public undeveloped land, conservation areas shall be designed so that they are located along the common boundary line.

(2) **Trails.** Open space shall provide for trails, between ten (10) and twelve (12) feet wide and shall be designed to connect with a sidewalk network and/or function as pathways to common area and/or amenity destinations. Trails are required to be located



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external to individual residential lots and are not intended to be accessed via easements through individual residential lots. No trail located within open space may include impervious materials. Motorized vehicles shall not be permitted on trails except for maintenance, construction, or public safety purposes. This prohibition shall be included within the required covenants. Where appropriate and convenient, such trails shall be made handicapped accessible. Connection to off-site County trails is strongly encouraged.

(3) Trail/Street Crossings. Where trail systems cross an internal subdivision street, the access points shall be directly across from each other, clearly identified both to the motorist and pedestrian, and located with appropriate sight distance as determined by the County Engineer, subject to the approval of the Engineering Department. Where a trail crosses any County road not interior to the subdivision, the trail shall be grade separated (i.e., by a tunnel or bridge) or located at a traffic control device approved by the County Engineer and Planning Director.

(4) Limits of Disturbance. No clearing or grading shall be permitted in the primary or secondary conservation areas with the following exemptions:

(A) Encroachments for infrastructure and stormwater shall be granted only for perpendicular buffer crossings that have been reviewed and issued an encroachment permit by the County Engineer.

(B) Removal of vegetation as identified on the United States Department of Agriculture Georgia List of Exotic and Invasive Plants is permitted provided such removal is minimal. This exemption shall not apply to undisturbed state and county stream buffers.

(5) Tree Cover. Preservation and enhancement of existing tree canopy is strongly desired and encouraged wherever possible but at minimum, must be consistent with any special conditions created at the time of zoning approval.

(6) Permitted Uses. For the purposes of this chapter, open space may be used for primary conservation area and secondary conservation area. Pervious surface trails for passive recreation may be allowed.

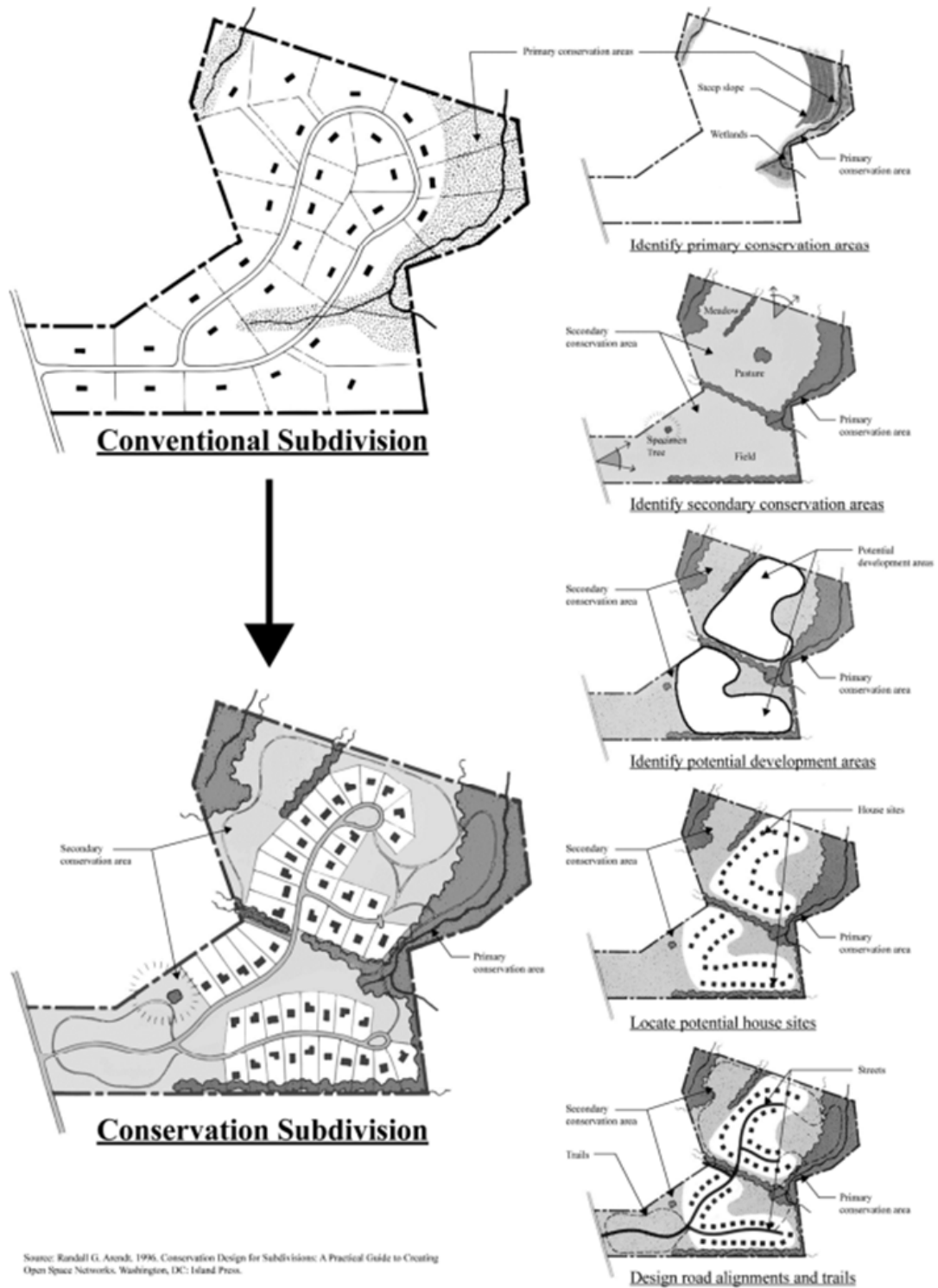
(7) Active Recreational Facilities. Active recreational facilities, if provided, shall not be located in the primary or secondary conservation areas and shall not count toward required open space.

(8) Golf Courses Prohibited. Golf courses do not comply with the conservation intent of this chapter and thus are not permitted.



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Figure 1455.1 Conservation Subdivision Design Process



Source: Randall G. Auerh, 1996, *Conservation Design for Subdivisions: A Practical Guide to Creating Open Space Networks*, Washington, DC: Island Press.



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c. DETERMINING LOT YIELD:

Maximum Number of Lots. In conservation subdivisions, lot sizes are allowed to be smaller than permitted in conventional subdivisions. The minimum lot size shall be as provided in table 1445.2 in section 1445(d), so as to ensure that lots created will not be substantially out of character with lot sizes in conventional subdivisions within the same zoning district. The development must, however, be density neutral i.e., the overall number of dwellings allowed must be no more than the total number of dwellings a conventional subdivision layout would yield. The applicant may choose one (1) of the methods below to determine the maximum number of lots. The greater of option (1) or (2) is the maximum allowed lots.

- (1) **Yield Plan.** A yield plan shows the site developed as a conventional subdivision and the maximum number of lots the site would theoretically yield. The design of the yield plan must be realistic and account for areas that cannot be developed such as flood plain, stream buffers and wetlands.
- (2) **Adjusted Tract Acreage Method.** This calculation deducts the adjusted constrained lands from the gross tract acreage. The resulting net tract acreage is then multiplied by the zoning district density. The process for this calculation is described as follows:

(A) Determine the constrained lands. Identify all land in the following categories:

- (1) Slopes over thirty-five percent (35%) of at least five thousand (5,000) square feet contiguous area.
- (2) The 100-year flood plain.
- (3) Wetlands that meet the definition of the Army Corps of Engineers pursuant to the Clean Water Act.
- (4) Area of land in stream buffers as required by federal, state or local regulations.
- (5) Area of land designated for construction of roads and associated right-of-way.
- (6) Area of all impervious surfaces associated with amenities, including but not limited to parking areas, tennis courts, swimming pools, clubhouses and other impervious surfaces.



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(B) Calculate the adjusted constrained lands by multiplying the total area of land in items (a) through (d) by fifty percent (50%) and adding one hundred percent (100%) of area of land in (e) and (f).

(C) Determine the net tract acreage. The net tract acreage is calculated by subtracting the adjusted constrained lands from the gross tract acreage of the property to be developed.

(D) The number of allowed lots is determined by multiplying the net tract acreage by the zoning district density as listed in Table 1445.2 in section 11-5.1.

Example scenario:

100 Acre Property

10 Acres of Wetlands (x 50%)

10 Acres of Slopes (x 50%)

15 Acres of Roads/ROW/Amenity

1.09 u/a R-40 Density

100 ac		Total Acreage
-25 ac	(20 x 50%) +15	Adjusted constrained lands
=75 ac		Net acreage
x 1.09 u/a		R-40 density
= 81 max lots		Max lots

d. SITE DESIGN STANDARDS:

1. After determining primary and secondary conservation areas. This section provides standards and guidelines for conservation subdivisions.

(A) Performance standards shall be in accordance with table 11.2 below.

(B) Homes shall not front directly on off-site streets.

(C) No less than eighty-five percent (85%) of lots shall be entirely abutted on at least one (1) side by open space.



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(D) All buildings and structures shall be set back a minimum of seventy-five (75) feet from all primary conservation areas.

(E) Fencing is prohibited unless otherwise required by State or County rules or regulations.

(F) Conservation subdivisions in all zoning districts shall provide an exterior buffer. The size of the exterior buffer is determined by the size and zoning of the lot proposed adjacent to the exterior buffer of the conservation subdivision and shall be in accordance with table 1445.3 below. In the event that the subject property is abutted by more than one zoning along a property line, the largest of the adjacent buffer sizes shall determine the buffer size required on the subject property for that property line.

(G) Neither exterior buffers nor stream buffers shall be incorporated within individual residential lots.

Table 1445.2

Performance Standards

	AG5	R-80	R-40	R-25
Minimum lot size	85,000 square feet	32,000 square feet	16,000 square feet	9,000 square feet
Front setback	20 feet ¹	15 feet ¹	15 feet ¹	15 feet ¹
Side setback	10 feet	5 feet	5 feet	5 feet
Minimum distance between structures	25 feet	20 feet	20 feet	20 feet
Rear setback	20 feet	20 feet	20 feet	20 feet
Exterior setback	75 feet	50 feet	50 feet	50 feet
Minimum lot width	85 feet	60 feet	60 feet	60 feet
Minimum heated home size	975 square feet	975 square feet	975 square feet	975 square feet
Maximum lot coverage	50% ²	50% ²	50% ²	50% ²



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Maximum density	.3001 units per acre	0.5445	1.09 units per acre	1.74 units per acre
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- (1) Measured from the edge of the dedicated right-of-way or from access ally easement
- (2) Maximum lot coverage for the purposes of this chapter means the percentage of the lot covered by all structures including primary and any accessory buildings, however lot coverage does not include other impervious surfaces such as driveways, pools, at grade patios or at grade pool decks.

Table 1445.3

Minimum Exterior Buffer

Adjacent Zoning	R-40	R-25
Agricultural 5 Acres (AG5)	60'	60'
Commercial (HC, GC, NC)	30'	30'
Industrial (HI, LI)	50'	50'
R-80, R-40, R-25	50'	50'
R-15, R-8, R-3, R-2	25'	25'

2. Sewage Treatment and Disposal Systems. A conservation subdivision must be served by Public Sewer.

e. DESIGN STANDARDS AND GUIDELINES FOR STREETS:

Introduction. This article provides standards and guidelines for designing streets serving conservation subdivisions.

(1) Location and Alignment. Designers should avoid crossing wetlands with streets where possible. Existing farm roads should be incorporated into conservation subdivision designs. Roads should follow existing contours with a minimum of cut and fills and disturbance for construction. In cases where agricultural protection or meadow preservation is a primary objective, new roads should be placed along the edge of a field, rather than through the middle, so as to be less intrusive on the open space character of the tract.

(2) Lengths and Curves. The length of roads should be minimized to reduce costs and aesthetic impacts. Long, straight road segments should be avoided. Curvilinear designs are preferred for rural conservation subdivisions. Streets should be curved and aligned to produce vistas of open space elements, where possible. Short, straight, interconnected streets (i.e., grid patterns) are appropriate for clustered home sites within conservation subdivisions.



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- (3) **Separate Travel Lanes.** Where necessary, the directional travel lanes should split or curve apart to protect natural features. In cases where travel lanes are split or curve apart, the minimum width of each travel lane should be ten (10) feet in paved width.
- (4) **Right-of-Way and Clearance.** Rights-of-ways should be only wide enough to accommodate the required street width improvement, adequate shoulder bases for utilities, bikeways and/or walkways, and open storm drainage ditches at appropriate bank slope. Drainage easements may be provided in lieu of expanding the right-of-way for drainage ditches if approved by the County Engineer. The entire right-of-way may not necessarily have to be cleared if it can be shown to the satisfaction of the County Engineer that remaining trees or other features do not pose a traffic safety hazard.
- (5) **Connections.** Streets shall be connected with one another unless doing so involves traversing designated Conservation Areas; preferably streets connect in three-way intersections, so that the number of dead ends are minimized. An exception will be allowed when a street connection would cross conservation areas and break up open space amenities, in which case 1445.6 provisions shall govern. Whenever possible, streets shall be designed to connect with adjoining properties.
- (6) **Cul-de-Sacs.** Traditional cul-de-sacs are discouraged. Cul-de-sacs create large expanse of impervious cover and increase the amount of stormwater runoff. As such, street loops and/or cul-de-sac with planted centers meet the intent and purpose of Conservation Subdivision districts and are strongly encouraged for non-connecting street ends. Cul-de-sacs with planted centers shall increase in diameter to accommodate the planted center. All plans for cul-de-sacs with planted centers shall be approved by the County Engineer.
- (7) **Reverse Curves.** For roads serving less than 2,000 average daily trips and where speed limits are controlled to prevent high-speed traffic, reverse curves (consecutive left and right curves without a straight segment separating them) are considered appropriate and may be encouraged, subject to the approval of the County Engineer.
- (8) **Single-Loading Streets.** "Single-loading streets" (i.e., having houses only on one side) are considered appropriate and encouraged, particularly around common or amenity areas.
- (9) **Curbs and Drainage.** Curbs and gutters shall be required and installed in accordance with Bulloch County Appendix B Schedule 7.7.3: Right-of-Way Design Standards—Curb and Gutter, unless otherwise approved by the County Engineer.
- (10) **Street Trees.** Street tree plantings are encouraged, provided that they are located so as not to present a traffic safety hazard, as determined by the County Engineer.



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(11) Sidewalks. Concrete or asphalt sidewalks may detract from the character of rural conservation subdivisions. The use of pervious materials is strongly encouraged. Safe access for pedestrians and/or bicyclists shall be provided via trails in the open space and where needed along the improved or semi improved shoulders of roads. No trail located within open space may include impervious materials.

f. PROCEDURES:

In addition to the application procedures for zoning approval, sketch plan approval, preliminary and final plat approval, as specified in Appendix B of this Code, conservation subdivisions shall comply with the following procedures.

1. Pre-application Conference. A pre-application conference with the department is required at least fourteen (30) days prior to the submission of a sketch plat application. At the time of a pre-application conference, an Existing Features and Site Analysis Report, as detailed in section 1445.b, shall be submitted and a site visit, as detailed in section 1445.c, shall be scheduled. In the event amendments to the Existing Features and Site Analysis Report are necessary as a result of information gathered during the site visit, an updated report shall be submitted in accordance with 1445.c. Refer to figure 1445.2 for guidance on the order of procedures. At the applicant's request, the department shall make available all relevant information about primary and secondary conservation areas, including soil survey, natural resource maps, and geographic information, for which reasonable reproduction costs for this information may be charged. Ideally, the pre-application conference will be preceded by the submittal of a boundary survey of the property to be subdivided with sufficient time for the Development Department to collect applicable information.
2. Existing Features and Site Analysis Report. The purpose of the existing features and site analysis report is to familiarize County staff with existing site conditions and shall form the basis for the development design as shown on the concept plan. This report shall consist of a map and narrative identifying and describing all important existing site features in accordance with the list below and shall be sealed by a registered engineer or landscape architect to ensure accuracy. The following features shall be included where applicable:
 - (A) Significant wildlife habitats, if any. If information on habitats is not available, the wildlife potential of various soil types on the site shall be included with the soil analysis.
 - (B) Soils, including analysis of suitability for septic tanks, and erosion potential as shown on the National Cooperative Soil Survey developed by the National Resources Conservation Service.
 - (C) Wetlands as shown as shown on the National Wetlands Inventory developed by the United States Fish and Wildlife Service.



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(D) Flood plains. Areas of 100 year flood plain as identified on flood hazard boundary maps or flood insurance rate maps developed by the Federal Emergency Management Agency.

(E) Slopes twenty-five percent (25%) or greater.

(F) Historic, archaeological, and cultural features. Applicant shall refer to the Bulloch County Historic Resources Survey and data from the State Archeologist (Historic Preservation Division of the Department of Natural Resources) when developing in areas of suspected cultural and/or historical resources. Photos of such features, if existing, shall be required.

(H) Tree cover, existing forests including acreage, and/or specimen tree stands with critical root zone identified.

(I) Orchards.

(J) Open meadows and/or pastures including acreage.

(K) Views into and out from the site, and any scenic qualities. Photos and/or illustrations shall be required.

(L) Aquifer recharge areas as shown on Hydrogeologic Atlas 18 developed by the Georgia Department of Natural Resources.

3 Site Visit. The purpose of the site visit is to familiarize staff with the property's existing conditions and special features, to identify potential site design issues, and to provide an informal opportunity to discuss site design concepts, including the general layout of the designated open space areas and potential locations for proposed buildings and street alignments. Comments made by staff regarding design shall be interpreted as being only suggestive. It shall be understood by all parties that no formal recommendations will be offered, and no official decisions can be made during the site visit. In the event that staff determines that existing site features have not been fully represented within the Existing Features and Site Analysis Report, the applicant shall amend the report and submit it to accompany other application requirements in accordance with Appendix B of the Bulloch County Code of Ordinances, adhering to required departmental deadlines.

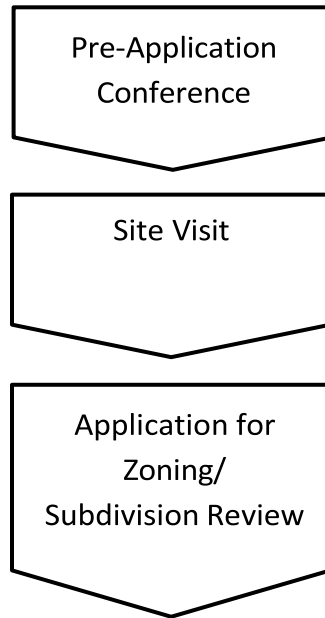
4. Yield Plan or Adjusted Tract Acreage Method. Along with all other required documents and site plan submittals for rezoning and/or sketch plat applications, applicants shall submit one (1) of the following:



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(A) A yield plan that demonstrates the number of lots that would be generated if the site were developed as a conventional subdivision, or
(B) An adjusted tract acreage calculation detailing the values used to arrive at the maximum number of lots in accordance with section 1445.c.

Figure 1445.4





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g. EASEMENTS AND OWNERSHIP:

1 Conservation Easement Required. All primary conservation areas and all secondary conservation areas shown on the rezoning application site plan and/or sketch plat that are required to be retained as open space, shall be permanently protected from further subdivision, development, and unauthorized use, by a conservation easement. A conservation easement, as defined by this Code, shall be approved by Bulloch County and

1) co-signed by Bulloch County and donated to a conservation organization or land trust; or

2) co-signed by Bulloch County and donated to a homeowners association; or

3) donated to Bulloch County if accepted by the County. Copies of the draft easements and delineation of primary and secondary conservation areas shall be submitted for review concurrent with the submittal of a land disturbance permit application.

2 Guidelines for Drafting Conservation Easements. The following guidelines are offered for drafting conservation easements and may be required:

(A) The easement recognizes and describes in a statement of purpose the special qualities of the property subject to the easement. Preferably, conditions within the tract subject to the conservation easement are shown by map and/or photograph.

(B) The easement clearly identifies the owner of the property subject to the easement, the holder of the easement, and co-signer, and the responsibilities of the property owner, easement holder, and co-signer.

(C) The easement specifically and clearly identifies the boundaries of the property subject to the easement, preferably by metes and bounds legal description and survey plat.

(D) The easement contains restrictions as to what the owner may do with the property and specifically delineate what may not be done with the property. Limitations may include but may not be confined to prohibitions against subdivision, earthmoving, dumping, signs, utility lines, construction, changes to existing structures, and uses made of the property.



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(E) The easement provides for the right of the easement holder and co-signer to inspect the property to assure observance of restrictions as well as provides for enforcement procedures.

(F) The easement provides for the maintenance of property.

(G) The easement contains provisions governing its amendment, including provisions that the easement shall not be altered except with the express written permission of the easement holder, property owner, and any co-signers.

3 Required Ownership of Open Space. In addition to a conservation easement, the open space shall be permanently protected through ownership either by a homeowners' association or by Bulloch County, if accepted by the County, in accordance with this article.

4 Homeowners Association. If open space is owned and managed in common by a homeowners' association, it shall be subject to the following requirements:

(A) The developer of the conservation subdivision shall provide a description of the homeowners' association, including bylaws and methods for maintaining open space, to the Planning Director for approval, prior to the approval of a final plat.

(B) The homeowners' association shall be established by the conservation subdivision developer and endowed with a financial subsidy from the developer prior to the approval of a final plat on the property involving a conservation subdivision.

(C) Membership of each non-open space lot owner in the conservation subdivision shall be mandatory and automatic.

(D) The homeowners' association shall be responsible for maintenance, insurance, and taxes on the open space within the conservation subdivision. The association shall be required to assess dues for the maintenance of open space, purchase of insurance, and payment of taxes, unless another income source is proven to be available. Members of the association shall share equitably the costs of open space development and maintenance as indicated in bylaws. The association shall be empowered with the legal ability to place liens on non-open space lot owners for failure to pay association dues.

(E) Said homeowners' association shall not be dissolved without the consent of the Board of Commissioners. If common ownership of open space by a homeowners' association is proposed and approved, then open space shall be subject to permanent deed and final plat restrictions or covenants on the future use, development, and



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subdivision of open space, in addition to the requirement of a conservation easement.

(F) The Board of Commissioners may require that the homeowners' association establish a minimum amount of funds to be initially deposited and maintained in a maintenance account.

5 Fee Simple Dedication to Bulloch County. Dedication in fee-simple ownership to the public for recreational and/or open space use, is a possible mechanism for the permanent retention and maintenance of open space within the conservation subdivision, at the sole discretion of the Board of Commissioners, and subject to the following:

(A) Dedication to the County shall only be approved if the Board of Commissioners finds that the size, shape, location, type of open space, or cost of development or maintenance of such open space or the availability of open space would make public ownership desirable or necessary.

(B) The decision to accept open space for fee simple public ownership shall be at the sole discretion of the Board of Commissioners but guided by recommendations of the Planning Director, Planning & Zoning Commission, the Comprehensive Plan as it pertains to open space acquisition, and the Bulloch County Parks and Recreation Director.

(C) The Board of Commissioners generally will require dedication of all open space or park and recreation areas indicated for acquisition in the County's Comprehensive Plan or capital improvement program.

(D) The Board of Commissioners may require a maintenance bond or other financial security with a duration of twelve (12) months following public acceptance in an amount sufficient to ensure that such lands do not cause unwarranted public expenditures because of faulty conditions or construction. The Board shall have authority to cash said bond in the event substandard conditions or construction are evident. Otherwise, following the one (1) year period following public dedication, with satisfactory performance, the Board shall return the performance bond to the subdivider.

In addition to the required conservation easement, a deed for open space lands in a form acceptable to the County Attorney in favor of Bulloch County shall be signed and recorded prior to the approval of any final plat pertaining to land within the conservation subdivision.



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h. CRITERIA FOR APPROVAL:

1 Evaluation Criteria For Approval. In addition to the criteria listed in Article IV of Appendix B, evaluation criteria for a sketch plan for a conservation subdivision shall be based on the extent to which the plan meets the following criteria:

- (A) All primary conservation areas are protected as permanent open space.
- (B) The required amount of secondary conservation areas are protected as permanent open space, and meet the requirements established within section 1445b, but also meet the overall intent of conservation design.
- (C) The configuration of the secondary open space tract is contiguous and undivided.
- (D) The conservation subdivision meets applicable provisions of Appendix B Subdivisions Regulations of this Code, to the extent they are interpreted by the Planning Director to be applicable to a conservation subdivision.

2 Grounds for Denial. In addition to the criteria listed in Appendix B Article IV and Appendix C section 410 of this Code, grounds for denial of a rezoning and/or sketch plan application for a conservation subdivision shall include but are not limited to the following:

- (A) The application fails to fully identify primary and secondary conservation areas, or requirements pertaining to secondary conservation areas have not been met.
- (B) The proposed method of sewage treatment is inappropriate for the site or found to be potentially dangerous to public health.
- (C) One (1) or more of the lots within the conservation subdivision are too small to meet the minimum lot size established by this chapter.
- (D) The street configuration does not provide for connectivity, or preserve natural features, or it is found to be inconsistent with the open space character of the subject property and its surroundings.
- (E) The proposed open space network is divided, not functional, inconsistent with open space plans of the County, or does not provide for the protection of the most valuable secondary conservation areas on the site given the natural and scenic properties inherent on the site, as substantiated by photographs or other documentation.



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(F) The proposed open space network fails to maximize the length of the common boundary between conservation areas on site and conservation areas or parkland abutting the conservation subdivision site.

(G) The rezoning application and/or sketch plan appears to be submitted for the purpose of circumventing improvement requirements that would otherwise be required for conventional subdivisions pursuant Appendix B of this Code.

(H) The design fails to incorporate standards and guidelines established herein, thus failing to comply with the intention of the chapter, and/or there is indication that the application was submitted for the purpose of increasing lot yield only.

Adopted at a meeting of the Bulloch County Board of Commissioners held in compliance with Georgia's Open Meetings Act on the 7th day of October, 2025, at which meeting a quorum was present.

BOARD OF COMMISSIONERS OF
BULLOCH COUNTY, GEORGIA

By: _____
David Bennett, Chairman

Attest: _____
Venus Mincey-White, Clerk

(SEAL)