

Staff Report

Subject: Conditional Use (Second District)
Author: Chelsie Fernald, Senior Planner
Department: Development Services
Meeting Date: May 21, 2024

Item Description: **Tim Jones** requests a **conditional use** to allow for a private and public event venue in **AR-1**. Located at 2872 Noel C. Conaway Road. **[Map# 418 Parcel# 26A]**

Summary Recommendation

Staff has reviewed the application and recommends **approval** of the request for a **conditional use** to allow for a private and public event venue in **AR-1**.

Executive Summary/Background

- The request for private and public event venue Conditional Use is a requirement of Appendix C – Zoning Ordinance, Article V – Uses permitted in Districts, **Section 5.1.2.10 – Private and public events venue**.
- The applicant is requesting a conditional use to operate a private and public event venue in an AR-1 zoning district.
- This parcel has approximately 208 feet of frontage along Noel C Conaway Road.
- Parking for the event venue will be on the parcel to the south-east (418-26B). No parking will take place along Noel C Conaway Road.
- Per the Effingham County Code of Ordinances, the following are the general operating regulations for a public and private event venue in AR-1:
 - (a) *No musical entertainment, either live or recorded, utilizing sound amplification equipment, shall be in violation of [Chapter 30], Article II, Noise Control.*
 - (b) *No event shall be presented between the hours of 11:00 p.m. and 9:00 a.m. unless otherwise approved by the board of commissioners.*
 - (c) *Camping on site by persons attending an event is permitted; provided that no on site camping shall be permitted more than two days prior or two days after an event.*
 - (d) *Handicapped access shall be provided to activities that are open to the public.*
 - (e) *Events and activities shall be accessible to emergency and service vehicles.*
 - (f) *Adequate toilet facilities and trash receptacles shall be provided for all events.*
 - (g) *The burden of preserving order during the concert or special event is upon the permittee.*
- This conditional use is consistent with the Future Land Use Map (FLUM) that has this parcel projected to be Places of Assembly/Cemetery, as the applicant has renovated the existing church that is on the property for the event venue.
- At the April 9, 2024, Planning Board Meeting, Mr. Peter Higgins made a motion for approval with Staff recommendations. Mr. Brad Smith second the motion and it carried unanimously.

Alternatives

1. **Approve** the request of a **conditional use** to allow for a private and public event venue in **AR-1** with the following conditions:
 - The applicant shall obtain, and keep in good standing, an Effingham County Occupational Tax Certificate (business license).
 - A Sketch Plan shall be submitted and approved by the Board of Commissioners.
 - No parking shall be allowed along Noel C Conaway Road.
 - All buffers shall adhere to the Effingham County Code of Ordinances, **Section 3.4 – Buffers**.
2. **Deny** the request of a **conditional use** to allow for a private and public event venue in **AR-1**.

Recommended Alternative: 1

Department Review: Development Services

Attachments: 1. Conditional Use application

Other Alternatives: 2

FUNDING: N/A

2. Aerial photograph 3. Deed