

STOCKBRIDGE CITY COUNCIL

Mayor Anthony S. Ford
At-Large

Mayor Pro Tem Kyle D. Berry, Sr.
Council District 3

Councilmember Elton Alexander
Council District 5

Councilmember Yolanda
Council District 3

Councilmember LaKeisha Gantt
Council District 1

Councilmember Alphonso Thomas
Council District 2

CITY MANAGER

Frederick Gardiner

CITY CLERK

Vanessa Holiday

CITY TREASURER

Vacant

CITY ATTORNEY

Quinton G. Washington

Samantha Embry

Council Meeting Agenda January 30, 2024 6:00 PM



STOCKBRIDGE CITY HALL

4640 NORTH HENRY BLVD.

STOCKBRIDGE, GA 30281

Website: www.stockbridgega.org

Phone: 770-389-7900

Fax: 770-389-7912

Translation and Interpretation Services are available with (7) days prior notice. Please contact the City's HR Manager at 770-389-7908 for assistance.



AGENDA COUNCIL MEETING CITY OF STOCKBRIDGE

TUESDAY, JANUARY 30, 2024 6:00 PM

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

ROLL CALL

ADOPTION OF THE AGENDA

REVIEW OF THE MINUTES

- 1 Draft Minutes January 8, 2024

PUBLIC COMMENTS - All persons wishing to speak for public comment must sign in with the City Clerk prior to the beginning of the meeting. You must sign your name, address, and phone number. You will be able to address the Mayor and Council for three (3) minutes. Speakers must respect all members of the elected body, officials, and staff. Defamation, unruliness and/or swearing will not be tolerated while meetings are in session.

CONSENT AGENDA

- 2 Council consideration to adopt the Metropolitan North Georgia Water Planning District (MNGWP) Model Litter Control Ordinance.
- 3 Council consideration to approve the renewal of contract No. 2019-0032P, Johnson Controls, Security Solutions, LLC (Tyco Integrated Security, LLC) for Facility Equipment Systems and Services in the amount of \$100,000.00. Funding source is from Government Buildings budgeted funds.

PRESENTATION

- 4 Henry County Board of Education Update - Presented by: Dr. Elizabeth Davis, Superintendent of Henry County Schools
- 5 Economic Development Strategic Plan (Draft Presentation) - Presented by: Kim Allonce

OLD BUSINESS

- 6 VETO of Ordinance OR24-553 - To Amend the City of Stockbridge Charter, Article II, Section 3.11 (B), Regarding the appointment of the Mayor Pro Tem. Section 3.23 of the Charter: Submission of ordinances to the mayor's veto power.

(a)

Every ordinance adopted by the city council shall be presented by the city clerk to the mayor within three days after its adoption.

(b)

The mayor shall within ten days of the adoption of an ordinance return it to the city clerk with or without his approval, or with his disapproval. If the ordinance has been approved by the mayor, it shall become law upon its return to the city clerk; if the ordinance is neither approved nor disapproved, it shall become law on the eleventh day after its adoption; if the ordinance is disapproved, the mayor shall submit to the city council through the city clerk a written statement of the reasons or the veto. The city clerk shall record upon the ordinance the date of its delivery to and receipt from the mayor.

(c)

Ordinances vetoed by the mayor shall be presented by the city clerk to the city council at its next meeting, and should the city council then or at its next general meeting adopt the ordinance by an affirmative vote of at least four councilmembers, it shall become law.

(d)

The mayor may disapprove or reduce any item or items of appropriation in any ordinance. The approved part or parts of any ordinance making appropriations shall become law, and the part or parts disapproved shall not become law unless subsequently passed by the city council over the mayor's veto as provided in this section. The reduced part or parts shall be presented to the city council as though disapproved and shall not become law unless overridden by the council as provided in subsection (c) of this section. - Presented by: Mayor Anthony S. Ford

NEW BUSINESS

- 7 Council consideration to approve a Resolution to establish a systematic approach for the appointment of th Mayor Pro Tem in the City of Stockbridge. - Presented by: Attorney Samantha Embry
- 8 Council consideration to adopt the Model Findings Resolution on the proposed Local Amendment to Plumbing Code for water efficiency code requirements by the Georgia Department of Community Affairs. - Presented by: Jeremy Goodwin
- 9 Council consideration to approve the annual contract (RFP 2020-0026) with Site Engineering, Inc. for on-call water & sewer emergency & operational repair/maintenance and construction services in the amount of \$400,000.00 as approved in the FY2024 Stormwater budget. The account number is 510-42500-542515 (Stormwater Repair). - Presented by: Decius Aaron

- 10 Council consideration to approve the purchase of (2) Ford Transit F-250 Cargo Vans from Lithia Springs Ford at the lowest quoted price. Not exceeding \$99,500 as an emergency exception to the city's procurement code. FUNDING SOURCE: Budget Transfer/Fund Balance. - Presented by: Chief Frank Trammer
- 11 Council Consideration to approve an Ordinance to amend Section. 4.10 - Department Heads, to grant hiring authority to appointed and non-appointed Department Heads. - Presented by: Attorney Samantha Embry

PUBLIC HEARING

- 12 Ordinance to approve the revised provisions to State Zoning Procedures Law.

ANNOUNCEMENTS OF UPCOMING MEETINGS & EVENTS

UPCOMING MEETINGS & ANNOUNCEMENTS: Council meetings will be held in the City Council Chamber. Meeting dates, locations and times are subject to change or contact City Hall offices at 770-389-7900 or visit the website www.stockbridgega.org for updates.

- Stockbridge Citizens-Police Advisory Council meeting 1st Thursday of each month at 6:00 p.m. at the Stockbridge Police Community Room 4545 N. Henry Blvd. (Feb 1)
- Council Retreat – February 6 – 8 from 9am – 5pm. Location Sandy Springs, GA.
- Main Street Advisory Board Meeting 2nd Friday of each month - Welcome Center/Main Street Offices located at 130 M L King, Sr. Heritage Trail at 9am (Feb 9).
- URA (Urban Redevelopment Agency) Meeting Monday, February 12th at 5:00 p.m. - City Hall Council Chamber (Feb 12)
- City Council Meeting 2nd Monday of each month at 6:00 p.m. - City Hall Council Chamber (Feb 12)
- Youth Council Meeting 2nd Monday of each month at 6:30 p.m. - City Hall Levi Meeting Room (Feb 12)
- City Wide Development Authority 2nd Tuesday of each month at 6:00 p.m. -City Hall Levi Meeting Room (Feb 13)
- Planning Commission Meeting, 3rd Thursday of each month, 6:30 p.m. - City Hall Council Chamber - (Feb 15)
- Downtown Development Authority Meeting, 3rd Tuesday of each month Welcome Center 130 M L King, Sr. Heritage Trail (Feb 20)
- Youth Council Advisory Committee Meeting, 6:30 p.m. -3rd Tuesday of each month Levi Meeting Room - City Hall (Feb 20)
- City Council Work Session Meeting, last Tuesday of each month at 6:00 p.m. - City Hall Council Chamber (Feb 27)

UPCOMING CITY EVENTS/INITIATIVES

- Join Councilman Thomas and the Stockbridge Youth Council on February 10th for the installation of the Adopt-A-Road Sign on Tye Street. More information to follow.
- Join Councilman Thomas the monthly Senior Bingo Bash on Wednesday, February 21 from 10am - 12pm at the Merle Manders Conference Center, 111 Davis Rd. for raffles, prizes, games, snacks and fun! For more information, please contact Rosalynd Rawls at 678-833-3348 or rrawls@stockbridgega.org
- Join Councilman Alexander for the Quarterly Town Hall on Thursday, February 22nd at 7pm- Location:
- Join Councilman Thomas for the 13th Annual African American Heritage Celebration, Saturday, February 24th from 5pm – 7pm at the Merle Manders Conference.
- Join Mayor Ford for the monthly *Meet the Mayor* on Monday, February 26th from 10am – noon. Please contact Rosalynd Rawls to schedule an appointment at 678-833-3348 or via email at rrawls@stockbridgega.org
- Join Councilman Thomas for the *Don't Trash Stockbridge* initiative centered around education highlighting the causes and effects of Littering and Illegal Dumping. More information to follow.
- Councilman Thomas is honoring *Veterans with a Continuous Salute* all year long. Please send your pictures of Veterans with their name, branch, rank, and years of service to rrawls@stockbridgega.org

MAYOR'S COMMENTS (Mayor Anthony Ford)

EXECUTIVE SESSION (Exemptions to the Georgia Open Meetings Acts)

ADJOURNMENT



CITY COUNCIL MEETING SUMMARY MINUTES

MONDAY, JANUARY 8, 2024 6:00 P.M.

Mayor & City Council

Mayor Anthony S. Ford At-Large
Mayor Pro Tem Yolanda Barber – Council District 4
Councilmember Elton Alexander – Council District 5
Councilmember Kyle Berry – Council District 3
Councilmember LaKeisha Gantt – Council District 1
Councilmember Alphonso Thomas – Council District 2

Administration

Frederick Gardiner – City Manager
Vanessa Holiday – City Clerk
Vacant – City Treasurer
Quinton Washington – City Attorney
Samantha Embry – City Attorney

Mission: To provide visionary leadership and superior municipal services that enhance the quality of life for citizens while creating a welcoming business atmosphere focused on sustainability and expansion of tourism and cultural events.

The meeting was called to order by Mayor Ford at 6:00 p.m.

Judge McCord issued the Oath of Office to Councilmembers Elton Alexander, Yolanda Barber and Kyle D. Berry, Sr.

Invocation by Councilmember Berry

The Pledge of Allegiance was recited by all in attendance.

City Clerk, Vanessa Holiday was asked to proceed with a verbal roll call. All Members were present.

Motion to adopt the Agenda made by Councilmember Alexander; seconded by Councilmember Barber. The motion passed unanimously 5-0.

Motion to approve the Minutes for the following meetings was made by Councilmember Alexander; seconded by Councilmember Berry. The motion passed unanimously 5-0.

1. Council Meeting Minutes November 13, 2023
2. Work Session Minutes November 28, 2023
3. Council Meeting Minutes December 11, 2023

PUBLIC COMMENTS

All persons wishing to speak for public comment must sign in with the City Clerk prior to the beginning of the meeting noting your name, address, and phone number. You will be allotted three (3) minutes. Speakers must respect all members of the elected body, officials, and staff. Defamation, unruliness and/or swearing will not be tolerated.

There were no public comments.

CEREMONIAL REVIEW

2. Mayor Ford reviewed the proclamation for: Dr. Martin Luther King, Jr, Day and asked everyone to participate in activities, taking a day on and not a day off. Mayor Ford also referenced the swearing-in of newly and re-appointed members of Boards and Committees and thanked them for their service.

ORGANIZATIONAL APPOINTMENTS

3. Appointment of the City Clerk
Motion to appoint Vanessa Holiday, City Clerk was made by Councilmember Thomas; seconded by Mayor Pro Tem Barber. The motion passed unanimously 5-0.

Appointment of the Executive Assistant to Mayor & Council
Motion to appoint Rosalynd Rawls, Executive Assistant to Mayor & Council was made by Councilmember Gantt; seconded by Councilmember Alexander. The motion passed unanimously 5-0.

Appointment of the City Auditor
Motion to place the Auditor out for bid and bring back to the Council to award at the March 4, 2024 meeting was made by Councilmember Thomas; seconded by Councilmember Barber. The motion passed 3-1-1 (Thomas, Barber, and Berry Approved), (Alexander Opposed) (Gantt Abstained).

Appointment of the City Attorney
Motion to appoint Washington and Dreyer, City Attorney was made by Councilmember Gantt; seconded by Councilmember Alexander. The motion passed 4-0-1 (Barber Abstained citing questions/concerns that have not been addressed).

Appointment of the Mayor Pro Tem
Motion to nominate Kyle Berry, Mayor Pro Tem was made by Councilmember Barber; seconded by Councilmember Thomas.

Councilmember Gantt referenced the rotation of the Mayor Pro Tem, and that it is her turn to serve in the position, and that in the rotation it would have been former Councilmember Blount, now Councilmember Berry, next year and asked that the rotation remain in that order.

Councilmember Thomas stated there is no reference in the Charter regarding rotation, nor is there a policy regarding the rotation of the Mayor Pro Tem, and that the Charter states the Council shall appoint the Mayor

Pro Tem and believes the intent of the forefathers was that the Council appoint an appropriate and qualified member for the position that would be respected and approved by the consensus of the Council.

Councilmember Alexander stated that a policy needs to be enacted so that the rotation of the Mayor Pro Tem position and recommended establishing a policy beginning with the following ranking order: Councilmember Berry 2024, Councilmember Gantt in 2025, Councilmember Alexander 2026, Councilmember Thomas 2027, and Councilmember Barber 2028.

Mayor Ford noted the Mayor Pro Tem acts in the absence of the Mayor should the Mayor not be available to participate in proceedings or at functions, or be out of capacity, and noted that during his six years as Mayor, the Mayor Pro Tem has not had to perform those duties as he has been primarily present, however, the Mayor Pro Tem would be in the position to act if he were not able to do so, and agreed there is nothing in the Charter that outlined and indicates a rotation.

Councilmember Berry stated that while there is not an official policy in place, you have to consider if there was an agreement, and that ethics matters.

Councilmember Barber noted that she does not support rotating because every two years there is an election and you could potentially have a new member on the Council; and noted there are several factors to consider when appointing a Mayor Pro Tem.

Councilmember Alexander asked Councilmember Berry to make the request to Councilmember Thomas to withdraw his motion and allow a motion to come forward to appoint Councilmember Gantt.

Councilmember Thomas noted he would not be in favor of any withdrawal of the motion and stated that he does not support rotation of the Mayor Pro Tem.

The motion passed 3-0-2 (Thomas, Barber, and Berry Approved), (Alexander and Gantt Abstained)

Appointment of the Municipal Court Judge
Motion to amend the Agenda and appoint Matthew McCord, Municipal Court Judge, was made by Councilmember Gantt; seconded by Councilmember Barber. The motion passed unanimously 5-0.

Appointment of the Municipal Court Solicitor
Motion to amend the Agenda and to appoint Julie Kert, Municipal Court Solicitor, was made by Councilmember Barber; seconded by Councilmember Gantt. The motion passed unanimously 5-0.

Mayor Ford read the Public Hearing Rules.

PUBLIC HEARING

4. ANNEXATION CASE #AX-2023-05. (To be located in Council District 5.) Council consideration of a request for the annexation of certain property on Brannan Road to allow for the construction of a single-family detached residential development (subdivision). The applicant is Pulte Group, Inc., c/o Battle Law, P.C. The property contains four parcels in Land Lots 2 & 3 of District 7, as are listed below, with 134.31+/- total acres in unincorporated Henry County. 941 Brannan Road (Parcel #088-02055000)—Contains 5.0 +/- acres. 1100 Brannan Road (Parcel #088-02057000)—To include the southwestern tract only, which contains 29.09 +/- acres. Parcel #088-02056000—Contains 87.33 +/- acres. Parcel #070-01005001—Contains 12.89 +/- acres. The Planning Commission recommends denial. Staff recommends approval.

Presented by: Ryan Anderson, Chief Planner

Mr. Anderson gave a brief overview of Annexation Case No. AX-2023-05, Comprehensive Plan Amendment Case No. CP-2023-06 and Rezoning Case No. RZ-2023-07, noting each case will require a separate action vote from the City Council and that the associated Variance would have a separate Public Hearing and subsequent vote of the Council.

The applicant's attorney was represented by Attorney Michele Battle of the Battle Law firm and gave an overview of the proposed development, and fielded questions from the governing body.

Public Hearing Opened

Speakers in Favor: Ms. Sharon Wilson

Speakers Opposed: Ms. Anne Fields, Ms. Heather Gawel, Ms. Barbara Fleischman, Ms. Marion D. Calhoun, Mr. James Henderson, Ms. Faithleen Henderson, and Ms. Sarah Lesley

Public Hearing Closed.

Additional Conditions were added to the development:

Flock Cameras at all entrances.

50% of the homes will have 4-sided Brick with flexibility around the windows and the garage, and the buyer will have the option to select brick.

10' Sidewalk along the entire frontage of the development.

Condition 2 will be removed on the Variance.

Remove/modify the Condition regarding the Environmental Impact Study, noting the report has already been provided.

Motion to approve ANNEXATION CASE #AX-2023-05 made by Councilmember Alexander; seconded by Councilmember Gantt. The motion passed unanimously 5-0.

5. COMPREHENSIVE PLAN AMENDMENT CASE #CP-2023-06. (To be located in Council District 5.)

Council consideration of a request for a Comprehensive Plan Amendment to assign the future land use designation of 'Low-Density Residential' to certain property on Brannan Road to allow for the construction of a single-family detached residential development (subdivision). The applicant is Pulte Group, Inc., c/o Battle Law, P.C. The property contains four parcels in Land Lots 2 & 3 of District 7, as are listed below, with 134.31+/- total acres in unincorporated Henry County.

941 Brannan Road (Parcel #088-02055000)—Contains 5.0 +/- acres.

1100 Brannan Road (Parcel #088-02057000)—To include the southwestern tract only, which contains 29.09 +/-acres.

Parcel #088-02056000—Contains 87.33 +/- acres.

Parcel #070-01005001—Contains 12.89 +/- acres.

The Planning Commission recommends denial. Staff recommends approval.

Presented by: Ryan Anderson, Chief Planner

Motion to approve COMPREHENSIVE PLAN AMENDMENT CASE #CP-2023-06 made by Councilmember Alexander; seconded by Councilmember Gantt. The motion passed unanimously 5-0.

6. REZONING CASE #RZ-2023-07. (To be located in Council District 5.)

Council consideration of a request for a rezoning to assign the zoning district of 'SR' (Suburban Residential District) to certain property on Brannan Road to allow for the construction of a single-family detached residential development (subdivision). The applicant is Pulte Group, Inc., c/o Battle Law, P.C. The property contains four parcels in Land Lots 2 & 3 of District 7, as are listed below, with 134.31+/- total acres in unincorporated Henry County.

941 Brannan Road (Parcel #088-02055000)—Contains 5.0 +/- acres.

1100 Brannan Road (Parcel #088-02057000)—To include the southwestern tract only, which contains 29.09 +/-acres.

Parcel #088-02056000—Contains 87.33 +/- acres.

Parcel #070-01005001—Contains 12.89 +/- acres. The Planning Commission recommends denial. Staff recommends approval.

Presented by: Ryan Anderson, Chief Planner

Motion to approve REZONING CASE #RZ-2023-07 to include staff's recommendations and Additional Conditions as noted: Flock Cameras at all entrances; 50% of the homes will have 4-sided Brick with flexibility around the windows and the garage, and the buyer will have the option to select brick; 10' Sidewalk along the entire frontage of the development. Condition 2 will be removed on the Variance; Remove/modify the Condition regarding the Environmental Impact Study, noting the report has already been provided made by Councilmember Alexander; seconded by Councilmember Gantt. The motion passed unanimously 5-0.

7. VARIANCE CASE #VR-2023-03. (To be located in Council District 5.)
Council consideration of a request for a variance on certain property on Brannan Road to allow for the construction of a single-family detached residential development (subdivision). The purpose of the variance request is to allow the reduction in the front yard setbacks from the required 50 feet to 35 feet. The applicant is Pulte Group, Inc., c/o Battle Law, P.C. The property contains four parcels in Land Lots 2 & 3 of District 7, as are listed below, with 134.31+/- total acres in unincorporated Henry County. The Planning Commission recommends denial. Staff recommends approval.

941 Brannan Road (Parcel #088-02055000)—Contains 5.0 +/- acres.

1100 Brannan Road (Parcel #088-02057000)—To include the southwestern tract only, which contains 29.09 +/-acres.

Parcel #088-02056000—Contains 87.33 +/- acres.

Parcel #070-01005001—Contains 12.89 +/- acres.

Presented by: Ryan Anderson, Chief Planner

Mr. Anderson gave a brief overview of Variance Request VR-2023-03.

The applicant's attorney was represented by Attorney Michele Battle of the Battle Law firm and gave an overview of the proposed Variance noting the request is reduce the setback from 50 feet to 35 feet, and fielded questions from the governing body.

Public Hearing Opened

Speakers in Favor: Ms. Sharon Wilson

Speakers Opposed: Ms. Anne Fields, Ms. Heather Gawel, and Ms. Connie Snow

Public Hearing Closed.

Motion to approve VARIANCE CASE No. VR-2023-03 with the reduction to 35 feet made by Councilmember Alexander; seconded by Councilmember Gantt. The motion passed unanimously 5-0.

8. ANNEXATION CASE #AX-2023-06. (To be located in Council District 5.)
Council consideration of a request for the annexation of certain property on and near Patrick Henry Parkway to allow for the construction of a mixed-use development consisting of multifamily residential and retail commercial uses on a portion of the property. The applicant is Waypoint Residential (c/o Dennis J. Webb, Jr. of Smith, Gambrell, and Russell, LLP. The property contains four parcels in Land Lot 46 of District 6, as are listed below, with 20.91 +/- total acres in unincorporated Henry County.
Parcel #052-01025027—Contains 11.428 +/- acres.
Parcel #052-01025028—Contains 4.279 +/- acres.
Parcel #052-01025021—To be annexed but not included within the proposed development. Contains 1.164 +/- acres. The Planning Commission recommends denial. Staff recommends approval.
Presented by: Ryan Anderson, Chief Planner

Mr. Anderson gave a brief overview of Annexation Case No. AX-2023-06, Comprehensive Plan Amendment Case No. CP-2023-07 and Rezoning Case No. RZ-2023-08, noting each case will require a separate action vote from the City Council and that the associated Variance would have a separate Public Hearing and subsequent vote of the Council.

The applicant's attorney was represented by Attorney Dennis J. Webb, Jr, of the Smith, Gambrell and Russell, LLP firm and gave an overview of the proposed development, and fielded questions from the governing body.

Public Hearing Opened

Speakers in Favor: Mr. Charles Marshall and Mr. James White

Speakers Opposed: Ms. Anne Fields, Ms. Connie Snow, Mr. Frederick Skinner, Mr. Joseph Crissey, and Ms. Tasha Kemple.

Public Hearing Closed.

Mr. Gardiner noted a shared cost for Transportation Improvements on Patrick Henry Parkway between the City of Stockbridge, Henry County, and the Developer.

Mr. Webb confirmed that the cemetery would be fenced with 50' buffer and access as required by Georgia law.

Additional Conditions agreed upon include: the addition of a fountain in the retention pond; flock cameras at all entrance/exit points; 10' path around the development; stamped pavers in the crosswalk; and in the future when there is a need to change them out, install black mast; and to amend the language for referencing the "existing" easements to: "shall provide easement access".

Motion to approve ANNEXATION CASE #AX-2023-06 made by Councilmember Alexander; seconded by Councilmember Gantt. The motion passed unanimously 4-0. (Councilmember Thomas was not present for the vote).

9. COMPREHENSIVE PLAN AMENDMENT CASE #CP-2023-07. (To be located in Council District 5.)
Council consideration of a request for a Comprehensive Plan Amendment to assign the future land use designation of 'Medium Density Mixed-Use' to certain property on and near Patrick Henry Parkway to allow for the construction of a mixed-use development consisting of multifamily residential and retail commercial uses. The applicant is Waypoint Residential (c/o Dennis J. Webb, Jr. of Smith, Gambrell, and Russell, LLP). The property contains three parcels in Land Lot 46 of District 6, as are listed below, with 20.91 +/- total acres in unincorporated Henry County.
Parcel #052-01025024—Contains 4.035 +/- acres.
Parcel #052-01025027—Contains 11.428 +/- acres.
Parcel #052-01025028—Contains 4.279 +/- acres.

The Planning Commission recommends denial. Staff recommends approval.

Presented by: Ryan Anderson, Chief Planner

Motion to approve COMPREHENSIVE PLAN AMENDMENT CASE #CP-2023-07 made by Councilmember Alexander; seconded by Councilmember Gantt. The motion passed unanimously 5-0.

10. REZONING CASE #RZ-2023-08. (To be located in Council District 5).

Council consideration of a request for a rezoning to assign the zoning districts of 'PUD' (Planned Unit Development) and 'PMU' (Parkway Mixed-Use Overlay District) to certain property on Patrick Henry Parkway to allow for the construction of a mixed-use development consisting of multifamily residential and retail commercial uses. The applicant is Waypoint Residential (c/o Dennis J. Webb, Jr. of Smith, Gambrell, and Russell, LLP). The property contains three parcels in Land Lot 46 of District 6, as are listed below, with 20.91 +/- total acres in unincorporated Henry County.

Parcel #052-01025024—Contains 4.035 +/- acres.

Parcel #052-01025027—Contains 11.428 +/- acres.

Parcel #052-01025028—Contains 4.279 +/- acres.

The Planning Commission recommends denial. Staff recommends approval.

Presented by: Ryan Anderson, Chief Planner

Motion to approve REZONING CASE #RZ-2023-08 to include staff's recommendations and Additional Conditions as noted: the addition of a fountain in the retention pond; flock cameras at all entrance/exit points; 10' path around the development; stamped pavers in the crosswalk; and in the future when there is a need to change them out, install black mast; and to amend the language for referencing the "existing" easements to: "shall provide easement access" made by Councilmember Alexander; seconded by Councilwoman Gantt. The motion passed unanimously 5-0.

11. VARIANCE CASE #VR-2023-04. (To be located in Council District 5.)

Council consideration of a request for three variances on certain property on Patrick Henry Parkway to allow for the construction of a mixed-use development consisting of multifamily residential and retail commercial uses. The applicant has requested three variances on the property: 1) a variance to allow residential uses on the first floor of buildings; 2) a variance to eliminate the requirement for a vehicular connection between adjoining properties; and 3) a variance to allow parking in front of the buildings. The applicant is Waypoint Residential (c/o Dennis J. Webb, Jr. of Smith, Gambrell, and Russell, LLP). The property contains three parcels in Land Lot 46 of District 6, as are listed below, with 20.91 +/- total acres in unincorporated Henry County.

Parcel #052-01025024—Contains 4.035 +/- acres.

Parcel #052-01025027—Contains 11.428 +/- acres.

Parcel #052-01025028—Contains 4.279 +/- acres.

The Planning Commission recommends denial. Staff recommends approval.

Presented by: Ryan Anderson, Chief Planner

Mr. Anderson gave a brief overview of Variance Request VR-2023-03.

The applicant's attorney was represented by Attorney Dennis J. Webb, Jr, of the Smith, Gambrell, and Russell, LLP firm and gave an overview of the proposed (3) three variances and requested approval.

Public Hearing Opened
Speakers in Favor
Speakers Opposed
Public Hearing Closed.

Motion to approve VARIANCE CASE No. VR-2023-04 made by Councilmember Alexander; seconded by Councilmember Gantt. The motion passed unanimously 5-0.

NEW BUSINESS

12. Council consideration to reclassify the Crime Scene Investigator position and to approve a job description for Property & Evidence Custodian.
Presented by: Frank Trammer, Police Chief
Chief Trammer noted there would be no changes to the budget.
Motion to approve made by Councilmember Gantt; seconded by Councilmember Berry. The motion passed unanimously 5-0.
13. Council consideration to reclassify the Police Sergeant position and approving the job description for a Crime Scene Investigation Supervisor.
Presented by: Frank Trammer, Police Chief
Chief Trammer noted there would be no changes to the budget.
Motion to approve made by Councilmember Gantt; seconded by Councilmember Berry. The motion passed unanimously 5-0.
14. Council consideration to approve the purchase of (4) four Ford Mavrick XL trucks not exceeding \$117,200.00. Funding Source: Police Department Operating Budget.
Presented by: Frank Trammer, Police Chief
Chief Trammer noted these vehicles are for the (4) four Public Safety Officers approved in the FY2024 Budget.
Motion to approve made by Councilmember Berry; seconded by Councilmember Alexander. The motion passed unanimously 5-0.

ANNOUNCEMENTS OF UPCOMING MEETINGS

UPCOMING MEETINGS & ANNOUNCEMENTS: Council meetings will be held in the City Council Chamber. Meeting dates, locations and times are subject to change or contact City Hall offices at 770-389-7900 or visit the website www.stockbridgega.org for updates.

- Citywide Development Authority Meeting, 2nd Tuesday of each month at 6:00 p.m. - City Hall Levi Meeting Room (Jan 9)

During the reading of the announcements, Councilmember Alexander made a request for the Council to take a re-vote on the Mayor Pro Tem position noting the vote should be a unanimous vote and asked Councilmember Berry to rescind his vote for the appointment of Mayor Pro Tem.

Mayor Ford asked for a legal opinion from Council on how to proceed.

Attorney Embry noted a member from the prevailing vote would need to make a request to rescind their vote, and then the Council would need to vote to amend the Agenda to take a vote again for the Mayor Pro Tem position.

Councilmember Berry motioned to rescind his vote; seconded by Councilmember Alexander. The motion passed unanimously 5-0.

Councilmember Alexander nominated Kyle Berry as Mayor Pro Tem for 2024; seconded by Councilmember Barber. The motion passed unanimously 5-0.

Councilmember Alexander motioned to amend the Agenda to add making the rotation of the Mayor Pro Tem an official policy of the city; seconded by Councilmember Gantt. The motion passed 4-1(Thomas opposed)

Councilmember Alexander motioned to approve a policy making the rotation of the Mayor Pro Tem an official policy of the city; seconded by Councilmember Gantt. The motion passed 3-1-1 (Thomas Opposed citing this action is a Charter Violation) (Barber Abstained citing there will be an election in two years and this action has already places names for the Mayor Pro Tem for the next 4 years).

Councilmember Alexander motioned to approve a Mayor Pro Tem Rotation Policy as referenced in an email with the rotation would be as follows: Berry (2024), Gantt (2025) Alexander (2026) Thomas (2027) and Barber (2028); seconded by Councilmember Gantt. The motion passed 3-2 (Alexander, Berry, Gantt Approved); (Barber and Thomas Opposed citing violation of the Charter).

Mayor Ford noted the city's Charter does not reference Rotation of the Mayor Pro Tem position.

Attorney Embry stated there is nothing in the City's Code or Charter that speaks to the rotation of the Mayor Pro Tem; and that the selection could be changed by Resolution by rotation, alphabetical order, or by District.

Attorney Embry corrected her previous statement noting the Council would need to vote to adopt an Ordinance, not a Resolution.

Councilmember Barber stated the Council agreed not to amend tonight's Agenda, and since they have since amended the Agenda, she is bringing forth her motions as discussed and motioned to amend the Agenda to direct the HR Manager to forward

the job descriptions for the City Clerk and the Executive Assistant to the Governing Body; seconded by Councilmember Thomas. The motion failed 2-2-1 (Barber/Thomas Approved), (Alexander/Gantt Opposed), (Berry Abstained). Mayor Ford voted in opposition. The final vote: 2-3-1.

Councilmember Thomas noted that because the Council has violated the Charter, he would not participate in any further action and exited the meeting.

Councilmember Barber motioned to amend the Agenda to direct staff to put the City Attorney out for bid; the motion failed the lack of the second.

Councilmember Barber motioned to amend the Agenda to direct staff to put out an RFP for an Independent Auditor; the motion failed for lack of the second.

Councilmember Barber motioned to amend the Agenda to reactivate the Finance Committee; the motion failed for lack of a second.

- Main Street Advisory Board Meeting 2nd Friday of each month - Welcome Center/Main Street Offices located at 130 M L King, Sr. Heritage Trail at 9am (Jan 12).
- Downtown Development Authority Meeting, 3rd Tuesday of each month Welcome Center 130 M L King, Sr. Heritage Trail (Jan 16)
- Youth Council Advisory Committee Meeting, 6:30 p.m. - 3rd Tuesday of each month Levi Meeting Room - City Hall (Jan 16)
- Planning Commission Meeting, 6:30 p.m. - City Hall Council Chamber - (Jan 24)
- City Council Work Session Meeting, last Tuesday of each month at 6:00 p.m. - City Hall Council Chamber (Jan 30)
- Stockbridge Citizens-Police Advisory Council meeting 1st Thursday of each month at 6:00 p.m. at the Stockbridge Police Community Room 4545 N. Henry Blvd. (Feb 1)
- City Council Meeting 2nd Monday of each month at 6:00 p.m. - City Hall Council Chamber (Feb 12)
- Youth Council Meeting 2nd Monday of each month at 6:30 p.m. - City Hall Levi Meeting Room (Feb 12)

UPCOMING CITY EVENTS/INITIATIVES

- Join Councilman Alexander for the Annual MLK Jr. Day of Service Community Cleanup on Hudson Bridge Rd., Saturday, January 13th from 9am - 11am; Please park the Hudson Bridge Parking Lot, For more information please contact Rosalynd Rawls at 678-833-3348 or rrawls@stockbridgega.org
- Join Councilman Thomas for the monthly Senior Bingo Bash on Wednesday, January 17th from 10am - 12pm at the Merle Manders Conference Center, 111 Davis Rd. for raffles, prizes, games, snacks and fun! For more information, please contact Rosalynd Rawls at 678-833-3348 or rrawls@stockbridgega.org
- Join Mayor Ford for the monthly *Meet the Mayor* on Monday, January 22nd from 10am – noon. Please contact Rosalynd Rawls to schedule an appointment at 678-833-3348 or via email at rrawls@stockbridgega.org

- Join Councilman Thomas for the *Don't Trash Stockbridge* initiative centered around education highlighting the causes and effects of Littering and Illegal Dumping. More information to follow.
- Councilman Thomas is honoring *Veterans with a Continuous Salute* all year long. Please send your pictures of Veterans with their name, branch, rank, and years of service to rrawls@stockbridgega.org

MAYOR'S COMMENTS

Mayor Ford wished everyone Happy New Year; asked that everyone get their flu shots and protection against the RSV virus, and to enjoy the M L King, Jr. Holiday weekend with service as a day on and not a day off.

Motion to adjourn made by Councilmember Alexander; seconded by Councilmember Berry. The motion passed 3-0. (Barber and Thomas were not present for the vote). The meeting adjourned at 10:45 p.m.

Respectfully submitted by:

Vanessa Holiday, City Clerk

Anthony S. Ford, Mayor



City of Stockbridge

AGENDA ITEM

MEETING DATE

January 30, 2024

FUNDING SOURCE

- ☐ RESOLUTION
- ☒ ORDINANCE
- ☐ CONTRACT APPROVAL/RENEWAL
- ☐ PUBLIC HEARING
- ☐ PRESENTATION
- ☐ BID SELECTION/AWARD
- ☐ TASK ORDER
- ☐ CHANGE ORDER
- ☐ BUDGET AMENDMENT
- ☐ BUDGET TRANSFER
- ☐ PAYMENT APPROVAL
- ☐ OTHER

- ☐ GENERAL FUND
- ☐ FUND BALANCE
- ☐ SPLOST or TSPLOST
- ☐ ARPA
- ☐ GRANT
- ☐ HOTEL/MOTEL TOURISM
- ☐ COUNCIL INITIATIVE
- ☐ PARTNER/SPONSOR
- ☐ DEPARTMENT FUND BALANCE
- ☐ BONDING

ACCOUNT TRANSFER FROM:

ACCOUNT TRANSFER TO:

PRESENTER:

Decius T. Aaron

DEPARTMENT:

Public Works

ITEM/PROJECT/EVENT:

Metropolitan North Georgia Water Planning District (MNGWP) Model Litter Control Ordinance.

BACKGROUND INFORMATION:

Public Works is requesting that Council adopt the Model Litter Control Ordinance as required by the Metropolitan North Georgia Water Planning District (MNGWP).

APPROVALS: CITY MANAGER

CITY TREASURER

CITY ATTORNEY

GRANTS ADMIN.

☐ FINANCIAL IMPACT ☒ N/A

AMOUNT \$

ATTACHMENTS:



ITEM/PROJECT/EVENT:

BACKGROUND INFORMATION:

STAFF RECOMMENDATION:

Staff Signature Devin T. Allen

**STATE OF GEORGIA
HENRY COUNTY
CITY OF STOCKBRIDGE**

ORDINANCE NO.: _____

**AN ORDINANCE AMENDING ARTICLE III - REGULATION OF
GARBAGE, REFUSE, AND TRASH ACCUMULATION – DUMPING AND
LITTERING, SECTION 5.12.320 (LITTERING PROHIBITED) TO
STRENGTHEN LITTER CONTROL MEASURES AND ESTABLISH
ROBUST ENFORCEMENT MECHANISMS WITH PENALTIES FOR
LITTERING VIOLATIONS**

WHEREAS, the City of Stockbridge recognizes the vital importance of maintaining a clean and environmentally sound community for the well-being of its residents and the preservation of its natural beauty;

WHEREAS, littering poses a significant threat to the environmental integrity of our community, including our streams, rivers, lakes, and public spaces, thereby diminishing the quality of life and adversely impacting the natural habitat;

WHEREAS, it is imperative to have stringent anti-littering regulations in place to protect the City's environmental health and community aesthetics;

WHEREAS, this ordinance is aligned with the principles of the "*Georgia Litter Control Law*" (O.C.G.A. § 16-7-40 et seq.) and its adoption is authorized and empowered by O.C.G.A. § 16-7-48;

**NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE
CITY OF STOCKBRIDGE, GEORGIA, THAT:**

Article III, Section 5.12.320 (Littering Prohibited) is hereby amended to include the following provisions:

Table of Contents

Section A. General Provisions

Section B. Definitions

Section C. Prohibition Against Littering Public or Private Property or Waters

Section D. Vehicle Loads Causing Litter

Section E. Violations, Enforcement and Penalties

Section 5.12.330 A. General Provisions

A.1. Purpose and Intent

The purpose of this ordinance is to protect the public health, safety, environment, and general welfare through the regulation and prevention of litter. The objectives of this ordinance are:

- (1) Provide for uniform prohibition throughout the City of Stockbridge of any and all littering on public or private property; and,
- (2) Prevent the desecration of the beauty and quality of life of the City of Stockbridge and prevent harm to the public health, safety, environment, and general welfare, including the degradation of water and aquatic resources caused by litter.

A.2. Applicability

This ordinance shall apply to all public and private property within the City of Stockbridge.

A.3. Compatibility with Other Regulations

This ordinance is not intended to interfere with, abrogate, or annul any other ordinance, rule or regulation, statute, or other provision of law. The requirements of this ordinance should be considered minimum requirements, and where any provision of this ordinance imposes restrictions different from those imposed by any other ordinance, rule or regulation, or other provision of law, whichever provisions are more restrictive or impose higher protective standards for human health or the environment shall be considered to take precedence.

A.4. Severability

If the provisions of any article, section, subsection, paragraph, subdivision or clause of this ordinance shall be judged invalid by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any article, section, subsection, paragraph, subdivision or clause of this ordinance.

Section 5.12.330 B. Definitions

"Litter" means any form of organic or inorganic waste material, rubbish, refuse, garbage, trash, hulls, peelings, debris, grass, weeds, ashes, sand, gravel, slag, brickbats, metal, plastic, and glass containers, broken glass, dead animals or intentionally or unintentionally discarded materials of every kind and description which are not "waste" as such term is defined in O.C.G.A., §16-7-51, paragraph 6.

"Public or private property" means all potential areas within the City's jurisdiction, including the right of way of any road or highway; any body of water or watercourse or the shores or beaches thereof; any park, playground, building, refuge, or conservation or recreation area; timberlands or forests; and residential, commercial, industrial, or farm properties.

Section 5.12.330 C. Prohibition Against Littering Public or Private Property or Waters

It shall be unlawful for any person or persons to dump, deposit, throw or leave or to cause or permit the dumping, depositing, placing, throwing or leaving of litter on any public or private property in this (jurisdiction) or any waters in this (jurisdiction) unless:

- (1) The property is designated by the State or by any of its agencies or political subdivisions for the disposal of such litter, and such person is authorized by the proper public authority to use such property;

- (2) The litter is placed into a receptacle or container installed on such property; or,
- (3) The person is the owner or tenant in lawful possession of such property, or has first obtained consent of the owner or tenant in lawful possession, or unless the act is done under the personal direction of the owner or tenant, all in a manner consistent with the public welfare.

Section 5.12.330 D. Vehicle Loads Causing Litter

No person shall operate any motor vehicle with a load on or in such vehicle unless the load on or in such vehicle is adequately secured to prevent the dropping or shifting of materials from such load onto the roadway.

Section 5.12.330 E Violations, Enforcement and Penalties

E.1. Violations

It shall be unlawful for any person to violate any provision or fail to comply with any of the requirements of this ordinance. Any person who has violated or continues to violate the provisions of this ordinance, may be subject to the enforcement actions outlined in this section or may be restrained by injunction or otherwise sentenced in a manner provided by law.

E.2. Evidence

- (1) Whenever litter is thrown, deposited, dropped or dumped from any motor vehicle, boat, airplane, or other conveyance in violation of this ordinance, it shall be prima facie evidence that the operator of the conveyance has violated this ordinance.
- (2) Except as provided in subsection (1), whenever any litter which is dumped, deposited, thrown or left on public or private property in violation of this ordinance is discovered to contain any article or articles, including but not limited to letters, bills, publications or other writing which display the name of the person thereon in such a manner as to indicate that the article belongs or belonged to such person, it shall be a rebuttable presumption that such person has violated this ordinance.

E.3. Penalties

Any person who violates this ordinance shall be guilty of a violation and, upon conviction thereof, shall be punished as follows:

- (1) By a fine of not less than \$200 and not more than \$1,200; and
- (2) In addition to the fine set out in subsection 1 above, the violator shall reimburse the City of Stockbridge for the reasonable cost of removing the litter when the litter is or is ordered removed by the City of Stockbridge; and
- (3) (A) In the sound discretion of the court, the person may be directed to pick up and remove from any public street or highway or public right-of way for a distance not to exceed one mile any litter he has deposited and any and all litter deposited thereon by anyone else prior to the date of execution of sentence; or
(B) In the sound discretion of the court, the person may be directed to pick up and remove any and all litter from any public property, private right-of-way, or with prior permission of the legal owner or tenant in lawful possession of such property, any private property upon which it can be established by competent evidence that he has deposited litter. Pick up and

removal shall include any and all litter deposited thereon by anyone prior to the date of execution of sentence; and,

(4) The court may publish the names of persons convicted of violating this ordinance.

E.4. Enforcement

All law enforcement agencies, officers and officials of this state or any political subdivision thereof, or any enforcement agency, officer or any official of any commission of this state or any political subdivision thereof, are hereby authorized, empowered and directed to enforce compliance with this article.

Section 1 - Repeal: Any and all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict. This ordinance shall supersede and replace the provisions of such repealed ordinances insofar as they are in conflict or inconsistent with the terms and conditions of this ordinance.

Section 2- City Attorney Authority: Pursuant to the City's charter and with the explicit consent of the City Council, the City Attorney is duly authorized to make requisite amendments to all contracts, ordinances, resolutions, and documents, as may be necessary, in order to secure conformity with the express intent of the City Council and to ensure adherence to all pertinent laws and ordinances of the City.

Section 3- Effective Date: This ordinance shall take effect thirty (30) days after its passage and publication in accordance with the laws of the City of Stockbridge. Adequate notice of this ordinance shall be provided to all residents of the City through appropriate channels as required by law.

RESOLVED this the ____ day of _____, 2024.

Anthony S. Ford, Mayor
City of Stockbridge

ATTEST:

Vanessa Holiday, City Clerk
City of Stockbridge

APPROVED AS TO FORM:



Quinton G. Washington, City Attorney
City of Stockbridge



City of Stockbridge

AGENDA ITEM

MEETING DATE

February 28, 2023

FUNDING SOURCE

- ☒ RESOLUTION
- ☐ ORDINANCE
- ☒ CONTRACT APPROVAL/RENEWAL
- ☐ PUBLIC HEARING
- ☐ PRESENTATION
- ☐ BID SELECTION/AWARD
- ☐ TASK ORDER
- ☐ CHANGE ORDER
- ☐ BUDGET AMENDMENT
- ☐ BUDGET TRANSFER
- ☐ PAYMENT APPROVAL
- ☐ OTHER

- ☐ GENERAL FUND
- ☐ FUND BALANCE
- ☐ SPLOST
- ☐ TSPLOST
- ☐ CDBG
- ☐ GRANT FUNDING
- ☐ COUNCIL INITIATIVE
- ☐ PARTNER/SPONSOR
- ☒ DEPARTMENT BUDGET
- ☐ BONDING

ACCOUNT TRANSFER FROM:

ACCOUNT TRANSFER TO:

PRESENTER: Decius T. Aaron

DEPARTMENT: Public Works

ITEM/PROJECT/EVENT:

RFP NUMBER 2019-00032P—FACILITY SECURITY EQUIPMENT, SYSTEMS, AND SERVICES WITH RELATED EQUIPMENT AND SUPPLIES

BACKGROUND INFORMATION:

On October 29, 2019, City Council approved the initial request to piggyback the contract for Johnson Control, Security Solutions, LLC (Tyco Integrated Security, LLC) under the National Joint Powers Alliance (NJPA) (now known as Sourcewell as of June 6, 2018) for Facility Security Equipment Systems and Services with related equipment and supplies; City of Stockbridge Procurement No. 2019-00032P.

On June 11, 2020, City Council approved the request to increase the contract amount for Johnson Controls, Security Solutions, LLC (Tyco Integrated Security, LLC) to an overall contract amount of \$366,821.66

SIGNATURES:

CITY MANAGER _____

CITY TREASURER _____

CITY ATTORNEY _____

☒ FINANCIAL IMPACT ☐ N/A

AMOUNT \$ 100,000.00

ATTACHMENTS: ☒

May 31, 2022 the Public Works Department requested approval to increase the contract amount for Johnson Controls, Security Solutions, LLC (Tyco Integrated Security, LLC) in the amount of \$536,584.92 for installation cost, plus \$5,478 for service cost and monitoring cost for a total amount of \$542,062.92, for Facility Security Equipment, Systems, and Services with Related Equipment and Supplies; to an overall potential contract of \$908,884.58, for the remainder of the term effective through June 30, 2022, and authorized the Purchasing Agent to renew the contract, as renewed by the NJPA, for a one-year period. May 31, 2022, the City authorized the award of Council Consideration Request for (RFP) Number 2019-00032P.

February 28, 2023, the Mayor and Council approved the renewal of the Johnson Control, Security Solutions, LLC (Tyco Integrated Security, LLC) contract under the National Joint Powers Alliance (JNPA) (now known as Sourcewell as of June 6, 2018) for one year 2023-2024, Resolution R23-1549.

The NJPA is a cooperative purchasing program, that provide government procurement resources and solutions to local and state government agencies by cooperative purchasing, in which quantities for the same term are combined in order to achieve economics of scale through volume discount pricing.

STAFF RECOMMENDATION:

The Public Works Department has determined that Johnson Controls is performing all its work in accordance with the contract requirements and is providing quality service to the City; therefore, the Public Works Department is requesting renewal of the contract, as renewed by Sourcewell, for a one-year period through April 22, 2025.

The Contract expires April 22, 2025, unless it is cancelled sooner pursuant to Article 22 of the Contract. This contract may be extended up to one additional one-year period upon the request of Sourcewell and with written agreement by Vendor.

The estimated annual budget is **\$100,000.00.**

Section 3.30.227— Renewals and extensions. The city council shall approve all renewals or term contract extensions: (A) to afford the city a continuous supply of items or services in the event of the termination or near termination of the award/contract and (B) where cost is greater than fifty thousand dollars (\$50,000.00); and when the original contract was approved by the city council.

Fiscal Impact: Funds will be provided from account number 100-15650-531143.



Where Community Connects

Procurement Division

CONTRACT RENEWAL EVALUATION FORM

Date: Monday, December 18, 2023

Department: Public Works Department

Contact: Decius Aaron/Public Works Director

Contract No.: Johnson Controls (Tyco Integrated Security, LLC) – Facility Security Equipment, Systems, And Services With Related Equipment And Supplies, City of Stockbridge RFP No. 2019-00032P; National Joint Powers Alliance (NJPA) (now known as Sourcewell) Piggyback Contact Number #030421-TIS

The Piggyback Contract for Johnson Control Security Solutions, LLC (Tyco Integrated Security, LLC) under the National Joint Powers Alliance (NJPA) (now known as Sourcewell) Contract #030421-TIS expires **April 22, 2025**. Per the terms of the Sourcewell Piggyback Contract, this contract may be extended up to one additional one-year period upon request of Sourcewell and with written agreement by Vendor; therefore, the Contract is eligible for twelve (12) month renewal.

Please complete the Survey (Section 1, below) evaluating the Contractor's performance during the past Contract Term. If answering "No" to any question, please provide a brief explanation. Per Section 2, please indicate whether you wish to rebid this contract.

Section 1: Contractor Evaluation

	YES	NO	N/A
1. Contractor performed all work in conformance with the Contract requirements?	<u>X</u>	—	—
2. Contractor was responsive and professional?	<u>X</u>	—	—
3. Are you satisfied with the quality of the work performed by Contractor?	<u>X</u>	—	—
4. Did Contractor anticipate your needs and provide value-added services beyond the scope/requirements of the Contract?	—	—	<u>X</u>

Comments: _____

Section 2: Renewal

☐ No, we wish not to renew. Please close Contract

☒ Yes, we wish to renew

☐ This contract has no renewals left. I wish to rebid. Please see the attached verified scope of services.

a) Check the appropriate box below

☒ renew per the terms & requirements of original Contract
☐ renewal to include additional/modified terms & requirements, please contact me for details

Please sign and return this form to: Wanda J. Cooley, Procurement Specialist
Procurement Division

Questions regarding this form should be directed to: _____.

Submitted by:

Decius T. Aaron

(Department authorized signature)

Decius T. Aaron
(printed name)

Public Works Director
(title)

December 29, 2023
(date)

STATE OF GEORGIA
HENRY COUNTY
CITY OF STOCKBRIDGE

RESOLUTION NO.

R23-1549

A RESOLUTION APPROVING RENEWAL OF THE TERM CONTRACT NUMBER 2019-00032P FOR JOHNSON CONTROLS SECURITY SOLUTIONS FOR THE FACILITY EQUIPMENT SYSTEMS IN THE AMOUNT OF \$100,000; RESOLUTION AUTHORIZING AMENDING ALL RESOLUTIONS; AUTHORIZING THE CITY CLERK TO ATTEST SIGNATURES AND AFFIX THE OFFICIAL SEAL OF THE CITY, AS NECESSARY; REPEALING INCONSISTENT RESOLUTIONS; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, The City of Stockbridge ("City") is a municipal corporation duly organized and existing under the laws of the State of Georgia and is charged with providing public services to residents located within the corporate limits of the City; and,

WHEREAS, the City on October 29, 2019 approved the piggyback contract for Johnson Control Security Solutions LLC (Tyco Integrated Security LLC) under the National Joint Powers Alliance (NJPA) for security equipment systems and services; and

WHEREAS, the City would like to renew the contract number 2019-00032P for another year with the same terms and conditions;

WHEREAS, the contract is for one (1) year, with the option to renew with such options in the City's sole discretion; and

WHEREAS, the City seeks to renew the contract with Johnson Control Security Solutions LLC. for an additional year at an estimated annual budget of \$100,000 (funds to be provided Departmental Budget for Public Works);

THEREFORE, IT IS NOW RESOLVED BY THE CITY COUNCIL OF THE CITY OF STOCKBRIDGE GEORGIA AS FOLLOWS:

SECTION 1. Approval of Johnson Controls Security Solutions - The City Council approves a one year renewal of the contract with Johnson Control Security Solutions in the amount of \$100,000 for the 2023-24 year. The funds shall be from the Department budget. The specifics of the renewal are attached as Exhibit A.

SECTION 2. Approval of Execution - The Mayor or Mayor Pro Tem is hereby authorized to sign all documents and to perform all other necessary acts necessary to effectuate this Resolution on behalf of the City of Stockbridge. The City Clerk is authorized to execute, attest to, and seal any document which may be necessary to effectuate this Resolution. The execution of this document is contingent upon review and edits as necessary by the City Attorney.

SECTION 3. Severability - To the extent any portion of this Resolution is declared to be invalid, unenforceable, or non-binding, that shall not affect the remaining portions of this Resolution.

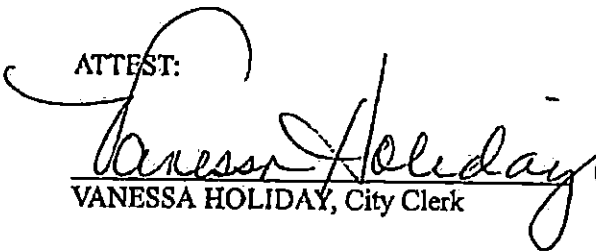
SECTION 4. Repeal of Conflicting Provisions – All City Resolutions inconsistent with this Resolution are hereby repealed.

SECTION 5. Effective Date. This resolution shall become effective immediately upon its adoption by the City Council of the City of Stockbridge as provided in the City Charter.

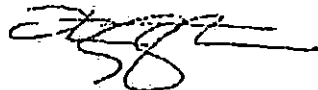
SO RESOLVED this 28th day of February, 2023.


YOLANDA BARBER, Mayor Pro Tem

ATTEST:


VANESSA HOLIDAY, City Clerk (SEAL)

APPROVED AS TO FORM:


QUINTON G. WASHINGTON, City Attorney



Solicitation Number: RFP #030421

CONTRACT

This Contract is between Sourcewell, 202 12th Street Northeast, P.O. Box 219, Staples, MN 56479 (Sourcewell) and Johnson Controls Fire Protection LP, 6600 Congress Ave., Boca Raton, FL 33487-1213 (Vendor).

Sourcewell is a State of Minnesota local government agency and service cooperative created under the laws of the State of Minnesota (Minnesota Statutes Section 123A.21) that offers cooperative procurement solutions to government entities. Participation is open to federal, state/province, and municipal governmental entities, higher education, K-12 education, nonprofit, tribal government, and other public entities located in the United States and Canada. Sourcewell issued a public solicitation for Facility Security Systems, Equipment, and Software with Related Services from which Vendor was awarded a contract.

Vendor desires to contract with Sourcewell to provide equipment, products, or services to Sourcewell and the entities that access Sourcewell's cooperative purchasing contracts (Participating Entities).

1. TERM OF CONTRACT

- A. **EFFECTIVE DATE.** This Contract is effective upon the date of the final signature below.
- B. **EXPIRATION DATE AND EXTENSION.** This Contract expires April 22, 2025, unless it is cancelled sooner pursuant to Article 22. This Contract may be extended up to one additional one-year period upon request of Sourcewell and with written agreement by Vendor.
- C. **SURVIVAL OF TERMS.** Articles 11 through 14 survive the expiration or cancellation of this Contract.

2. EQUIPMENT, PRODUCTS, OR SERVICES

- A. **EQUIPMENT, PRODUCTS, OR SERVICES.** Vendor will provide the Equipment, Products, or Services as stated in its Proposal submitted under the Solicitation Number listed above. Vendor's Equipment, Products, or Services Proposal (Proposal) is attached and incorporated into this Contract.

All Equipment and Products provided under this Contract must be new/current model. Vendor may offer close-out or refurbished Equipment or Products if they are clearly indicated in Vendor's product and pricing list. Unless agreed to by the Participating Entities in advance, Equipment or Products must be delivered as operational to the Participating Entity's site.

This Contract offers an indefinite quantity of sales, and while substantial volume is anticipated, sales and sales volume are not guaranteed.

B. **WARRANTY.** Vendor warrants that all Equipment, Products, and Services furnished are free from liens and encumbrances, and are free from defects in design, materials, and workmanship for a period of one year for Equipment and Products and ninety days for Services. Vendor's dealers and distributors must agree to assist the Participating Entity in reaching a resolution in any dispute over warranty terms with the manufacturer. Any manufacturer's warranty that is effective past the expiration of the Vendor's warranty will be passed on to the Participating Entity.

C. **DEALERS, DISTRIBUTORS, AND/OR RESELLERS.** Upon Contract execution, Vendor will make available to Sourcewell a means to validate or authenticate Vendor's authorized dealers, distributors, and/or resellers relative to the Equipment, Products, and Services related to this Contract. This list may be updated from time-to-time and is incorporated into this Contract by reference. It is the Vendor's responsibility to ensure Sourcewell receives the most current version of this list.

3. PRICING

All Equipment, Products, or Services under this Contract will be priced as stated in Vendor's Proposal.

When providing pricing quotes to Participating Entities, all pricing quoted must reflect a Participating Entity's total cost of acquisition. This means that the quoted cost is for delivered Equipment, Products, and Services that are operational for their intended purpose, and includes all costs to the Participating Entity's requested delivery location.

Regardless of the payment method chosen by the Participating Entity, the total cost associated with any purchase option of the Equipment, Products, or Services must always be disclosed in the pricing quote to the applicable Participating Entity at the time of purchase.

A. **SHIPPING AND SHIPPING COSTS.** All delivered Equipment and Products must be properly packaged. Damaged Equipment and Products may be rejected. If the damage is not readily apparent at the time of delivery, Vendor must permit the Equipment and Products to be returned within a reasonable time at no cost to Sourcewell or its Participating Entities. Participating Entities reserve the right to inspect the Equipment and Products at a reasonable

time after delivery where circumstances or conditions prevent effective inspection of the Equipment and Products at the time of delivery.

Vendor must arrange for and pay for the return shipment on Equipment and Products that arrive in a defective or inoperable condition.

Sourcewell may declare the Vendor in breach of this Contract if the Vendor intentionally delivers substandard or inferior Equipment or Products. In the event of the delivery of nonconforming Equipment and Products, the Participating Entity will notify the Vendor as soon as possible and the Vendor will replace nonconforming Equipment and Products with conforming Equipment and Products that are acceptable to the Participating Entity.

B. SALES TAX. Each Participating Entity is responsible for supplying the Vendor with valid tax-exemption certification(s). When ordering, a Participating Entity must indicate if it is a tax-exempt entity.

C. HOT LIST PRICING. At any time during this Contract, Vendor may offer a specific selection of Equipment, Products, or Services at discounts greater than those listed in the Contract. When Vendor determines it will offer Hot List Pricing, it must be submitted electronically to Sourcewell in a line-item format. Equipment, Products, or Services may be added or removed from the Hot List at any time through a Sourcewell Price and Product Change Form as defined in Article 4 below.

Hot List program and pricing may also be used to discount and liquidate close-out and discontinued Equipment and Products as long as those close-out and discontinued items are clearly identified as such. Current ordering process and administrative fees apply. Hot List Pricing must be published and made available to all Participating Entities.

4. PRODUCT AND PRICING CHANGE REQUESTS

Vendor may request Equipment, Product, or Service changes, additions, or deletions at any time. All requests must be made in writing by submitting a signed Sourcewell Price and Product Change Request Form to the assigned Sourcewell Contract Administrator. This form is available from the assigned Sourcewell Contract Administrator. At a minimum, the request must:

- Identify the applicable Sourcewell contract number;
- Clearly specify the requested change;
- Provide sufficient detail to justify the requested change;
- Individually list all Equipment, Products, or Services affected by the requested change, along with the requested change (e.g., addition, deletion, price change); and
- Include a complete restatement of pricing documentation in Microsoft Excel with the effective date of the modified pricing, or product addition or deletion. The new pricing

restatement must include all Equipment, Products, and Services offered, even for those items where pricing remains unchanged.

A fully executed Sourcewell Price and Product Request Form will become an amendment to this Contract and be incorporated by reference.

5. PARTICIPATION, CONTRACT ACCESS, AND PARTICIPATING ENTITY REQUIREMENTS

A. PARTICIPATION. Sourcewell's cooperative contracts are available and open to public and nonprofit entities across the United States and Canada; such as federal, state/province, municipal, K-12 and higher education, tribal government, and other public entities.

The benefits of this Contract should be available to all Participating Entities that can legally access the Equipment, Products, or Services under this Contract. A Participating Entity's authority to access this Contract is determined through its cooperative purchasing, interlocal, or joint powers laws. Any entity accessing benefits of this Contract will be considered a Service Member of Sourcewell during such time of access. Vendor understands that a Participating Entity's use of this Contract is at the Participating Entity's sole convenience and Participating Entities reserve the right to obtain like Equipment, Products, or Services from any other source.

Vendor is responsible for familiarizing its sales and service forces with Sourcewell contract use eligibility requirements and documentation and will encourage potential participating entities to join Sourcewell. Sourcewell reserves the right to add and remove Participating Entities to its roster during the term of this Contract.

B. PUBLIC FACILITIES. Vendor's employees may be required to perform work at government-owned facilities, including schools. Vendor's employees and agents must conduct themselves in a professional manner while on the premises, and in accordance with Participating Entity policies and procedures, and all applicable laws.

6. PARTICIPATING ENTITY USE AND PURCHASING

A. ORDERS AND PAYMENT. To access the contracted Equipment, Products, or Services under this Contract, a Participating Entity must clearly indicate to Vendor that it intends to access this Contract; however, order flow and procedure will be developed jointly between Sourcewell and Vendor. Typically, a Participating Entity will issue an order directly to Vendor. If a Participating Entity issues a purchase order, it may use its own forms, but the purchase order should clearly note the applicable Sourcewell contract number. All Participating Entity orders under this Contract must be issued prior to expiration of this Contract; however, Vendor performance, Participating Entity payment, and any applicable warranty periods or other Vendor or Participating Entity obligations may extend beyond the term of this Contract.

Vendor's acceptable forms of payment are included in Attachment A. Participating Entities will be solely responsible for payment and Sourcewell will have no liability for any unpaid invoice of any Participating Entity.

B. ADDITIONAL TERMS AND CONDITIONS/PARTICIPATING ADDENDUM. Additional terms and conditions to a purchase order, or other required transaction documentation, may be negotiated between a Participating Entity and Vendor, such as job or industry-specific requirements, legal requirements (e.g., affirmative action or immigration status requirements), or specific local policy requirements. Vendor will deliver its standard terms and conditions for monitoring services, and its standard terms and conditions for the scope of all task orders, to be incorporated in transaction documents with the Participating Entity. Some Participating Entities may require the use of a Participating Addendum; the terms of which will be worked out directly between the Participating Entity and the Vendor. Any negotiated additional terms and conditions must never be less favorable to the Participating Entity than what is contained in this Contract.

C. SPECIALIZED SERVICE REQUIREMENTS. In the event that the Participating Entity requires service or specialized performance requirements (such as e-commerce specifications, specialized delivery requirements, or other specifications and requirements) not addressed in this Contract, the Participating Entity and the Vendor may enter into a separate, standalone agreement, apart from this Contract. Sourcewell, including its agents and employees, will not be made a party to a claim for breach of such agreement.

D. TERMINATION OF ORDERS. Participating Entities may terminate an order, in whole or in part, immediately upon notice to Vendor in the event of any of the following events:

1. The Participating Entity fails to receive funding or appropriation from its governing body at levels sufficient to pay for the goods to be purchased;
2. Federal, state, or provincial laws or regulations prohibit the purchase or change the Participating Entity's requirements; or
3. Vendor commits any material breach of this Contract or the additional terms agreed to between the Vendor and a Participating Entity.

E. GOVERNING LAW AND VENUE. The governing law and venue for any action related to a Participating Entity's order will be determined by the Participating Entity making the purchase.

7. CUSTOMER SERVICE

A. PRIMARY ACCOUNT REPRESENTATIVE. Vendor will assign an Account Representative to Sourcewell for this Contract and must provide prompt notice to Sourcewell if that person is changed. The Account Representative will be responsible for:

- Maintenance and management of this Contract;
- Timely response to all Sourcewell and Participating Entity inquiries; and
- Business reviews to Sourcewell and Participating Entities, if applicable.

B. **BUSINESS REVIEWS.** Vendor must perform a minimum of one business review with Sourcewell per contract year. The business review will cover sales to Participating Entities, pricing and contract terms, administrative fees, supply issues, customer issues, and any other necessary information.

8. REPORT ON CONTRACT SALES ACTIVITY AND ADMINISTRATIVE FEE PAYMENT

A. **CONTRACT SALES ACTIVITY REPORT.** Each calendar quarter, Vendor must provide a contract sales activity report (Report) to the Sourcewell Contract Administrator assigned to this Contract. A Report must be provided regardless of the number or amount of sales during that quarter (i.e., if there are no sales, Vendor must submit a report indicating no sales were made).

The Report must contain the following fields:

- Customer Name (e.g., City of Staples Highway Department);
- Customer Physical Street Address;
- Customer City;
- Customer State/Province;
- Customer Zip Code;
- Customer Contact Name;
- Customer Contact Email Address;
- Customer Contact Telephone Number;
- Sourcewell Assigned Entity/Participating Entity Number;
- Item Purchased Description;
- Item Purchased Price;
- Sourcewell Administrative Fee Applied; and
- Date Purchase was invoiced/sale was recognized as revenue by Vendor.

B. **ADMINISTRATIVE FEE.** In consideration for the support and services provided by Sourcewell, the Vendor will pay an administrative fee to Sourcewell on all Equipment, Products, and Services provided to Participating Entities. The Administrative Fee must be included in, and not added to, the pricing. Vendor may not charge Participating Entities more than the contracted price to offset the Administrative Fee.

The Vendor will submit payment to Sourcewell for the percentage of administrative fee stated in the Proposal multiplied by the total sales of all Equipment, Products, and Services purchased by Participating Entities under this Contract during each calendar quarter. Payments should note the Vendor's name and Sourcewell-assigned contract number in the memo; and must be

mailed to the address above "Attn: Accounts Receivable" or remitted electronically to Sourcewell's banking institution per Sourcewell's Finance department instructions. Payments must be received no later than 45 calendar days after the end of each calendar quarter.

Vendor agrees to cooperate with Sourcewell in auditing transactions under this Contract to ensure that the administrative fee is paid on all items purchased under this Contract.

In the event the Vendor is delinquent in any undisputed administrative fees, Sourcewell reserves the right to cancel this Contract and reject any proposal submitted by the Vendor in any subsequent solicitation. In the event this Contract is cancelled by either party prior to the Contract's expiration date, the administrative fee payment will be due no more than 30 days from the cancellation date.

9. AUTHORIZED REPRESENTATIVE

Sourcewell's Authorized Representative is its Chief Procurement Officer.

Vendor's Authorized Representative is the person named in the Vendor's Proposal. If Vendor's Authorized Representative changes at any time during this Contract, Vendor must promptly notify Sourcewell in writing.

10. AUDIT, ASSIGNMENT, AMENDMENTS, WAIVER, AND CONTRACT COMPLETE

A. **AUDIT.** Pursuant to Minnesota Statutes Section 16C.05, subdivision 5, the books, records, documents, and accounting procedures and practices relevant to this Agreement are subject to examination by Sourcewell or the Minnesota State Auditor for a minimum of six years from the end of this Contract. This clause extends to Participating Entities as it relates to business conducted by that Participating Entity under this Contract.

B. **ASSIGNMENT.** Neither the Vendor nor Sourcewell may assign or transfer any rights or obligations under this Contract without the prior consent of the parties and a fully executed assignment agreement. Such consent will not be unreasonably withheld.

C. **AMENDMENTS.** Any amendment to this Contract must be in writing and will not be effective until it has been fully executed by the parties.

D. **WAIVER.** If either party fails to enforce any provision of this Contract, that failure does not waive the provision or the right to enforce it.

E. **CONTRACT COMPLETE.** This Contract contains all negotiations and agreements between Sourcewell and Vendor. No other understanding regarding this Contract, whether written or oral, may be used to bind either party. For any conflict between the attached Proposal and the terms set out in Articles 1-22, the terms of Articles 1-22 will govern.

F. **RELATIONSHIP OF THE PARTIES.** The relationship of the parties is one of independent contractors, each free to exercise judgment and discretion with regard to the conduct of their respective businesses. This Contract does not create a partnership, joint venture, or any other relationship such as master-servant, or principal-agent.

11. LIABILITY

Vendor must indemnify, save, and hold Sourcewell and its Participating Entities, including their agents and employees, harmless from any claims or causes of action, including attorneys' fees, arising out of negligence or willful misconduct in the performance of this Contract by the Vendor or its agents or employees for third-party injury or death to person(s) or property or caused by some defect in the Equipment, Products, or Services under this Contract to the extent the Equipment, Product, or Service has been used according to its specifications. Vendor will not be liable for indirect or consequential damages.

12. GOVERNMENT DATA PRACTICES

Vendor and Sourcewell must comply with the Minnesota Government Data Practices Act, Minnesota Statutes Chapter 13, as it applies to all data provided by or provided to Sourcewell under this Contract and as it applies to all data created, collected, received, stored, used, maintained, or disseminated by the Vendor under this Contract.

If the Vendor receives a request to release the data referred to in this article, the Vendor must immediately notify Sourcewell and Sourcewell will assist with how the Vendor should respond to the request.

13. INTELLECTUAL PROPERTY, PUBLICITY, MARKETING, AND ENDORSEMENT

A. INTELLECTUAL PROPERTY

1. *Grant of License.* During the term of this Contract:

- a. Sourcewell grants to Vendor a royalty-free, worldwide, non-exclusive right and license to use the Trademark(s) provided to Vendor by Sourcewell in advertising and promotional materials for the purpose of marketing Sourcewell's relationship with Vendor.
- b. Vendor grants to Sourcewell a royalty-free, worldwide, non-exclusive right and license to use Vendor's Trademarks in advertising and promotional materials for the purpose of marketing Vendor's relationship with Sourcewell.

2. *Limited Right of Sublicense.* The right and license granted herein includes a limited right of each party to grant sublicenses to its and their respective distributors, marketing representatives, and agents (collectively "Permitted Sublicensees") in advertising and promotional materials for the purpose of marketing the Parties' relationship to Participating Entities. Any sublicense granted will be subject to the terms and conditions of this Article.

Each party will be responsible for any breach of this Article by any of their respective sublicensees.

3. *Use; Quality Control.*

- a. Sourcewell must not alter Vendor's Trademarks from the form provided by Vendor and must comply with Vendor's removal requests as to specific uses of its trademarks or logos.
- b. Vendor must not alter Sourcewell's Trademarks from the form provided by Sourcewell and must comply with Sourcewell's removal requests as to specific uses of its trademarks or logos.
- c. Each party agrees to use, and to cause its Permitted Sublicensees to use, the other party's Trademarks only in good faith and in a dignified manner consistent with such party's use of the Trademarks. Upon written notice to the breaching party, the breaching party has 30 days of the date of the written notice to cure the breach or the license will be terminated.

4. As applicable, Vendor agrees to indemnify and hold harmless Sourcewell and its Participating Entities against any and all suits, claims, judgments, and costs instituted or recovered against Sourcewell or Participating Entities by any person on account of the use of any Equipment or Products by Sourcewell or its Participating Entities supplied by Vendor in violation of applicable patent or copyright laws.

5. **Termination.** Upon the termination of this Contract for any reason, each party, including Permitted Sublicensees, will have 30 days to remove all Trademarks from signage, websites, and the like bearing the other party's name or logo (excepting Sourcewell's pre-printed catalog of vendors which may be used until the next printing). Vendor must return all marketing and promotional materials, including signage, provided by Sourcewell, or dispose of it according to Sourcewell's written directions.

B. PUBLICITY. Any publicity regarding the subject matter of this Contract must not be released without prior written approval from the Authorized Representatives. Publicity includes notices, informational pamphlets, press releases, research, reports, signs, and similar public notices prepared by or for the Vendor individually or jointly with others, or any subcontractors, with respect to the program, publications, or services provided resulting from this Contract.

C. MARKETING. Any direct advertising, marketing, or offers with Participating Entities must be approved by Sourcewell. Materials should be sent to the Sourcewell Contract Administrator assigned to this Contract.

D. ENDORSEMENT. The Vendor must not claim that Sourcewell endorses its Equipment, Products, or Services.

14. GOVERNING LAW, JURISDICTION, AND VENUE

Minnesota law governs this Contract. Venue for all legal proceedings out of this Contract, or its breach, must be in the appropriate state court in Todd County or federal court in Fergus Falls, Minnesota.

15. FORCE MAJEURE

Neither party to this Contract will be held responsible for delay or default caused by acts of God or other conditions that are beyond that party's reasonable control. A party defaulting under this provision must provide the other party prompt written notice of the default.

16. SEVERABILITY

If any provision of this Contract is found to be illegal, unenforceable, or void then both Sourcewell and Vendor will be relieved of all obligations arising under such provisions. If the remainder of this Contract is capable of performance, it will not be affected by such declaration or finding and must be fully performed.

17. PERFORMANCE, DEFAULT, AND REMEDIES

A. **PERFORMANCE.** During the term of this Contract, the parties will monitor performance and address unresolved contract issues as follows:

1. *Notification.* The parties must promptly notify each other of any known dispute and work in good faith to resolve such dispute within a reasonable period of time. If necessary, Sourcewell and the Vendor will jointly develop a short briefing document that describes the issue(s), relevant impact, and positions of both parties.
2. *Escalation.* If parties are unable to resolve the issue in a timely manner, as specified above, either Sourcewell or Vendor may escalate the resolution of the issue to a higher level of management. The Vendor will have 30 calendar days to cure an outstanding issue.
3. *Performance while Dispute is Pending.* Notwithstanding the existence of a dispute, the Vendor must continue without delay to carry out all of its responsibilities under the Contract that are not affected by the dispute. If the Vendor fails to continue without delay to perform its responsibilities under the Contract, in the accomplishment of all undisputed work, any additional costs incurred by Sourcewell and/or its Participating Entities as a result of such failure to proceed will be borne by the Vendor.

B. **DEFAULT AND REMEDIES.** Either of the following constitutes cause to declare this Contract, or any Participating Entity order under this Contract, in default:

1. Nonperformance of contractual requirements, or
2. A material breach of any term or condition of this Contract.

Written notice of default and a reasonable opportunity to cure must be issued by the party claiming default. Time allowed for cure will not diminish or eliminate any liability for liquidated or other damages. If the default remains after the opportunity for cure, the non-defaulting party may:

- Exercise any remedy provided by law or equity, or
- Terminate the Contract or any portion thereof, including any orders issued against the Contract.

18. INSURANCE

A. **REQUIREMENTS.** At its own expense, Vendor must maintain insurance policy(ies) in effect at all times during the performance of this Contract with insurance company(ies) licensed or authorized to do business in the State of Minnesota having an "AM BEST" rating of A- or better, with coverage and limits of insurance not less than the following:

1. *Workers' Compensation and Employer's Liability.*

Workers' Compensation: As required by any applicable law or regulation.

Employer's Liability Insurance: must be provided in amounts not less than listed below:

Minimum limits:

\$500,000 each accident for bodily injury by accident

\$500,000 policy limit for bodily injury by disease

\$500,000 each employee for bodily injury by disease

2. *Commercial General Liability Insurance.* Vendor will maintain insurance covering its operations, with coverage on an occurrence basis, and must be subject to terms no less broad than the Insurance Services Office ("ISO") Commercial General Liability Form CG0001 (2001 or newer edition), or equivalent. At a minimum, coverage must include liability arising from premises, operations, bodily injury and property damage, independent contractors, products-completed operations including construction defect, contractual liability, blanket contractual liability, and personal injury and advertising injury. All required limits, terms and conditions of coverage must be maintained during the term of this Contract.

Minimum Limits:

\$1,000,000 each occurrence Bodily Injury and Property Damage

\$1,000,000 Personal and Advertising Injury

\$2,000,000 aggregate for Products-Completed operations

\$2,000,000 general aggregate

3. *Commercial Automobile Liability Insurance.* During the term of this Contract, Vendor will maintain insurance covering all owned, hired, and non-owned automobiles in limits of liability not less than indicated below. The coverage must be subject to terms no less

broad than ISO Business Auto Coverage Form CA 0001 (2010 edition or newer), or equivalent.

Minimum Limits:

\$1,000,000 each accident, combined single limit

4. *Umbrella Insurance.* During the term of this Contract, Vendor will maintain umbrella coverage over Workers' Compensation, Commercial General Liability, and Commercial Automobile.

Minimum Limits:

\$2,000,000

5. *Network Security and Privacy Liability Insurance.* During the term of this Contract, Vendor will maintain coverage for network security and privacy liability. The coverage may be endorsed on another form of liability coverage or written on a standalone policy. The insurance must cover claims which may arise from failure of Vendor's security resulting in, but not limited to, computer attacks, unauthorized access, disclosure of not public data – including but not limited to, confidential or private information, transmission of a computer virus, or denial of service.

Minimum limits:

\$2,000,000 per occurrence

\$2,000,000 annual aggregate

Failure of Vendor to maintain the required insurance will constitute a material breach entitling Sourcewell to immediately terminate this Contract for default.

B. CERTIFICATES OF INSURANCE. Prior to commencing under this Contract, Vendor must furnish to Sourcewell a certificate of insurance, as evidence of the insurance required under this Contract. Prior to expiration of the policy(ies), renewal certificates must be mailed to Sourcewell, 202 12th Street Northeast, P.O. Box 219, Staples, MN 56479 or sent to the Sourcewell Contract Administrator assigned to this Contract. The certificates must be signed by a person authorized by the insurer(s) to bind coverage on their behalf.

Failure to request certificates of insurance by Sourcewell, or failure of Vendor to provide certificates of insurance, in no way limits or relieves Vendor of its duties and responsibilities in this Contract.

C. ADDITIONAL INSURED ENDORSEMENT AND PRIMARY AND NON-CONTRIBUTORY INSURANCE CLAUSE. Vendor agrees to list Sourcewell and its Participating Entities, including their officers, agents, and employees, as an additional insured under the Vendor's commercial general liability insurance policy with respect to liability arising out of activities, "operations," or "work" performed by or on behalf of Vendor, and products and completed operations of Vendor. The policy provision(s) or endorsement(s) must further provide that coverage is

primary and not excess over or contributory with any other valid, applicable, and collectible insurance or self-insurance in force for the additional insureds.

D. **WAIVER OF SUBROGATION.** Vendor waives and must require (by endorsement or otherwise) all its insurers to waive subrogation rights against Sourcewell and other additional insureds for losses paid under the insurance policies required by this Contract or other insurance applicable to the Vendor or its subcontractors. The waiver must apply to all deductibles and/or self-insured retentions applicable to the required or any other insurance maintained by the Vendor or its subcontractors. Where permitted by law, Vendor must require similar written express waivers of subrogation and insurance clauses from each of its subcontractors.

E. **UMBRELLA/EXCESS LIABILITY/SELF-INSURED RETENTION.** The limits required by this Contract can be met by either providing a primary policy or in combination with umbrella/excess liability policy(ies), or self-insured retention.

19. COMPLIANCE

A. **LAWS AND REGULATIONS.** All Equipment, Products, or Services provided under this Contract must comply fully with applicable federal laws and regulations, and with the laws in the states and provinces in which the Equipment, Products, or Services are sold.

B. **LICENSES.** Vendor must maintain a valid and current status on all required federal, state/provincial, and local licenses, bonds, and permits required for the operation of the business that the Vendor conducts with Sourcewell and Participating Entities.

20. BANKRUPTCY, DEBARMENT, OR SUSPENSION CERTIFICATION

Vendor certifies and warrants that it is not in bankruptcy or that it has previously disclosed in writing certain information to Sourcewell related to bankruptcy actions. If at any time during this Contract Vendor declares bankruptcy, Vendor must immediately notify Sourcewell in writing.

Vendor certifies and warrants that neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from programs operated by the State of Minnesota; the United States federal government or the Canadian government, as applicable; or any Participating Entity. Vendor certifies and warrants that neither it nor its principals have been convicted of a criminal offense related to the subject matter of this Contract. Vendor further warrants that it will provide immediate written notice to Sourcewell if this certification changes at any time.

21. PROVISIONS FOR NON-UNITED STATES FEDERAL ENTITY PROCUREMENTS UNDER UNITED STATES FEDERAL AWARDS OR OTHER AWARDS

Participating Entities that use United States federal grant or FEMA funds to purchase goods or services from this Contract may be subject to additional requirements including the procurement standards of the Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards, 2 C.F.R. § 200. Participating Entities may also require additional requirements based on specific funding specifications. Within this Article, all references to "federal" should be interpreted to mean the United States federal government. The following list only applies when a Participating Entity accesses Vendor's Equipment, Products, or Services with United States federal funds.

A. **EQUAL EMPLOYMENT OPPORTUNITY.** Except as otherwise provided under 41 C.F.R. § 60, all contracts that meet the definition of "federally assisted construction contract" in 41 C.F.R. § 60-1.3 must include the equal opportunity clause provided under 41 C.F.R. § 60-1.4(b), in accordance with Executive Order 11246, "Equal Employment Opportunity" (30 FR 12319, 12935, 3 C.F.R. §, 1964-1965 Comp., p. 339), as amended by Executive Order 11375, "Amending Executive Order 11246 Relating to Equal Employment Opportunity," and implementing regulations at 41 C.F.R. § 60, "Office of Federal Contract Compliance Programs, Equal Employment Opportunity, Department of Labor." The equal opportunity clause is incorporated herein by reference.

B. **DAVIS-BACON ACT, AS AMENDED (40 U.S.C. § 3141-3148).** When required by federal program legislation, all prime construction contracts in excess of \$2,000 awarded by non-federal entities must include a provision for compliance with the Davis-Bacon Act (40 U.S.C. § 3141-3144, and 3146-3148) as supplemented by Department of Labor regulations (29 C.F.R. § 5, "Labor Standards Provisions Applicable to Contracts Covering Federally Financed and Assisted Construction"). In accordance with the statute, contractors must be required to pay wages to laborers and mechanics at a rate not less than the prevailing wages specified in a wage determination made by the Secretary of Labor. In addition, contractors must be required to pay wages not less than once a week. The non-federal entity must place a copy of the current prevailing wage determination issued by the Department of Labor in each solicitation. The decision to award a contract or subcontract must be conditioned upon the acceptance of the wage determination. The non-federal entity must report all suspected or reported violations to the federal awarding agency. The contracts must also include a provision for compliance with the Copeland "Anti-Kickback" Act (40 U.S.C. § 3145), as supplemented by Department of Labor regulations (29 C.F.R. § 3, "Contractors and Subcontractors on Public Building or Public Work Financed in Whole or in Part by Loans or Grants from the United States"). The Act provides that each contractor or subrecipient must be prohibited from inducing, by any means, any person employed in the construction, completion, or repair of public work, to give up any part of the compensation to which he or she is otherwise entitled. The non-federal entity must report all suspected or reported violations to the federal awarding agency. Vendor must be in compliance with all applicable Davis-Bacon Act provisions.

C. **CONTRACT WORK HOURS AND SAFETY STANDARDS ACT (40 U.S.C. § 3701-3708).** Where applicable, all contracts awarded by the non-federal entity in excess of \$100,000 that involve the employment of mechanics or laborers must include a provision for compliance with 40 U.S.C. §§ 3702 and 3704, as supplemented by Department of Labor regulations (29 C.F.R. § 5). Under 40 U.S.C. § 3702 of the Act, each contractor must be required to compute the wages of every mechanic and laborer on the basis of a standard work week of 40 hours. Work in excess of the standard work week is permissible provided that the worker is compensated at a rate of not less than one and a half times the basic rate of pay for all hours worked in excess of 40 hours in the work week. The requirements of 40 U.S.C. § 3704 are applicable to construction work and provide that no laborer or mechanic must be required to work in surroundings or under working conditions which are unsanitary, hazardous or dangerous. These requirements do not apply to the purchases of supplies or materials or articles ordinarily available on the open market, or contracts for transportation or transmission of intelligence. This provision is hereby incorporated by reference into this Contract. Vendor certifies that during the term of an award for all contracts by Sourcewell resulting from this procurement process, Vendor must comply with applicable requirements as referenced above.

D. **RIGHTS TO INVENTIONS MADE UNDER A CONTRACT OR AGREEMENT.** If the federal award meets the definition of "funding agreement" under 37 C.F.R. § 401.2(a) and the recipient or subrecipient wishes to enter into a contract with a small business firm or nonprofit organization regarding the substitution of parties, assignment or performance of experimental, developmental, or research work under that "funding agreement," the recipient or subrecipient must comply with the requirements of 37 C.F.R. § 401, "Rights to Inventions Made by Nonprofit Organizations and Small Business Firms Under Government Grants, Contracts and Cooperative Agreements," and any implementing regulations issued by the awarding agency. Vendor certifies that during the term of an award for all contracts by Sourcewell resulting from this procurement process, Vendor must comply with applicable requirements as referenced above.

E. **CLEAN AIR ACT (42 U.S.C. § 7401-7671q.) AND THE FEDERAL WATER POLLUTION CONTROL ACT (33 U.S.C. § 1251-1387).** Contracts and subgrants of amounts in excess of \$150,000 require the non-federal award to agree to comply with all applicable standards, orders or regulations issued pursuant to the Clean Air Act (42 U.S.C. § 7401- 7671q) and the Federal Water Pollution Control Act as amended (33 U.S.C. § 1251- 1387). Violations must be reported to the Federal awarding agency and the Regional Office of the Environmental Protection Agency (EPA). Vendor certifies that during the term of this Contract will comply with applicable requirements as referenced above.

F. **DEBARMENT AND SUSPENSION (EXECUTIVE ORDERS 12549 AND 12689).** A contract award (see 2 C.F.R. § 180.220) must not be made to parties listed on the government wide exclusions in the System for Award Management (SAM), in accordance with the OMB guidelines at 2 C.F.R. § 180 that implement Executive Orders 12549 (3 C.F.R. § 1986 Comp., p. 189) and 12689 (3 C.F.R. § 1989 Comp., p. 235), "Debarment and Suspension." SAM Exclusions contains the names

of parties debarred, suspended, or otherwise excluded by agencies, as well as parties declared ineligible under statutory or regulatory authority other than Executive Order 12549. Vendor certifies that neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation by any federal department or agency.

G. BYRD ANTI-LOBBYING AMENDMENT, AS AMENDED (31 U.S.C. § 1352). Vendors must file any required certifications. Vendors must not have used federal appropriated funds to pay any person or organization for influencing or attempting to influence an officer or employee of any agency, a member of Congress, officer or employee of Congress, or an employee of a member of Congress in connection with obtaining any federal contract, grant, or any other award covered by 31 U.S.C. § 1352. Vendors must disclose any lobbying with non-federal funds that takes place in connection with obtaining any federal award. Such disclosures are forwarded from tier to tier up to the non-federal award. Vendors must file all certifications and disclosures required by, and otherwise comply with, the Byrd Anti-Lobbying Amendment (31 U.S.C. § 1352).

H. RECORD RETENTION REQUIREMENTS. To the extent applicable, Vendor must comply with the record retention requirements detailed in 2 C.F.R. § 200.333. The Vendor further certifies that it will retain all records as required by 2 C.F.R. § 200.333 for a period of 3 years after grantees or subgrantees submit final expenditure reports or quarterly or annual financial reports, as applicable, and all other pending matters are closed.

I. ENERGY POLICY AND CONSERVATION ACT COMPLIANCE. To the extent applicable, Vendor must comply with the mandatory standards and policies relating to energy efficiency which are contained in the state energy conservation plan issued in compliance with the Energy Policy and Conservation Act.

J. BUY AMERICAN PROVISIONS COMPLIANCE. To the extent applicable, Vendor must comply with all applicable provisions of the Buy American Act. Purchases made in accordance with the Buy American Act must follow the applicable procurement rules calling for free and open competition.

K. ACCESS TO RECORDS (2 C.F.R. § 200.336). Vendor agrees that duly authorized representatives of a federal agency must have access to any books, documents, papers and records of Vendor that are directly pertinent to Vendor's discharge of its obligations under this Contract for the purpose of making audits, examinations, excerpts, and transcriptions. The right also includes timely and reasonable access to Vendor's personnel for the purpose of interview and discussion relating to such documents.

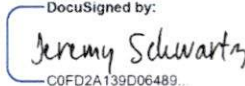
L. PROCUREMENT OF RECOVERED MATERIALS (2 C.F.R. § 200.322). A non-federal entity that is a state agency or agency of a political subdivision of a state and its contractors must comply with Section 6002 of the Solid Waste Disposal Act, as amended by the Resource Conservation

and Recovery Act. The requirements of Section 6002 include procuring only items designated in guidelines of the Environmental Protection Agency (EPA) at 40 C.F.R. § 247 that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition, where the purchase price of the item exceeds \$10,000 or the value of the quantity acquired during the preceding fiscal year exceeded \$10,000; procuring solid waste management services in a manner that maximizes energy and resource recovery; and establishing an affirmative procurement program for procurement of recovered materials identified in the EPA guidelines.

22. CANCELLATION

Sourcewell or Vendor may cancel this Contract at any time, with or without cause, upon 60 days' written notice to the other party. However, Sourcewell may cancel this Contract immediately upon discovery of a material defect in any certification made in Vendor's Proposal. Cancellation of this Contract does not relieve either party of financial, product, or service obligations incurred or accrued prior to cancellation.

Sourcewell

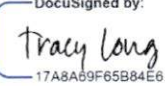
DocuSigned by:

By: C0FD2A139D06489...
Jeremy Schwartz
Title: Chief Procurement Officer
4/20/2021 | 1:07 PM CDT
Date: _____

Approved:

DocuSigned by:

By: 7E42B8F817A64CC
Chad Coauette
Title: Executive Director/CEO
4/30/2021 | 5:36 PM CDT
Date: _____

Johnson Controls Fire Protection LP

DocuSigned by:

By: 17A8A89F65B84E6...
Tracy Long
Title: VP & GM Fire BSNA
4/30/2021 | 5:25 PM CDT
Date: _____

RFP 030421 - Facility Security Systems, Equipment, and Software with Related Services

Vendor Details

Company Name: Johnson Controls Fire Protection LP
6600 Congress Ave
Address: Boca Raton, Florida 33487-1213
Contact: Mary Beth Alexander
Email: mary.alexander@jci.com
Phone: 262-226-9808
HST#: 58-2608861

Submission Details

Created On: Tuesday March 02, 2021 16:17:37
Submitted On: Thursday March 04, 2021 13:18:14
Submitted By: Mary Beth Alexander
Email: mary.alexander@jci.com
Transaction #: 20be022e-2816-48f3-bd9b-09c69d8b81c2
Submitter's IP Address: 104.129.195.0

Specifications

Table 1: Proposer Identity & Authorized Representatives

General Instructions (applies to all Tables) Sourcewell prefers a brief but thorough response to each question. Please do not merely attach additional documents to your response without also providing a substantive response. Do not leave answers blank; mark "NA" if the question does not apply to you (preferably with an explanation).

Line Item	Question	Response *
1	Proposer Legal Name (and applicable d/b/a, if any):	Johnson Controls Fire Protection LP
2	Proposer Address:	6600 Congress Ave, Boca Raton, FL 33487-1213
3	Proposer website address:	www.JohnsonControls.com
4	Proposer's Authorized Representative (name, title, address, email address & phone) (The representative must have authority to sign the "Proposer's Assurance of Compliance" on behalf of the Proposer and, in the event of award, will be expected to execute the resulting contract):	Tracy Long, VP & GM Fire BSNA 6600 Congress Ave, Boca Raton, FL 33487-1213 tracy.long@jci.com 773 668 7261
5	Proposer's primary contact for this proposal (name, title, address, email address & phone):	Tom Staves, Cooperative Program Manager 705 Digital Drive, Suite N, LINTHICUM HEIGHTS, MD 21090-2267 Thomas.Staves@JCI.com 443-676-8813
6	Proposer's other contacts for this proposal, if any (name, title, address, email address & phone):	Mary Alexander, National Sales Manager Mary.Alexander@jci.com 2622269808

Table 2: Company Information and Financial Strength

Line Item	Question	Response *
7	Provide a brief history of your company, including your company's core values, business philosophy, and industry longevity related to the requested equipment, products or services.	Johnson Controls Fire Protection (JCFP) formerly known as SimplexGrinnell is a leading provider of fire protection and life safety systems and services. JCFP is a world-class organization that combines the strength, heritage and excellence of two longtime industry leaders – Simplex Time Recorder and Grinnell Fire Protection. Simplex and Grinnell were widely respected for their technology, their expertise, their service organizations, and their ability to deliver at the local level. Now all of those resources and competencies are available from one unified organization. JCFP offers customers an unprecedented array of best-in-class fire protection systems and services that protect people and property and improve workforce management. The formation of Johnson Controls Fire Protection followed the January 2001 acquisition of Simplex by Tyco International Ltd., a diversified manufacturing and service company that merged Simplex Time Recorder with Grinnell Fire Protection to form SimplexGrinnell. Operating with over 11,000 employees, Johnson Controls Fire Protection can protect virtually any building – from schools, universities, hospitals, malls, and restaurants to airports, sports stadiums, apartment complexes, movie theaters, and industrial, commercial, and government facilities. On September 2, 2016, SimplexGrinnell's parent company Tyco International was merged with Johnson Controls and SimplexGrinnell LP's name was changed to Johnson Control Fire Protection LP. The merger created a new global leader in

		building products and technology as well as integrated solutions and energy storage. Johnson Controls Values: INTEGRITY FIRST: We promise honesty and transparency. We uphold the highest standards of integrity and honor the commitments we make. PURPOSE LED: We believe in doing well by doing good and hold ourselves accountable to make the world a better place through the solutions we provide, our engagement in society, the way we do business, and our commitment to protect people and the environment. CUSTOMER DRIVEN: We win when our customers win. Our long-term strategic relationships provide unique insights and the ability to deliver exceptional customer experiences and solutions. FUTURE FOCUSED: Our culture of innovation and continuous improvement drives us to solve today's challenges while constantly asking 'what's next. ONE TEAM: We are one team, dedicated to working collaboratively together to create purposeful solutions that propel the world forward. The new Johnson Controls paints an impressive picture, with 130+ years of innovation and over four million customers. Simplex was founded in 1894 by the inventor of the first practical time clock and was operated as a privately held company for more than a century. Grinnell was established in 1850, and its capabilities grew to encompass design, engineering, manufacturing, and installation, as well as system integration, maintenance, and inspection services. Johnson Controls offers best-in-class technologies, products, installation, and service capabilities across building management, fire, security, sensors/controls, HVAC, industrial refrigeration, and energy storage solutions. Our offering includes total support for all fire alarm, fire detection, fire protection, integrated security, HVAC, Building Controls, healthcare communications, and sound/communications needs. Our capabilities include design, engineering development, integration, installation, project management, programming, testing, commissioning, training, warranty support, and post-warranty service. Our Technicians are highly trained and use state-of-the-art test equipment to ensure high-quality results and are trained to perform related repairs, in addition to inspections and responding to emergency maintenance requirements. Our life safety services are "Best-Value" for the following reasons: Specialized inspection teams trained to identify and correct problems before they occur, thus preventing costly nuisance alarms and unnecessary downtime. Experienced technicians ensure that repairs are done right and in a timely manner. Standardized reporting and documentation. Customized service plans to meet any customer's needs. Our organization provides local support from our North American network of over 150 local offices in the United States and Canada. Each office functions as a "one-stop-shop" providing parts, supplies, and equipment specific to each of the clients it serves. Additionally, Johnson Controls has a Warehouse in Atlanta, Georgia. Staffed with approximately 250 full-time personnel, our team ensures orders are filled promptly. This 240,000 square foot facility stocks extensive inventories of all of the products sold by legacy Tyco International companies, including Simplex fire alarm panels and peripherals, Grinnell and ANSUL fire suppression products, SoftwareHouse, Exacq, Kantech, DSC, and American Dynamics security equipment, and all brands of Nurse Call solutions offered currently or in the past. The warehouse ships an average of over 12,000 orders a month, some 6,000 plus items each month are shipped to Johnson Controls offices.
8	What are your company's expectations in the event of an award?	Johnson Controls expects to build upon our previous contracts successes. We are looking to add additional personnel to our corporate sales team to manage field training, business development, and direct sales. An annual budget has been submitted to assist in the development of additional collateral and E-marketing campaigns and plans to attend local/ regional trade shows to promote our participation in the program.

9	Demonstrate your financial strength and stability with meaningful data. This could include such items as financial statements, SEC filings, credit and bond ratings, letters of credit, and detailed reference letters. Upload supporting documents (as applicable) in the document upload section of your response.	Johnson Controls Fire Protection LP is a wholly-owned indirect subsidiary of Johnson Controls International plc, a publicly owned company listed on the New York Stock Exchange (ticker: JCI). As a wholly-owned subsidiary, Johnson Controls Fire Protection's financial results are consolidated in the financial statements of Johnson Controls International plc. In Fiscal Year 2020, Johnson Controls saw net revenue of \$22.3 billion with positive cashflow. Johnson Controls enjoys a strong balance sheet with \$10 billion in assets against \$8.2 billion in total liabilities. Total shareholders' equity was \$17.4 billion for FY 2020. We have provided the Johnson Controls 2020 Annual Report, credit and bond ratings, letters of credit, and detailed reference letters
10	What is your US market share for the solutions that you are proposing?	Market share information is provided below for the Fire Products and Fire Services markets of Johnson Controls International, the parent company The worldwide leader in market share for Fire Services (7%). No other company has attained greater than 9% of the market share. America's leader in market share for Fire Services (8.3%). No other company has attained greater than 6% of the market share. America's leader in market share for Fire Products (12.3%). No other company has attained greater than 10.5%. Security Integration greater than 5% Share Of Global Market One of the top 6 in the Chiller market with 15% of the market share. One of the top 6 in the Building Automation and Controls market with 5% of the market share.
11	What is your Canadian market share for the solutions that you are proposing?	Market share information is provided below for the Fire Products and Fire Services markets of Johnson Controls International, the parent company The worldwide leader in market share for Fire Services (7%). No other company has attained greater than 6% of the market share. America's leader in market share for Fire Services (8.3%). No other company has attained greater than 6% of the market share. America's leader in market share for Fire Products (6.3%). No other company has attained greater than 5.0%. Security Integration greater than 5% Share Of Global Market One of the top 6 in the Chiller market with 15% of the market share. One of the top 6 in the Building Automation and Controls market with 5% of the market share.
12	Has your business ever petitioned for bankruptcy protection? If so, explain in detail.	Johnson Controls has never petitioned for bankruptcy protection.

13	How is your organization best described: is it a manufacturer, a distributor/dealer/reseller, or a service provider? Answer whichever question (either a) or b) just below) best applies to your organization. a) If your company is best described as a distributor/dealer/reseller (or similar entity), provide your written authorization to act as a distributor/dealer/reseller for the manufacturer of the products proposed in this RFP. If applicable, is your dealer network independent or company owned? b) If your company is best described as a manufacturer or service provider, describe your relationship with your sales and service force and with your dealer network in delivering the products and services proposed in this RFP. Are these individuals your employees, or the employees of a third party?	Johnson Controls is a reseller and service provider of fire and life safety products and systems. Our parent company, Johnson Controls owns and operates a number of industry-recognized product manufacturers such as Simplex brand fire alarm systems, Software House Access control, etc. Johnson Controls has factory-direct access to these products and related services. Johnson Controls is a longtime leader in life safety and property protection. Our roots in fire protection are extraordinarily strong and deep, reaching all the way back to the late 1800s. Today we serve over two million customers in the United States and Canada, providing a comprehensive array of fire alarm, fire sprinkler, fire suppression, integrated security, sound and communications, and nurse call systems and services. We deliver our industry-leading solutions in buildings and environments where life-safety protection is absolutely vital – from schools, universities, and hospitals to commercial properties, industrial buildings, and government facilities. Unlike manufacturers who rely on independent dealers, we serve customers directly, through an outstanding management support team, 1,000+ NICET-certified technicians, 1,000 CFAA-trained technicians, 150 company-owned offices, and 7,500+ service trucks. In everything we do, our collective organization strives to keep people and property safe. Johnson Controls is a reseller and service provider. Johnson Controls designs and manufactures integrated systems to detect intrusion, control access, and react to movement, fire, smoke, flooding, environmental conditions, industrial processes, and other hazards. In addition, Johnson Controls designs and manufactures fire detection, fire sprinkler, fire suppression, emergency communications, and nurse call systems in both new and existing facilities. Our sales and service forces are internal to our respective organizations. All sales personnel are direct hires of our organizations. Except where subcontractors are concerned, all service employees are also direct hires.
14	If applicable, provide a detailed explanation outlining the licenses and certifications that are both required to be held, and actually held, by your organization (including third parties and subcontractors that you use) in pursuit of the business contemplated by this RFP.	Johnson Controls is qualified to do business in all 50 US states with over 10,000 employees. Regarding contractor & business licensing, Johnson Controls Fire Protection currently operates from more than 120 offices across North America and holds over 2,300 separate required licenses related to Fire Protection & Security Services. Licenses We have provided a listing of the licenses held. Please note: Not all licenses have an expiration date for reasons such as they are individual licenses or licenses that are paid by our local District Offices. Some licenses have expired dates because there are licenses that are no longer needed or they are being renewed by the local office or Tax department Licenses that have a License ID with APPL-*** are new licenses that we recently applied for and/or application was submitted and a license was never issued. Some jurisdictions require our organization to be registered and do not send any type of license confirmation. Certifications Professional certification says a lot about a company and an individual. It means you've invested the time to better yourself. That you care about the work you do. And that you've raised the bar for everyone in the industry. Certification isn't an easy process; the programs are run by independent, third-parties. You can't charm your way in or curry favor with sponsorships; you have to prove yourself. Certification means something in our industry and is used as a benchmark of the people who work in life safety. UL Certification Underwriter Lab (UL) is a safety science company that certifies, validates, tests, inspects, audits, advises, and trains. The requirement for UL system certification varies by area, even within the same state. The process of every aspect of a fire system, extending beyond the usual codes and standards. For example, when a fire system is installed, UL certification would involve very specific documentation and

verification process: documenting each piece of equipment, ensuring that each piece bears a UL sticker and is a listed product; confirming the number and color of wires, and so on.

Other UL certifications apply to our district or regional offices and must be renewed yearly. These address areas with a lower incidence of false alarms because systems are being installed and maintained properly. UL certification simply makes systems better for our customers and our company is audited by UL every three years to help ensure a quality program.

Johnson Controls also has UL-certified products ranging from smoke detectors for special applications to Central Station protective signaling devices.

NFPA Certification

NFPA (National Fire Protection Association) certification puts an individual into an elite group with exceptional and extraordinarily comprehensive knowledge. NFPA's Certified Fire Protection Specialist (CFPS) program is extremely challenging and a limited number of individuals worldwide have been certified. We have NFPA-certified resources on staff, ranging from technicians to managers, who can offer their expertise to our employees company-wide.

NFPA does not write codes or standards themselves; they facilitate all-volunteer committees of fire safety professionals who represent all aspects of the industry: enforcers such as AHJs; installers, engineers, owners, and maintenance technicians. The NFPA guides the discussions, bringing the volunteers together to review industry activity and work to reach consensus to develop codes.

Johnson Controls Fire Protection is proud to have numerous volunteers working to improve fire safety via NICET committees. It keeps us on the cutting edge of industry changes and helps us drive improvements that better the life-safety industry. We think of safety first, always, voting for new codes even if it will require us to change our products to comply.

NICET Certification

Our top-quality service workforce includes over 1,700 NICET-certified technicians and that number grows every year. NICET (National Institute for Certification of Engineering Technologists) is significant in our industry. Individuals test based on their area(s) of life-safety disciplines, such as fire alarm systems, sprinkler design, sprinkler inspector, inspection and testing of water-based systems, special hazards suppression systems, water-based layout, audio systems (for low-voltage communications such as public address and sound-reinforcement systems), video security systems designer/technician (a security certification). Individuals are certified as they pass different levels of testing, with one to four levels per discipline: beginner, intermediate, advanced, and expert. Each level can involve dozens of tests.

Our company's focus on helping our workforce train for, test, and achieve NICET certification improves our ability to safeguard your people and property. Our workforce includes NICET-certified technicians in every state where certification is required, but we also strongly recommend certification for all of our technicians. The bottom line? We have high-caliber people who take their jobs seriously and we support them during their continuous efforts to advance their skills. It's part of our commitment to always bring you the best in fire and life-safety protection.

SAFETY Act Certification

Johnson Controls Fire Protection passed the rigorous review of the U.S. Department of Homeland Security to earn certification for our security, fire, and life-safety systems integration services under the SAFETY Act (Support Anti-Terrorism by Fostering Effective Technologies). It provides incentives for companies to develop and deploy anti-terrorism technologies without fear of excessive liability in the event of a terrorist attack on U.S. soil. The Act creates certain liability limitations for "claims arising out of, relating to, or resulting from an act of terrorism" where qualified anti-terrorism technologies or services have been employed. In effect, providers that have their technologies and services certified under the Act, such as Johnson Controls Fire Protection, can receive significant liability protection against third-party claims that may arise out of an act of homeland terrorism.

More importantly, the Act extends these same benefits to our customers, giving them

		access to legal liability protections in the event of a terrorist attack on U.S. soil. If a customer using Johnson Controls Fire Protection Security, Fire and Life-Safety Systems Integration services suffer damages from a homeland terrorist attack, that business or institution can be given legal liability protections against civil claims.
15	Provide all "Suspension or Debarment" information that has applied to your organization during the past ten years.	Johnson Controls has been in business for well over 100 years and operates from about 120 offices in all North America. To the best of our knowledge and information, neither company, as a corporate entity, nor any of its branch or satellite offices have been suspended or debarred by any federal, state, provincial, or municipal public agency.

Table 3: Industry Recognition & Marketplace Success

Line Item	Question	Response *
16	Describe any relevant industry awards or recognition that your company has received in the past five years	Our organization participates in a wide range of activities and has been recognized in several unique areas. The following information highlights some key examples. SUSTAINABILITY AND CORPORATE SOCIAL RESPONSIBILITY 2019 World's Most Ethical Company 12 selections since 2007 (March 2020, selected for the 13th time) Ethisphere Magazine 100 Best Corporate Citizens, 2019 Transparency and social responsibility, since 2006 Corporate Responsibility Magazine 2019 Best Corporate Citizens Community involvement, environmental impact, and fair employee treatment. Forbes Magazine Change the World, 2018 Companies that are doing well by doing good Fortune Magazine AAA Rating Environmental, social, and governance MSCI Socially Responsible Indices Carbon Clean 200 Biggest public companies ranked by green energy revenues Corporate Knights and As You Sow Energy Star Most Efficient 2020 Most efficient products Energy Star Environmental Leader Project of the Year For partnership with The University of Hawai'i (UH) Maui College Environmental Leader and Energy Manager Today Top Project Judges' Choice Award for its impressive strides in sustainability and renewable energy Environmental Leader and Energy Manager Today

Environment + Energy Leader 100

Terrill Laughton, VP, and GM of Energy Optimization and Connected Equipment

Environmental Leader and Energy Manager Today

INNOVATION

Johnson Controls Top 100 Global Innovators, 5-time winner

Most innovative corporations and institutions in the world, 2016, 2017, 2019, 2019, 2020

Clarivate Analytics

Overall IoT Company of the Year, 2020

Top companies, technologies, and products in the global Internet of Things (IoT) market

IoT Breakthrough

Most Intelligent Building – Corporate Headquarters (Bee'ah's new headquarters in the UAE)

optimize energy efficiency, make the best use of available space and help the building's occupants be more productive

Digie Award

QUALITY / PRODUCTS

Our organization participates in a wide range of activities and has been recognized in several unique areas. The following information highlights some key examples.

Humanitarian Award, 2019

Fire Commissioner's Humanitarian Award

Fire Department of the City of New York Foundation

Sustainability Product of the Year

The YORK® Mission Critical Direct Evaporative Cooling Air Handling Unit in the 2019 Sustainability Awards. The awards honor those who have made sustainability an integral part of their business practice.

The Business Intelligence Group

Edison Award

Environmentally Friendly Solutions sub-category of the Energy and Sustainability award category

The Edison Awards annually honor excellence in human-centered design and innovation

Five honors in the 2019 Brandon Hall Group Human Capital Management Excellence Awards

Innovative learning solutions and sales training programs that help improve the human capital management space, achieve results and provide meaningful careers

Brandon Hall Group

YORK® YHAU CGN Absorption Chiller – Heater

use of a natural refrigerant (water) that offers zero ozone depletion and global warming potential

New Products for Engineers

2018 IW Best Plants Winner, Norman OK plant

Operational excellence

		Industry Week four 2019 World Class Briefing Awards for its excellence in management, planning, customer experience, and measurement Association of Briefing Program Managers Most Intelligent Building – Corporate Headquarters (Bee'ah's new headquarters in the UAE) Optimize energy efficiency, make the best use of available space and help the building's occupants be more productive Digie Award WORKFORCE DIVERSITY Grady Crosby, vice president of public affairs and chief diversity officer honored with the 2019 Business Champion award Commitment to creating a diverse and inclusive workforce African American Chamber of Commerce Top 50 Employers for Women Engineers, 2019 Readers of Woman Engineer were asked to name the employers for whom they would most like to work or that they believe would provide a positive working environment for women Women Engineer 50 Best Companies for Diversity Dec 2018 Black Enterprise Magazine Top Employer – China, 2019 For exceptional employee conditions, nurturing and developing talent throughout all levels of the organization and striving to optimize its employment practices and to develop its employees Top Employers Institute, China 2019 Best of the Best for U.S. Veterans Top Veteran-Friendly Companies U.S. Veteran's Magazine 2019 Sustainability Awards and Recognition does not include most recognition bestowed to specific locations and individual employees by organizations around the world for our employees' work to build a sustainable world and does not include sustainability indices to which Johnson Controls was named. This list is representative but not exhaustive of global sustainability honors and awards.
17	What percentage of your sales are to the governmental sector in the past three years	Approximately 20% yearly.
18	What percentage of your sales are to the education sector in the past three years	Approximately 16% yearly.
19	List any state, provincial, or cooperative purchasing contracts that you hold. What is the annual sales volume for each of these contracts over the past three years?	NASPO - \$15M (12 State Participating Addendums) State of New York - \$30M CMAS - \$4 M
20	List any GSA contracts or Standing Offers and Supply Arrangements (SOSA) that you hold. What is the annual sales volume for each of these contracts over the past three years?	JCFP Holds (2) GSA Schedules for Product and Service Sales: FY2020 - \$14,124,120 FY2019 - \$13,727,352 FY2018 - \$15,430,404

Table 4: References/Testimonials

Line Item 21. Supply reference information from three customers who are eligible to be Sourcewell participating entities.

Entity Name *	Contact Name *	Phone Number *
Jackson Health System	Kenneth Robertson – Director of Procurement, Construction Services	305-585-7415 Kenneth.robertson@jhs-miami.org
Harbor Authority, Port of Los Angeles	Philip Hazelett	310-732-3346 phazelett@portla.org
Rio Rancho Public Schools	Chris Greeno	505-910-2668
Hofstra University	Bill Solin	516-463-5562

Table 5: Top Five Government or Education Customers

Line Item 22. Provide a list of your top five government, education, or non-profit customers (entity name is optional), including entity type, the state or province the entity is located in, scope of the project(s), size of transaction(s), and dollar volumes from the past three years.

Entity Name	Entity Type *	State / Province *	Scope of Work *	Size of Transactions *	Dollar Volume Past Three Years *
Jackson Memorial Hospital	Non-Profit	Florida - FL	Fire Alarm Upgrades & Maintenance PSA	PSA - \$1 M Annually Product / Installation \$1.5M Annually	\$7.5 M
Port of Los Angeles	Government	California - CA	Fire Alarm and Sprinkler System New & Upgrades & PSA	Depends upon scope of project. Typically, \$2M Annually	\$8 M
Denver International Airport	Government	Colorado - CO	DIA Expansion FAS	Depends upon scope of projects.	\$9 M
CSU System	Education	California - CA	Service, Upgrades, New Systems	Depends upon scope of projects.	\$6.5 M
Milwaukee County Jail	Government	Wisconsin - WI	Cameras, Access Control, Service	Depends upon scope of project.	\$1.3 M

Table 6: Ability to Sell and Deliver Service

Describe your company's capability to meet the needs of Sourcewell participating entities across the US and Canada, as applicable. Your response should address in detail at least the following areas: locations of your network of sales and service providers, the number of workers (full-time equivalents) involved in each sector, whether these workers are your direct employees (or employees of a third party), and any overlap between the sales and service functions.

Line Item	Question	Response *
23	Sales force.	Johnson Controls employs over 2,000 full-time sales professionals; 750 of these individuals are focused on selling contracting work and larger projects in our managed account portfolio. The balance of our sales force is oriented to selling service-oriented contracts. Each of our 120 offices has a mix of contracting and service-oriented salespeople. The size of the market depends on the sales staff size and alignment to the market.
24	Dealer network or other distribution methods.	Our team has factory-direct access to the leading fire alarm, fire suppression, sprinkler, HVAC, and security products via the Johnson Controls family of products. These include: Metasys York Tyco Simplex Fire Alarm Systems

Ansul Fire Suppression Systems
Hygood Fire Suppression Systems
Neuruppin Fire Extinguishers
Pyro-Chem Fire Suppression Systems
SKUM Foam Firefighting Products
Grinnell Sprinkler Components
American Dynamics CCTV Systems
Exacq IP Video Surveillance Solutions
DSC Security Products
Ilustra Cameras
Proximex Physical Information Management Systems
Software House Access Control Systems
Kantech Access Control Solutions
Scott Life Safety Products
CEM Security Management Solutions
Bentel Security and Fire Control Systems
Visonic Wireless Alarm Systems
EZ Care Nurse Call Products
Sensormatic
Execulone Nurse Call Systems
Zettler Nurse Call Systems

We also have national agreements with today's leading life safety manufacturers to facilitate integration of their products into our customers' life safety systems. These include, but are not limited to:

Kidde Fire Extinguishers
Marioff
Aimetis
Axis Communications
BCDVideo
Cisco
Milestone
Pelco
American Signal Corporation
Arecont Vision
Assa Abloy DSS
AlHoc (Desktop Alerts, System Integrations)
Automatic Control Systems
Code Blue

Commend
Cooper Notification - WAVES
Dell
DVTel
Dynalock
Fargo
Firetide
FLIR (Thermal Imaging)
HES (Strikes)
Hewlett Packard via Burgess Computer Decisions
HID Corp.
Inova Solutions
Interlogix - International Fiber Systems
Intransa
IQInvision#
Keyscan (Canada Only)
L1 Identity Solutions
Mate Intelligent Video
Middle Atlantic Products
Milestone
OnSSI
Pivot 3
S2 Security Systems
Salient Systems
Schneider Electric (Continuum)
Securtron
Sielox
Sony
Talk-A-Phone
Tomsted
Ultra MagiCard/ Ultra Electronics
UTC Fire and Security - Facility Commander Wnx
UTC Sentrol
Vicon
VideoIQ#
Winsted
Rauland
Tektoné

		Valcom Versus Vocera Emergin Ascom Heritage Lenel
25	Service force.	Johnson Controls owns and operates over 120 district offices across North America, instead of a dealer network. Our offices are centered around major metropolitan areas. This allows our 2,000 sales professionals to focus 100% of their attention on meeting the fire and life safety equipment and service needs of our clients and potential clients surrounding these areas. Johnson Controls self-performs all service work for the fire and life safety systems contemplated by this RFP. Across North America, our services organization is staffed by more than 9,000 technicians, installers, and other professionals. Through this organization, our team provides 24/7 emergency service and brings customers unrivaled knowledge and expertise in designing, engineering, installing, testing, inspecting, maintaining, servicing, and supporting fire detection, fire suppression, and other life safety systems.

26	Describe in detail the process and procedure of your customer service program, if applicable. Include your response-time capabilities and commitments, as well as any incentives that help your providers meet your stated service goals or promises.	Service We made this change to centralized services to improve our customer service experience. We have benchmarked ourselves against other companies and we determined that a centralized dispatching approach will help us deliver a better, more consistent service experience. The change to a centralized model will help us to better communicate with customers throughout the duration of the service request. We'll be able to better leverage technology and a standard business process to keep the customer informed. The local office will still be responsible for executing the service work with our local technicians, and in fact, will be better able to concentrate our efforts on ensuring customers receive the high-quality service they expect and deserve. All inspection-related service work will be coordinated and scheduled with the local office. Cooperative Communication Standards PREMIER EMERGENCY CALL System/unit is not operational and backup system/unit is not available. Life safety and property protection are non-existent or property assets are in imminent danger of significant damage. • Technician will be dispatched within 3 hours unless a different time frame is required by applicable law PRIORITY CALL System/unit is operational and maintenance or service work is required to maintain system/unit integrity. • Technician will be on-site within 24 hours THREE DAY SERVICE CALL System/unit is operational; general repair is required. • Technician will be on-site within three (3) business days SCHEDULED CALL System/unit is operational; planned appointment for inspection, maintenance, and/or service work. • Technician will be on-site within fourteen (14) calendar days ALL SERVICE RATES WILL BE BILLED ACCORDING To the Sourcewell Agreement, Local Branch Rates Less Discount The minimum charge for an Emergency and a Priority Call is 3 hours The maximum travel charge is 4 hours Overtime fees prevail before 7:00 AM or after 4:30 PM and double-time fees prevail on weekends and holidays Mileage – Standard rates apply for service calls calculated from branch to job site including truck Fees Contracting All Contracting opportunities (new equipment and installation) will be handled by the individual districts and local sales representatives who ultimately have the relationships with the NJPA clients. All quotes and pricing will be monitored by our compliance group and the National NJPA program manager to ensure 100% compliance.
27	Describe your ability and willingness to provide your products and services to Sourcewell participating entities in the United States.	Johnson Controls will support all geographic areas and market sectors of the United States through the proposed contract. We will be offering and promoting an awarded contract to all NJPA member segments and verticals through the proposed contract.
28	Describe your ability and willingness to provide your products and services to Sourcewell participating entities in Canada.	Johnson Controls has sister companies available to support all geographic areas in Canada: Johnson Controls Canada LP and Tyco Integrated Fire and Security.
29	Identify any geographic areas of the United States or Canada that you will NOT be fully serving through the proposed contract.	All geographic areas will be fully serviced.

30	Identify any Sourcwell participating entity sectors (i.e., government, education, not-for-profit) that you will NOT be fully serving through the proposed contract. Explain in detail. For example, does your company have only a regional presence, or do other cooperative purchasing contracts limit your ability to promote another contract?	All Sourcwell participating entity sectors will be fully serviced.
31	Define any specific contract requirements or restrictions that would apply to our participating entities in Hawaii and Alaska and in US Territories.	Johnson Controls operates offices located in HI, AK, and US Territories. There will not be any additional charges to service customers located within these areas unless they are more than our standard branch response area of 1 hours' travel from the nearest Johnson Controls office.

Table 7: Marketing Plan

Line Item	Question	Response *
32	Describe your marketing strategy for promoting this contract opportunity. Upload representative samples of your marketing materials (if applicable) in the document upload section of your response.	Our proposed Sourcewell marketing plan includes a coordinated effort between Johnson Controls and Sourcewell. We will continue to market the Sourcewell program both internally and externally via our corporate websites. Brochures will be dispensed in both hard copy and electronic format. Our team's National Sales Manager, Mr. Tom Staves, will continue to oversee the program. Mr. Staves will be responsible for driving growth. He will be assisted by the following personnel who have also been supporting Sourcewell in the past. The following sales personnel will assist with the training, promotion, and direct sales to Sourcewell clients: Ms. Mary Beth Alexander - New Hire (March 2021) Hayley Nitschke - Marketing The Sourcewell Logo will be added to tradeshow banners and promoted locally and nationally via numerous tradeshow our personnel attends throughout the year. We will continue to promote Sourcewell via our website. We will also distribute a form to clients. The form will be used to request additional information or schedule a meeting with a sales representative.
33	Describe your use of technology and digital data (e.g., social media, metadata usage) to enhance marketing effectiveness.	We use a variety of electronic platforms to ensure contract awareness and to continually educate customers on life safety in general. Some current updates that are in process include; having a strong digital component to our advertising program that includes pay-per-click advertising, Online banner advertising, e-newsletters, links to JohnsonControls.com from key websites. We continue to make significant investments in redesigning our website and implementing marketing automation software that integrates with salesforce.com. • Update our existing customer database files for known Sourcewell members • Continuous refresh/updates to the Internet (as stated, there will be a dedicated page to Sourcewell) • Conduct Emailer campaigns • We have launched a very successful webinar series "Learn from the Leader" that takes on a new industry-related topic once per quarter. Free for all that attend. • All Sourcewell customers will have access to Service Channel. A dedicated secure portal where inspection reports, will be uploaded, service calls can be placed, and can even check on the time until the technician arrives. • Will promote via newsletter and corporate announcement
34	In your view, what is Sourcewell's role in promoting contracts arising out of this RFP? How will you integrate a Sourcewell-awarded contract into your sales process?	Johnson Controls Fire Protection has had tremendous success with our previous Sourcewell awards. As you see we have many of the same customers still with us under Sourcewell and have greatly expanded the program. We continue to make improvements and build upon past successes and learn from our experiences. Affiliated companies including Johnson Controls Security Solutions, Johnson Controls Inc, Johnson Controls Canada LP and Tyco Integrated Fire and Security have the benefit of working from procedures that have been established by Johnson Controls Fire Protection. Our team is driven to provide efficient public service through our national contract purchasing solutions and other related programs. We are only able to do this as we work together; creating a unified purchasing alliance that is valued by both Sourcewell Members and contracted suppliers. We understand our sales staff will be responsible for the majority of the marketing responsibilities for this contract. We are positioned to continue to work together to support a wide range of Sourcewell clients.
35	Are your products or services available through an e-procurement ordering process? If so, describe your e-procurement system and how governmental and educational customers have used it.	Most of our products are designed, developed, and integrated to meet specific customer needs. We are able to include select suppression products (fire extinguishers) and other off-the-shelf products using this ordering method.

Table 8: Value-Added Attributes

Line Item	Question	Response *
36	Describe any product, equipment, maintenance, or operator training programs that you offer to Sourcewell participating entities. Include details, such as whether training is standard or optional, who provides training, and any costs that apply.	Our team offers a variety of training programs suited to meet every aspect of the customer's needs/request. Depending upon the type of system sold, customer training is part of the original submittal. For instance, security systems are typically sold with an extensive training entre that commences upon system acceptance. Fire Alarm systems generally have operational training included with the sale of a new panel/system. Our team offers the following types of customer training for all types of systems Security, Fire Alarm, Sprinkler, and Suppression). Onsite – Operational Onsite – Customer Assisted Inspections Off-Site – Maintenance Factory Certified Training Most of the onsite training can be provided at minimum to no cost, though this depends on the requirements of the training syllabus. For instance, some customers require operational training to be videotaped for future reference, etc.; this would be an additional charge. All offsite training would be at an additional charge though some program attendee's only need to pay for their hotel and transportation as actual training is free. There is a variety of programs, which depends on the overall need and how much training the customer wants to receive as this ultimately determines the cost.
37	Describe any technological advances that your proposed products or services offer.	Johnson Controls is the world's largest pure play life safety systems provider in the industry. As such, Johnson Controls is dedicated to being on the cutting-edge of today's fire and life safety technology. We recently introduced Open Blue Platform to support our customers. The new services suite, available starting from October 2020, integrate touchless technology, sophisticated ventilation and sanitization systems as well as a flexible infrastructure into digital offerings. This allows a comprehensive range of HVAC, Fire Protection, and Security services to be monitored and managed remotely throughout normal, emergency, and pandemic circumstances. OpenBlue is a complete suite of connected solutions that serves industries from workplaces to schools, hospitals to campuses and more. This platform includes tailored, AI-infused service solutions such as remote diagnostics, predictive maintenance, compliance monitoring, advanced risk assessments and more. A dynamic new space from Johnson Controls, OpenBlue is how buildings come alive. This Highly tailored services for fire protection and security use data-driven insights to support better planning and decision-making, enhanced productivity and optimized performance. OpenBlue technology powers service the way you want it, with options including predictive maintenance, remote diagnostics, and advanced monitoring.

38	Describe any "green" initiatives that relate to your company or to your products or services, and include a list of the certifying agency for each.	At Johnson Controls, we've been dedicated to protecting the environment since our invention of the electric thermostat in 1885, which provided a fundamental shift in the energy efficiency of buildings. Now, all over the world, our products and services empower customers and communities to consume less energy and conserve resources. Our Objectives Sustainability is an integral part of our vision and values. Our environmental efforts are conducted with the following objectives in mind: • Supporting our company's growth and exceeding our customers' increasing expectations for more sustainable products and services. • Fostering a culture of sustainability that engages and attracts people who want to make a difference. • Improving our operational efficiency, including lowering costs and reducing the environmental footprint of our operations and supply chain. • Expanding engagement with our stakeholders on environmental issues, including leading in global partnerships that increase the scale of our sustainability impact. • Demonstrating our commitment from the top, including continued integration of sustainability into company goals and decision-making. Our Accomplishments Across our organization, we seek to continuously improve in our environmental work. We're proud and fortunate to have been included in more than 40 prestigious sustainability indexes in recent years. 2020 World's Most Ethical Company. Our 13th year in a row to be so recognized—a record only 7 companies worldwide have ever achieved. 100 Best Corporate Citizens, 2020. We achieved the rank of #3 in our category and #18 overall among the 100 Best Corporate Citizens for 2020, for environmental, social and governance (ESG) transparency and performance. We were up against 1000 of the biggest companies in the US to achieve this ranking. MSCI AAA Status. This is Morgan Stanley's sustainability index. Only 5% of companies achieve AAA. S&P 500 ESG Index. Even at a time when companies like Walmart, Twitter and Honeywell were dropped from the S&P index, we maintained our spot. We are included in the Dow Jones Sustainability Index as well. Here are just some of the reasons why we've received this recognition: • From 2002 through 2017, we are proud to have reduced our energy intensity by 47 percent and our greenhouse gas intensity by 41 percent. • Our efforts align with the United Nations Sustainable Development Goals, a universal call to action to end poverty, protect the planet and ensure that all people enjoy peace and prosperity. • We always strive to do more, which is why in 2017 we adopted a new 2025 Sustainability Strategy. This strategy drives sustainability across our entire value chain by focusing on five areas: solutions, people, partnerships, performance, and governance. As part of this new strategy, we are committing to new, ambitious 2025 goals related to greenhouse gas emissions, energy, water, waste, safety, and diversity from a 2017 baseline.
39	Identify any third-party issued eco-labels, ratings or certifications that your company has received for the equipment or products included in your Proposal related to energy efficiency or conservation, life-cycle design (cradle-to-cradle), or other green/sustainability factors.	We are unaware of Certification of an independent products, however Johnson Controls uses third-party software Process Map for our Environmental, Health and Safety Information System (EHSIS) to track environment, health and safety data from facilities worldwide. Data is reviewed routinely by qualified personnel, including the regular use of an internal audit process to check not only data in the system but also site-level checks of original records and other aspects. At times, we engage assistance from third-party environmental, health and safety and ISO consultants for site-specific audits. This includes using, for some sites, certified registrars to validate and certify our operations to various quality, environmental, six sigma and safety standards, e.g., ISO 9000, ISO 14001, OHSAS 18001. Additionally, filings with environmental, health and safety, and other regulatory agencies are routinely checked internally and by the applicable regulatory agency.

40	Describe any Women or Minority Business Entity (WMBE), Small Business Entity (SBE), or veteran owned business certifications that your company or hub partners have obtained. Upload documentation of certification (as applicable) in the document upload section of your response.	Johnson Controls is a leader in supplier diversity. Since 1993, we have spent more than \$22 billion with certified women- and minority- owned suppliers. Globally, we have included more than 300 diverse and historically underutilized companies into more than 30 product and service procurement categories to support our customer solutions. Johnson Controls' supplier diversity program is successful because of accountability, training, and supplier diversity processes that extend into our customer and supplier networks. Supplier diversity is approached as a discipline that is not confined to one department, geography, or an elite group of star performers. All of the operational, commercial, and advanced supplier diversity activities are tied together with standardized processes company-wide.
41	What unique attributes does your company, your products, or your services offer to Sourcwell participating entities? What makes your proposed solutions unique in your industry as it applies to Sourcwell participating entities?	At Johnson Controls, our vision is a world that's "safe, comfortable, and sustainable"—and our broad set of innovative security products and services focuses on what you need to make people, facilities, and assets safe. Johnson Controls F leverages the world-class products and services of our affiliates, such as Ansul, Master Protection/FireMaster, Scott, York, Metasys, and Tyco Security Products. Serving a geographic area that covers all of North America, Johnson Controls is committed to being a single-source provider that delivers unequaled customer service. Johnson Controls features a number of distinguishing competencies: • Highly reliable, technologically advanced fire, life safety, integrated security, communications, and workforce management systems and services. • A network of company-owned offices across North America with high-quality systems and consistent services at the local level. Johnson Controls Benefits Include: An Experienced Partner. Johnson Controls' industry expertise spans key vertical markets, including Healthcare, Higher Education, Utilities, Industrial, Manufacturing, Transportation, and Government. Global Resources. Johnson Controls offers local, in-market expertise with regional, national, and global support networks. These networks share resources to support our client's needs and requirements. Best Practices. Our organization seeks to make strategic investments that result in continuous product innovation backed by patent protection. Strategic Plan. Johnson Controls' business model is designed to minimize project risks, preserve our client's profits, and automate efficiencies. By doing so, we gain real-time intelligence from a single, scalable platform capable of providing integrated solutions. Enhanced Services Capabilities Johnson Controls offers a suite of advanced connected life-safety services and technologies powered by OpenBlue. This suite is combined with our technicians' extensive industry knowledge and training to help ensure improved performance and reliability, code compliance, and operational efficiency of customers' fire and life-safety systems. Continuous monitoring and diagnostics enabled by IoT connectivity with a cloud-based platform Field data acquisition enabled by non-intrusive diagnostic technologies and trending analytics Rapid response and issue resolution through Remote Service Support Predictive Diagnostics to diagnose deficiencies and extend equipment life Connected systems providing automatic notifications to helping prevent system failures 24/7 monitoring and live advisory support Preventative maintenance for enhanced system performance and false alarm reduction Xaap (SaaS) solution that provides a centralized platform for building compliance data

Table 9: Warranty/Performance Standards or Guarantees

Describe in detail your manufacturer warranty program or performance standards or guarantees, including conditions and requirements to qualify, claims procedure, and overall structure. You may upload representative samples of your warranty or performance materials (if applicable) in the document upload section of your response in addition to responding to the

questions below.

Line Item	Question	Response *
42	Do your warranties cover all products, parts, and labor?	Our warranty structure is set forth to protect our clients against faulty products installed by or workmanship completed by our personnel. Our warranties cover all products, parts, and labor associated with the Johnson Controls Fire Protection LP installed or serviced system.
43	Describe any performance or service standards or guarantees that apply to your solutions (policies, metrics, KPIs, response times, up-time guarantees, etc.).	A schedule of values is provided with each proposal that provides details of the service or product being provided, outlines timelines, billing, and responsible parties. There are standard communication and response time protocols (See Documents)
44	Do your warranties impose usage restrictions or other limitations that adversely affect coverage?	There are no usage limitations in our warranty system for Johnson Controls Fire Protection LP installed or serviced systems.
45	Do your warranties cover the expense of technicians' travel time and mileage to perform warranty repairs?	Technician travel time and mileage to perform warranty repairs are covered under our warranty program.
46	Are there any geographic regions of the United States or Canada (as applicable) for which you cannot provide a certified technician to perform warranty repairs? How will Sourcewell participating entities in these regions be provided service for warranty repair?	Due to the presence of our company-owned district offices throughout North America, we are not aware of any geographic region where we cannot provide warranty repair services.
47	Will you cover warranty service for items made by other manufacturers that are part of your proposal, or are these warranties issues typically passed on to the original equipment manufacturer?	As indicated above, our policy states we will warranty a system installed by our technicians for a period of 1 year from the date of the customer beneficial use. Service parts carry a 90 day warranty from the date of installation by a qualified technician. Different manufacturers may offer their own equipment warranties that cover the replacement cost of specific system components.
48	What are your proposed exchange and return programs and policies?	According to the specific terms of each client's agreement, we can exchange a faulty piece of equipment or system component under warranty for its current equivalent. Equipment that cannot be repaired, or that is part of a legacy system no longer supported, will be replaced at the client's request.
49	Describe any service contract options for the items included in your proposal.	Johnson Controls offers a suite of advanced connected life-safety services and technologies powered by OpenBlue. This suite is combined with our technicians' extensive industry knowledge and training to help ensure improved performance and reliability, code compliance, and operational efficiency of customers' fire and life-safety systems. • Rapid response and issue resolution through Remote Service Support • Predictive Diagnostics to diagnose deficiencies and extend equipment life • Connected systems providing automatic notifications to helping prevent system failures • 24/7 monitoring and live advisory support • Preventative maintenance for enhanced system performance and false alarm reduction • Xaap (SaaS) solution that provides a centralized platform for building compliance data 1-5 year plans are available. We cover parts and labor for normal wear and tear. We also offer preventative maintenance plans where we proactively test systems and provide detailed status reports on findings. These can be performed monthly, quarterly, bi-annually, or annually based upon your needs. Johnson Controls Maintenance Plan will distinguish between hardware and software preventive maintenance. In general, computer-skilled technicians perform software preventive maintenance, and hardware preventive maintenance is performed by our Maintenance Technicians. An important part of our maintenance approach is the incorporation of the individual security system's preventive maintenance requirements as specified by the original equipment manufacturer (OEM).

Table 10: Payment Terms and Financing Options

Line Item	Question	Response *
50	What are your payment terms (e.g., net 10, net 30)?	Payment terms are Net 30 for all invoices. For contracting sales, a schedule of values will be outlined and agreed to regarding payment intervals throughout the installation process.
51	Do you provide leasing or financing options, especially those options that schools and governmental entities may need to use in order to make certain acquisitions?	It is the intent of Johnson Controls Fire Protection LP to utilize Sourcewell Approved Leasing Vendor NCL for potential financing of our Sourcewell opportunities. Our organization offers various financial solutions in an effort to remain focused on the financing needs of its customers. Program offerings include: Direct Purchase Fair Market Value (FMV) Purchase Option 10% Purchase Option
52	Briefly describe your proposed order process. Include enough detail to support your ability to report quarterly sales to Sourcewell as described in the Contract template. For example, indicate whether your dealer network is included in your response and whether each dealer (or some other entity) will process the Sourcewell participating entities' purchase orders.	Our team's sales representatives will meet with end-user customers and will develop a quotation. Throughout the process, there will be hooks in place to monitor the entire sales cycle, from initial contact to the closing of the individual sales. A lead program will be instituted that will track all Sourcewell opportunities. Our in-place "Salesforce.com" system will be used to track the sales process and will also be able to provide status updates in real-time. Also from an IT perspective, hooks will be in place to monitor overall program compliance and ensure that proper pricing and prevailing wages are being utilized. In order to process a completed sale, a Purchase Order or customer signature is required. Contract Sales will be entered by our local office sales personnel and the orders will be tracked within our in place "CPQ" system utilizing a Sourcewell Customer Account Classification Code. All service contracts will be handled by our cooperative centralization team.
53	Do you accept the P-card procurement and payment process? If so, is there any additional cost to Sourcewell participating entities for using this process?	Yes, customers can pay invoices through our online payment system. There is no additional cost to Sourcewell members for using this system. For security purposes, our organization does not accept credit card numbers over the phone. We request customers pay through the online payment portal. https://www.simplexgrinnellpayonline.com/. Payment can also be made online via the Customer Portal.

Table 11: Pricing and Delivery

Provide detailed pricing information in the questions that follow below. Keep in mind that reasonable price and product adjustments can be made during the term of an awarded Contract as described in the RFP, the template Contract, and the Sourcewell Price and Product Change Request Form.

Line Item	Question	Response *
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54	Describe your pricing model (e.g., line-item discounts or product-category discounts). Provide detailed pricing data (including standard or list pricing and the Sourcewell discounted price) on all of the items that you want Sourcewell to consider as part of your RFP response. If applicable, provide a SKU for each item in your proposal. Upload your pricing materials (if applicable) in the document upload section of your response.	Johnson Controls Fire Protection proposes to utilize line item pricing based upon sales of the previous year's top 50 Commercial Customers' sales per product family. Pricing for these line items is based upon the selling price. This analysis is performed annually, of the Top 50 Customers, the top and bottom 12.5% are dropped leaving 75% for computing the average for all contracting-related quotes. Johnson Controls Fire Protection proposes to keep the margins the same as in the current 031517-SGL award for (Contracting) New Systems and installation Sprinkler margin = 23.4 Electrical margin = 32.0 In-house Contracting labor will be based on NTE labor rates established within each of our local areas. Services will use a discount off of the local branch list sell price for PSAs, replacement service parts, and Labor Outside purchase products and labor will be Cost Plus. NOTE: JCFP would like to provide Sourcewell with notice that it is our intention to potentially be able to modify our pricing to a discount off of list methodology once our new quoting tool is 100% deployed and evaluated for compliance purposes. This methodology would align with our standard commercial sales practices.
55	Quantify the pricing discount represented by the pricing proposal in this response. For example, if the pricing in your response represents a percentage discount from MSRP or list, state the percentage or percentage range.	We will provide Sourcewell clients with a discount that is 10% from that of local branch rates. Product pricing is based on our top 50 customers as stated previously. Local branch sales personnel need management approval to obtain rates equal to.
56	Describe any quantity or volume discounts or rebate programs that you offer.	Volume discounts will be considered on a project-by-project basis. Most JCFP solutions are customized for each facility and do not qualify for volume discounts.
57	Propose a method of facilitating "sourced" products or related services, which may be referred to as "open market" items or "nonstandard options". For example, you may supply such items "at cost" or "at cost plus a percentage," or you may supply a quote for each such request.	Services For any non-standard offering, our team will quote using negotiated Sourcewell approved hourly labor rates and will be offered on a fixed price basis. For Outside Purchase products and labor, we will utilize an NTE 30% markup over invoiced cost. Contracting For any non-standard offering that does not have an associated line item price, we will provide at the approved current 031517-SGL Sourcewell margins: Sprinkler margin = 23.4 Electrical margin = 32.0
58	Identify any element of the total cost of acquisition that is NOT included in the pricing submitted with your response. This includes all additional charges associated with a purchase that are not directly identified as freight or shipping charges. For example, list costs for items like pre-delivery inspection, installation, set up, mandatory training, or initial inspection. Identify any parties that impose such costs and their relationship to the Proposer.	We offer turnkey pricing that includes all costs. Everything included in the costs is documented in the contract.
59	If freight, delivery, or shipping is an additional cost to the Sourcewell participating entity, describe in detail the complete freight, shipping, and delivery program.	Freight and Shipping charges are included in the Sourcewell line item pricing. There might be additional charges for specialty products such as 300 lbs. Suppression tanks, or 55 Gal AFFF foam. If there is such a fee it will be clearly stated upfront to the customer.
60	Specifically describe freight, shipping, and delivery terms or programs available for Alaska, Hawaii, Canada, or any offshore delivery.	There typically will not be any additional fee unless locations are extremely remote (such as fly-in) these charges would be outlined in advance to the customer and charged at applicable per diem rates.

61	Describe any unique distribution and/or delivery methods or options offered in your proposal.	Our organization provides local support from our North American network of over 150 local offices in the United States and Canada. Each office functions as a "one-stop-shop" providing parts, supplies, and equipment specific to each of the clients it serves. Additionally, both Johnson Controls Fire Protection and TycoIFS have access to the Tyco Warehouse in Atlanta, Georgia. Staffed with approximately 250 full-time personnel, our team ensures orders are filled promptly. This 240,000 square foot facility stocks extensive inventories of all of the products sold by legacy Tyco International companies, including Simplex fire alarm panels and peripherals, Grinnell and ANSUL fire suppression products, SoftwareHouse, Exacq, Kantech, DSC, and American Dynamics security equipment, and all brands of Nurse Call solutions offered currently or in the past by Tyco. The warehouse ships an average of over 12,000 orders a month, some 6,000 plus items each month are shipped to Johnson Controls Fire Protection and TycoIFS offices.
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Table 12: Pricing Offered

Line Item	The Pricing Offered in this Proposal is: *	Comments
62	c. better than the Proposer typically offers to GPOs, cooperative procurement organizations, or state purchasing departments.	Under our multi-customer initiative branch level agreements now need to be approved by domain pricing managers if they could apply to multiple customers. This will ensure the pricing integrity of our multi-customer agreements in which Cooperative Agreements are part of. Pricing for this submission follows the same awarded pricing methodology for Products and Installation. Service is transitioning to a Discount off of list.

Table 13: Audit and Administrative Fee

Line Item	Question	Response *
63	Specifically describe any self-audit process or program that you plan to employ to verify compliance with your proposed Contract with Sourcwell. This process includes ensuring that Sourcwell participating entities obtain the proper pricing, that the Vendor reports all sales under the Contract each quarter, and that the Vendor remits the proper administrative fee to Sourcwell.	Johnson Controls Fire Protection has a rigorous self-audit program that is built into our CPQ quoting tool and supporting financial systems. As soon as a sales representative identifies an opportunity as Sourcwell the CPQ proposal tool provides systemic oversight and will not allow the proposal to be generated that doesn't meet the minimum requirements. Additionally, there is a review process that happens prior to booking that reviews documentation, customer master setup, to ensure accuracy.
64	Identify a proposed administrative fee that you will pay to Sourcwell for facilitating, managing, and promoting the Sourcwell Contract in the event that you are awarded a Contract. This fee is typically calculated as a percentage of Vendor's sales under the Contract or as a per-unit fee; it is not a line-item addition to the Member's cost of goods. (See the RFP and template Contract for additional details.)	Johnson Controls Fire Protection proposes a 1% administrative fee. On large opportunities, we would like to leave open our ability to further negotiate a reduction on a case-by-case basis.

Table 14A: Depth and Breadth of Offered Equipment Products and Services

Line Item	Question	Response *
65	Provide a detailed description of the equipment, products, and services that you are offering in your proposal.	Johnson Controls now provides a wide spectrum of innovative products, expert installation and services, and systems integration to help improve operational and energy outcomes for customers worldwide.

HVAC EQUIPMENT

Draw on the most comprehensive HVAC portfolio for commercial and residential buildings of all types, ages, and sizes to enhance sustainability, energy use, and the indoor environment.

- Chillers—air-cooled; water-cooled; connected
- Condensers and condensing units
- Dedicated outdoor air systems (DOAS)
- Duct-free mini-split systems
- Indoor packaged equipment
- Rooftop units
- Variable refrigerant flow (VRF) systems

CONTROLS

Equip facilities with intelligent HVAC controls to keep occupants comfortable, run equipment efficiently and optimize operating budgets.

- Actuators
- Control panels
- Control sensors
- Current sensors and transducers
- Thermostats
- Valves
- Variable speed drives

SECURITY

Help protect and enhance working and living environments today and tomorrow with integrated, customer-specific solutions from the world's leading security company.

- 24/7 remote monitoring
- Access control
- Advanced video surveillance
- Intrusion detection

FIRE, LIFE-SAFETY & HAZARD PROTECTION

Help keep people and assets safe with comprehensive solutions, design, installation, service, and monitoring from a world-leading fire and life-safety systems provider.

- Fire alarm systems
- Fire sprinkler systems
- Fire suppression systems
- Mass notification systems
- Special hazard solutions

OPTIMIZATION & RETROFIT SERVICES

Make the most of existing building and financial assets through cost-effective upgrades, central plant strategies, and financing solutions.

- Central chiller plant optimization
- Clean energy assessments

- Energy performance contracts
- Energy retrofits
- Equipment financing
- Healthcare environment optimization
- Public/private partnerships
- Technology refresh services
- Turnkey upgrades and retrofits

BUILDING SERVICES & PARTS

Tap into resources of the industry's largest service network for HVAC, security and life-safety system installation, and product support. More than 12,000 technicians working out of nearly 500 local offices can provide 24x7x365 proactive monitoring, remote and on-site service and repair, and replacement parts.

- Aftermarket parts
- Building remote monitoring
- Building system and HVAC repair
- Planned and preventive maintenance
- Predictive and diagnostic services
- Security and life-safety system repair

LIGHTING CONTROLS & RETROFIT

Save energy, minimize costs and meet organizational goals with a range of services, from business remodels, to new construction lighting design, to municipal street lights.

- Lighting retrofits
- Street and roadway lighting
- Turn-key lighting upgrades

BUILDING AUTOMATION SYSTEMS

Connect commercial HVAC, lighting, security, and protection systems on one platform. Vital data and insights improve efficiency, productivity, and occupants' comfort and safety.

- Metasys® building automation system
- Metasys Enterprise Optimization applications

ENERGY STORAGE

Rely on our innovative distributed energy storage products to better manage energy use, cut costs and ensure electrical back-up for a building, campus or enterprise.

- In-building distributed energy storage system
- Modular distributed energy storage system

RETAIL SOLUTIONS

Gain real-time insights into retail facilities inventories, employees & customers to achieve maximum business performance in a digitally-driven shopping world.

- Loss Prevention
- Inventory Intelligence
- Traffic Insights

		AIR SYSTEMS Use efficient airflow building-wide to create healthy, comfortable, and visually appealing environments that increase work productivity and occupant satisfaction. • Air handling units • Air measuring • Chilled beams • Dampers • EcoAdvance™ HVAC load reduction (HLR) module • Energy recovery ventilators • Fan and blower • Fans • Filtration • Grilles and diffusers • heating coils and cooling coils • Louvers • Underfloor air distribution • Unit ventilators • Variable air volume (VAV) terminals • Variable speed drives OPERATIONAL INTELLIGENCE & LOSS PREVENTION Helps minimize costs, maximize operational performance and enhance return on investment in security programs with business intelligence solutions. • Information management solutions • Real-time location systems (RTLS) for asset management • Video and traffic analytics BUILDING WIDE SYSTEMS INTEGRATION Construct a smarter building by converging building, business/IT, and specialty systems on an intelligent infrastructure. Let us streamline the process to measurably improve initial and lifecycle costs, enhance function, ensure connectivity and create an innovative, optimized, sustainable environment.
66	Within this RFP category there may be subcategories of solutions. List subcategory titles that best describe your products and services.	Kitchen Hoods High Expansion Foam AFFF Air Paks Lighting Systems Smart Systems

Table 14B: Depth and Breadth of Offered Equipment Products and Services

Indicate below if the listed types or classes of equipment, products, and services are offered within your proposal. Provide additional comments in the text box provided, as necessary.

Line Item	Category or Type	Offered *	Comments
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67	Alarm, alert, and signal systems	☒ Yes ☐ No	Our fire alarm control panels are the heart of a robust and scalable fire and life-safety communications system. Intelligent, configurable, and expandable, they can meet a wide range of customer and building needs. Our addressable control panels can pinpoint the source of a fire, alert, trouble, or other system event while offering a modular design and an intuitive interface—features that make them easier to install, more reliable, and easier to manage and maintain.
68	Building security automation and integration, lighting control, and occupancy detection solutions	☒ Yes ☐ No	Our building automation systems are the foundations of modern building energy management efficiency. Intelligent, world-class technology systems will connect your commercial HVAC, lighting, security, and protection systems. This enables them to communicate on a single platform to deliver the information you need, allowing you to make smarter, savvier decisions while enhancing your occupants' comfort, safety, and productivity.
69	Fire detection, sprinkler and suppression systems	☒ Yes ☐ No	Effective fire suppression is a multifaceted challenge that demands a wealth of products, systems, and knowledge. We have long been a leader in this vital element of helping to protect people and property. In fact, we invented the very first sprinkler more than a century ago and have been delivering expertise, innovations, and service to our customers ever since. Today, we manufacture, configure, and install an unmatched range of fire suppression systems including sprinklers and valves, extinguishers and agents, special hazards systems, related components, and fittings. We serve large, multi-site projects through a network of design centers of excellence. We provide software that helps users design and configure systems to meet their unique requirements. Fire suppression solutions from Johnson Controls can help you meet your most vital mission: safety. We offer fire and life safety products from a wide range of brands to meet specific customer needs globally. Control Panels Sensors and Initiating Devices Notification and Audio Devices Networks and Workstations Emergency Communications We offer fire suppression products from our broad portfolio of brands to meet specific customer needs globally. Fire Sprinklers LFP® Antifreeze Fire Valves and Devices Fire Grooved Couplings Water Mist Fire Protection Solutions Fire Sprinkler System Design and Software Gaseous Systems and Control Panels Residential Fire Sprinkler Systems Fire Extinguishers Restaurant fire suppression system Vehicle Systems Industrial Systems Foam, Concentrates, Hardware, and Equipment Hazardous Spill Control Autonomous Fire Suppression Mechanical Fittings and Supports Cold Storage Fire Sprinkler Systems

70	Intrusion and breach prevention and detection solutions	☒ Yes ☐ No	Protecting your home and business is of the highest priority. Identifying potential physical threats at the earliest will contribute to safeguarding your assets, quickly alert the right authorities, and also prevent any untoward incident from even occurring. At Johnson Controls, we offer a wide range of security products, which will help you do just that. From detectors and sensors to signaling systems coupled with cutting-edge innovation-like PowerG technology—we provide holistic solutions to strengthen your security. Our security specialists offer a range of perimeter protection solutions to suit small businesses and large enterprises. Whether you want to better manage vehicle traffic in and out of your premises or allow clear access to authorized personnel, we offer round-the-clock protection.
71	Glass and window security, armor, and ballistic applications and solutions	☒ Yes ☐ No	Commercial alarm solutions require an array of specialized products—from sensors and detection panels to integration and remote management tools—as well as the expertise and capabilities to integrate them into reliable, robust protection systems. Infrared, photoelectric, and motion sensors Industry-leading intrusion detection panels Monitored 24/7 with emergency dispatch Flexible integration with existing systems Inspections, maintenance, service, and support Local, state, and federal regulatory compliance Online management for easy arming/disarming and monitoring Easily integrated with video, access control, and other systems Alarm verification to reduce or eliminate false alarms
72	Closed circuit television (CCTV), surveillance, and recording solutions	☒ Yes ☐ No	Cameras have always been an integral part of any monitoring system and are extensively used, now more than ever. Recognizing the potential of video surveillance to enhance security, Johnson Controls brings you integrated solutions to simplify as well as strengthen your video surveillance systems. The array of cutting-edge products provide an end-to-end support—from cameras and monitors to software for easy integration; collection, analysis, and storage of data; all of which contribute to building a powerful and effective security system Video Management Systems License Plate Recognition Video Intelligence Analytics at the Edge IP Camera Features in Action Video Management Technologies Mobile Apps Video Management System Hardware Monitors Network Video Recorders Encoders Network and Digital Video Storage Video Surveillance IP Cameras

73	Facility and parking access control solutions	☒ Yes ☐ No	Access control is the first line of defense when it comes to the security of your property. With a host of trusted brands in the industry, Johnson Controls offer an extensive range of products to suit establishments of any size and type. We provide comprehensive solutions for your security needs, from biometric and electronic access control hardware to the integrated software; to ensure that your security system is not only well-equipped but also capable of doing much more. Through our innovative access control products, we ensure businesses are well-equipped to safeguard their assets as well as uphold the safety of their staff and visitors. Access Control Software Access Control Hardware Hosted and Managed Security High Assurance Solutions Perimeter detection Integrated Solutions
74	Artificial Intelligence (AI) and robotic surveillance solutions	☒ Yes ☐ No	More and more, building systems are data-enabled and connected to the web. At Johnson Controls, we are partnering with customers to build smart buildings enabled by artificial intelligence and IoT (Internet of Things). OpenBlue helps enterprises put their building data to work, helping facilities managers discover insights, find efficiencies, and create other sources of value, chief among them sustainability. Johnson Controls is at the forefront of smart facilities with solutions that span your enterprise and offer a wealth of potential benefits. These next-generation smart buildings have unique characteristics that unlock new possibilities for how building occupants—employees and visitors, doctors and patients, or teams and fans—interact with their environment. In partnership with our customers, we are creating the self-conscious, self-healing, and occupant-driven building.
75	Facial recognition and thermal screening solutions	☒ Yes ☐ No	The victor and VideoEdge Facial Biometric Analytic immediately alerts operators when known individuals enter an area of interest, allowing for a fast and efficient response. Add up to 1,000 faces to victor's Identity Manager, saving resources and providing a scalable facial recognition infrastructure across dozens to hundreds of NVRs. Images can be dynamically added to the database by uploading headshots or saving video still frames. Stored and indexed faces can be easily searched for across the entire enterprise and the corresponding video is displayed for forensic investigation. Utilize this analytic to spot or search for persons of interest such as VIPs, terminated employees, and known criminals. By integrating victor and VideoEdge Facial Biometric Analytics one can easily manage alarms and associated video for a streamlined surveillance system experience. Our non-invasive, contactless thermal camera is ideal for deployment at controlled entrances to areas and facilities where initial skin temperature scanning is needed for staff and visitors. Johnson Controls smart elevated skin temperature scanning solution comprises of a dual sensor, one Thermal the other Colour, camera, and a temperature calibration device known as a Blackbody.
76	Training, consultative, monitoring, and administrative or technical support services, and supplies	☒ Yes ☐ No	Johnson Controls offers several different on-site training approaches that can be customized to meet each customer's requirements. This training approach offers the following advantages: • It will facilitate a seamless installation • It will have residual benefits for years to come. Our on-site training is designed for the fire alarm system operators who will man the system's head-end equipment. The personnel who will be chosen to maintain the fire alarm system should also attend our on-site training sessions. Many Johnson Controls customers elect to visit the world-class training facility at corporate headquarters in Westminster, Massachusetts where they can take advantage of hands-on training on fire alarm equipment specifically designed for each respective training class. SimplexGrinnell is unique in the industry because we offer custom training courses. It is highly probable that our instructors will be the only personnel in the room with the customer's trainees. We will develop a specific course that will be presented only to each customer's employees. We offer courses for the customer participants who will service, program, and maintain the Johnson Controls fire alarm system. This training will allow each customer's personnel to service and maintain, and to identify, correct, and make adjustments or modifications to our

system. At the completion of this training, each customer's personnel should be able to maintain, alter, troubleshoot and manage our equipment.

Online training courses are also offered through the Johnson Controls Learning Network which is Internet-accessible. Customers are provided user accounts to access these courses which can be taken multiple times each if desired.

Monitoring

Our ULC listed monitoring center(s) work with our install team to ensure all zones from your sites have been reported in properly. Our Data entry team will make sure your call lists and specific site instructions are added prior to the installation taking place.

In the event of an alarm emergency, our Central Monitoring Station will notify agencies / chosen individuals. Our technicians continue to call the customer contact list until they successfully reach someone. The personnel located in the Central Monitoring Station can communicate instantly – by phone, cell phone, fax, or pager – with anyone in the United States. Alert situations are brought up immediately on the screen, along with a profile containing all pertinent information such as:

- The nature of the incident.
- The person or persons to be contacted.
- The procedure to follow in case of emergency.
- The location of where the call is originating
- The procedure to follow in case of emergency

Johnson Controls Holds a Patent for its Leading-Edge Telecommunications Technology

- Identification of whether a smoke detector, air duct detector, or heat detection alarm has been activated.

The Center monitors fire systems, security systems, remote CCTV systems, and elevator alarm systems, and its services are exclusively focused on the commercial, industrial and institutional markets. When alarm messages come into the Center, trained operators are able to respond immediately. The Center's systems provide operators with access to all pertinent information necessary to respond to emergency situations, including the location and nature of the incident and a detailed listing of whom to call.

Technical Support

Johnson Controls has established a Corporate Service Resource Center in Westminister, Massachusetts. The SRC receives, schedules and dispatches service repair (break/fix) calls for all product lines for all Johnson Controls District offices throughout North America.

The change to a centralized model enables our organization to better communicate with our customers throughout the lifecycle of the service request. We can also leverage technology as well as standard business processes to keep customers informed to maximize their service experience. This approach is meant to enhance our current service offering and create efficiencies in our service response processes to allow for better utilization of our staff of over 8,000 technicians. The National Service Response Center also builds on other key advancements Johnson Controls is investing in. Examples include GPS technology, customer service skills training, and skills training and certification for technicians.

Our customers still have a high level of contact with each local District office and each office will still be responsible for executing the service work with local technicians. The center allows our organization to concentrate efforts on ensuring customers receive high-quality service from our organization.

Supplies

Each Johnson Controls technical representative is supplied with a Johnson Controls technical service vehicle, stocked with a full set of Johnson Controls supplied tools,

		electrical troubleshooting meters, a repair parts inventory, laptop computer, as well as communications equipment. In the unlikely event that a Johnson Controls service technician does not have the required part in the vehicle, we maintain a supply of genuine original equipment Johnson Controls replacement parts at each district office, or overnight from our factory. Our local District office maintains a supply of Johnson Controls fire alarm system parts. This supply will ensure system repairs will be accomplished in a timely manner. If we do not have the required part in stock at our District office, we are able to draw from other Johnson Controls district offices. Our office also has unequaled access to spare parts and equipment from Global Products, Building Technologies & Solutions, the manufacturer of the proposed Johnson Controls systems. Global Products and Johnson Controls Service offices are both owned and operated by our parent company, Johnson Controls International. Johnson Controls operates a state-of-the-art warehouse facility in the Atlanta, Georgia area. This warehouse supplies key products to Johnson Controls offices and distributes products worldwide. Staffed with approximately 250 full-time personnel, this team ensures orders are filled promptly.
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Table 15: Industry Specific Questions

Line Item	Question	Response *
77	If you are awarded a contract, provide a few examples of internal metrics that will be tracked to measure whether you are having success with the contract.	Johnson Controls has established KPI's for evaluating the performance of our Cooperative Program. These internal metrics are comprised of data from both sales and finance. For example, one key metric that we utilize is the number of sales representatives that have an active Sourcewell proposal in the Sales Force pipeline.
78	Describe any safeguards included in your proposed solutions that protect participating entities' sensitive information.	Our approach to addressing these modern cybersecurity threats is comprehensive. In the presentation we will explain the elements which comprise our approach; each element of the program plays an important role in minimizing risk. At Johnson Controls we must continuously evolve our cybersecurity practices as cybersecurity is continuously evolving. Johnson Controls' Product Security Program builds on the holistic methodology which has been the principle mindset that guided our cybersecurity practices. Preserving all the elements of the initial program, the enhanced program applies the holistic methodology to the three main lifecycle phases of our products (which we will go over in more detail later on in this presentation). By focusing on the development, deployment, and support lifecycle phases we offer: 1. Securely developed products 2. Secure deployment services 3. and Rapid incident response

79	Explain your organization's approach to cyber security as it relates to your proposed solutions.	At Johnson Controls our approach to cyber protection is aimed at providing peace of mind to our customers. Our Higher level of Commitment helps to calm their concerns by replacing fear with pragmatic solutions and cyber-resilient systems that provide a range of capabilities to complement their diverse security needs. Our holistic cyber mindset begins at the initial design concept, continues through development, and supported through deployment, and includes a rapid incident response to meet the comprehensive and evolving cybersecurity environment. We provide and support cyber-resilient systems with a range of capabilities to complement the diverse security needs of our customers. Having engineering teams trained in cybersecurity has given Johnson Control an advantage in developing products that consider cybersecurity within its core design. Our certified cybersecurity experts work to validate designs using the latest recognized industry standards and practices. Our cybersecurity experts have certification including, but limited to, Certified Information Systems Security Professional, Certified Secure Software Lifecycle Professional, Certified Cloud Security Professional, and Certified Ethical Hacker. We believe that expert-driven cybersecurity designs provide the forethought required to reduce cybersecurity risk. The holistic design of the Product Security Program results in many benefits which can be linked to a specific element of the program. A few of these benefits include: The policy-driven team assures that cybersecurity is not an afterthought. The secure development practices result in product designs that are more cyber-resilient Cybersecurity testing discovers and addresses critical vulnerability before release Education on cybersecurity empowers customers to approach cyber risks pragmatically Our rapid incident response assesses new threats and vulnerabilities and advises customer on how to reduce their cybersecurity risk in a timely manner.
80	Describe how emerging technologies are or will be incorporated in your proposed solutions.	OpenBlue is a complete suite of connected solutions that delivers impactful sustainability, new occupant experiences, and respectful safety and security that combines our 135 years of building expertise with cutting-edge technology. It also features a suite of tailored, AI-powered service solutions such as remote diagnostics, predictive maintenance, compliance monitoring, advanced risk assessments, and more.. Different security events demand different responses from SOC teams; some have life-safety consequences. Too often, standard response instructions in paper-based SOP documents are at best time consuming to reference and at worst — often outdated. OpenBlue Active Responder is an all-in-one procedure administration solution that digitizes static standard operating procedures in a cloud portal application for SOC Teams to follow each of the dynamic steps of the SOP as a series of actionable instructions. Unidentified threats may have life-safety consequences or significantly disrupt the enterprise. Without the ability to quickly distinguish key threats from insignificant events, security analysts have no hope of responding effectively to security events and effectively mitigating potential damage. Facing an ever-changing threat landscape, Security Professionals are asked to monitor and report on the organization's ability to meet the preparedness and response requirements to key threats and risks. OpenBlue Risk Insight helps quantify threat impact using asset risk score, so you can report on asset risk over periods of time as part of your ongoing risk management practices. Modern physical security solutions live in the cloud and they bring all the typical benefits associated with any digital transformation— centralized management, scalable solutions, access to tools that require powerful processing, and reduction in costs. Today, thousands of businesses and organizations trust OpenBlue Cloudvue to simplify surveillance, streamline access control, and provide powerful intelligence that improves security operations and helps with organizational efficiency.

81	Explain how your organization has adapted to provide effective service during the ongoing COVID-19 pandemic.	The Johnson Controls' corporate vision states, "Our products, services, and workplaces reflect our belief that what is good for the environment and the safety and health of all people is good for Johnson Controls." In support of this vision, our regional management teams are strongly committed to providing a safe work environment for all employees. The philosophy and objectives behind this commitment are: The safety and health of all employees and the environment is a top priority that is critical to the success of the business. The only acceptable level of safety performance prevents employee injury and accidents. Safety is the responsibility of every employee, equal to customer satisfaction, quality, profitability, and efficiency. Every day, our goal is to foster an injury-free workplace. All employees receive extensive safety training starting with new hire orientation and continuing with regularly scheduled safety talks, job hazard analysis, and pre-task planning. Our comprehensive 600-plus-page safety program is detailed, documented, and available in electronic format for all of our employees. We also abide by national, state, and local safety codes, as well as those established by the university. In keeping with our Zero Harm vision, we have instituted new measures to prevent the spreading of COVID-19 virus at workplace and construction-sites and are requiring our subcontractors to adhere to these measures as well. We have implemented guidance for all employees on the preventative actions they can take to minimize the risk of infection (handwashing, respiratory hygiene, and cough etiquette to avoid transmission of a contagious virus, etc.). We have increased the frequency of cleaning and sanitization activities at our facilities and while at customer sites. We have restricted all non-critical air travel, international and domestic, for our employees. Business Continuity Planning Teams have been activated regionally and are proactively monitoring regional changes regarding COVID-19. Escalation plans have been put in place to protect our customers, employees, and subcontractors as part of our standard business continuity plans and ensure appropriate precautionary measures are being taken. Persons who have potentially been exposed, regardless of where or how, are requested to report so immediately, and we have provided subsequent guidance to all of our leaders, Human Resource teams, and employees on the process. Control measures to prevent further spreading will include, as appropriate: thorough worksite disinfection, preventive quarantining, and notification of all internal and external contacts (including recent customer contacts).
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Exceptions to Terms, Conditions, or Specifications Form

Only those Proposer Exceptions to Terms, Conditions, or Specifications that have been accepted by Sourcewell have been incorporated into the contract text.

Proposer's Affidavit

PROPOSER AFFIDAVIT AND ASSURANCE OF COMPLIANCE

I certify that I am the authorized representative of the Proposer submitting the foregoing Proposal with the legal authority to bind the Proposer to this Affidavit and Assurance of Compliance:

1. The Proposer is submitting this Proposal under its full and complete legal name, and the Proposer legally exists in good standing in the jurisdiction of its residence.
2. The Proposer warrants that the information provided in this Proposal is true, correct, and reliable for purposes of evaluation for contract award.
3. The Proposer, including any person assisting with the creation of this Proposal, has arrived at this Proposal independently and the Proposal has been created without colluding with any other person, company, or parties that have or will submit a proposal under this solicitation; and the Proposal has in all respects been created fairly without any fraud or dishonesty. The Proposer has not directly or indirectly entered into any agreement or arrangement with any person or business in an effort to influence any part of this solicitation or operations of a resulting contract; and the Proposer has not taken any action in restraint of free trade or competitiveness in connection with this solicitation. Additionally, if Proposer has worked with a consultant on the Proposal, the consultant (an individual or a company) has not assisted any other entity that has submitted or will submit a proposal for this solicitation.
4. To the best of its knowledge and belief, and except as otherwise disclosed in the Proposal, there are no relevant facts or circumstances which could give rise to an organizational conflict of interest. An organizational conflict of interest exists when a vendor has an unfair competitive advantage or the vendor's objectivity in performing the contract is, or might be, impaired.
5. The contents of the Proposal have not been communicated by the Proposer or its employees or agents to any person not an employee or legally authorized agent of the Proposer and will not be communicated to any such persons prior to Due Date of this solicitation.
6. If awarded a contract, the Proposer will provide to Sourcewell Participating Entities the equipment, products, and services in accordance with the terms, conditions, and scope of a resulting contract.
7. The Proposer possesses, or will possess before delivering any equipment, products, or services, all applicable licenses or certifications necessary to deliver such equipment, products, or services under any resulting contract.
8. The Proposer agrees to deliver equipment, products, and services through valid contracts, purchase orders, or means that are acceptable to Sourcewell Members. Unless otherwise agreed to, the Proposer must provide only new and first-quality products and related services to Sourcewell Members under an awarded Contract.
9. The Proposer will comply with all applicable provisions of federal, state, and local laws, regulations, rules, and orders.
10. The Proposer understands that Sourcewell will reject RFP proposals that are marked "confidential" (or "nonpublic," etc.), either substantially or in their entirety. Under Minnesota Statutes Section 13.591, subdivision 4, all proposals are considered nonpublic data until the evaluation is complete and a Contract is awarded. At that point, proposals become public data. Minnesota Statutes Section 13.37 permits only certain narrowly defined data to be considered a "trade secret," and thus nonpublic data under Minnesota's Data Practices Act.
11. Proposer its employees, agents, and subcontractors are not:
 - a. Included on the "Specially Designated Nationals and Blocked Persons" list maintained by the Office of Foreign Assets Control of the United States Department of the Treasury found at: <https://www.treasury.gov/ofac/downloads/sdnlist.pdf>;
 - b. Included on the government-wide exclusions lists in the United States System for Award Management found at: <https://sam.gov/SAM/>; or

- c. Presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from programs operated by the State of Minnesota; the United States federal government or the Canadian government, as applicable; or any Participating Entity. Vendor certifies and warrants that neither it nor its principals have been convicted of a criminal offense related to the subject matter of this solicitation.

☒ By checking this box I acknowledge that I am bound by the terms of the Proposer's Affidavit, have the legal authority to submit this Proposal on behalf of the Proposer, and that this electronic acknowledgment has the same legal effect, validity, and enforceability as if I had hand signed the Proposal. This signature will not be denied such legal effect, validity, or enforceability solely because an electronic signature or electronic record was used in its formation. - Tracy Long, VP & GM Fire BSNA, Johnson Controls Fire Protection LP

The Proposer declares that there is an actual or potential Conflict of Interest relating to the preparation of its submission, and/or the Proposer foresees an actual or potential Conflict of Interest in performing the contractual obligations contemplated in the bid.

☒ Yes ☐ No

The Bidder acknowledges and agrees that the addendum/addenda below form part of the Bid Document.

Check the box in the column "**I have reviewed this addendum**" below to acknowledge each of the addenda.

File Name	I have reviewed the below addendum and attachments (if applicable)	Pages
Addendum_8_Facility_Security_RFP_030421 Thu February 25 2021 04:41 PM	☒	4
Addendum_7_Facility_Security_RFP_030421 Wed February 24 2021 01:48 PM	☒	2
Addendum_6_Facility_Security_RFP_030421 Thu February 18 2021 12:56 PM	☒	2
Addendum_5_Facility_Security_RFP_030421 Wed February 10 2021 04:31 PM	☒	1
Addendum_4_Facility_Security_RFP_030421 Thu February 4 2021 03:25 PM	☒	1
Addendum_3_Facility_Security_RFP_030421 Tue February 2 2021 02:17 PM	☒	1
Addendum_2_Facility_Security_RFP_030421 Thu January 28 2021 01:03 PM	☒	1
Addendum_1_Facility_Security_RFP_030421 Tue January 19 2021 12:31 PM	☒	1

Henry County Board
of

Education Update

Presented by:

Dr. Elizabeth Davis,
Superintendent of
Henry County
Schools



Economic Development Strategic Plan
January 30, 2024



KB | ADVISORY GROUP



01

Economic Development Department Introduction



Kim Allonce
Economic Development Director

Department Mission: collaborate with residents, businesses, investors, and community partners to foster economic growth, support downtown revitalization, encourage sustainable development, and enhance the overall quality of life in the City of Stockbridge.

Objectives:



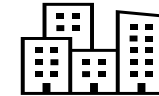
Enhance the City's Competitiveness
in the Metro Atlanta Region



Diversify the City's Economic Base



Support Small Business Development
& Retention



Foster an Economically Viable and
Vibrant Downtown



Promote the City as an Attractive Place for
Residents, Businesses, & Visitors

Economic Development Department

```
graph TD; A[Economic Development Department] --> B[Office of Downtown Development]; A --> C[Office of Economic Vitality]; A --> D[Office of Marketing & Special Initiatives];
```

Office of Downtown Development

Collaborates with the Main Street District and the Downtown Development Authority to attract private investment, encourage historic preservation, and foster an economically viable and vibrant downtown where residents, businesses, and visitors can live, work, and play.

Office of Economic Vitality

Works with city staff, the Citywide Development Authority, and community partners to foster an environment for entrepreneurship, support small business development, cultivate a skilled workforce, and create economic opportunities where residents and businesses can thrive together.

Office of Marketing & Special Initiatives

Oversees internal communications with other departments, provides external marketing support, and collaborates with community partners to implement special initiatives that promote the city as an attractive place for residents, businesses, and visitors.

02

Introduction to the Economic Development Strategic Plan (EDSP)

The City of Stockbridge is creating the community's first Economic Development Strategic Plan (EDSP), focused on developing tactical implementation strategies to promote economic growth and enhance the overall quality in the city. The goals of the EDSP include:

Empowering the City to define its vision, mission, and values to guide planning, zoning, and economic development priorities

Gathering feedback to help provide the framework to attract high-quality investment and redevelopment activities

Strategically shaping the character of redevelopment according to a shared community vision of the future, established through a transparent process of consensus-building and leadership

Providing the specific implementation steps needed to guide Stockbridge's economic development policies, programs, and investments over the next five years

Meet the Consultant Team



KB | ADVISORY GROUP



Project Lead:



Geoff Koski | Project Executive



Tate Davis | Project Manager



Gabrielle Oliverio | Analyst

Public Engagement:



Christopher Pike, EDP, CPM | Public Engagement Director



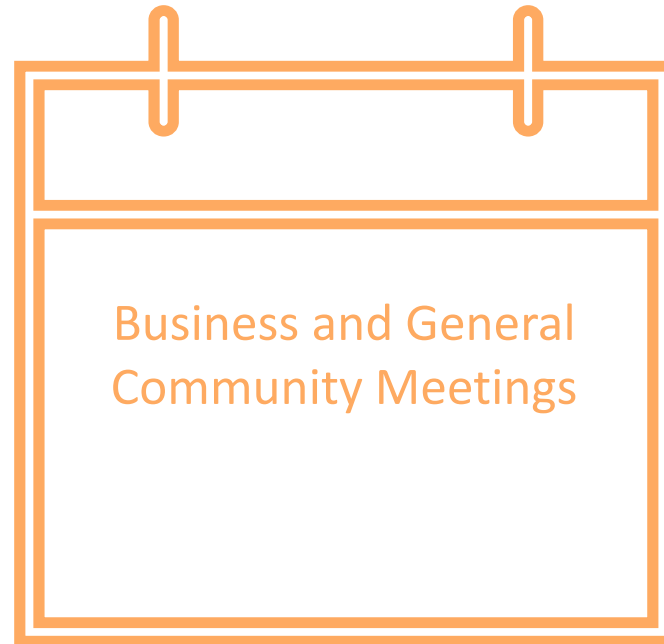
Ashley Minter, MPA | Communications Manager

Community Engagement Schedule

08.31.23



09.05.23



1-on-1 Interviews



03

Key Baseline Takeaways & Survey Results

Key Takeaways



Stockbridge's population has been growing, but slower than the county average



The city is seeing its largest growth in the 65+ age cohort



Over a third of the population 25+ has a Bachelor's or advanced degree



The citywide median household income is \$63,250

Key Takeaways



The healthcare and logistics industries employ the largest share of Stockbridge's workforce



Almost 60% of those employed within Stockbridge work in healthcare, accommodations, or retail



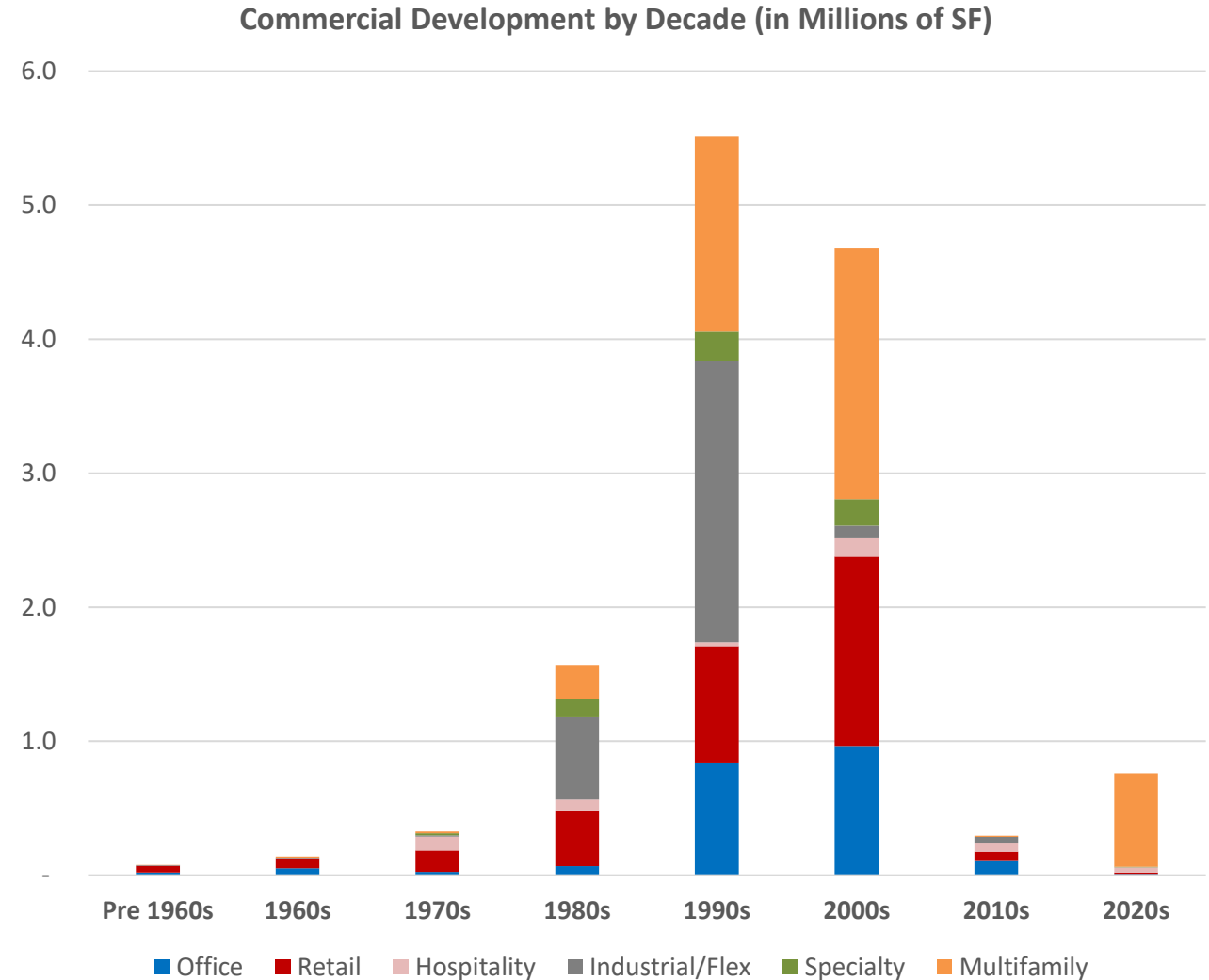
Beyond logistics, working residents within Stockbridge also leave the city to work in office-utilizing industries



Fulton County captures the largest share of out-commuters and most in-commuters come from somewhere else in Henry County

Key Takeaways

The city's existing commercial inventory was predominately delivered in the 1990s – 2000s, influencing the city's low concentration of Class A commercial spaces.



Community Survey

54 Respondents

20% live and work in Stockbridge,
with half of these reporting they
work from home

Types of employers respondents want to see more of:



Restaurants



Information
Technology



Entertainment



Professional
Services



Medical

Top two challenges facing business in Stockbridge:

1. Traffic



2. Retail and restaurant options



Describe Stockbridge to someone not from the area:

“Nice neighborhoods but desperately in need of better dining
and shopping experience”

“It is an up-and-coming city located just minutes from
Atlanta”

“Southern Suburb of Atlanta”

“Great place to live just outside the city of Atlanta with a
diverse population and more urban feel and vibe.”

Business Survey

22 Respondents

86% believe Stockbridge is a good place to do business

Top ways Stockbridge can better encourage business and job growth:



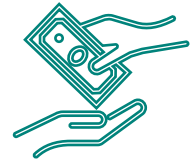
Network Opportunities



Branding and Market Assistance



Business Seminars



Business Loans

Top two challenges facing business in Stockbridge:

1. Resources for business support



2. Lack of market demand or client base



Describe Stockbridge's greatest assets:

"Main Street engagement"

"The people are supportive and very friendly"

"It's the gateway to Henry County "

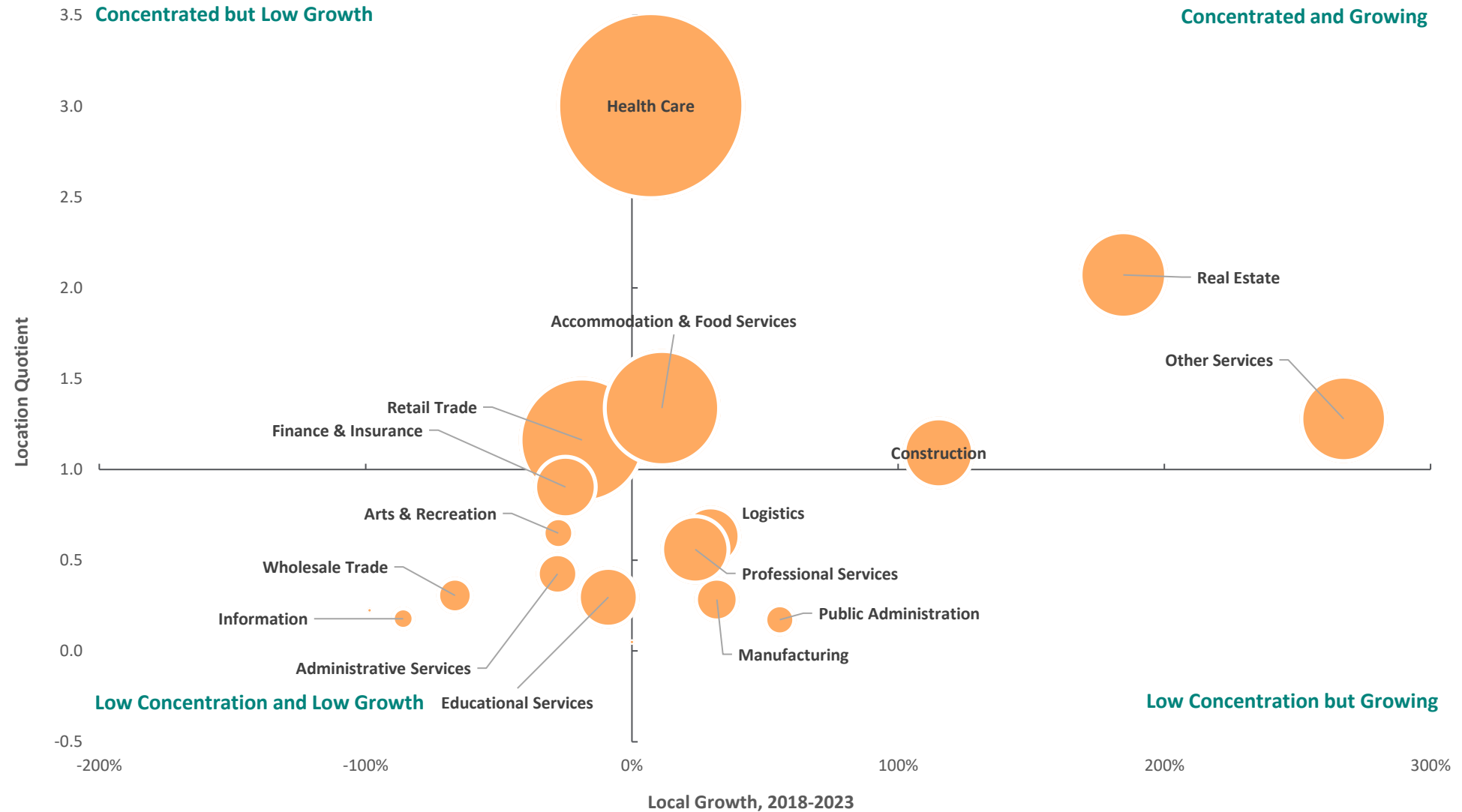
"Close proximity to I-75"

"The hospital"

04

Target Industries

Industry Assessment



Target Industries

Through a combination of quantitative and qualitative research and feedback from the community and stakeholders, the below targeted industries were determined.

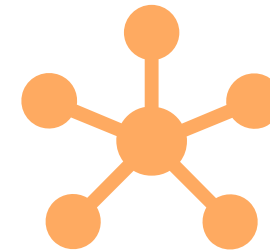
These industries serve as guides for economic development recruitment and retention efforts over the next five years and are subject to change in the medium- and long-term as the economic profile within and around Stockbridge further develops.



Healthcare



**Professional &
Personal Services**



**Adaptive Supply-
Chain**

Target Industries



Physician, Dentist,
and Other Practitioner
Offices



HEALTHCARE



Medical and
Diagnostic Labs



Outpatient Care Centers



Community Care Facilities
for the Elderly



Home Health Care
Services



**PROFESSIONAL &
PERSONAL SERVICES**



Advertising



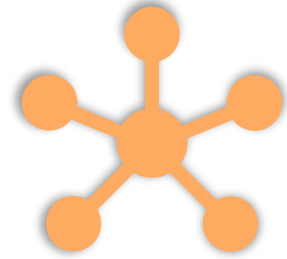
Digital and Systems
Design



Architectural and
Engineering



Personal Services



**ADAPTIVE
SUPPLY- CHAIN**



Smart Sensing



3D Printing



Logistics Support &
Back-Office



Supply-Chain Robotics

05

Goals

Economic Development Goals

Based on what we heard during public and stakeholder engagement, the following goals have been collectively identified as foci for the next five years.

1

Revitalize and Activate Downtown Stockbridge

2

Support and Expand Medical Hub

3

Retain and Support Small or Local Stockbridge Businesses

4

Develop Workforce Training Program

5

Improve Connectivity and Quality of Life

1

Revitalize and Activate Downtown Stockbridge

Investing in downtown can create a space that attracts businesses, residents, and visitors that builds a **dynamic urban environment** for boosting the city's **economic health** as well as the **well-being** of the entire Stockbridge community.

Respondents from the business survey indicated that industries or types of businesses they'd like to see included: Restaurants & Entertainment, Cafes, Mixed-Use Developments, Walkable Shopping Areas, Retail, Live/Work/Play, and Places for all Ages.

2

Support and Expand Medical Hub

Healthcare jobs within Stockbridge represents nearly **60% of all healthcare jobs within Henry County**, the highest concentration of all the major industries.

With an aging Stockbridge population and increasing demand within South Metro ATL, there is an opportunity and **support for expanding Stockbridge's medical hub**.

3

Retain and Support Small or Local Stockbridge Businesses

Many of the businesses typically found in activated suburban downtowns and/or provide services to the surrounding community are **small or local businesses**.

Nearly 50% of respondents from the business survey located their business in Stockbridge because they were from the city or had **existing community ties**.

4

Develop Workforce Training Program

Henry County School's investment in a new STEM school was due to a "strong partnership between the school district and Piedmont Henry Hospital officials and other key STEM industry leaders."

This is just one example of an opportunity to elevate and **build upon education and industry pipeline**.

5

Improve Connectivity and Quality of Life

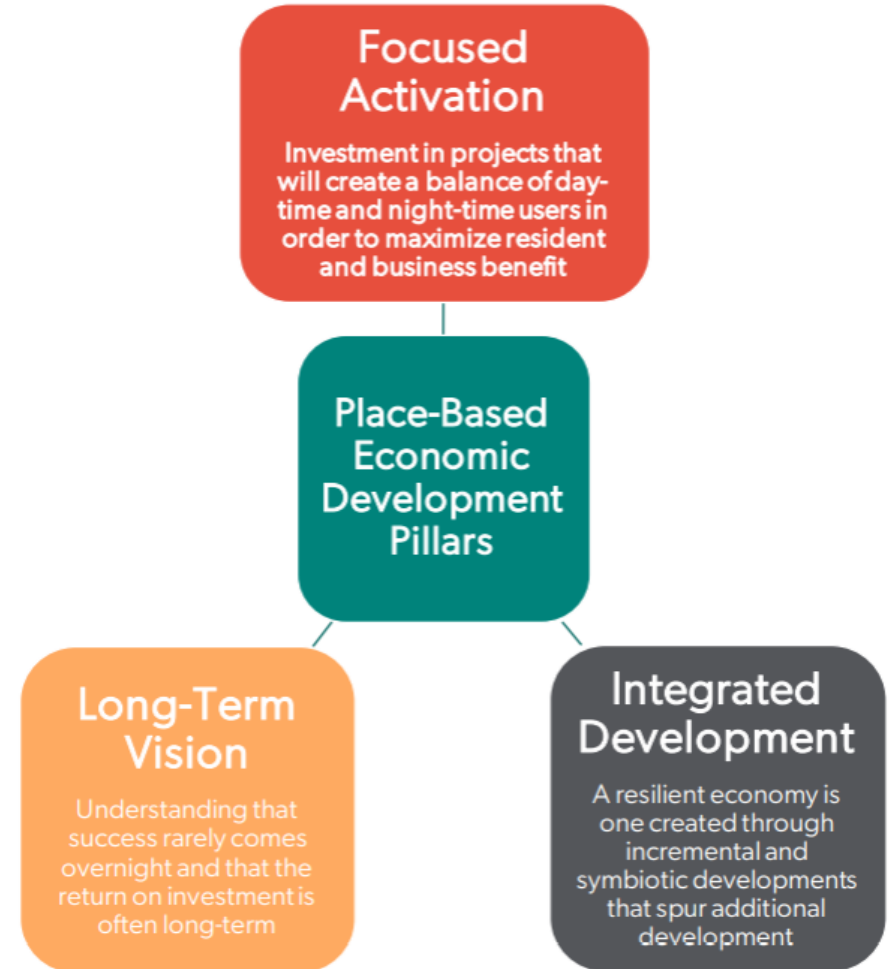
Over 55% of community survey respondents considered the **ability to walk** or conveniently travel to shops and restaurants as "Very" or "Extremely Important".

Likewise **top desired investments** in Stockbridge included: **public infrastructure, recreational amenities, parks, and higher education**.

Implementation: Economics of Place

This approach extends measuring the success of the community beyond its economic output to include the **economic well-being of a community**. Initiatives under this approach often focus on **quality of life indicators** or measures that allow residents to feel connected, supported, and secure in their community. A common first step in this approach is creating a **sense of place** in the community, often viewing the local downtown, square, or Main Street as the heart.

**Lively, activated town centers and downtowns
serve as city assets.**





City of Stockbridge

4640 North Henry Blvd. • Stockbridge, GA 30281

City Hall: (770) 389-7900 • Fax: (770) 692-8577

RECEIVED

Telephone: 770-389-7910

JAN 17 2024

From The Desk Of:
ANTHONY S. FORD
Mayor

January 17, 2024

City Clerk's Office
City of Stockbridge

VETO OF ORDINANCE TO AMENDMENT TO CITY CHARTER, ARTICLE II, SECTION 3.11(b)

I, Mayor Anthony S. Ford, City of Stockbridge, Georgia is invoking City Charter Section 3.23 Submission of Ordinances to the Mayor, Veto Power.

I am utilizing my veto power against the amendment to City Charter, Article II, Section 3.11(b).

The Veto is based on the following:

- A preset scheduled rotation for Mayor Pro Tem by districts isn't necessary.
- It is clearly up to the discretion of the entire City Council Members to select their Mayor Pro Tem.

The City Council Members currently use their own individual authority and judgment to select their Mayor Pro Tem. The City Council could implement a specific unwritten general agreement of mutual respect for the Mayor Pro Tem rotation.

Sincerely,

Anthony S. Ford
Mayor
City of Stockbridge

Vanessa Holiday

From: Anthony Ford
Sent: Thursday, January 18, 2024 4:34 PM
To: Mayor Council; Frederick Gardiner; Vanessa Holiday; Rosalynd Rawls; Quinton Washington; Samantha Embry
Subject: Veto to an Amendment Involving City Charter Article II, Section 3.11(b)
Attachments: 4049_001.pdf

Teammates,

The attached document is my Veto that I am issuing reference an Amendment to the City Charter, Article II, Section 3.11(b) involving the Mayor Pro Tem selection process. This topic of discussion will appear on the agenda for our City Council Work Session, Tuesday, January 30. Thank you of your consideration and support of this decision.

Take Care,

Anthony S. Ford
Mayor
City of Stockbridge
(678) 215-6142

From: Copier <copier@stockbridgega.org>
Sent: Thursday, January 18, 2024 3:24 PM
To: Anthony Ford <asford@stockbridgega.org>
Subject: Attached Image

**STATE OF GEORGIA
HENRY COUNTY
CITY OF STOCKBRIDGE**

ORDINANCE NO. OR24-553

**AN ORDINANCE TO AMEND THE CITY CHARTER, ARTICLE II,
SECTION 3.11(B), REGARDING THE APPOINTMENT OF THE MAYOR
PRO TEM**

WHEREAS, the City of Stockbridge recognizes the need for an equitable and systematic approach to the appointment of the Mayor Pro Tem; and

WHEREAS, it is deemed beneficial to the governance of the city to have representation from all districts in the role of Mayor Pro Tem;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Stockbridge, Georgia, as follows:

SECTION 1. Amendment to City Charter

The City Charter, Article II, Section 3.11(b), is hereby amended to include the following provision for the appointment of the Mayor Pro Tem:

(a) The position of Mayor Pro Tem shall be appointed on a yearly rotational basis, in accordance with the schedule set forth in this ordinance.

(b) The rotation schedule for the appointment of Mayor Pro Tem shall be as follows:

Year 2024: District 3

Year 2025: District 1

Year 2026: District 5

Year 2027: District 2

Year 2028: District 4

This rotation shall continue in the same order in subsequent years.

(c) The appointment shall be made at the first regular meeting of the City Council in each calendar year.

(d) In the event a district does not have a representative able or willing to serve as Mayor Pro Tem in their designated year, the rotation shall proceed to the next district in the established order.

SECTION 2. Responsibilities and Authority The Mayor Pro Tem shall perform the duties of the Mayor in the absence or incapacity of the Mayor, as outlined in the City Charter.

SECTION 3. Effective Date This ordinance shall become effective upon its passage and adoption.

SECTION 4. Repeal of Conflicting Ordinances All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 5: Attorney Authorization The City Attorney, as authorized by the Charter of the City of Stockbridge and with the express consent of the City Council, is hereby empowered to amend, revise, or edit the provisions of this ordinance as necessary to ensure compliance with the intent of the City Council and conformity with all applicable local, state, and federal laws. Such amendments, revisions, or edits shall not alter the fundamental purpose or primary objectives of this ordinance as determined by the City Council.

ADOPTED and APPROVED this 8th day of January 2024.

ANTHONY S. FORD, Mayor

ATTEST:

VANESSA HOLIDAY, City Clerk

APPROVED AS TO FORM:


QUINTON G. WASHINGTON, City Attorney

Submitted to the Mayor 1-11-2024

Received from the Mayor 1-17-2024

**STATE OF GEORGIA
HENRY COUNTY
CITY OF STOCKBRIDGE**

ORDINANCE NO. _____

**AN ORDINANCE TO AMEND THE MUNICIPAL CODE OF THE CITY
OF STOCKBRIDGE, GEORGIA, ARTICLE IV - ADMINISTRATIVE
AFFAIRS, SECTION 4.10 - DEPARTMENT HEADS, TO GRANT HIRING
AUTHORITY TO APPOINTED AND NON-APPOINTED DEPARTMENT
HEADS AND FOR OTHER PURPOSES**

WHEREAS, the Mayor and Council are the governing body of the City of Stockbridge, Georgia (hereinafter referred to as “City”); and

WHEREAS, the City Council recognizes the need for efficient and effective administration of the City’s departments and services; and

WHEREAS, the City Council wishes to delegate hiring authority to both appointed and non-appointed administrative officers of the City, thereby empowering them to effectively manage their respective departments; and

WHEREAS, such delegation of authority is intended to streamline the hiring process, enhance departmental efficiency, and ensure a high standard of public service; and

WHEREAS, the City Council understands that with such delegation comes the responsibility of the administrative officers to adhere to the City's policies, ethical standards, and legal requirements in their hiring practices;

NOW, THEREFORE, BE IT ORDAINED AND RESOLVED, by a majority vote of the Mayor and Council of the City of Stockbridge, that the Municipal Code, Article IV - Administrative Affairs, Section 4.10 - Department Heads, is hereby amended as follows:

SECTION 1: Delegation of Authority: Appointed and non-appointed administrative officers of the City are hereby granted the authority to hire, suspend, remove, and terminate subordinates serving under their authority, subject to compliance with the City’s policies, procedures, and legal requirements.

SECTION 2: Oversight and Accountability: Such hiring authority shall be exercised responsibly, with due regard for merit, qualifications, and the City's commitment to nondiscrimination and equal opportunity employment.

SECTION 3: Guidelines and Limitations: The City Council shall establish guidelines and limitations on this delegated authority to ensure it is exercised in the best interests of the City and its citizens.

SECTION 4: Reporting Requirements: Administrative officers shall report their hiring and employment decisions to the City Council at regular intervals for oversight and transparency.

SECTION 5: City Attorney's Authority: In accordance with the City Charter and with the express consent of the City Council, the City Attorney is authorized to revise, edit, and amend all contracts, ordinances, agreements, and documents, ensuring alignment with the City Council's intent and compliance with the City's laws and ordinances. Any amendment, edit, or revision made by the City Attorney shall be immediately incorporated into the document and shall be deemed as part of the original document from its inception.

SECTION 6: Repeal Clause: Any and all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 7: Severability Clause: If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

SECTION 8: Effective Date: This ordinance shall take effect immediately upon its passage and approval.

SO ORDAINED this the ____ day of _____, 2024.

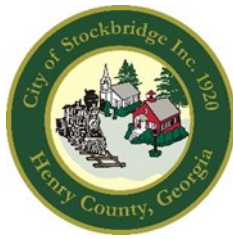
Anthony S. Ford, Mayor

ATTEST:

Vanessa Holiday, City Clerk
City of Stockbridge

APPROVED AS TO FORM:


Quinton G. Washington, City Attorney
City of Stockbridge



City of Stockbridge

AGENDA ITEM

MEETING DATE

FUNDING SOURCE

- ☒ RESOLUTION
- ☒ ORDINANCE
- ☐ CONTRACT APPROVAL/RENEWAL
- ☐ PUBLIC HEARING
- ☐ PRESENTATION
- ☐ BID SELECTION/AWARD
- ☐ TASK ORDER
- ☐ CHANGE ORDER
- ☐ BUDGET AMENDMENT
- ☐ BUDGET TRANSFER
- ☐ PAYMENT APPROVAL
- ☐ OTHER

- ☐ GENERAL FUND
- ☐ FUND BALANCE
- ☐ SPLOST or TSPLOST
- ☐ ARPA
- ☐ GRANT
- ☐ HOTEL/MOTEL TOURISM
- ☐ COUNCIL INITIATIVE
- ☐ PARTNER/SPONSOR
- ☐ DEPARTMENT FUND BALANCE
- ☐ BONDING

ACCOUNT TRANSFER FROM:

ACCOUNT TRANSFER TO:

PRESENTER:

DEPARTMENT:

ITEM/PROJECT/EVENT:

BACKGROUND INFORMATION:

APPROVALS: CITY MANAGER _____

CITY TREASURER _____

CITY ATTORNEY A. Embury

GRANTS ADMIN. _____

☐ FINANCIAL IMPACT ☒ N/A

AMOUNT \$

ATTACHMENTS:



ITEM/PROJECT/EVENT:

BACKGROUND INFORMATION:

STAFF RECOMMENDATION:

Local governments are required to adopt and maintain the Metro Water District-Water Efficiency Code Requirements, without any modifications, as a local amendment to the Georgia State Minimum Standard Plumbing Code. The City of Stockbridge must review the required redlines to the city's plumbing code along with the Model Findings Resolution. Once the required redlines and resolution are reviewed, the city is required to adopt the Model Findings Resolution at least 60 days prior to the formal adoption of the efficiency codes. Once the Model Findings Resolution is adopted, the resolution and proposed amendment will be submitted to the Department of Community Affairs to initiate the formal adoption process for the amendment.

Staff Signature _____

Jeremy Goodwin

Metro Water District – Water Efficiency Code Requirements

Local Amendment to Plumbing Code

[NOTE: The redlines in this local amendment show the changes included in the Metro Water District – Water Efficiency Code Requirements compared to the current Georgia State Minimum Standard Plumbing Code. To adopt this local ordinance, the tracked changes should all be accepted.]

Amendment to local code of ordinances [Chapter X, Article Y, Section Z-Z]. Effective January 1, 2024, the Georgia State Minimum Standard Plumbing Code has been amended by the **[local government]** as follows:

Chapter 2, Section 202 General Definitions. Add in alphabetical order and revise, as applicable, the following definitions:

KITCHEN FAUCET OR KITCHEN FAUCET REPLACEMENT AERATOR. A kitchen faucet or kitchen faucet replacement aerator that allows a flow of no more than ~~1.82-0~~ gallons of water per minute at a pressure of 60 pounds per square inch and conforms to the applicable requirements in ASME A112.18.1/CSA B125.1.

LAVATORY FAUCET OR LAVATORY FAUCET REPLACEMENT AERATOR. A lavatory faucet or lavatory faucet replacement aerator that allows a flow of no more than ~~1.25~~ gallons per minute at a pressure of 60 pounds per square inch and is listed to the WaterSense High Efficiency Lavatory Faucet Specification.

LANDSCAPE IRRIGATION.

Flow sensor. An inline device in a landscape irrigation system that produces a repeatable signal proportional to flow rate.

Lawn or Landscape Irrigation system. An assembly of component parts that is permanently installed for the controlled distribution of water to irrigate landscapes such as ground cover, trees, shrubs, and other plants. Lawn and Landscape Irrigation System refer to the same system.

Master shut-off valve. An automatic valve such as a gate valve, ball valve, or butterfly valve) installed as part of the landscape irrigation system capable of being automatically closed by the WaterSense controller. When this valve is closed water will not be supplied to the landscape irrigation system.

Pressure regulating device. A device designed to maintain pressure within the landscape irrigation system at the manufacturer's recommended operating pressure and that protects against sudden spikes or drops from the water source.

Rain sensor shut-off. An electric device that detects and measures rainfall amounts and overrides the cycle of a landscape irrigation system so as to turn off such system when a predetermined amount of rain has fallen.

WaterSense irrigation controller. Is a weather-based or soil moisture-based irrigation controllers labeled under the U.S. Environmental Protection Agency's WaterSense program, which includes standalone controllers, add-on devices, and plug-in devices that use current weather data as a basis for scheduling irrigation.

WaterSense spray sprinkler bodies. A sprinkler body with integral pressure regulation, generating optimal water spray and coverage labeled under the U.S. Environmental Protection Agency's WaterSense program.

SHOWER HEAD. A shower head that allows a flow of no more than the average of 2.05 gallons of water per minute at 80 pounds per square inch of pressure, and is listed in the WaterSense Specification for Showerheads, and meets the US Department Definition of Energy definition of showerhead.

Chapter 6, Section 604.4 Maximum Flow and Water Consumption. Revise Section 604.4 to read as follows:

Consistent with the general approach taken in Georgia, these Maximum Flow and Water Consumption requirements and related definitions in Section 604.4 of the plumbing code shall apply to all plumbing systems, including those in one- and two-family dwellings. The maximum water consumption flow rates and quantities for all plumbing fixtures and fixture fittings shall be in accordance with Table 604.4.

Exceptions:

1. Blowout design water closets having a water consumption not greater than 3½ gallons (13 L) per flushing cycle.
2. Vegetable sprays.
3. Clinical sinks having a water consumption not greater than 4½ gallons (17 L) per flushing cycle.
4. Laundry tray sinks and service sinks.
5. Emergency showers and eye wash stations.

TABLE 604.4
MAXIMUM FLOW RATES AND CONSUMPTION FOR
PLUMBING FIXTURES AND FIXTURE FITTINGS

PLUMBING FIXTURE OR FIXTURE FITTING	MAXIMUM FLOW RATE OR QUANTITY ^b
Lavatory <u>faucet and replacement aerators</u> , private	<u>WaterSense Labeled & 1.25</u> gpm at 60 psi ^f
Lavatory faucet, public (metering)	0.25 gallon per metering cycle
Lavatory, public (other than metering)	0.5 gpm at 60 psi
Showerhead ^a	<u>WaterSense Labeled & 2.0</u> gpm at <u>80</u> psi ^f
<u>Kitchen Sink faucet and replacement aerators</u>	<u>2.0</u> 1.8 gpm at 60 psi ^{f, g}
Urinal	0.5 gallon per flushing cycle ^f

Water closet	1.28 gallons per flushing cycle ^{c, d, e, f}
--------------	---

For SI: 1 gallon = 3.785 L, 1 gallon per minute = 3.785 L/m,
1 pound per square inch = 6.895 kPa.

a. A hand-held shower spray is a shower head. As point of clarification, multiple shower heads may be installed in a single shower enclosure so long as each shower head individually meets the maximum flow rate, the WaterSense requirements, and the US Department of Energy definition of showerhead. However, multiple shower heads are not recommended for water efficiency purposes.

b. Consumption tolerances shall be determined from referenced standards.

c. For flushometer valves and flushometer tanks, the average flush volume shall not exceed 1.28 gallons.

d. For single flush water closets, including gravity, pressure assisted and electro-hydraulic tank types, the average flush volume shall not exceed 1.28 gallons.

e. For dual flush water closets, the average flush volume of two reduced flushes and one full flush shall not exceed 1.28 gallons.

f. See 2014 GA Amendment to Section 301.1.2 'Waiver from requirements of high efficiency plumbing fixtures'.

g. Kitchen faucets are permitted to temporarily increase the flow above the maximum rate, but not to exceed 2.2 gpm (8.3 L/m) at 60 psi (414 kPa) and must revert to a maximum flow rate of 1.8 gpm (6.8 L/m) at 60 psi (414 kPa) upon valve closure.

604.4.1 Clothes Washers. Residential clothes washers shall be in accordance with the Energy Star program requirements.

604.4.2 Cooling Tower Water Efficiency.

604.4.2.1 Once-Through Cooling. Once-through cooling using potable water is prohibited.

604.4.2.2 Cooling Towers and Evaporative Coolers. Cooling towers and evaporative coolers shall be equipped with makeup water and blow down meters, conductivity controllers and overflow alarms. Cooling towers shall be equipped with efficiency drift eliminators that achieve drift reduction to 0.002 percent of the circulated water volume for counterflow towers and 0.005 percent for crossflow towers.

604.4.2.3 Cooling Tower Makeup Water. Water used for air conditioning, cooling towers shall not be discharged where the hardness of the basin water is less than 1500 mg/L. **Exception:** Where any of the following conditions of the basin water are present: total suspended solids exceed 25 ppm, CaCO₃ exceeds 600 ppm, chlorides exceed 250 ppm, sulfates exceed 250 ppm, or silica exceeds 150 ppm.

604.4.3 Landscape Irrigation System Efficiency Requirements. The requirements in Section 604.4.3 apply to all new landscape irrigation systems connected to the public water system except those (a) used for agricultural operations as defined in the Official Code of Georgia Section 1-3-3, (b) used for golf courses, and (c) dependent

upon a nonpublic water source. Nothing in this Code or this Section 604.4.3 is intended to require that landscape irrigation systems must be installed at all premises. The landscape irrigation efficiency requirements in this Section 604.4.3 apply only when someone voluntarily chooses, or is otherwise required by some requirement beyond this Code, to install a landscape irrigation system on premises.

604.4.3.1 Avoiding Water Waste Through Design. All new landscape irrigation systems shall adhere to the following design standards:

1. Pop-up type sprinkler heads shall pop-up to a height above vegetation level of not less than four (4) inches above the soil level when emitting water.
2. Pop-up spray heads or rotary sprinkler heads must direct flow away from any adjacent surfaces and must not be installed closer than four inches from impervious surfaces.
3. Areas less than ten (10) feet in width in any direction shall be irrigated with subsurface irrigation or by other means that produces no overspray or runoff.
4. Narrow or irregular shaped landscaped areas, less than four (4) feet in any direction across opposing boundaries shall not be irrigated by any irrigation emission device except sub-surface or low flow emitters with flow rates not to exceed 6.3 gallons per hour.

604.4.3.2 Landscape Irrigation System Required Components. All new landscape irrigation systems shall include the following components:

1. A rain sensor shut-off installed in an area that is unobstructed by trees, roof over hangs, or anything else that might block rain from triggering the rain sensor shutoff.
2. A master shut-off valve for each controller installed as close as possible to the point of connection of the water but downstream of the backflow prevention assembly.
3. Pressure-regulating devices such as valve pressure regulators, sprinkler head pressure regulators, inline pressure regulators, WaterSense spray sprinkler bodies, or other devices shall be installed as needed to achieve the manufacturer's recommended pressure range at the emission devices for optimal performance.
4. Except for landscape irrigation systems serving a single-family home, all other systems must also include:
 - (a) a WaterSense irrigation controller; and
 - (b) at least one flow sensor, which must be installed at or near the supply point of the landscape irrigation system and shall interface with the control system, that when connected to the WaterSense controller will detect and report high flow conditions to such controller and automatically shut master valves. The flow sensor serves to aid in detecting leaks or abnormal flow conditions by suspending irrigation. High flow conditions should be consistent with manufacturers' recommendations and specifications.

Chapter 13 NONPOTABLE WATER SYSTEMS, Section 1304 Reclaimed Water Systems. Revise Section 1304.3.2 to read as follows:

1304.3.2 Connections to water supply. Reclaimed water provided from a reclaimed wastewater treatment ~~system~~facility permitted by the Environmental Protection Division may be used to supply water closets, urinals, trap primers for floor drains and floor sinks, water features and other uses approved by the Authority Having Jurisdiction, in motels, hotels, apartment and condominium buildings, and commercial, industrial, and institutional buildings, where the individual guest or occupant does not have access to plumbing. Also, other systems that may use a lesser quality of water than potable water such as water chillers, carwashes or an industrial process may be supplied with reclaimed water provided from a reclaimed wastewater treatment

facility permitted by the Environmental Protection Division. The use of reclaimed water sourced from any new private reclaimed wastewater treatment system for outdoor irrigation shall be limited to golf courses and agriculture operations as defined in the Official Code of Georgia Section 1-3-3, and such reclaimed water shall not be approved for use for irrigating any other outdoor landscape such as ground cover, tree, shrubs, or other plants. These limitations do not apply to reclaimed water sourced from existing private reclaimed water systems or from existing or new, governmentally-owned reclaimed wastewater treatment systems.

Appendix E, Section E101.1.2. Revise Section E.101.1.2 to read as follows:

Because of the variable conditions encountered in hydraulic design, it is impractical to specify definite and detailed rules for sizing of the water piping system. Accordingly, other sizing or design methods conforming to good engineering practice standards are acceptable alternatives to those presented herein. Without limiting the foregoing, such acceptable design methods may include for multi-family buildings the Peak Water Demand Calculator from the IAPMO/ANSI 2020 Water Efficiency and Sanitation Standard for the Built Environment, which accounts for the demands of water-conserving plumbing fixtures, fixture fittings, and appliances. If future versions of the Peak Water Demand Calculator including other building types, such as commercial, such updated version shall be an acceptable design method.

Model Findings Resolution

RESOLUTION NO. [] OF [Local Government] FINDINGS ON PROPOSED LOCAL AMENDMENT TO PLUMBING CODE FOR WATER EFFICIENCY SUBMISSION OF PROPOSED AMENDMENT TO DCA

WHEREAS, the current minimum water efficiency requirements for buildings in the **[Local Government's]** jurisdiction is the Georgia State Minimum Standard Plumbing Code ("Georgia Plumbing Code") as approved and adopted by the Georgia Department of Community Affairs ("DCA") from time to time;

WHEREAS, the **[Local Government]**, like all local governments in the State of Georgia, is authorized under O.C.G.A. § 8-2-25(c) to adopt local requirements when needed that are more stringent than the Georgia Plumbing Code based on local climatic, geologic, topographic, or public safety factors;

WHEREAS, the long-term availability, reliability, and resiliency of water supplies is a critical need of the **[Local Government]** and water efficiency is essential to meeting this need;

WHEREAS, the "Local Amendments to Plumbing Code" shown in the redline in Attachment A are more stringent than the Georgia Plumbing Code on water efficacy because the amendments require even more efficient uses of water and provide clarifications on existing allowable practices;

WHEREAS, based on its local climatic, geologic, topographic factors included in the regional water resources plan prepared by the Metropolitan North Georgia Water Planning District ("Metro Water District"), of which the **[Local Government]** is a part, water conservation is especially important to **[Local Government]** and the Metro Water District;

WHEREAS, the **[Local Government]** has become aware that more water efficient technologies have become widely available at comparable prices and performance to the water efficient technologies currently required as the minimum in the Georgia Plumbing Code;

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The governing body of the **[Local Government]** finds that, based on local climatic, geographic, topographic, and public safety factors included in the Metro Water District's plans, it is justified in adopting local water efficiency requirements more stringent than the Georgia Plumbing Code;
2. The **[Local Government]** is considering codifying these water efficiency requirements in local code as an amendment to Georgia Plumbing Code in the form of the Local Amendments to Plumbing Code shown in the redline in Attachment A; and
3. The **[Local Government]** is directing its staff to submit this resolution and the Local Amendments to Plumbing Code to DCA for review and comment within 60 days as required by O.C.G.A. § 8-2-25(c)(1).

Attachment A
LOCAL AMENDMENT TO PLUMBING CODE FOR WATER EFFICIENCY

[Insert the local amendment to plumbing code redline]

Model Adoption Resolution

RESOLUTION NO. [] of [Local Government] ADOPTION OF LOCAL AMENDMENT TO PLUMBING CODE FOR WATER EFFICIENCY

WHEREAS, the current minimum water efficiency requirements for buildings in the **[Local Government's]** jurisdiction is the Georgia State Minimum Standard Plumbing Code ("Georgia Plumbing Code") as approved and adopted by the Georgia Department of Community Affairs ("DCA") from time to time;

WHEREAS, the **[Local Government]**, like all local governments in the State of Georgia, is authorized under O.C.G.A. § 8-2-25(c) to adopt local requirements that are more stringent than the Georgia Plumbing Code based on local climatic, geologic, topographic, or public safety factors;

WHEREAS, the **[Local Government]** has followed the required procedures in O.C.G.A. § 8-2-25(c) for local adoption of the Local Amendments to Plumbing Code for water efficiency, and DCA has **[recommended that / made no recommendation as to whether / has failed to respond as to whether]** they be adopted. **[NOTE - Please note that if the DCA Codes Section recommends that the Water Efficiency Plumbing Code Amendments should not be adopted, District staff will work with the local government on a resolution that addresses the concerns expressed by the DCA Codes Section and sets forth the basis for the local government voting to proceed as allowed pursuant to O.C.G.A. § 8-2-25(c)(3).]**

WHEREAS, the long-term availability, reliability, and resiliency of water supplies is a critical need of the **[Local Government]** and water efficiency is essential to meeting this need;

WHEREAS, the **[Local Government]** is adopting the Local Amendments to Plumbing Code to meet this critical need and to comply the requirements of Metropolitan North Georgia Water Planning District's 2022 Water Resources Plan in the WSWC-8 Action Item on Metro Water District – Water Efficiency Code Requirements.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The governing body of the **[Local Government]** finds that, based on local climatic, geographic, topographic, and public safety factors, it is justified in adopting the water efficiency requirements in the Local Amendments to Plumbing Code that are more stringent than the Georgia Plumbing Code;

2. The **[Local Government]** has followed the required procedures in O.C.G.A. § 8-2-25(c).

3. The **[Local Government]** hereby adopts the Local Amendments to Plumbing Code, which will take effect on January 1, 2024.

**STATE OF GEORGIA
HENRY COUNTY
CITY OF STOCKBRIDGE**

RESOLUTION NO.: _____

**RESOLUTION FOR THE ADOPTION OF THE MODEL FINDINGS
RESOLUTION ON PROPOSED LOCAL AMENDMENT TO PLUMBING
CODE FOR WATER EFFICIENCY REQUIREMENTS AS MANDATED
BY THE GEORGIA DEPARTMENT OF COMMUNITY AFFAIRS BY
THE CITY COUNCIL OF STOCKBRIDGE**

WHEREAS, the City of Stockbridge currently adheres to the Georgia State Minimum Standard Plumbing Code (“Georgia Plumbing Code”), as periodically approved and adopted by the Georgia Department of Community Affairs (“DCA”);

WHEREAS, under O.C.G.A. § 8-2-25(c), the City of Stockbridge is authorized to adopt local requirements exceeding the Georgia Plumbing Code to address unique local climatic, geologic, topographic, or public safety factors;

WHEREAS, the City of Stockbridge recognizes the critical importance of long-term water availability, reliability, and resiliency, and acknowledges that water efficiency is essential for these goals;

WHEREAS, the proposed “Local Amendments to Plumbing Code” (Attachment A) are more stringent than the Georgia Plumbing Code in terms of water efficiency, offering enhanced water usage efficiency and clarifications on existing practices;

WHEREAS, the regional water resources plan by the Metropolitan North Georgia Water Planning District (“Metro Water District”), which includes the City of Stockbridge, underscores the significance of water conservation due to local climatic, geologic, and topographic factors;

WHEREAS, advancements in technology have led to the availability of more water-efficient technologies at comparable prices and performance levels to those mandated by the current Georgia Plumbing Code;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF STOCKBRIDGE, GEORGIA, AS FOLLOWS:

Section 1. Local Amendments Adoption: The City of Stockbridge shall adopt local water efficiency requirements exceeding those in the Georgia Plumbing Code, as detailed in the Local Amendments to Plumbing Code (Attachment A).

Section 2. Submission to DCA: The resolution and the Local Amendments to Plumbing Code will be submitted to the DCA for review and comment within 60 days, as required by O.C.G.A. § 8-2-25(c)(1).

Section 3. Public Consultation: There will be public consultation to ensure community understanding and support for these amendments.

Section 4. Formal Adoption and Implementation: Following DCA approval, the City of Stockbridge will formally adopt and implement the amendments.

Section 5. Repeal of Conflicting Ordinances: Any and all ordinances or parts of ordinances in conflict with this resolution are hereby repealed.

Section 6. Severability: If any part of this resolution is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this resolution.

Section 7. Attorney Authorization: The City Attorney is authorized to make necessary amendments or corrections to this resolution to ensure its alignment with the intent of the City Council and compliance with applicable laws.

SO RESOLVED this _____ day of _____ 2024.

ANTHONY S. FORD, Mayor

ATTEST

VANESSA HOLIDAY, City Clerk (SEAL)

APPROVED AS TO FORM:



QUINTON G. WASHINGTON, City Attorney

ATTACHMENT A
LOCAL AMENDMENT TO PLUMBING CODE FOR WATER EFFICIENCY

Metro Water District – Water Efficiency Code Requirements
Local Amendment to Plumbing Code

[NOTE: The redlines in this local amendment show the changes included in the Metro Water District – Water Efficiency Code Requirements compared to the current Georgia State Minimum Standard Plumbing Code. To adopt this local ordinance, the tracked changes should all be accepted.]

Amendment to local code of ordinances *[Chapter X, Article Y, Section Z-Z]*. Effective January 1, 2024, the Georgia State Minimum Standard Plumbing Code has been amended by the **City of Stockbridge** as follows:

Chapter 2, Section 202 General Definitions. Add in alphabetical order and revise, as applicable, the following definitions:

KITCHEN FAUCET OR KITCHEN FAUCET REPLACEMENT AERATOR. A kitchen faucet or kitchen faucet replacement aerator that allows a flow of no more than 1.8 gallons of water per minute at a pressure of 60 pounds per square inch and conforms to the applicable requirements in ASME A112.18.1/CSA B125.1.

LAVATORY FAUCET OR LAVATORY FAUCET REPLACEMENT AERATOR. A lavatory faucet or lavatory faucet replacement aerator that allows a flow of no more than 1.2 gallons per minute at a pressure of 60 pounds per square inch and is listed to the WaterSense High Efficiency Lavatory Faucet Specification.

LANDSCAPE IRRIGATION.

Flow sensor. An inline device in a landscape irrigation system that produces a repeatable signal proportional to flow rate.

Lawn or Landscape Irrigation system. An assembly of component parts that is permanently installed for the controlled distribution of water to irrigate landscapes such as ground cover, trees, shrubs, and other plants. Lawn and Landscape Irrigation System refer to the same system.

Master shut-off valve. An automatic valve such as a gate valve, ball valve, or butterfly valve) installed as part of the landscape irrigation system capable of being automatically closed by the WaterSense controller. When this valve is closed water will not be supplied to the landscape irrigation system.

Pressure regulating device. A device designed to maintain pressure within the landscape irrigation system at the manufacturer's recommended operating pressure and that protects against sudden spikes or drops from the water source.

Rain sensor shut-off. An electric device that detects and measures rainfall amounts and overrides the cycle of a landscape irrigation system so as to turn off such system when a predetermined amount of rain has fallen.

WaterSense irrigation controller. Is a weather-based or soil moisture-based irrigation controller labeled under the U.S. Environmental Protection Agency's WaterSense program, which includes standalone controllers, add-on devices, and plug-in devices that use current weather data as a basis for scheduling irrigation.

WaterSense spray sprinkler bodies. A sprinkler body with integral pressure regulation, generating optimal water spray and coverage labeled under the U.S. Environmental Protection Agency's WaterSense program.

SHOWER HEAD. A shower head that allows a flow of no more than the average of 2.0 gallons of water per minute at 80 pounds per square inch of pressure, is listed in the WaterSense Specification for Showerheads, and meets the US Department Definition of Energy definition of showerhead.

Chapter 6, Section 604.4 Maximum Flow and Water Consumption. Revise Section 604.4 to read as follows:

Consistent with the general approach taken in Georgia, these Maximum Flow and Water Consumption requirements and related definitions in Section 604.4 of the plumbing code shall apply to all plumbing systems, including those in one- and two-family dwellings. The maximum water consumption flow rates and quantities for all plumbing fixtures and fixture fittings shall be in accordance with Table 604.4.

Exceptions:

1. Blowout design water closets having a water consumption not greater than 3¹/₂ gallons (13 L) per flushing cycle.
2. Vegetable sprays.
3. Clinical sinks having a water consumption not greater than 4¹/₂ gallons (17 L) per flushing cycle.
4. Laundry tray sinks and service sinks.
5. Emergency showers and eye wash stations.

TABLE 604.4
MAXIMUM FLOW RATES AND CONSUMPTION FOR
PLUMBING FIXTURES AND FIXTURE FITTINGS

PLUMBING FIXTURE OR FIXTURE FITTING	MAXIMUM FLOW RATE OR QUANTITY ^b
Lavatory faucet and replacement aerators, private	WaterSense Labeled & 1.2 gpm at 60 psi ^f
Lavatory faucet, public (metering)	0.25 gallon per metering cycle
Lavatory, public (other than metering)	0.5 gpm at 60 psi
Showerhead ^a	WaterSense Labeled & 2.0 gpm at 80 psi ^f
Kitchen faucet and replacement aerators	1.8 gpm at 60 psi ^{f, g}
Urinal	0.5 gallon per flushing cycle ^f
Water closet	1.28 gallons per flushing cycle ^{c, d, e, f}

For SI: 1 gallon = 3.785 L, 1 gallon per minute = 3.785 L/m,
1 pound per square inch = 6.895 kPa.

a. A hand-held shower spray is a shower head. As point of clarification, multiple shower heads may be installed in a single shower enclosure so long as each shower head individually meets the maximum flow rate, the WaterSense requirements, and the US Department of Energy definition of showerhead. However, multiple shower heads are not recommended for water efficiency purposes.

b. Consumption tolerances shall be determined from referenced standards.

c. For flushometer valves and flushometer tanks, the average flush volume shall not exceed 1.28 gallons.

d. For single flush water closets, including gravity, pressure assisted and electro-hydraulic tank types, the average flush volume shall not exceed 1.28 gallons.

e. For dual flush water closets, the average flush volume of two reduced flushes and one full flush shall not exceed 1.28 gallons.

f. See 2014 GA Amendment to Section 301.1.2 'Waiver from requirements of high efficiency plumbing fixtures'.

g. Kitchen faucets are permitted to temporarily increase the flow above the maximum rate, but not to exceed 2.2 gpm (8.3 L/m) at 60 psi (414 kPa) and must revert to a maximum flow rate of 1.8 gpm (6.8 L/m) at 60 psi (414 kPa) upon valve closure.

604.4.1 Clothes Washers. Residential clothes washers shall be in accordance with the Energy Star program requirements.

604.4.2 Cooling Tower Water Efficiency.

604.4.2.1 Once-Through Cooling. Once-through cooling using potable water is prohibited.

604.4.2.2 Cooling Towers and Evaporative Coolers. Cooling towers and evaporative coolers shall be equipped with makeup water and blow down meters, conductivity controllers and overflow alarms. Cooling towers shall be equipped with efficiency drift eliminators that achieve drift reduction to 0.002 percent of the circulated water volume for counterflow towers and 0.005 percent for crossflow towers.

604.4.2.3 Cooling Tower Makeup Water. Water used for air conditioning, cooling towers shall not be discharged where the hardness of the basin water is less than 1500 mg/L. **Exception:** Where any of the following conditions of the basin water are present: total suspended solids exceed 25 ppm, CaCO₃ exceeds 600 ppm, chlorides exceed 250 ppm, sulfates exceed 250 ppm, or silica exceeds 150 ppm.

604.4.3 Landscape Irrigation System Efficiency Requirements. The requirements in Section 604.4.3 apply to all new landscape irrigation systems connected to the public water system except those (a) used for agricultural operations as defined in the Official Code of Georgia Section 1-3-3, (b) used for golf courses, and (c) dependent upon a nonpublic water source. Nothing in this Code or this Section 604.4.3 is intended to require that landscape irrigation systems must be installed at all premises. The landscape irrigation efficiency requirements in this Section 604.4.3 apply only when someone voluntarily chooses, or is otherwise required by some requirement beyond this Code, to install a landscape irrigation system on premises.

604.4.3.1 Avoiding Water Waste Through Design. All new landscape irrigation systems shall adhere to the following design standards:

1. Pop-up type sprinkler heads shall pop-up to a height above vegetation level of not less than four (4) inches above the soil level when emitting water.
2. Pop-up spray heads or rotary sprinkler heads must direct flow away from any adjacent surfaces and must not be installed closer than four inches from impervious surfaces.
3. Areas less than ten (10) feet in width in any direction shall be irrigated with subsurface irrigation or by other means that produces no overspray or runoff.
4. Narrow or irregular shaped landscaped areas, less than four (4) feet in any direction across opposing boundaries shall not be irrigated by any irrigation emission device except sub-surface or low flow emitters with flow rates not to exceed 6.3 gallons per hour.

604.4.3.2 Landscape Irrigation System Required Components. All new landscape irrigation systems shall include the following components:

1. A rain sensor shut-off installed in an area that is unobstructed by trees, roof over hangs, or anything else that might block rain from triggering the rain sensor shutoff.
2. A master shut-off valve for each controller installed as close as possible to the point of connection of the water but downstream of the backflow prevention assembly.
3. Pressure-regulating devices such as valve pressure regulators, sprinkler head pressure regulators, inline pressure regulators, WaterSense spray sprinkler bodies, or other devices shall be installed as needed to achieve the manufacturer's recommended pressure range at the emission devices for optimal performance.
4. Except for landscape irrigation systems serving a single-family home, all other systems must also include:
 - (a) a WaterSense irrigation controller; and
 - (b) at least one flow sensor, which must be installed at or near the supply point of the landscape irrigation system and shall interface with the control system, that when connected to the WaterSense controller will detect and report high flow conditions to such controller and automatically shut master valves. The flow sensor serves to aid in detecting leaks or abnormal flow conditions by suspending irrigation. High flow conditions should be consistent with manufacturers' recommendations and specifications.

Chapter 13 NONPOTABLE WATER SYSTEMS, Section 1304 Reclaimed Water Systems. Revise Section 1304.3.2 to read as follows:

1304.3.2 Connections to water supply. Reclaimed water provided from a reclaimed wastewater treatment system permitted by the Environmental Protection Division may be used to supply water closets, urinals, trap primers for floor drains and floor sinks, water features and other uses approved by the Authority Having Jurisdiction, in motels, hotels, apartment and condominium buildings, and commercial, industrial, and institutional buildings, where the individual guest or occupant does not have access to plumbing.

Also, other systems that may use a lesser quality of water than potable water such as water chillers, carwashes or an industrial process may be supplied with reclaimed water provided from a reclaimed wastewater treatment facility permitted by the Environmental Protection Division. The use of reclaimed water sourced from any new private reclaimed wastewater treatment system for outdoor irrigation shall be limited to golf courses and agriculture operations as defined in the Official Code of Georgia Section 1-3-3, and such reclaimed water shall not be approved for use for irrigating any other outdoor landscape such as ground cover, tree, shrubs, or other plants. These limitations do not apply to reclaimed water sourced from existing private reclaimed water systems or from existing or new, governmentally-owned reclaimed wastewater treatment systems.

Appendix E, Section E101.1.2. Revise Section E.101.1.2 to read as follows:

Because of the variable conditions encountered in hydraulic design, it is impractical to specify definite and detailed rules for sizing of the water piping system. Accordingly, other sizing or design methods conforming to good engineering practice standards are acceptable alternatives to those presented herein. Without limiting the foregoing, such acceptable design methods may include for multi-family buildings the Peak Water Demand Calculator from the IAPMO/ANSI 2020 Water Efficiency and Sanitation Standard for the Built Environment, which accounts for the demands of water-conserving plumbing fixtures, fixture fittings, and appliances. If future versions of the Peak Water Demand Calculator including other building types, such as commercial, such updated version shall be an acceptable design method.



City of Stockbridge

AGENDA ITEM

MEETING DATE

January 30, 2024

FUNDING SOURCE

- ☒ RESOLUTION
- ☐ ORDINANCE
- ☐ CONTRACT APPROVAL/RENEWAL
- ☐ PUBLIC HEARING
- ☐ PRESENTATION
- ☐ BID SELECTION/AWARD
- ☐ TASK ORDER
- ☐ CHANGE ORDER
- ☐ BUDGET AMENDMENT
- ☐ BUDGET TRANSFER
- ☐ PAYMENT APPROVAL
- ☐ OTHER

- ☐ GENERAL FUND
- ☐ FUND BALANCE
- ☐ SPLOST or TSPLOST
- ☐ ARPA
- ☐ GRANT
- ☐ HOTEL/MOTEL TOURISM
- ☐ COUNCIL INITIATIVE
- ☐ PARTNER/SPONSOR
- ☒ DEPARTMENT BUDGET
- ☐ BONDING

ACCOUNT TRANSFER FROM:

ACCOUNT TRANSFER TO:

PRESENTER:

Decius T. Aaron

DEPARTMENT:

Public Works

ITEM/PROJECT/EVENT:

REQUEST FOR PROPOSAL (RFP) NO. 2020-0026, ANNUAL ON-CALL WATER AND SEWER EMERGENCY, OPERATIONAL REPAIR, MAINTENANCE, AND CONSTRUCTION

BACKGROUND INFORMATION:

The Public Works Department is requesting approval to renew the competitive solicited Contract pursuant to Request For Proposal (RFP) Number 2020-0026- Annual On-Call Water And Sewer Emergency, Operational Repair, Maintenance, and Construction with Site Engineering, Inc.

The Contract was approved by Council April 12, 2021. The Agreement is for one (1) year, with the option to renew for four (4) one (1) year periods, with such options in the City's sole discretion.

APPROVALS: CITY MANAGER

CITY TREASURER

CITY ATTORNEY

GRANTS ADMIN.

☒ FINANCIAL IMPACT ☐ N/A

AMOUNT \$

\$400,000.00

ATTACHMENTS:



ITEM/PROJECT/EVENT:

BACKGROUND INFORMATION:

STAFF RECOMMENDATION:

The Public Works Department is requesting approval to renew City of Stockbridge Annual On-Call Water And Sewer Emergency, Operational Repair, Maintenance, and Construction with Site Engineering, Inc., which was approved by Council, April 12, 2021 (R21-1281).

The initial term of this Agreement shall expire after one (1) year, though the Agreement can be renewed for up to four (4), one (1) year periods.

The estimated annual budget is \$400,000.00.

The Annual On-Call Water And Sewer Emergency, Operational Repair, Maintenance, And Construction scope of services will consist of tasks assigned as individual tasks during the contract period. The type of work may include, but is not limited to, repair and/or replacement of the following: wastewater collection system and related infrastructure, water distribution system and related infrastructure and storm water system and related infrastructure and any other repair activities to be determined by the City.

The Public Works Department has determined that Site Engineering, Inc., is performing all its work in accordance with the contract requirements and is providing quality service to the City.

Section 3.30.227 – Renewals and extensions; The city council shall approve all renewals or term contract extensions: (A) to afford the city a continuous supply of items or services in the event of the termination or near termination of the award/contract and (B) where cost is greater than fifty thousand dollars (\$50,000.00); and when the original contract was approved by the city council.

Fiscal Impact: Funds will be provided from account 510-42500-542515.

Exhibit I – Contract Agreement

Exhibit II – Request For Proposal

Staff Signature

Devin T. Arroyo



Where Community Connects

PROCUREMENT DIVISION

4640 North Henry Boulevard, Stockbridge, Georgia, 30281 | Phone: (770) 389-7900

CONTRACT RENEWAL EVALUATION FORM

Date: December 13, 2023

Department: Public Works Department

Contact: Decius Aaron/Public Works Director

Contract No.: RFP No. 2020-0026- Annual On-Call Water and Sewer Emergency – Site Engineering, Inc.

The above referenced contract expires on **April 12, 2024**. Per the terms of the Contract, this Agreement shall be for one (1) year, commencing on the date of execution stated above, and the City shall have the option to renew for four (4), one (1) year periods. This is the second (2nd) of four (4) renewals.

Please complete the Survey (Section 1, below) evaluating the Contractor's performance during the past Contract Term. If answering "No" to any question, please provide a brief explanation. Per Section 2, please indicate whether you wish to renew this contract.

Section 1: Contractor Evaluation

	YES	NO	N/A
1. Contractor performed all work in conformance with the Contract requirements?	<u>X</u>	—	—
2. Contractor was responsive and professional?	<u>X</u>	—	—
3. Are you satisfied with the quality of the work performed by Contractor?	<u>X</u>	—	—
4. Did Contractor anticipate your needs and provide value-added services beyond the scope/requirements of the Contract?	<u>X</u>	—	—

Comments: _____

Section 2: Renewal

☐ No, we wish not to renew. Please close Contract.

☒ Yes, we wish to renew.

☐ This contract has no renewals left. I wish to rebid. Please see the attached verified scope of services.

a) Check the appropriate box below:

☒ renew per the terms & requirements of original Contract.

☐ renewal to include additional/modified terms & requirements, please contact me for details.

Please sign and return this form to: Wanda J. Cooley, Procurement Specialist – Contract Management
Procurement Division

Questions regarding this form should be directed to: _____.

Submitted by:

Decius T. Aaron
(Department authorized signature)

Decius T. Aaron
(printed name)

Public Works Director
(title)

December 18, 2023
(date)

**SERVICE AGREEMENT
BY AND BETWEEN
SITE ENGINEERING, INC.**

**AND
THE CITY OF STOCKBRIDGE, GEORGIA**

This Agreement ("Agreement") is made and entered into this 12th day of April 2021, by and between Site Engineering, Inc. (hereinafter, "CONTRACTOR"), and the City of Stockbridge, Georgia (hereinafter, "City") (CONTRACTOR and City sometimes referred to herein as "Parties").

WITNESSETH:

WHEREAS, City desires to engage the services of CONTRACTOR to perform for City services for annual on-call water and sewer emergency, operational, repair, maintenance, and construction services pursuant to City RFP No. 2020-0026 (the "Project"); and

NOW, THEREFORE, in consideration of the promises and mutual agreements herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto hereby agree as follows:

1. **Term and Termination.** This Agreement shall be for one (1) year, commencing on the date of execution stated above, and the City shall have the option to renew for four (4), one (1) year periods, with such option being in the City's sole discretion. If the City desires to exercise the option stated herein, the City shall provide thirty (30) days advance written notice to the Contractor of the City's intent to exercise the option. The provisions of Section 2(c) and the RFP shall specifically survive the termination or expiration of this Agreement. The City may terminate this Agreement at any time for any reason with thirty (30) days advance written notice.

2. **Services.**

(a) Subject to the terms and conditions set forth in this Agreement, City hereby retains CONTRACTOR to provide the services set forth in the "Scope of Work" and related proposals submitted in response to City RFP No. 2020-0026. The Scope of Work is attached hereto as Exhibit A. The RFP, including all terms and conditions stated therein, the CONTRACTOR'S proposal(s), and any amendments to the RFP are all incorporated herein by reference and made a part of this Contract.

(b) The standard of care applicable to CONTRACTOR's services will be the degree of skill and diligence normally employed by professional contractors performing the same or similar services at the time said services are performed. CONTRACTOR will re-perform any services not meeting this standard without additional compensation. CONTRACTOR warrants that any services it conducts will be adequate and sufficient to accomplish the purposes for which they are performed, and no review or approval thereof by the City shall be deemed to diminish this warranty in any way.

(c) CONTRACTOR shall indemnify and hold harmless the City and its agents and employees (i) from and against all claims, damages, losses and expenses, including but not limited to attorney's fees, arising out of or resulting from the performance of the Project, provided that any such claim, damage, loss, expense or attorney's fees is attributable to bodily injury, sickness, disease or death, or to injury to or destruction of tangible property including the loss of use resulting therefrom, and is caused in whole or in part by any negligent act or omission of the CONTRACTOR, any Subcontractor, anyone directly or indirectly employed by any of them or anyone for whose acts any of them may be liable, regardless of whether or not the negligent act is caused in part by a party indemnified hereunder and (ii) from the inadequacy of the Services performed by CONTRACTOR or anyone for whom CONTRACTOR is responsible. Such obligation shall not be construed to negate, abridge, or otherwise reduce any other right or obligation of indemnity which would otherwise exist as to any party or person described in this Clause. In any and all claims against the City or any of its agents or employees, by any employee of the CONTRACTOR, any Subcontractor, anyone directly or indirectly employed by any of them or anyone for whose acts any of them may be liable, the indemnification obligation set forth in this paragraph shall not be limited in any way by any limitation on the amount or type of damages, compensation or benefits payable by or for the CONTRACTOR or any Subcontractor under workers' or workman's compensation acts, disability benefit acts or other employee benefit acts.

3. **Compensation.** CONTRACTOR shall receive compensation from the City as set forth in the attached Exhibit B.

4. **Miscellaneous.**

(a) This Agreement shall be governed by and construed in accordance with the laws of the State of Georgia.

(b) CONTRACTOR may not assign this Agreement, in whole or in part, without the prior written consent of City. City may assign this Agreement, in whole or in part, without the prior consent of CONTRACTOR; however, City shall provide CONTRACTOR with prior written notice of any such assignment.

(c) This Agreement shall be binding on and inure to the benefit of the parties hereto and their respective successors and permitted assigns.

(d) The headings contained herein are for the convenience of the parties only and shall not be interpreted to limit or affect in any way the meaning of the language contained in this Agreement.

(e) This Agreement may be executed in one or more counterparts, each of which shall be deemed to be an original, but all of which together shall constitute the same Agreement. Any signature page of any such counterpart, or any electronic facsimile thereof, may be attached or appended to any other counterpart to complete a fully executed counterpart of this Agreement, and any telecopy or other facsimile transmission of any signature shall be deemed an original and shall bind such party.

(f) If any provision of this Agreement shall be held void, voidable, invalid or inoperative, no other provision of this Agreement shall be affected as a result thereof, and accordingly, the remaining provisions of this Agreement shall remain in full force and effect as though such void, voidable, invalid or inoperative provision had not been contained herein. If any of the provisions of this Agreement shall be declared unenforceable as to certain parties, then the performance of said provision shall be excused by the parties hereto and the remaining provisions of this Agreement shall remain in full force and effect.

(g) This Agreement, including all exhibits hereto (which are incorporated herein by this reference), contains the entire agreement and understanding concerning the subject matter hereof between the parties hereto. No waiver, termination or discharge of this Agreement, or any of the terms or provisions hereof, shall be binding upon either party hereto unless confirmed in writing. This Agreement may not be modified or amended, except by a writing executed by both parties hereto. No waiver by either party hereto of any term or provision of this Agreement or of any default hereunder shall affect such party's rights thereafter to enforce such term or provision or to exercise any right or remedy in the event of any other default, whether or not similar.

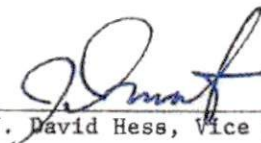
(h) CONTRACTOR shall at all times maintain sufficient liability insurance and payment and performance bonds to cover their services under this Agreement.

[SIGNATURES APPEAR ON FOLLOWING PAGE]

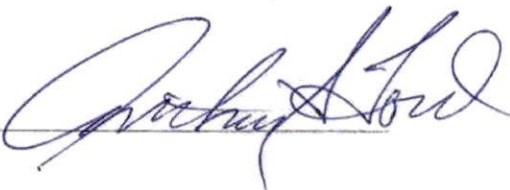
IN WITNESS WHEREOF, the Parties intending to be legally bound hereby, have executed this Agreement as of the date first above written.



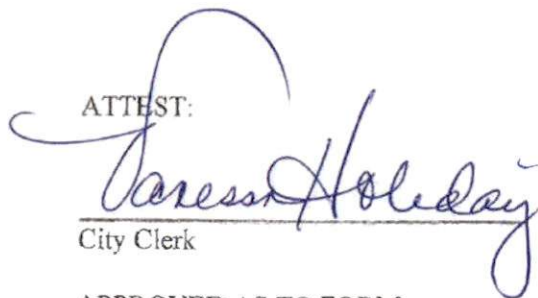
SITE ENGINEERING, INC.

By: 
J. David Hess, Vice President

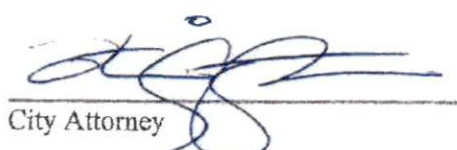
CITY OF STOCKBRIDGE, GEORGIA

By: 

ATTEST:


City Clerk

APPROVED AS TO FORM:


City Attorney

STATE OF GEORGIA
HENRY COUNTY
CITY OF STOCKBRIDGE

RESOLUTION NO. R21-1281

**A RESOLUTION TO AUTHORIZE AWARD OF A CONTRACT FOR
ON-CALL WATER & SEWER EMERGENCY & OPERATIONAL
REPAIR/MAINTENANCE AND CONSTRUCTION SERVICES**

WHEREAS, the City of Stockbridge ("City") is a municipal corporation duly organized and existing under the laws of the State of Georgia and is charged with being fiscally responsible concerning the use and expenditure of all public funds; and

WHEREAS, the City proposes to contract for on-call water & sewer emergency & operational repair/maintenance and construction services; and

WHEREAS, the staff has recommended Site Engineering, Inc. as the preferred vendor;

THEREFORE, THE CITY COUNCIL OF THE CITY OF STOCKBRIDGE HEREBY RESOLVES:

SECTION 1. Approval of Award and Contract. City Council hereby authorizes the award of a contract to Site Engineering, Inc. pursuant to RFP 2020-0026 for the acquisition of on-call water & sewer emergency & operational repair/maintenance and construction services, for an annual amount of one hundred, fifty-nine thousand, three hundred and ninety dollars, \$159,390.00. The Contract is for one (1) year with an option to renew for four (4), one (1) year periods

SECTION 2. Public Record. This document shall be maintained as a public record by the City Clerk and shall be accessible to the public during all normal business hours of the City of Stockbridge.

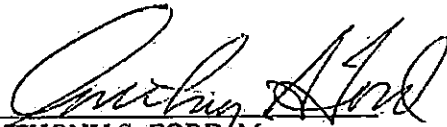
SECTION 3. Authorization of Execution. The Mayor is hereby authorized to sign all documents necessary to effectuate this Resolution.

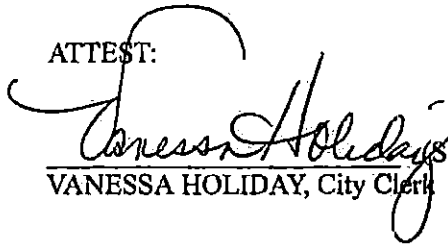
SECTION 4. Attestation. The City Clerk is authorized to execute, attest to, and seal any documents which may be necessary to effectuate this ordinance, subject to approval as to form by the City Attorney.

SECTION 5. Effective Date. This resolution shall become effective immediately upon its adoption by the Mayor and City Council of the City of Stockbridge as provided in the City Charter.

[SIGNATURES APPEAR ON FOLLOWING PAGE]

SO RESOLVED this 12th day of April 2021.


ANTHONY S. FORD, Mayor

ATTEST:

VANESSA HOLIDAY, City Clerk (SEAL)

APPROVED AS TO FORM:


QUINTON G. WASHINGTON, City Attorney



City of Stockbridge

AGENDA ITEM

MEETING DATE

January 30, 2024

FUNDING SOURCE

- ☒ RESOLUTION
- ☐ ORDINANCE
- ☐ CONTRACT APPROVAL/RENEWAL
- ☐ PUBLIC HEARING
- ☐ PRESENTATION
- ☐ BID SELECTION/AWARD
- ☐ TASK ORDER
- ☐ CHANGE ORDER
- ☐ BUDGET AMENDMENT
- ☒ BUDGET TRANSFER
- ☐ PAYMENT APPROVAL
- ☐ OTHER

- ☐ GENERAL FUND/POLICE DEPT.
- ☒ FUND BALANCE
- ☐ SPLOST
- ☐ TSPLOST
- ☐ GRANT
- ☐ HOTEL/MOTEL TOURISM
- ☐ COUNCIL INITIATIVE
- ☐ PARTNER/SPONSOR
- ☐ DEPARTMENT FUND BALANCE
- ☐ BONDING

ACCOUNT TRANSFER FROM: Insurance Reimbursement Acct.

ACCOUNT TRANSFER TO: Vehicles- 100-32100-542200

PRESENTER: Chief Frank Trammer

DEPARTMENT: POLICE DEPARTMENT

ITEM/PROJECT/EVENT: Purchase of two (2) Ford Transit F-250 Cargo Vans.

Council consideration to approve the purchase of two (2) Ford Transit F-250 Cargo Vans from Lithia Springs Ford at the lowest quoted price, not exceeding \$99,500, as an emergency exception to the city's procurement code.

BACKGROUND INFORMATION:

In 2023, the Stockbridge Police Department sustained the loss of three vehicles due to collisions. As a result of insurance claims filed, the department has received \$117,055 in reimbursements. To maintain operational efficiency and replace the lost vehicles, the department respectfully requests the transfer of these funds from the insurance reimbursement account to the police department vehicles operating account. A portion of the transferred funds will be used to purchase two (2) Ford F250 cargo vans as replacements for the lost vehicles based on functionality and cost-

APPROVALS: CITY MANAGER

CITY TREASURER

CITY ATTORNEY

CHIEF OF POLICE

☒ FINANCIAL IMPACT ☐ N/A

AMOUNT \$ 99,500.00

ATTACHMENTS:

BACKGROUND INFORMATION CONTINUED:

effectiveness. The remaining funds will be allocated to cover expenses with acquiring a third replacement vehicle during FY24.

100

12/20/23, 12:18 PM

Worksheet



Date: **12/20/2023 12:18 PM**
 Salesperson: **Deiana Smith Chris Mcleod**
 Manager: **Muhammad Umair**

FOR INTERNAL USE ONLY

BUSINESS NAME City Of Stockbridge **Home Phone:** _____
CONTACT Sgt Neal _____
4640 N Henry Blvd
Address : STOCKBRIDGE, GA 30281 **Work Phone:** _____
CLAYTON
E-Mail : jneal@cityofstockbridge-ga.gov **Cell Phone:** (470) 629-1780

VEHICLE
Stock # : PKB94234 **New / Used :** New **VIN :** 1FTBR1C8XPKB94234 **Mileage :** 30
Vehicle : 2023 Ford Transit-250 Cargo **Color :** OXFORD WHITE
Type : MR CARGO RWD **R1C**

TRADE IN
Payoff : _____ **VIN :** _____ **Mileage :** _____
Vehicle : _____ **Color :** _____
Type : _____

Selling Price	50,020.00
Discount	1,309.00
Adjusted Price	48,711.00
Total Purchase	48,711.00
Trade Allowance	
Trade Difference	
Taxable Fees (Estimated)	99.00
DealerDoc	649.00
Non Tax Fees	41.00
Trade Payoff	
Cash Deposit	
Balance	49,500.00

Customer Approval: _____ Management Approval: _____
 By signing this authorization form, you certify that the above personal information is correct and accurate, and authorize the release of credit and employment information. By signing above, I provide to the dealership and its affiliates consent to communicate with me about my vehicle or any future vehicles using electronic, verbal and written communications including but not limited to eMail, text messaging, SMS, phone calls and direct mail. Terms and Conditions subject to credit approval. For Information Only. This is not an offer or contract for sale.



Date: **12/20/2023 12:19 PM**
 Salesperson: **Deiana Smith Chris Mcleod**
 Manager: **Muhammad Umair**

FOR INTERNAL USE ONLY

BUSINESS NAME City Of Stockbridge **Home Phone:** _____
CONTACT Sgt Neal
4640 N Henry Blvd.
Address : STOCKBRIDGE, GA 30281 **Work Phone:** _____
CLAYTON
E-Mail : jneal@cityofstockbridge-ga.gov **Cell Phone:** (470) 629-1780

VEHICLE
Stock # : PKB74841 **New / Used :** New **VIN :** 1FTBR1C88PKB74841 **Mileage :** 23
Vehicle : 2023 Ford Transit-250 Cargo **Color :** OXFORD WHITE
Type : MR CARGO RWD **R1C**

TRADE IN
Payoff : _____ **VIN :** _____ **Mileage :** _____
Vehicle : _____ **Color :** _____
Type : _____

Selling Price	50,790.00
Discount	1,579.00
Adjusted Price	49,211.00
Total Purchase	49,211.00
Trade Allowance	
Trade Difference	
Taxable Fees (Estimated)	99.00
DealerDoc	649.00
Non Tax Fees	41.00
Trade Payoff	
Cash Deposit	
Balance	50,000.00

Customer Approval: _____ Management Approval: _____
 By signing this authorization form, you certify that the above personal information is correct and accurate, and authorize the release of credit and employment information. By signing above, I provide to the dealership and its affiliates consent to communicate with me about my vehicle or any future vehicles using electronic, verbal and written communications including but not limited to eMail, text messaging, SMS, phone calls and direct mail. Terms and Conditions subject to credit approval. For Information Only. This is not an offer or contract for sale.



1080 2nd Street
PO Box 746
Unadilla, GA 31091
P: (478) 627-3221 F: (478) 627-9550
www.brannenmotorcompany.com

BRANNEN
EMERGENCY VEHICLES
1-800-999-9606

City of Stockbridge DATE: 12/20/2023							INVOICE / QUOTE # 231220
QTY.	DESC.	YEAR	MAKE/ MODEL	NEW OR USED	VIN	PRICE PER UNIT	SALES: GOV/FLEET
(4)	Trucks	2024	Ford Maverick	NEW	1. 3FTTW8B95RRA16634 2. 3FTTW8B90RRA15293 3. TBD 4. TBD	\$29,300.00 (X4)	J. Reed
(2)	Vans	2024	Ford Transit250 MR	NEW	1. TBD 2. TBD	\$52,315.00 (x2)	
DEPARTMENT: PHONE CONTACT- Wk. 1-800-999-9606 Cell (229) 406-1304 VEHICLE(S)-, <u>White</u> IN COLOR, NEW NEVER TITLED, NO MILES LISTED. EMAIL- jamey@brannenmotors.com						PRICE OF CAR FREIGHT AND HANDLING OPTIONAL EQUIP. ACCESS.	PRICE DOES NOT INCLUDE DELIVERY
*2 of the Mavericks are on the ground at the time of this quote and VINs are listed above. Multiple units of this truck are due in within a week and the first two VINs to arrive will be held for Stockbridge pending approval. **The 2 Transit Vans will have to be placed in the Ford Order Bank for scheduling pending approval and with a purchase order.						LICENSE AND TITLE	NO ADDED FEES GPC APPLIED
						TOTAL	\$221,830.00
						PLEASE FEEL FREE TO CALL OR EMAIL WITH ANY QUESTIONS OR CONCERNS-	



DODGE

CHRYSLER



BUYER'S ORDER / INVOICE / BILL OF SALE

P.O. Box 280 • Winder, GA 30680 • 770-867-9136 • 800-282-7872 • www.akinsford.com • sales @ akinsford.net

CUSTOMER INFORMATION FOR TITLE PURPOSES						SALESPERSON		QUOTE		PROSPECT #	
NAME(S) FIRST, MIDDLE, LAST OR BUSINESS CITY OF STOCKBRIDGE						STOCK NUMBER PKC07283		DATE 12/20/23			
						TYPE - R.F.W.T.L.		FLEET#			
STREET ADDRESS			CITY		COUNTY		STATE		ZIP CODE		
MAILING ADDRESS			CITY		COUNTY		STATE		ZIP CODE		
HOME PHONE		CELL OR PAGER #		OFFICE OR WORK PHONE		E-MAIL ADDRESS					
PRIMARY PURCHASER INFORMATION						BASE PRICE		\$51,900.00			
SOCIAL SECURITY		DRIVER'S LICENSE #		DATE OF BIRTH		MAD #					
VEHICLE PURCHASE											
TYPE N		YEAR 2023		MAKE FORD		MODEL TRANSIT		BODY MR 250 CARGO VAN			
CYLINDERS 3.5L V6		TRANSMISSION AUTO		FUEL UNL		COLOR WHITE		TRIM VINYL		VIN 2FTBR1C82PKC07283	
KEY CODE		OTHER				ODOMETER					
TRADE-IN #1						TOTAL PRICE INCLUDING DEALER OPTIONS		\$51,900.00			
YEAR		MAKE		VIN							
MODEL		STOCK NUMBER		ODOMETER		TRADE ALLOWANCE \$		ADJUSTED PRICE INCL DISCOUNT(S)		\$51,900.00	
PAYOFF AMOUNT		GOOD UNTIL		ACCOUNT NUMBER				GROSS TRADE-IN ALLOWANCE		\$0.00	
PAYOFF OWED TO		PHONE NUMBER		QUOTED BY				TRADE DIFFERENCE		\$51,900.00	
ADDRESS		CITY		STATE		ZIP CODE		SERVICE & DOCUMENTATION FEE		\$0.00	
TRADE-IN #2						TAXABLE AMOUNT		\$51,900.00			
YEAR		MAKE		VIN							
MODEL		STOCK NUMBER		ODOMETER		TRADE ALLOWANCE \$		SALES TAX 0%		\$0.00	
PAYOFF AMOUNT		GOOD UNTIL		ACCOUNT NUMBER				TAG & TITLE FEE		\$0.00	
PAYOFF OWED TO		PHONE NUMBER		QUOTED BY				GA WARRANTY RIGHTS FEE (NEW ONLY)		\$0.00	
ADDRESS		CITY		STATE		ZIP CODE		PRICE INCLUDING TAX & FEES		\$51,900.00	
LIEN HOLDER						BALANCE OWED ON TRADE(S)		\$0.00			
PURCHASED VEHICLE LIEN HOLDER		LIEN HOLDER CODE									
ADDRESS		CITY		STATE		ZIP CODE		TOTAL PURCHASE PRICE W/TRADES		\$51,900.00	
INSURANCE						REBATE(S) ASSIGNED TO DEALER		\$0.00			
COMPANY		POLICY NUMBER									
AGENT		PHONE									
ADDRESS		CITY		STATE		ZIP CODE		DEPOSIT RECEIPT #		\$0.00	
Purchaser agrees that this Order, including all the terms on BOTH THE FACE AND REVERSE SIDE HEREOF, and any retail installment sales contract reflecting the above transaction cancel and supersede any prior agreement or contract and compromise the complete and exclusive statement of the terms. Purchaser agrees that THIS ORDER SHALL NOT BECOME BINDING UNTIL ACCEPTED BY DEALER OR HIS AUTHORIZED REPRESENTATIVE, AND FURTHERMORE IN THE EVENT OF A TIME SALE, THIS ORDER SHALL NOT BE BINDING UNTIL THE RETAIL INSTALLMENT SALES CONTRACT IS SIGNED BY PURCHASER AND HAS BEEN APPROVED BY A BANK OR FINANCE COMPANY WILLING TO PURCHASE SAID CONTRACT ON SUCH TERMS. This agreement cannot be modified except by express agreement of the parties. Purchaser by his executing of the Agreement acknowledges that he has read the terms and conditions and has received a true copy of the agreement.						CASH DOWN RECEIPT #		\$0.00			
						SERVICE CONTRACT		\$0.00			
						GAP					
PURCHASER'S SIGNATURE		DATE		ACCEPTED BY		DEALER OR HIS AUTHORIZED REPRESENTATIVE		UNPAID BALANCE			
CO-PURCHASER'S SIGNATURE		DATE						NET DUE UPON DEL CASH/CHECK CONTRACT		\$51,900.00	

**STATE OF GEORGIA
HENRY COUNTY
CITY OF STOCKBRIDGE**

ORDINANCE NO. _____

**AN ORDINANCE TO AMEND THE MUNICIPAL CODE OF THE CITY
OF STOCKBRIDGE, GEORGIA, ARTICLE IV - ADMINISTRATIVE
AFFAIRS, SECTION 4.10 - DEPARTMENT HEADS, TO GRANT HIRING
AUTHORITY TO APPOINTED AND NON-APPOINTED DEPARTMENT
HEADS AND FOR OTHER PURPOSES**

WHEREAS, the Mayor and Council are the governing body of the City of Stockbridge, Georgia (hereinafter referred to as “City”); and

WHEREAS, the City Council recognizes the need for efficient and effective administration of the City’s departments and services; and

WHEREAS, the City Council wishes to delegate hiring authority to both appointed and non-appointed administrative officers of the City, thereby empowering them to effectively manage their respective departments; and

WHEREAS, such delegation of authority is intended to streamline the hiring process, enhance departmental efficiency, and ensure a high standard of public service; and

WHEREAS, the City Council understands that with such delegation comes the responsibility of the administrative officers to adhere to the City's policies, ethical standards, and legal requirements in their hiring practices;

NOW, THEREFORE, BE IT ORDAINED AND RESOLVED, by a majority vote of the Mayor and Council of the City of Stockbridge, that the Municipal Code, Article IV - Administrative Affairs, Section 4.10 - Department Heads, is hereby amended as follows:

SECTION 1: Delegation of Authority: Appointed and non-appointed administrative officers of the City are hereby granted the authority to hire, suspend, remove, and terminate subordinates serving under their authority, subject to compliance with the City’s policies, procedures, and legal requirements.

SECTION 2: Oversight and Accountability: Such hiring authority shall be exercised responsibly, with due regard for merit, qualifications, and the City's commitment to nondiscrimination and equal opportunity employment.

SECTION 3: Guidelines and Limitations: The City Council shall establish guidelines and limitations on this delegated authority to ensure it is exercised in the best interests of the City and its citizens.

SECTION 4: Reporting Requirements: Administrative officers shall report their hiring and employment decisions to the City Council at regular intervals for oversight and transparency.

SECTION 5: City Attorney's Authority: In accordance with the City Charter and with the express consent of the City Council, the City Attorney is authorized to revise, edit, and amend all contracts, ordinances, agreements, and documents, ensuring alignment with the City Council's intent and compliance with the City's laws and ordinances. Any amendment, edit, or revision made by the City Attorney shall be immediately incorporated into the document and shall be deemed as part of the original document from its inception.

SECTION 6: Repeal Clause: Any and all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 7: Severability Clause: If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

SECTION 8: Effective Date: This ordinance shall take effect immediately upon its passage and approval.

SO ORDAINED this the ____ day of _____, 2024.

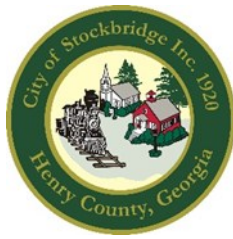
Anthony S. Ford, Mayor

ATTEST:

Vanessa Holiday, City Clerk
City of Stockbridge

APPROVED AS TO FORM:


Quinton G. Washington, City Attorney
City of Stockbridge



City of Stockbridge

AGENDA ITEM

MEETING DATE

FUNDING SOURCE

- ☐ RESOLUTION
- ☐ ORDINANCE
- ☐ CONTRACT APPROVAL/RENEWAL
- ☐ PUBLIC HEARING
- ☐ PRESENTATION
- ☐ BID SELECTION/AWARD
- ☐ TASK ORDER
- ☐ CHANGE ORDER
- ☐ BUDGET AMENDMENT
- ☐ BUDGET TRANSFER
- ☐ PAYMENT APPROVAL
- ☐ OTHER

- ☐ GENERAL FUND
- ☐ FUND BALANCE
- ☐ SPLOST or TSPLOST
- ☐ ARPA
- ☐ GRANT
- ☐ HOTEL/MOTEL TOURISM
- ☐ COUNCIL INITIATIVE
- ☐ PARTNER/SPONSOR
- ☐ DEPARTMENT FUND BALANCE
- ☐ BONDING

ACCOUNT TRANSFER FROM:

ACCOUNT TRANSFER TO:

PRESENTER:

DEPARTMENT:

ITEM/PROJECT/EVENT:

BACKGROUND INFORMATION:

APPROVALS: CITY MANAGER _____

CITY TREASURER _____

CITY ATTORNEY _____

GRANTS ADMIN. _____

☐ FINANCIAL IMPACT ☐ N/A

AMOUNT \$

ATTACHMENTS:

☐

ITEM/PROJECT/EVENT:

BACKGROUND INFORMATION:

STAFF RECOMMENDATION:

Staff Signature_____



TO: Mayor & City Council

FROM: R. Ryan Anderson, Interim Community Development Director; Chief Planner

DATE: January 9, 2024

SUBJECT: Ordinance No. XX – Text amendments to Title 12 for the purposes of reconciling City ordinances with State mandated procedural updates (HB 1405, HB 916, and SB 213) and other revisions.

I. PURPOSE

Staff is presenting Zoning Ordinance redlines to bring the City's zoning procedures into compliance with new regulations promulgated by the State in the 2021-2022 Regular Session of the General Assembly, effective July 1, 2023, as well as additional updates required in the most recent session, revisions to the use table, and the addition of a waiver process.

II. BACKGROUND & DISCUSSION

The power to zone and make land use decisions (rezonings, use permits, variances, etc.) is enumerated by the State to local and County governments, while the minimum standards for exercising those powers are outlined in what is referred to as the Zoning Procedures Law. The Zoning Procedures Law was amended by the state legislature in July 2022 and again in July 2023. Those changes involve minimum requirements for notice and hearing procedures for what are defined as quasi-judicial and zoning decisions. The changes require amendments to local ordinances to be in compliance with state law.

Per the Georgia General Assembly, the revisions to the Zoning Procedures Law, HB 1405, are as follows:

A BILL to be entitled an Act to amend Title 36 of the Official Code of Georgia Annotated, relating to local governments, so as to revise "The Zoning Procedures Law"; to revise provisions related to judicial review of zoning decisions; to revise definitions; to provide requirements for zoning decisions by boards or agencies using delegated powers; to require review procedures for decisions made by boards or agencies using delegated powers; to provide for judicial review of zoning decisions; to require certain designations relating to appeals of quasi-judicial decisions; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 1405 specifically lays out additional public hearing and notice requirements for city-initiated rezonings allowing multi-family residential in single-family residential districts. The new Zoning Procedures Law dictates that decisions are to be adopted at two (2) regular meetings a minimum of twenty-one (21) days apart, two (2) additional public hearings are required prior to the two-read adoption. These public hearings shall be held between three to nine (3-9) months prior to the date of adoption and at least one hearing shall be held outside of regular business hours (between 5 p.m. and 8 p.m.).

Additionally, HB 1405 has updated public notice requirements for quasi-judicial proceedings. Notice is to be posted on each affected 'premises' and if there are more than 500 parcels, posting is only required every 500 feet. Newspaper ads shall be a minimum of 15 days, but no more than 45 days prior to a public hearing and shall include a full description of intent of change. Furthermore, ads shall be 9 column inches, not located in the classified section, and state that a copy of the proposed ordinance is on file and can be provided upon request.

Separately, the Georgia Assembly has revised the appeals process, as follows:

A BILL to be entitled an Act to amend Title 5 of the Official Code of Georgia Annotate, relating to appeal and error, so as to provide for a unified procedure for appealing decisions of a lower judicatory to a superior or state court; to repeal and reserve Chapter 4 of said title, relating to certiorari to superior court; to amend various titles of the Official Code of Georgia Annotated, so as to provide for conforming changes; to correct cross-references and remove obsolete or improper references; to provide for related matters; to provide for an effective date and applicability; to repeal conflicting laws; and for other purposes.

HB 916 lays out a new process for appealing zoning decisions. Rather than requiring a "writ of certiorari," appeals of quasi-judicial decisions can be made as "petition for review."

In response to these state-level updates, staff has updated the Zoning Ordinance for all impacted provisions as introduced at the Council meeting on November 13. On December 21, 2023, the Planning Commission reviewed the text amendments and voted to recommend the changes unanimously.

III. REVIEW AUTHORITY

In accordance with Section 9.2.8(F), "The mayor and city council shall consider the proposed amendment at a public hearing conducted as set forth in Section 6.4.1." The mayor and city council may approve, approve with modifications, or deny the proposed amendment.

STATE OF GEORGIA
HENRY COUNTY
CITY OF STOCKBRIDGE

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE CITY OF STOCKBRIDGE CODE OF ORDINANCES FOR THE PURPOSES OF RECONCILING CITY ORDINANCES WITH STATE MANDATED PROCEDURAL UPDATES (HB 1405, HB 916, and SB 213) AND OTHER POLICY REVISIONS.

WHEREAS, pursuant to its Charter and other laws of the State of Georgia, the City of Stockbridge, Georgia (the “City”), has the power to adopt reasonable ordinances, resolutions and regulations for the protection and preservation of the public health, safety, and welfare of its citizens; and

WHEREAS, the City Council desires to update and amend the Stockbridge Zoning Ordinance, codified at Title 12 (Unified Development Code) of The Code of the City of Stockbridge, Georgia; and

WHEREAS, pursuant to Section 9.2.8 of the Unified Development Code, the Mayor and City Council may amend the Unified Development Code on its own motion; and

WHEREAS, in accordance with state law and pursuant to Section 9.3 of the Unified Development Code, City Council conducted an appropriately noticed public hearing regarding this zoning decision.

THEREFORE, IT IS NOW ORDAINED BY THE CITY COUNCIL OF THE CITY OF STOCKBRIDGE, GEORGIA AS FOLLOWS:

SECTION 1. Amendment of the Unified Development Code. The City Council hereby amends the Unified Development Code of the City of Stockbridge, Georgia as set out in Exhibit A, attached hereto, and incorporated herein by this reference.

SECTION 2. Public Record. This document shall be maintained as a public record by the City Clerk and shall be accessible to the public during all normal business hours of the City of Stockbridge.

SECTION 3. Public Hearing. Pursuant to the requirements of the Zoning Procedures Act and the City Zoning Ordinance, a properly advertised public hearing was held not less than 15 nor more than 45 days from the date of publication of notice, and which public hearing was held on the 9th day of January, 2024.

SECTION 4. Severability. To the extent any portion of this Ordinance is declared to be invalid, unenforceable, or non-binding, that shall not affect the remaining portions of this Ordinance.

SECTION 5. Repeal of Conflicting Provisions. All City Ordinances inconsistent with this Ordinances shall be repealed.

SECTION 6. Effective Date. This Ordinance shall become effective immediately upon its adoption by the City Council of the City of Stockbridge as provided in the City Charter.

SO ORDAINED this ____ day of _____, 2024.

ANTHONY S. FORD, Mayor

ATTEST:

VANESSA HOLIDAY, City Clerk

(SEAL)

APPROVED AS TO FORM:

QUINTON G. WASHINGTON, City Attorney

Title 12 UNIFIED DEVELOPMENT CODE¹

Chapter 1 GENERAL PROVISIONS

...

1.12 Transition rules.

- A. Any application for a building permit or land disturbance permit that has been filed with the community development department, and is full and complete, prior to the effective date of this unified development code, shall be regulated by the terms and conditions of the zoning ordinance that was in place at the time of filing. However, all administrative procedures and penalties shall follow those which are set forth by this unified development code.
- B. Any application for a zoning map amendment (a rezoning) that was filed with the community development department and is full and complete prior to the effective date of this unified development code, shall continue through the process to completion pursuant to the terms and conditions of the zoning ordinance that was in place at the time of filing. However, if the proposed use would no longer be permitted in the proposed zoning district, or if the proposed zoning district no longer exists in this Code, the director shall amend the application such that the request for rezoning would accomplish the same end goal for the applicant.
- C. Any application which is before the mayor and city council or the planning commission (i.e. a rezoning, a zoning modification, a ~~conditional use~~ **special use**, a development standards variance, or a land use amendment) that has been filed with the community development department, and is full and complete prior to the effective date of the ordinance from which this chapter is derived, shall continue the process pursuant to the terms and conditions of the zoning ordinance that was in place at the time of filing, provided that if such application is no longer required by the terms of this Code, the application will be dismissed.

...

2.4 Zoning districts—Uses and development standards.

The following sections present those development standards that must be met in the respective zoning districts that are established in this unified development code.

RR—Rural Residential District

¹Editor's note(s)—Printed herein is the unified development code of the city, Ordinance No. 22-496, as adopted by the city council on March 14, 2022. Amendments to the ordinance are indicated by parenthetical history notes following amended provisions. The absence of a history note indicates that the provision remains unchanged from the original ordinance. Obvious misspellings and punctuation errors have been corrected without notation. For stylistic purposes, headings and catchlines have been made uniform and the same system of capitalization, citation to State statutes, and expression of numbers in text as appears in the municipal code has been used. Additions made for clarity are indicated by brackets.

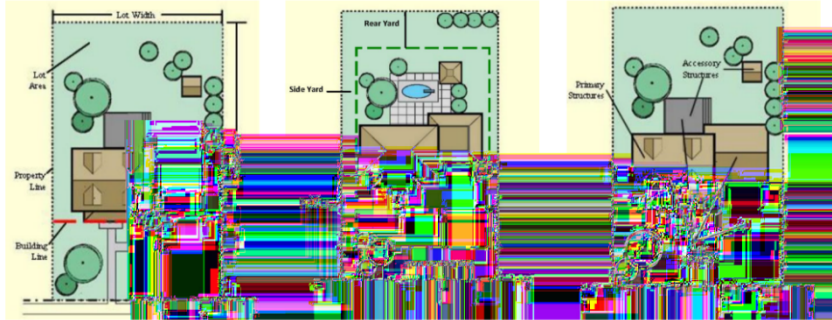
2.4.1 RR—Rural Residential District.

A. District Intent. The intent of the Rural Residential District is to preserve the mixed agricultural and residential character of land which presently serves as a transition between rural land and land which may become urban in character.

B. Permitted Uses and Conditional Uses.

<u>Permitted Uses</u>	<u>Conditional Uses</u>	<u>Conditional Uses Cont.</u>
<u>Residential</u> - Single-family residences - Boarding house/group home/personal care home having 2 or more residents less residents - Manufactured home - Senior adult housing	<u>Residential</u> - Boarding house/group home/personal care home having 3 or more residents <u>Agricultural</u> - Keeping or raising of livestock - Livestock processing and feedlots - Roadside produce stands <u>Public/Institutional</u> - Funeral home, mortuaries, and crematoriums - Animal care facilities (kennels, animal hospitals, veterinary clinics, and stables) provided that all structures, pens, and runs be in the rear yard only, with a minimum setback of 75 feet from all property lines - Private clubs and lodges - Mass assembly centers and grounds (Section 3.2.24)	<u>Public/Institutional</u> - Adult and child day care - Pre-K and private school K-12 <u>Commercial</u> - Golf course or driving range - Commercial greenhouses or plant nurseries - Bed and breakfast facility (not in a subdivision) <u>Accessory Uses</u> <u>Residential</u> - Accessory dwelling unit, such as garage apartment, basement quarters, mother-in-law suite, or other type as determined by the director - Home occupation, excluding family day cares - Short-term rental
<u>Agricultural</u> Riding academies and stables on tracts of not less than 3 acres		
<u>Public/Institutional</u> - Cemeteries - Municipal, county, State or Federal buildings - Public school K-12 - Parks and playgrounds - Athletic fields - Emergency response and public safety facilities		
<u>Communications/Utilities</u> - Wireless Telecommunications - Utility substation - Water tower		

C.B. District Standards.



LOT DIMENSIONS

Minimum Lot Area:

- 1 acre on public water/sewer and/or septic
- 1.25 acres on private well and septic
- 3 acres for agricultural use

Minimum Lot Width:

- 150 feet

Maximum Lot Depth:

- None

Minimum Lot Frontage:

- 100 percent of the lot width

YARD SETBACKS

Minimum Front Yard Setback:

- 75 feet

Minimum Side Yard Setback:

- 20 feet

Minimum Rear Yard Setback:

- 40 feet

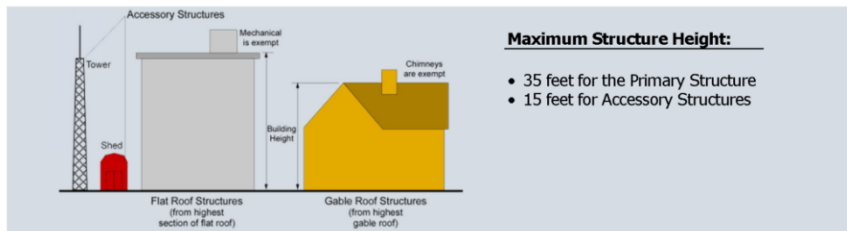
OTHER REQUIREMENTS

Maximum Lot Coverage:

- 30 percent

Minimum Living Area:

- 1,000 square feet on lot having 1.25-acre lot or larger
- 1,200 square feet on lot smaller than 1.25 acres



Maximum Structure Height:

- 35 feet for the Primary Structure
- 15 feet for Accessory Structures

SR—Suburban Residential District

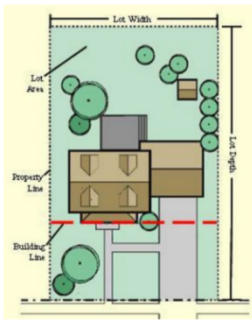
2.4.2 SR—Suburban Residential District.

A. District Intent. The intent of the Suburban Residential District is to provide for single-family dwellings of a low to moderate density character on individual lots.

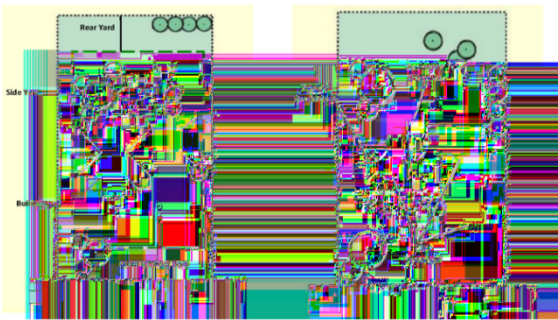
B. Permitted Uses and Conditional Uses.

Permitted Uses	Conditional Uses	Accessory Uses
<u>Residential</u> Single-family residences	<u>Residential</u> - Boarding house/group home/personal-care home having two (2) or fewer residents - Senior housing for ages fifty-five and over (55+), excluding medical services	<u>Residential</u> - Accessory dwelling unit, such as garage apartment, basement quarters, mother-in-law suite, or other type as determined by the director - Home occupation, excluding family day cares
<u>Public/Institutional</u> - Cemeteries - Golf course or driving range - Municipal, county, State or Federal buildings - Public school K-12 - Parks and playgrounds	<u>Public/Institutional</u> - Adult and child day care centers - Mass assembly centers and grounds (Section 3.2.24.)	
<u>Communications/Utilities</u> - Wireless telecommunications - Utility substation - Water tower		

C. District Standards.



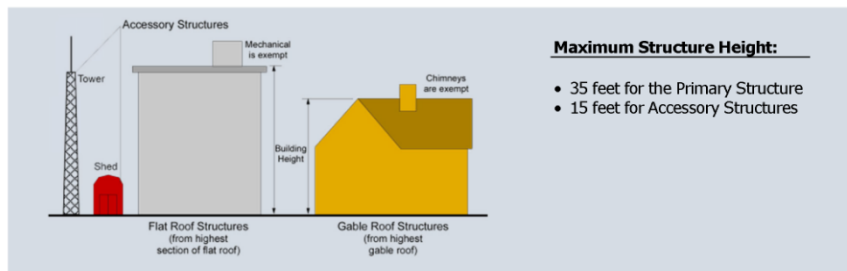
LOT DIMENSIONS



YARD SETBACKS

OTHER REQUIREMENTS

Minimum Lot Area:	Minimum Front Yard Setback:	Maximum Lot Coverage:
• 12,000	• 50 feet	• 30 percent
Minimum Lot Width:	Minimum Side Yard Setback:	Minimum Living Area:
• 75 feet	• 10 feet	• 1,500 square feet
Maximum Lot Depth:	Minimum Rear Yard Setback:	
• None	• 40 feet	
Minimum Lot Frontage:		
• 100 percent of the lot width		



CCR—City Center Residential District

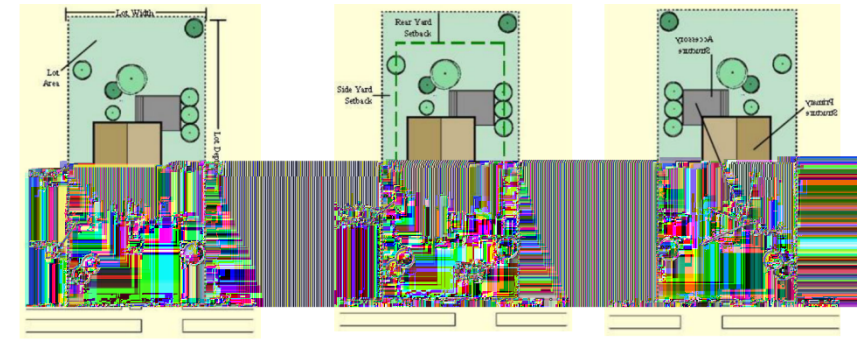
2.4.3 CCR—City Center Residential District.

A. District Intent. The intent of the City Center Residential District is to provide a diversity of residential housing types on smaller lots where public sewer systems are present, when they are a part of a planned development project.

B. ~~Permitted Uses and Conditional Uses.~~

<u>Permitted Uses</u>	<u>Conditional Uses</u>	<u>Accessory Uses</u>
<u>Residential</u> - Single-family residences - Townhomes - Duplex - Triplex - Quadraplex	<u>Residential</u> Boarding house/group home/personal care home having 2 or more residents	<u>Residential</u> - Accessory dwelling unit, such as garage apartment, basement quarters, mother-in-law suite, or other type as determined by the director - Home occupation, excluding family day-cares - Short-term rental
<u>Public/Institutional</u> - Municipal, county, State, or Federal buildings - Public school K-12 - Parks and playgrounds		
<u>Communications/Utilities</u> - Wireless telecommunications - Utility substation - Water tower		

CB. District Standards.



LOT DIMENSIONS

Minimum Lot Area:

- 6,000 square feet

Minimum Lot Width:

- 50 feet

Maximum Lot Depth:

- None

Minimum Lot Frontage:

- 70 percent of the lot width

YARD SETBACKS

Minimum Front Yard Setback:

- 25 feet

Minimum Side Yard Setback:

- 10 feet

Minimum Distance Between Buildings:

- 20 feet

Minimum Rear Yard Setback:

- 30 feet

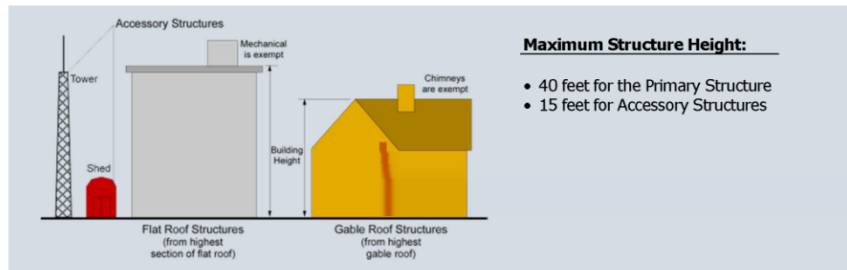
OTHER REQUIREMENTS

Maximum Lot Coverage:

- 50 percent

Minimum Living Area:

- 850 square feet per unit



MFR—Multiple Family Residential District

2.4.4 MFR—Multiple Family Residential District.

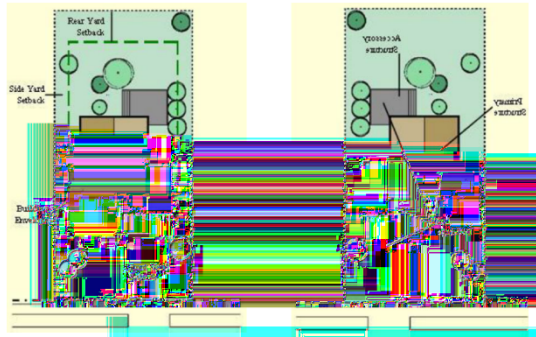
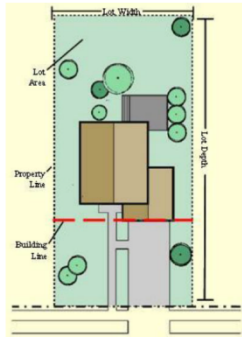
- A. District Intent. The intent of the Multiple Family Residential District is to allow the development of multiple family residences served by public water and sewer systems. The provisions that regulate this land use district provides for the development of residential neighborhoods in a high-density urban development environment with access provided on streets that are classified as collector streets of higher.

The city should promote an average density of fourteen (14) dwelling units per acre or higher.

B. ~~Permitted Uses and Conditional Uses.~~

<u>Permitted Uses</u>	<u>Conditional Uses</u>	<u>Accessory Uses</u>
<u>Residential</u>	<u>Residential</u>	<u>Residential</u>
• Triplex • Quadraplex • Apartments • Townhouses • Condominiums	N/A	• Home occupation, except for home day cares
• Senior housing, excluding a medical component due to State licensing restrictions	<u>Public/Institutional</u>	
	• Adult and child day care centers • Private school K-12 • Nursing homes, assisted living, and hospice care facilities	
<u>Public/Institutional</u>		
• Municipal, county, State or Federal buildings • Public school K-12 • Parks and playgrounds		
<u>Communications/Utilities</u>		
• Wireless telecommunications • Utility substation • Water tower		

- ~~C.B.~~ District Standards.



LOT DIMENSIONS

Minimum Lot Area for Development:

- 2 acres

Minimum Lot Width:

- 100 feet

Maximum Lot Depth:

- None

Minimum Lot Frontage:

- 100 percent of the lot width

YARD SETBACKS

Minimum Front Yard Setback:

- 50 feet

Minimum Side Yard Setback:

- 15 feet

Minimum Distance Between Buildings:

- 20 feet

Minimum Rear Yard Setback:

- 20 feet

OTHER REQUIREMENTS

Maximum Lot Coverage:

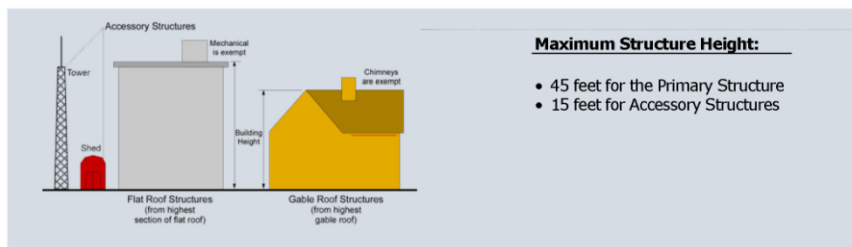
- 50 percent

Minimum Open Space:

- 15 percent

Minimum Living Area:

- Studio—800 square feet
- 1 bedroom—650 square feet
- 2 bedroom—950 square feet
- 3 bedroom—1,150 square feet



Maximum Structure Height:

- 45 feet for the Primary Structure
- 15 feet for Accessory Structures

MHR—Mobile Home Residential District

2.4.5 MHR—Mobile Home Residential District.

A. District Intent. The intent of the Mobile home Residential District is to accommodate mobile home developments as an attractive and attainable housing options. Mobile home parks shall be designed in accordance with O.C.G.A §§ 8-2-160 through 168, the State Board of Health requirements, and the requirements of this Code.

It is intended that such mobile home developments shall be so located, designed, and improved as to provide a desirable residential environment, protection from potentially adverse neighboring influences, and access for vehicular traffic without traversing local streets in adjoining residential neighborhoods. Mobile home developments, including mobile home parks and mobile home subdivisions, shall be located on a thoroughfare having the minimum classification of an arterial roadway.

B. ~~Permitted Uses and Conditional Uses.~~

<u>Permitted Uses</u>	<u>Conditional Uses</u>	<u>Accessory Uses</u>
<u>Residential</u> —• Manufactured home —• Mobile home	<u>Public/Institutional</u> —• Pre-K and day care centers, provided that they are not located inside of a home, but rather in a freestanding building.	<u>Residential</u> —• Home occupation, except for pre-K and day care centers. —• One (1) office/maintenance building incidental to use by residents of a mobile home park. —• Commercial and service establishments intended to serve only persons within the mobile home park when located within mobile home parks and occupying not more than three percent (3%) of the total land area of the mobile home park. —• Recreation areas and structures owned, operated and maintained exclusively for the use of residents and guests of residents of the mobile home park.
<u>Public/Institutional</u> —• Municipal, County, State, or Federal buildings —• Public School K-12		

~~C.B.~~ District Standards.

OI—Office Institutional District

2.4.6 OI—Office Institutional District.

A. District Intent. The intent of the OI district is to allow a land use category for offices, banks, and personal business services which can serve as a transitional area between residential and commercial districts.

B. ~~Permitted Uses and Conditional Uses.~~

<u>Permitted Uses</u>	<u>Permitted Uses Cont.</u>	<u>Conditional Uses</u>
<u>Commercial Uses</u>		
—• Bakeries	—• Library or museum	—• Nursing homes, assisted living, and hospice care facilities
—• Banks and loan associations	—• Restaurants having no drive thru	—• Boarding house/group home/personal care home having 3 or more residents
—• Barber shop and beauty salon, only when located inside of buildings for other uses	—• Health services clinic, urgent care	—• Mass assembly centers and grounds (see Sections 3.2.24 and 3.1—Use Table)
—• Bookstores	—• Home healthcare service, office use only	
—• Cafes inside of buildings for other uses	—• Hospital or medical facility	
—• Child and adult day care centers	—• Kidney dialysis center	
—• Clothing and apparel store, only when located inside of buildings for other uses	—• Medical or dental laboratories	
—• Coin laundry, dry cleaning, and pick up stations, only when located inside of buildings for other uses	—• Physical therapy	
—• Dental offices		
—• Fueling service stations	<u>Public/Institutional</u>	
—• Florist and gift shops	—• Colleges, universities, research and training facilities	
—• Fitness center	—• Municipal, county, State or Federal buildings	
—• Museums and art galleries	—• Public school K-12	
—• Nonprofit fraternal organizations and clubs	—• Private school K-12	
—• Pharmacy or apothecary	—• Parks and recreation centers	
—• Clinics, cafeterias, employee credit unions and recreational facilities for employees only	—• Professional offices	
	—• Vocational schools	
	<u>Communications/Utilities</u>	
	—• Bus station	
	—• Park and ride lots	
	—• Radio tower	
	—• Wireless telecommunications	
	—• Utility substation	
	—• Water tower	

B

C. District Standards.



LOT DIMENSIONS

Minimum Lot Area:

- 20,000 square feet

Minimum Lot Width:

- 100 feet with public water/sewer
- 125 feet with public water and septic

Maximum Lot Depth:

- None

Minimum Lot Frontage:

- 100 percent of the lot width

YARD SETBACKS

Minimum Front Yard Setback:

- 50 feet

Minimum Side Yard Setback:

- 15 feet

Minimum Distance Between Buildings:

- 20 feet

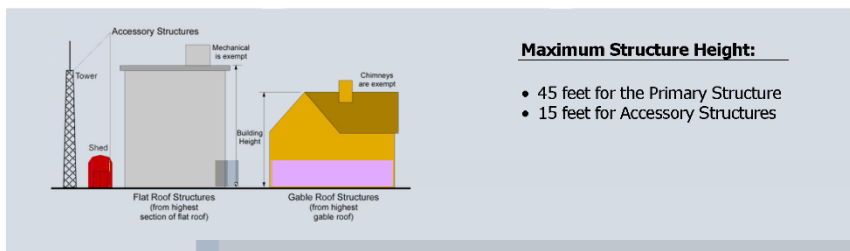
Minimum Rear Yard Setback:

- 20 feet

OTHER REQUIREMENTS

Maximum Lot Coverage:

- 70 percent



Maximum Structure Height:

- 45 feet for the Primary Structure
- 15 feet for Accessory Structures

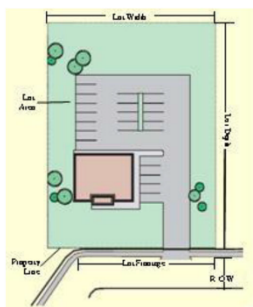
DT—Downtown District

2.4.7 DT—Downtown District.

- A. District Intent. The intent of the DT District is to maintain, enhance, and expand the development patterns and mixed use and open space character of Downtown Mainstreet. It is also to encourage compatible infill and redevelopment opportunities. Development standards within the district are intended to continue historic development patterns and promote a predominant land use activity for retail, dining, entertainment, cultural events, community festivals, and residential options, while still allowing for other uses to locate in the district.
- B. Permitted Uses and ~~Conditional Use~~Special uses.

<u>Permitted Uses</u>	<u>Permitted Uses Cont.</u>	<u>Conditional Uses</u>
<u>Residential</u> — Residential units on upper floors — Live/work units	— Grocery store — Ice cream and confectionary stores — Jewelry store — Music store — Office buildings — Organizations and clubs — Pet supply store (no boarding) — Pharmacy — Recording studios — Professional offices — Restaurants, having no drive-through dining — Restaurants, including outdoor dining	<u>Residential</u> — Duplex — Triplex — Quadraplex
<u>Commercial Uses</u> — Apparel and retail stores — Art galleries — Antique shops — Bakery and cafe — Bank and loan associations — Barber shop and beauty salon, subject to the use restrictions for regulated businesses — Bookstores — Breweries and distilleries, when they are located inside of a restaurant — Clothing and apparel store — Day spa and aesthetician — Drugstore — Florist and gift shops — Food trucks and courts — Fitness center and similar group instruction — Farmer's markets — General merchandise store	<u>Public/Institutional</u> — Commercial parking garages — Municipal, county, State or Federal buildings — Parks, recreation, and open space	<u>Commercial Uses</u> — Bars, taverns, pubs, and clubs — Billiards and arcades — Mass assembly centers and grounds (see Sections 3.2.24 and 3.1—Use Table) <u>Public/Institutional</u> — Event space, subject to the "assembly use" restrictions that were adopted by city council; and subject to the obtaining of a temporary use permit <u>Communications/Utilities</u> — Wireless telecommunications — Utility substation — Water tower — Radio tower — Bus station — Park and ride lot

- C.B. District Standards.



LOT DIMENSIONS

Minimum Lot Area:

- None

Minimum Lot Width:

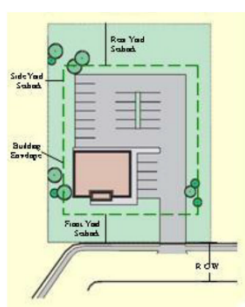
- None

Maximum Lot Depth:

- None

Minimum Lot Frontage:

- None



YARD SETBACKS

Maximum Front Yard Setback:

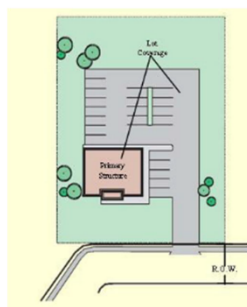
- 20 feet

Minimum Side Yard Setback:

- 0 feet
- 10 feet, with doors and windows

Minimum Rear Yard Setback:

- 10 feet



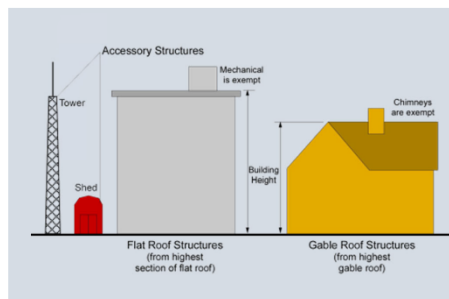
OTHER REQUIREMENTS

Maximum Lot Coverage:

- 90 percent

Minimum Living Area:

- Studio—600 square feet
- 1 bedroom—800 square feet
- 2 bedroom—1,000 square feet
- 3 bedroom—1,100 square feet



Maximum Structure Height:

- 45 feet for the Primary Structure
- 15 feet for Accessory Structures

C1—Neighborhood Commercial District

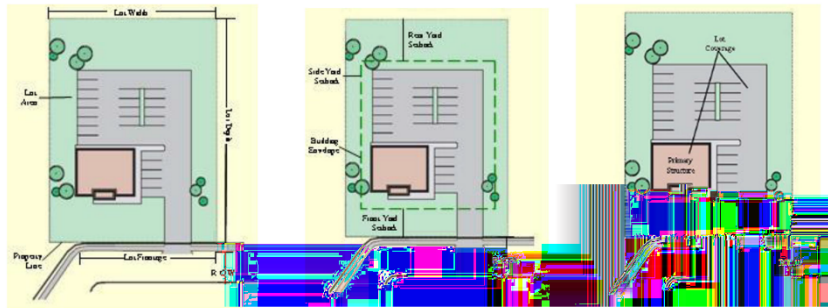
2.4.8 C1—Neighborhood Commercial District.

- A. District Intent. The intent of the C-1 District is to provide locations for limited retail and service uses to satisfy the common and frequent needs of nearby residents of nearby residential neighborhoods. It is the intent of this district to encourage such uses to be a part of a neighborhood convenience shopping center designed as a continuous architectural unit and on roads classified as minor arterial.

B. ~~Permitted Uses and Conditional Uses.~~

<u>Permitted Uses</u>	<u>Permitted Uses Cont.</u>	<u>Permitted Uses Cont.</u>
<u>Commercial Uses</u> • Apparel stores • Artisans' galleries • Antique shops, provided that there is no outdoor display or storage • Bakery, confectionary, and cafe uses • Bank and loan associations • Barber shop and beauty salon • Bookstores • Boarding and rooming houses • Bicycle sales and repair • Catering establishments • Child and adult day care centers • Coin laundry, dry cleaning, and pickup stations • Colleges, universities, and vocational/technical schools • Dental offices and clinics • Consignment and thrift stores, subject to the use restrictions for regulated businesses • Florist and gift shops • Fitness centers • Furniture stores • Hospitals • Hotels	<u>Commercial Uses</u> • Indoor recreation, including bowling alleys, theaters, pool rooms and electronic machines • Jewelry stores • Medical offices, clinics, and physical therapy facility • Museums and art galleries • Music store • Package store • Pet supply store (no boarding) • Pharmacy • Physical therapy • Professional offices • Professional/business schools and colleges or other private schools offered for profit • Restaurants and other dining establishments with or without a drive-through configuration • Sidewalk sales, provided that a temporary use permit is obtained <u>Public/Institutional</u> • Municipal, county, State or Federal buildings • Parks and recreation uses • Public school K-12	<u>Communications/Utilities</u> • Wireless telecommunications • Utility substation • Water tower • Radio tower <u>Conditional Uses</u> <u>Commercial Uses</u> • Cemeteries • Mass assembly centers and grounds (Section 3.2.24)

CB. District Standards.



LOT DIMENSIONS

Minimum Lot Area:

- 10,000 square feet

Minimum Lot Width:

- 60 feet

Maximum Lot Depth:

- None

Minimum Lot Frontage:

- 100 percent of the lot width

YARD SETBACKS

Minimum Front Yard Setback:

- 50 feet

Minimum Side Yard Setback:

- 10 feet
- 30 feet for corner lots

Minimum Distance Between Buildings:

- 20 feet

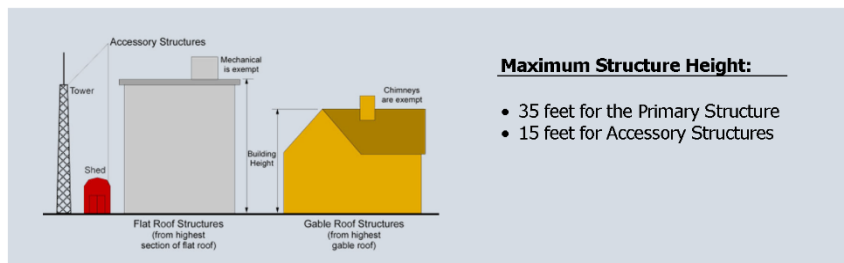
Minimum Rear Yard Setback:

- 20 feet

OTHER REQUIREMENTS

Maximum Lot Coverage:

- 70 percent



Maximum Structure Height:

- 35 feet for the Primary Structure
- 15 feet for Accessory Structures

C2—General Commercial District

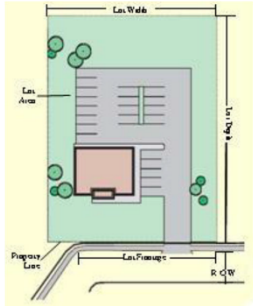
2.4.9 C2—General Commercial District.

- A. District Intent. The intent of the C-2 District is to provide locations for a wide variety of retail and service uses and wholesale establishments to satisfy the common and frequent needs of residents in large sections of the county and of the traveling public. It is the intent of this district to encourage businesses to be part of planned commercial convenience centers, neighborhood or community shopping centers, and/or developed sections along roads with a classification of minor arterial.

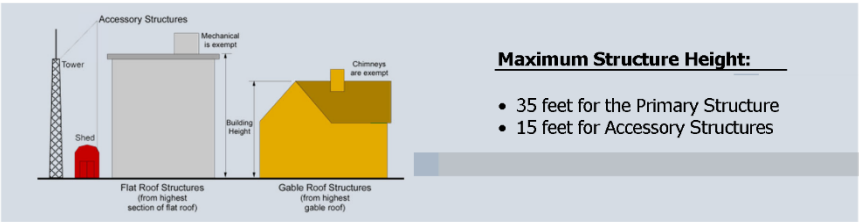
B. Permitted Uses and Conditional Uses.

Permitted Uses	Permitted Uses Cont.	Conditional Uses
<u>Commercial Uses</u>		<u>Commercial Uses</u>
— Any use permitted in the C1 District	— Pet shops	— Automobile gasoline sales
— Ambulance service	— Restaurants, including drive-through establishments	— Building and lumber supply establishments, providing that there is not outside storage of materials or equipment
— Automobile broker (no vehicle storage)	— Retail warehouses/wholesalers providing sales of merchandise with no outdoor storage	— Funeral home, mortuaries, and crematoriums
— Automobile wash/wax centers	— Sporting field and complexes	— Greenhouses and nurseries, including landscape service
— Automobile rental and leasing facilities	— Stationery, office supply, and equipment stores	— Mass assembly centers and grounds (see Sections 3.2.24 and 3.1—Use Table)
— Automobile service repair stations providing minor repair	— Tattoo shops	— Trade shops, including electrical plumbing, heating/cooling, and roofing siding, having no outside storage
— Bowling alley, billiard hall, indoor tennis courts, indoor skating rink, or similar forms of indoor commercial recreation	— Used appliances stores	— Veterinary clinic
— Cigar bars, hookah lounges	— Vape shops	
— Commercial parking garages and lots	<u>Public/Institutional</u>	
— Commuter transit, such as bus and train	— Municipal, county, State or Federal buildings	
— Dancing schools and other group instruction	— Public school K-12	
— Department store	<u>Communications/Utilities</u>	
— Furniture store	— Wireless telecommunications	
— Health services clinic or hospital	— Utility substation	
— Pawn shops and second-hand stores, including apparel, music, movies, gaming, and books	— Water tower	
	— Radio tower	

C.B. District Standards.



<u>LOT DIMENSIONS</u>	<u>YARD SETBACKS</u>	<u>OTHER REQUIREMENTS</u>
Minimum Lot Area: 10,000 square feet	Minimum Front Yard Setback: 50 feet	Maximum Lot Coverage: 70 percent
Minimum Lot Width: 100 feet;	Minimum Side Yard Setback: 10 feet 30 feet for corner lots	
Maximum Lot Depth: None	Minimum Distance Between Buildings: 20 feet	
Minimum Lot Frontage: 100 percent of the lot width	Minimum Rear Yard Setback: 20 feet	



- Maximum Structure Height:**
- 35 feet for the Primary Structure
 - 15 feet for Accessory Structures

C3—Heavy Commercial District

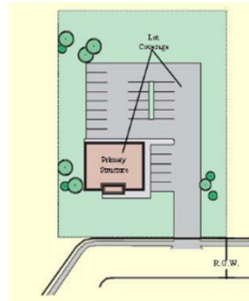
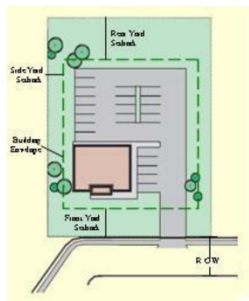
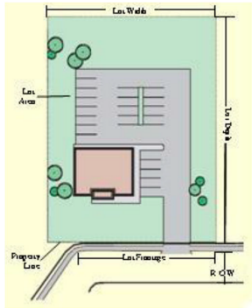
2.4.10 C3—Heavy Commercial District.

- A. District Intent. The intent of the C-3 District is to provide distinct areas for commercial activities which provide products and services that require locations along major arterial roads, highway intersections, and freeway interchange areas, due to their generation of heavy traffic or their need to transport and display heavy bulk materials, and which provide services that would not be appropriately located in areas providing neighborhood or other commercial retail and service activities. Uses in this district shall be located on roads having a minimum classification of major arterial.

B. Permitted Uses and Conditional Uses.

<u>Permitted Uses</u>	<u>Permitted Uses Cont.</u>	<u>Conditional Uses</u>
<u>Commercial Uses</u> - Any use permitted within the C2 District - Automobile brokers - Automobile gasoline sales - Automobile service repair stations providing major repair - Building and lumber supply establishments - Commercial parking garages and lots - Commuter transit, such as bus and train - Computer and data processing services - Department store - Farmers market - Mini-warehouses and storage buildings without outdoor storage - Office uses are permitted only when they are associated with other permitted uses - Retail warehouses/wholesales, including outside storage	- Recreational vehicle/boat sales and service - Trade shops, including electrical plumbing, heating/cooling, and roofing/siding, having no outside storage - Tattoo shops - Used appliance stores <u>Public/Institutional</u> - Municipal, county, State or Federal buildings - Public school K-12 <u>Communications/Utilities</u> - Wireless telecommunications - Utility substation - Water tower - Radio tower	<u>Commercial Uses</u> - Automobile sales (new and used dealerships) - Mass assembly centers and grounds (see Sections 3.2.24 and 3.1—Use Table) <u>Accessory Uses</u> - Gate and security buildings - One (1) dwelling unit may be established for security personnel, management personnel, or the facility owner for a warehouse/self-storage facility

C. District Standards.



LOT DIMENSIONS

Minimum Lot Area:

- 10,000 square feet

Minimum Lot Width:

- 100

Maximum Lot Depth:

- None

Minimum Lot Frontage:

- 100 percent of the lot width

YARD SETBACKS

Minimum Front Yard Setback:

- 70 feet

Minimum Side Yard Setback:

- 10 feet
- 30 feet for corner lots

Minimum Distance Between

Buildings:

- 20 feet

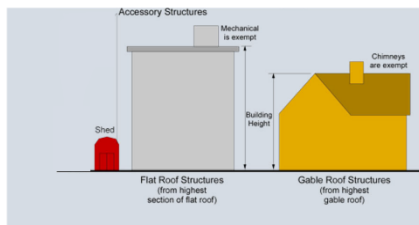
Minimum Rear Yard Setback:

- 30 feet

OTHER REQUIREMENTS

Maximum Lot Coverage:

- 70 percent



Maximum Structure Height:

- 45 feet for the Primary Structure
- 15 feet for Accessory Structures

LI—Light Manufacturing District

2.4.11 LI—Light Manufacturing District.

A. District Intent. The intent of the Light Manufacturing District is to provide for light industrial uses, all of which shall be nuisance-free and not generators of hazardous wastes. It is intended that light manufacturing uses shall be located on either arterial or major collector streets, or within industrial parks having access to such thoroughfares.

B. ~~Permitted Uses and Conditional Uses.~~

<u>Permitted Uses</u>	<u>Permitted Uses Cont.</u>	<u>Permitted Uses Cont.</u>
<u>Industrial and Warehousing</u>	—• Professional offices and administration buildings, when they are associated with another permitted use (excluding office parks)	—• Radio tower
—• Agricultural implementation and equipment establishments	—• Public utilities such as electric substations, storage of materials and trucks, repair facilities, offices and electric generating plants	—• Wireless telecommunications
—• Armory and equipment sales	—• Repair, reconditioning, and manufacturing activities which are nuisance-free and which do not generate hazardous wastes	—• Transit park-and-ride lot
—• Automobile service repair stations providing major repair	—• Research, experimental, or testing laboratories	—• Utility substation
—• Building materials and lumber supply establishments	—• Trade shops, including electrical, plumbing, heating/cooling, and roofing	—• Water tower
—• Business distribution centers	—• Trade/industrial/vocational schools	<u>Conditional Uses</u>
—• Business parks	—• Wholesale business, warehouse, distribution, and similar non processing storage and distribution uses	<u>Commercial Uses</u>
—• Clinics, cafeterias, employee credit unions and recreational facilities for employees only	<u>Public/Institutional</u>	—• Bowling alley, billiard hall, indoor archery and firearm range, indoor tennis courts, indoor skating rink, or similar forms of indoor commercial recreation
—• Commercial parking garages and lots	—• Municipal, county, State or Federal buildings	—• Outdoor amusement parks
—• Computer and data processing services		—• Lodges and event facilities
—• Fabrication shops		<u>Accessory Uses</u>
—• Commercial greenhouses and plant nurseries, including landscaping services		—• Gate and security buildings
—• Manufacturing, compounding, processing or assembling food or consumer goods		—• One (1) dwelling unit may be established for security personnel, management personnel, or the facility owner for a warehouse/self-storage facility
—• Self-storage facilities		—• Outdoor storage
—• Newspaper and printing plants		
—• Nonprofit fraternal organizations and clubs		

~~CB.~~ District Standards.



LOT DIMENSIONS

Minimum Lot Area:

- 30,000 square feet

Minimum Lot Width:

- 100 feet

Maximum Lot Depth:

- None

Minimum Lot Frontage:

- 100 percent of the lot width

YARD SETBACKS

Minimum Front Yard Setback:

- 70 feet

Minimum Side Yard Setback:

- 10 feet
- 30 feet for corner lots

Minimum Distance Between Buildings:

- 20 feet

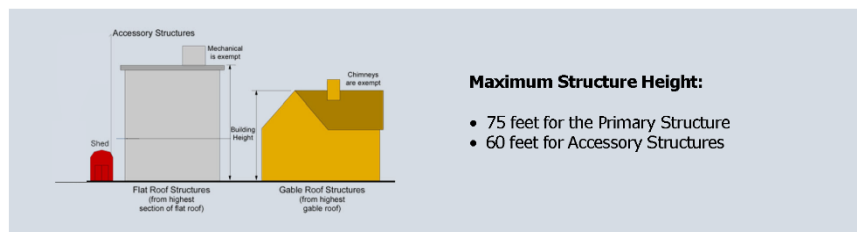
Minimum Rear Yard Setback:

- 20 feet

OTHER REQUIREMENTS

Maximum Lot Coverage:

- 50 percent



HI—Heavy Industrial District

2.4.12 HI—Heavy Industrial District.

A. District Intent. The intent of the Heavy Manufacturing District is to provide for the broadest range of industrial operations permitted in the city. It is the district for the location of those industries which have not reached a technical stage which renders them to be free of all nuisance factors. These uses are to be located on either an arterial or major collector street, or, when they are located within an industrial park, shall have access to such thoroughfares.

B. ~~Permitted Uses and Conditional Uses.~~

<u>Permitted Uses</u>	<u>Permitted Uses Cont.</u>	<u>Conditional Uses Cont.</u>
<u>Industrial and Warehousing</u> - Any use which is permitted in the Light Industrial (LI) District - Agriculture crop processing and storage (of materials produced off-site) - Asphalt manufacturing - Building materials and lumber supply establishments - Blast furnace, steel furnace, blooming, or rolling mill - Brick, tile, and terra-cotta manufacturing - Cement, lime, gypsum, or plaster of paris manufacturing - Chemical storage or manufacturing - Heating and electric power generating plants and all necessary uses - Lumber yard for wholesaling of building	- Recycling centers for collection or processing - Rock, sand or gravel distribution or storage - Sawmills - Salvage and junkyards - Sheet metal products - Smelting of copper, iron, zinc, or ore - Tinsmith/roofing operations <u>Public/Institutional</u> - Municipal, county, State, or Federal buildings <u>Communications/Utilities</u> - Radio tower - Transit park-and-ride lots - Wireless telecommunications - Utility substation - Water tower	- Asphalt and concrete batching plants - Central mixing plants for cement, mortar, plaster or housing materials - Development of natural resources, including the removal of minerals (such as rock quarries) and natural materials, together with necessary buildings and machinery - Sanitary landfills - Truck, trailer, tractor sales and service - Truck trailer storage lots and trailer drop lots - Truck stops - Truck terminals - Towing, wrecking, and impound service <u>Accessory Uses</u> - Gate and security buildings - One (1) dwelling unit for

products

• Machine and machine tool manufacture

• Petroleum or inflammable liquids, production, refining, or storage

• Poultry killing, plucking, and processing

• Railroad spurs and yards

• Railway lines, passenger depots, intermodal facilities, and rail yards

Conditional Uses

Industrial and Warehousing

• Airports, heliports, and landing areas

• Alternative energy

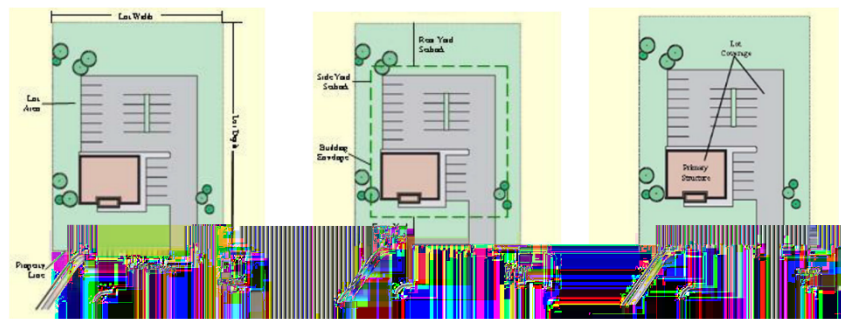
production other than solar systems

• Radio/television

security personnel, management personnel, or the facility owner for a warehouse/self-storage facility

• Outdoor storage

€B. District Standards.



LOT DIMENSIONS

YARD SETBACKS

OTHER REQUIREMENTS

Minimum Lot Area:

- 1 acre

Minimum Front Yard Setback:

- 70 feet

Maximum Lot Coverage:

- 50 percent

Minimum Lot Width:

- 150 feet

Minimum Side Yard Setback:

- 10 feet
- 30 feet for corner lots

Maximum Lot Depth:

- None

Minimum Distance Between

Buildings:

- 20 feet

Minimum Lot Frontage:

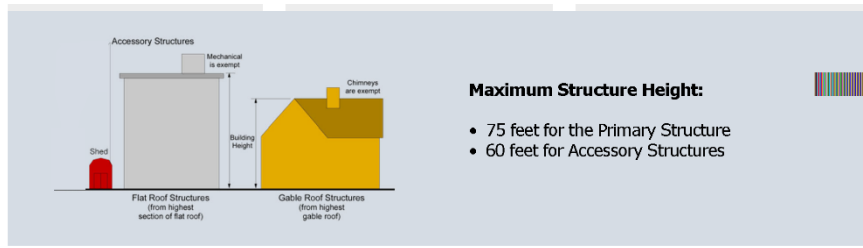
- 100 percent of the lot width

Minimum Rear Yard Setback:

- 40 feet

(Supp. No. 52, 4-23)

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PUD—Planned Unit Development

2.4.13 PUD—Planned Unit Development District.

A. District Intent. The intent of the Planned Unit Development District is to:

1. Allow the development of balanced neighborhoods containing physical, economic, and social assets which are difficult to achieve through the traditional separation of use and density zones;
2. Provide an appropriate district for mixed-use developments; and
3. Allow flexibility in design for environmentally challenged properties.

New developments may contain two (2) or more types of uses. Traditional single-family detached subdivisions are envisioned to be in Suburban Residential Districts instead of PUD Districts, unless an unusual site design is proposed (such as cluster housing) or the physical characteristics of the property necessitate flexibility in the site design. Traditional multifamily developments are similarly envisioned to be in a Multiple Family Residential District rather than in a PUD District.

This is accomplished by allowing the applicant the freedom necessary to protect natural resources, to protect and improve the social and economic environment; and to protect the investment of both the city and the community within the development.

In designing a PUD development, special attention should be focused on the arrangement of buildings and other improvements for the orderly function and aesthetics, the preservation of open space for the use of residents and workers in the development, the variety of housing types and densities necessary to achieve a balanced neighborhood, and the provision of a pedestrian environment separate from the vehicular environment.

B. Permitted Uses and ~~Conditional Use~~Special uses.

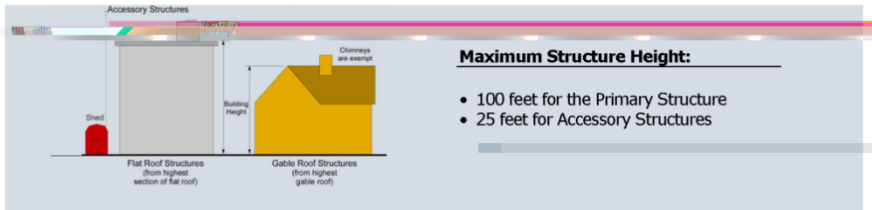
<u>Permitted Uses</u>	<u>Permitted Uses Cont.</u>	<u>Conditional UseSpecial uses</u>
<u>Residential</u> - Single-family residence - Duplex - Triplex - Quadrplex - Apartments - Townhouses - Condominiums - Residential dwellings on upper floors - Nursing homes, assisted living, and hospice care facilities	<u>Public/Office/Institutional</u> - Commercial parking garages and lots - Commuter transit, such as bus and train Municipal, county, State or Federal buildings Parks, recreation, and amphitheaters <u>Communications/Utilities</u> - Wireless telecommunications - Utility substation - Water tower	- Any proposed use subject to the approval by the city council <u>Accessory Uses</u> <u>Residential</u> - Accessory dwellings - Home occupation, except family day care - Short-term rental <u>Prohibited Uses</u> - Automobile service, major repair - Automobile sales and truck sales - Automobile rental and leasing facilities - Pawn shops
<u>Retail and Business Uses</u> Any use permitted in the OI, C-1, and C-2 Districts		

C. District Standards.



<u>LOT DIMENSIONS</u>	<u>YARD SETBACKS</u>	<u>OTHER REQUIREMENTS</u>
<u>Minimum Lot Area for Development:</u> 3 acres	<u>Minimum Front Yard Setback:</u> Determined by approved concept plan	<u>Maximum Lot Coverage:</u> Determined by approved concept plan
<u>Minimum Lot Width for Development:</u> Determined by approved concept plan	<u>Minimum Side Yard Setback:</u> Determined by approved concept plan	<u>Minimum Open Space:</u> 20 percent
	<u>Minimum Distance Between</u>	<u>Maximum Density:</u> Determined by approved

Maximum Lot Depth: Determined by approved concept plan	Buildings: Determined by approved concept plan	concept plan
Minimum Lot Frontage: Determined by approved concept plan	Minimum Rear Yard Setback: Determined by approved concept plan	Minimum Living Area: Determined by approved concept plan



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2.5.3 DTV—Downtown Village Overlay District.

- A. Description of District. The Downtown Village Overlay District mainly consists of the Historic City of Stockbridge, and it is delineated on the adopted zoning map.
- B. Purpose. The purpose and intent of the Downtown Village Overlay District are:
- To recognize and affirm the function of the existing traditional downtown as the central focus of commercial, artisan, and civic activities within the community.
 - To allow the existing downtown to flourish, intensify, and expand wherever it may be appropriate, in a manner that is consistent with its traditional character.
 - To provide a local retail, service, artisan and civic center for the community.
- C. Applicability.
- These regulations of the Downtown Village Overlay District shall take precedence over the regulations of all other districts, including the base zoning districts and any other type of overlay district.
 - The boundaries for the overlay are designated on the overlay district map.
 - The requirements of this district are not intended to apply to existing single-family residences. The requirements for such uses shall be those provided under the appropriate zoning classifications for such uses, except where single-family or multiple family use(s) are/is located in a building containing another nonresidential permitted use in this district.
- D. Permitted Uses. The following are permitted uses in the Downtown Village Overlay District:
- All permitted uses as provided within the Downtown (DT) District.
 - Residential units which are located on upper floors above and/or to the rear of commercial and/or office uses.
- E. ~~Conditional Use~~Special uses. The following are ~~conditional uses~~special uses in the Downtown Village overlay District:

-
1. All ~~conditional uses~~special uses as provided in the Downtown (DT) District.
 2. Bed and breakfast establishments.
 3. Multi-family residential buildings.
 4. Passenger depots and transit shelters.
 5. Single-family residences.
- F. Prohibited Uses. The following uses are prohibited in the Downtown Village Overlay District:
1. Adult entertainment establishments.
 2. Boarding and rooming homes.
 3. Catering establishments.
 4. Child and adult day care centers.
 5. Consignment and thrift stores.
 6. Family day care homes.
 7. Payday loan, title loans, money cash exchanges—ensure each has a definition.
 8. Places of worship.
 9. Public and private schools and related facilities.
 10. Restaurants with drive through facilities and/or windows.
 11. Tobacco and vape shops, cigar bars, hookah lounges.
 12. Tattoo and piercing studios.
- G. Temporary Uses. The following temporary uses are required to seek special event approval from the director of community development within the Downtown Village Overlay District. The director may impose specific calendar dates, times, or relevant conditions to the approval.
1. Carnivals, fairs, and other similar activities of a temporary nature.
 2. Food trucks and similar temporary vendors.
 3. Outdoor recreational and/or educational opportunities.
 4. Sidewalk sales.
- H. Design Standards. All structures, except single-family homes, duplexes, triplexes, and quadraplexes, in this district must meet the minimum structural and architectural design standards that are listed below. These standards apply to new building construction and renovations, remodels, or expansions of existing buildings.
1. Architectural Features and Details. Exterior facades, including eaves, columns, pilasters, cornices, windows and window surrounds, canopies, fascia, and roofs shall be proportionate with the building and compatible with surrounding traditional buildings. The scale of new construction, including the arrangement of windows, doors, and other openings within the building facade, shall be compatible with surrounding traditional buildings.
 2. Permitted Materials. Exterior surfaces, exclusive of windows and doors, of all buildings shall be faced on three (3) sides with one hundred percent (100%) brick, and the front side shall be faced with fifty percent (50%) brick, stone or stucco. The remainder of the front side may include wood, stone, decorative glass, decorative block, architectural concrete, or precast concrete units, provided that surfaces are molded, serrated, or treated with a textured material in order to give the front side a

three-dimensional character. Vinyl, metal, or cement fiber board siding may be used in the eaves, soffits and gables of a building.

3. Colors. The colors that are to be used for exterior surfaces, including roofs, shall be harmonious with surrounding development and shall visually reflect the traditional concept of the Old Downtown. Incompatible colors include metallics, neon, and/or primary colors.
4. Prohibited Materials. No buildings shall be constructed of sheet aluminum, asbestos, iron, steel, corrugated metal, vinyl, plastic or fiberglass siding. Facia materials which rapidly deteriorate or become unsightly such as galvanized metal or unfinished structural clay tile, are not permitted.
5. Outdoor Dining. Restaurant tables and chairs are permitted in the front setback but shall not be positioned so that their use blocks or requires use of more than two (2) feet of the sidewalk. Within two (2) hours of the posted closing time, such tables and chairs must be stored inside the primary or accessory building.
6. Mechanical Equipment and Utilities. All mechanical equipment, such as furnaces, air conditioners, elevators, transformers, and utility equipment, whether they are on roofs or mounted on the ground, shall be completely screened from contiguous properties and adjacent streets to be compatible with the architectural treatment of the principal structure.
7. Accessory Structures. All accessory structures, screen walls, and exposed areas of retaining walls shall be of a similar type, quality, and appearance as the principal structure.
8. Loading and Service Areas. Loading and service areas must be completely screened, except at access points, from the ground level view from contiguous property and adjacent streets.
9. Outdoor Storage. There shall be no outdoor storage of either materials or products.
10. Trash and Recycling. All trash handling, related equipment, and outside areas for holding trash or materials for recycling, shall be completely enclosed and screened and shall be constructed out of materials which are compatible with the architectural treatment of the principal structure.
11. Streetscape. An eight-foot-wide sidewalk shall be located within the front yard that includes a six-foot-wide sodded landscape buffer between the street and the sidewalk. The landscaping of these buffer areas shall consist of at least one (1) tree or more as needed to provide a continuous balanced treescape with no greater than forty-foot spacing between trees. The exact species and location shall be determined by the community development director to ensure that it does not overly obstruct the view of the store front. Additional vegetation requirements may be required in accordance with Section 4.6, Buffer Requirements, and/or Section 4.7, Landscape Requirements. In addition, one (1) metal trash receptacle and/or one (1) metal bench should be added at strategic locations throughout the district, as determined by the community development director.
12. Street Lights. Historic style street lamps, approved by the community development director, shall be installed throughout the district.
13. Roads. Roadways shall be designed utilizing curb and gutter, in accordance with Chapter 16, Infrastructure Improvements.

I. Setback and Height Standards.

1. Setbacks.
 - a. Front Yard Setback. Minimum of fourteen (14) feet from the curb and may be increased to twenty (20) feet if additional space is landscaped as a garden or outdoor seating or dining area. Entries may be recessed up to twenty-five (25) feet.

- b. Side Yard Setback (each side). Zero (0) feet if attached to or abuts an adjacent building. A minimum of ten (10) feet if the side of building is not attached to or does not abut an adjacent building and a maximum of twenty (20) feet.
- c. Rear Yard Setback. Minimum of twenty-five (25) feet. If located within the historic downtown, a minimum of fifty-five (55) feet with at least one (1) row of tree shaded parking.
2. Height Requirement. Maximum building height: Four (4) stories or fifty-five (55) feet with the first finished floor level being level with sidewalk grade. A height variance may be applied for in accordance with Section 10.1.4.

J. Required Parking Facilities.

1. On-street parking, either angled or parallel, may be provided along all public streets, unless otherwise determined by the mayor and city council.
2. Off-street parking shall be required for any permitted use within this district in accordance with the parking requirements for such use. In the case of a mixed-use building, the minimum amount of parking required shall be that of the use that provides the greatest number of spaces. The community development director may reduce the parking requirement by twenty-five percent (25%).
3. Off-street parking facilities shall provide an eight-foot-wide buffer between the facility and streets, islands eight (8) feet in width separating isles of parking, and separations four (4) feet in width every twelve (12) spaces. Said buffers, islands, and separations shall be landscaped with sod, three-gallon drought resistant shrubs (four (4) per parking space) and two and one-half (2½) caliper canopy trees which are approved by the community development director planted of a forty-foot spacing.
4. Off-street parking facilities shall be illuminated with downcast lighting using energy-efficient bulbs.

K. Underground Utilities.

1. Utilities shall be located underground.
2. For all new construction and redevelopment, utilities along public streets must be placed underground. This requirement does not apply to the temporary provision of electricity, including, but not limited to, construction power.
3. Water and sewer utilities shall be located in either street rights-of-way or easements located at the outer edge of street rights-of-way.

Chapter 3 USE REGULATIONS

3.1 Use table, zoning districts and use comparison.

KEY:	P - Permitted Use							"See Section" - Additional Regulations Apply					
	A - Permitted as an Accessory Use							SC - Conditional Use Special use					
Use	RR	SR	CCR	MFR	MHR	OI	DT	C1	C2	C3	LI	HI	See Section
AGRICULTURAL													
Agriculture, Forestry and Animal-Related Uses													

Commercial greenhouses and plant nurseries	CS								P	P	P	P	3.2.9
Keeping or raising of livestock	CS												3.2.21
Livestock processing and feedlots	CS										CS	P	3.2.22
Riding academies or stables	P												3.2.4
Roadside produce stands	CS												3.2.31
RESIDENTIAL													
Accessory dwelling unit (guesthouse, in-law suite, apartment over garage)	A	A	A										3.2.2
Duplex, triplex, quadruplex			P	P			CS						
Home occupation	A	A	A	A	A		A						3.2.18
Live-work unit							P						
Manufactured home					P								
Mobile home					P								3.2.26
Multi-family apartments and condos				P									
Single-family residences	P	P	P										
Townhouse			P	P									
Upper story residential							P						
LODGING													
Bed and breakfast (not in subdivision)	CS												3.26
Hotel/motel								P	P	P			
Short-term vacation rental	A		A										Title 9
SPECIALIZED HOUSING FACILITIES													
Boarding/rooming house	CS			CS		CS		P	P	P			3.2.7

Personal care homes, group homes, and boarding home having 2 or less persons	P	CS	CS	CS										3.2.28
Personal care homes, group homes, and boarding home having 2 or more persons	CS	CS				CS								3.2.29
Nursing homes, assisted living, and hospice care facilities				CS		CS								3.2.17
Senior adult housing	P	P	P	P										3.2.37
Cemeteries	P	P						CS						3.2.7
Funeral homes, mortuaries, and crematoriums	CS								CS					3.2.15
Emergency response and public safety facilities	P	P	P	P	P	P	P	P	P	P	P	P	P	3.2.12
Golf courses and driving ranges	C	P		P										3.2.16
Municipal, county, State, or Federal buildings	P	P	P	P	P	P	P							
Library or museum						SP	P							
Parks and playgrounds	P	P	P	P	P	P	P							
MASS ASSEMBLY CENTERS & GROUNDS														
Amphitheaters									CS	CS	CS	CS	CS	3.2.24
Athletic fields	SP	SP	P	P	P	P	SP	P	P	P	P	SP	SP	3.2.24
Armories									CS	CS	CS	CS	CS	3.2.24
Convention centers							CS		CS	CS	CS	CS	CS	3.2.24
Civic centers							CS		CS	CS	CS	CS	CS	3.2.24
Fairgrounds									CS	CS	CS	CS	CS	3.2.24
Lodges and event facilities	C					P	SP			P	CS	CS	CS	3.2.23

Outdoor amusements (miniature golf, carnivals or midway rides, pony rides, climbing walls, tracks for go-carts and similar vehicles, and other tourist-oriented rides and amusements)							<u>CS</u>		<u>CS</u>	<u>CS</u>	<u>CS</u>	<u>CS</u>	3.2.24
Places of worship	<u>CS</u>	<u>CS</u>				P	<u>S</u>	<u>CP</u>	<u>CP</u>	<u>CP</u>	<u>S</u>	<u>S</u>	3.2.24
Rodeos									<u>CS</u>	<u>CS</u>	<u>CS</u>	<u>CS</u>	3.2.24
EDUCATION													
Colleges, universities, research and training facilities	<u>P</u>					P		P	P	P	P	P	
Public kindergarten, elementary, middle and high schools	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	P		P	P	P			3.2.35
Private kindergarten, elementary, middle and high schools	<u>C</u>					P		P	P	P			3.2.35
Vocational schools						P		P	P	P	<u>SP</u>	<u>SP</u>	3.2.24
AUTO RELATED USES													
Automobile brokerage (no vehicle storage)									P	P			
Automobile service, major repair										P	P	P	Title 9
Automobile service, minor repair									P	P			Title 9
Automobile sales and truck sales										<u>CS</u>			Title 9
Automobile rental and leasing facilities									P	P			
Automobile wash and wax centers									P	P			
Gasoline service centers									<u>CS</u>	P			3.2.14

Recreational vehicle/boat sales and service										P			
Tire shops										P			Title 9
OFFICE													
Building and construction office, landscape contractors (material, equipment, storage)									P	P	P	P	
Temporary trailer, as home sales office or construction trailer										P	P	P	
General business office, including accounting, finance, banking, insurance, legal, medical, real estate, engineering, architecture, construction (without storage), etc.						P	P	P	P	P			
RECREATION AND ENTERTAINMENT													
Clubs and/or lounges	€							P	P	P	<u>SP</u>	<u>SP</u>	3.2.24
Indoor recreation (bowling alleys, movie theatres and other activities conducted wholly indoors)								P	P	P	<u>PS</u>	<u>SP</u>	3.2.24
Private commercial/vocational schools (including martial arts or dance studios, and technical or vocational training)								P	P	P	<u>SP</u>	<u>SP</u>	3.2.24
Theaters with live performance, assembly or concert halls, or similar								P	P	P	<u>PS</u>	<u>SP</u>	3.2.24

entertainment within enclosed building													
RETAIL													
Apparel or accessories store						A	P	P	P	P			
Art gallery						P	P	P	P	P			
Antique shops, provided that there is no outdoor display or storage							P	P	P	P			
Book, greeting card, or stationery store						P	P	P	P	P			
Farmer's market							P	CS	CS	P	P	P	
Florist and gift shops						P	P	P	P	P			
Grocery stores							P	P	P	P			
Hardware store or other building materials store								P	P	P			
Jewelry store							P	P	P	P			
Liquor or package store								P	P	P			Title 9
Music or music equipment store (retail)							P	P	P	P			
Office supplies and equipment store							P	P	P	P			
Pawn shops and second-hand stores, including apparel, music, movies, gaming, and books									P	P			Title 9
Pet supply store (no boarding)							P	P	P	P			
Pharmacy or drug store						P	P	P	P	P			
Radio, television, or consumer electronics store							P	P	P	P			
Small box discount stores									P	P			3.2.36
Tattoo shops									P	P			Title 9

Used appliance shops									P	P			Title 9
Vape shops, hookah sales									P	P			Title 9
RESTAURANT AND FOOD ESTABLISHMENTS													
Accessory cafe or eatery within a building						P	P	P	P	P	P	P	
Brewpub, beer growler, brewery							P	P	P	P			
Bakery, confectionary, and cafe uses							P	P	P	P			
Catering establishments								P	P	P			
Cigar bars, hookah lounges									P	P			
Food trucks							P						
Restaurants (non-drive-thru)						P	P	P	P	P			
Restaurants with a drive-thru configuration								P	P	P			
Specialty food stores (e.g., coffee, ice cream)						P	P	P	P	P			
TRANSPORTATION													
Ambulance, taxi or limousine service, dispatch, and storage											P	P	
Bus or rail stations or terminals for passengers												P	
Airstrips, airports and helicopters [heliports]											P	P	3.2.5
Parking, commercial lot											P	P	
Parking, commercial garage						A	A	A	A	A	P	P	
SERVICES													
Adult and child day care	CS	CS	CS	CS	P	P		P	P	P			3.2.3

Animal care facilities (kennels, animal hospitals, veterinary clinics, and stables)	CS							P	P	P		3.2.4
Banks, credit unions or other similar financial institutions						P	P	P	P			
Barber shop/beauty salon or similar establishments						P	P	P	P			Title 9
Coin laundry, dry cleaning, and pickup stations					A		P	P	P			
Day spa						P	P	P	P			
Nail shops						P	P	P	P			Title 9
Fitness center					A	P	P	P	P			
Personal services establishment						P	P	P	P			
Photographic studios						P	P	P	P			
Plumbing, HV/AC equipment establishments								P	P			
Publishing or printing establishments						P	P	P	P			
HEALTH AND MEDICAL SERVICES												
Dental offices and clinics					P	P	P	P	P			
Health services clinic, urgent care					P		P	P	P			
Home healthcare service, office use only					P		P	P	P			
Hospital or medical facility					P		P	P	P			3.2.19
Kidney dialysis center					P		P	P	P			
Medical or dental laboratories					P			P	P			
Physical therapy					P		P	P	P			
INDUSTRIAL												

Airports, heliports, and landing areas												P	3.2.5
Agricultural implementation and equipment establishments											P	P	
Armory and equipment sales											P	P	
Alternative energy production (other than solar energy systems)												ES	
Agriculture crop processing and storage (of materials produced off-site)												P	
Automobile/truck manufacturing											ES	P	
Asphalt and concrete batching plants												ES	
Asphalt manufacturing												P	
Building materials and lumber supply establishments											P	P	
Business distribution centers											P	P	
Business parks										P	P	P	
Building materials and lumber supply establishments												P	
Blast furnace, steel furnace, blooming, or rolling mill												P	
Brick, tile, and terra-cotta manufacturing												P	
Clinics, cafeterias, employee credit unions and recreational facilities for employees only						P		P	P	P	P	P	

Commercial parking garages and lots										P	P	
Computer and data processing services									P	P	P	
Centers for manufacturing, production, processing or assembly										P	P	3.2.8
Central mixing plants for cement, mortar, plaster or housing materials											CS	
Cement, lime, gypsum, or plaster manufacturing											P	
Chemical storage or manufacturing											P	
Heating and electric power generating plants and all necessary uses											P	
Fabrication shops										P	P	
Greenhouses and nurseries, including landscaping services	CS									P	P	
Industrialized and modular buildings							P	P	P	P	P	3.2.20
Lumber yard for wholesaling of building products											P	
Machine and machine tool manufacture										P	P	
Mines and quarries											P	3.2.25
Development of natural resources, including the removal of minerals (such as rock quarries) and natural materials,											CS	

together with necessary buildings and machinery													
Outdoor storage										P	P	P	3.2.27
Petroleum or inflammable liquids, production, refining, or storage												P	
Poultry killing, plucking, and processing												P	
Railroad spurs and yards												P	
Railway lines, passenger depots, intermodal facilities, and rail yards												P	
Recycling centers for collection or processing												P	
Research, experimental, or testing laboratories											P	P	
Rock, sand or gravel distribution or storage												P	
Sawmills												P	
Sheet metal products												P	
Smelting of copper, iron, zinc, or ore												P	
Tinsmith/roofing operations												P	
Tractor trailer storage and trailer drop lots												CS	
Truck terminals												CS	
Truck, trailer, tractor sales and service												CS	
Trade shops, including electrical, plumbing,											P	P	

heating/cooling, and roofing													
Trade/industrial/vocational schools										P	P		
Truck parking lots, as distinguished from truck terminals and similar uses										P	P		
Sanitary landfill												CS	
Salvage yards or junkyards and wrecker services (with storage area)												P	3.2.32
Self-service storage facilities										P	P	P	3.2.35
Towing, wrecking, and impound service												P	
Truck stops												CS	3.2.40
Warehousing or storage											P	P	
Wholesale business, warehouse, distribution, and similar nonprocessing storage and distribution uses											P	P	
COMMUNICATIONS/UTILITIES													
Radio/television transmission towers over 35 feet high										CS	CS	CS	
Radio tower under 35 feet high										P	P	P	
Transit park-and-ride lots										P	P	P	
Wireless telecommunications	P									P	P	P	
Utility substation	P									P	P	P	
Water tower	P									P	P	P	
SOLAR ENERGY SYSTEMS													
Integrated SES	A	A	A	A	A	A	A	A	A	A	A	A	3.2.37
Rooftop SES	CS	CS	CS	CS	CS	CS	CS	CS	CS	CS	CS	CS	3.2.37

Ground-mounted SES, small scale								CS	CS	CS	P	P	3.2.37
Ground-mounted SES, intermediate scale										CS	P	P	3.2.37
Ground-mounted SES, large scale											CS	CS	3.2.37
ACCESSORY USES													
Accessory structures	A	A	A	A	A	A	A	A	A	A	A	A	3.2.1
Fences and walls	A	A	A	A	A	A	A	A	A	A	A	A	3.2.13
Electric vehicle charging stations	A	A	A	A	A	A	A	A	A	A	A	A	3.2.11
Electrical substations	P	P	P	P	P	P	P	P	P	P	P	P	3.2.10
Gate and security buildings											A	A	
Satellite dish antennas	P	P	P	P	P	P	P	P	P	P	P	P	
Swimming pools and pool enclosures	A	A	A	A	A	A	A	A	A	A	A	A	3.2.38
Temporary structures and uses	P	P	P	P	P	P	P	P	P	P	P	P	3.2.39

(Ord. No. OR23-525 , § 1, 2-13-2023)

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3.2.4 Animal care facilities (kennels, animal hospitals, veterinary clinics, and stables).

- Animal care facilities, with the exception of stables and facilities for livestock, are permitted in the RR zoning district with an approved **conditional-use/special use** permit and are subject to the site design standards for the district. Stables and facilities for livestock are permitted in the RR zoning district and are subject to the site design standards in this section.
- Animal care facilities, with the exception of noncommercial kennels in C2, C3, and LI zoning districts are subject to the site design standards for the district and specific site design standards in this section.
- Design standards for an animal hospital or veterinary clinic in a freestanding building are listed in the table below.

Standards for Freestanding Animal Hospital or Veterinary Clinic

Development Feature	Standard
Animals allowed	Domestic pets, farm animals, and livestock Wild animals are prohibited

(Supp. No. 52, 4-23)

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Minimum setback from any residential zoning district for buildings	50 feet
Minimum setback from any residential zoning district for outdoor runs	75 feet
Building design	Consistent with the design, materials, and color of buildings in the surrounding area
Outdoor runs	Drains connected to an approved sanitary facility; odor control required; pest control required
Buffer requirements	20 feet wide, plus a fence or wall adjacent to any residentially zoned property
Boarding	Soundproofing required

D. Design standards for an animal hospital or veterinary clinic in a shopping center are listed in the table below.

Standards for Animal Hospital or Veterinary Clinic in a Shopping Center

Development Feature	Standard
Animals allowed	Domestic pets only; farm animals, livestock, and wild animals are prohibited
Minimum building setback from any residential zoning district	50 feet
Building design	Soundproofing required; odor-proofing required; pest control required
Outdoor runs	Prohibited
Boarding	Prohibited

E. Design standards for commercial kennels are listed in the table below.

Standards for Commercial Kennels

Development Feature	Standard
Animals allowed	Domestic pets only; farm animals, livestock, and wild animals are prohibited
Minimum land area	Two acres in the RR zoning district; 32,670 square feet on septic tank or 10,000 square feet on public sewer in the C-2 and C-3 zoning districts; one acre on septic tank and 30,000 square feet on public sewer in LI; and one acre in the HI zoning district
Minimum setback from any residential zoning district for any buildings or structures	50 feet
Minimum setback from any residential zoning district for outdoor runs	75 feet
Outdoor runs	Fencing required in addition to any fencing on the perimeter of the site; drains connected to an approved sanitary facility; odor-proofing required; pest control required; hours of operation limited to 7:00 a.m. until 7:00 p.m.

Buffer requirements	20 feet wide, plus a fence or wall adjacent to any residentially zoned property
Boarding	Soundproofing required

F. Design standards for noncommercial kennels are listed in the table below.

Standards for Noncommercial Kennels

Development Feature	Standard
Animals allowed	Up to ten adult domestic pets, only; farm animals, livestock, and wild animals are prohibited
Minimum setback from any residential zoning district for any buildings or structures	50 feet
Minimum setback from any residential zoning district for outdoor runs	50 feet
Outdoor runs	Fencing required in addition to any fencing on the perimeter of the site; drains connected to an approved sanitary facility

G. Design standards for stables, including riding academies, barns, and other facilities for farm animals and livestock are listed in the table below.

Standards for Stables and Facilities for Livestock

Development Feature	Standard
Animals allowed	Farm animals and livestock
Limitations on zoning districts	Allowed only in RR zoning district
Minimum land area	Three acres
Minimum setback from any adjacent residential zoning district for any buildings or structures	50 feet
Minimum setback from any residential zoning district for outdoor tracks and exercise yards	100 feet
Outdoor tracks and exercise yards	Odor control required; pest control required
Fences	The parcel (three or more acres) shall be fenced. The outdoor track and each exercise yard shall be separately fenced.

3.2.5 Airstrips, airports and helicopters [heliports].

A. Airstrips, airports and helicopters [heliports], other than private airstrips and helicopters [heliports] within a residential fly-in neighborhood, are permitted in the M-1 and M-2 zoning districts. Those properties zoned RA (Residential Agricultural) outside of a subdivision, shall be required to obtain a ~~conditional use~~special use permit and meet the following minimum standards:

1. Minimum acreage shall be fifteen (15) acres.

2. An undisturbed vegetative buffer shall be provided along all property lines that abut property with a residential zoning classification, except where prohibited to provide access or utility easements. The purpose of the buffer shall be to screen sight or sound of activities from adjacent and nearby residential neighborhoods. The buffer shall be a minimum of one hundred (100) feet in width. Should the property lack existing vegetation, a detailed landscaped plan shall be submitted and approved by the development plan review department, prior to the submittal of a [conditional-use special use](#) application, and shall conform to the plant material requirements and specifications set forth in this title. Existing vegetation within the buffer area should be preserved and enhanced where insufficient to provide adequate screening, but not in excess of that which is required.
3. The landing strip/runway shall not be paved. The use of permeable or pervious pavement materials shall be allowed.
4. The private airstrips, airports and helicopters [heliports] shall adhere to all applicable laws and regulations of the Georgia Department of Transportation (GDOT) and Federal Aviation Administration (FAA).
5. No commercial activities shall be allowed or permitted with any approved [conditional-use special use](#). The following uses are prohibited: Flight instruction, aircraft storage (other than hangars for use by the property owner), aircraft maintenance (other than by the property owner), aircraft fueling (other than for use by the property owner), and other similar commercial airport activities.
6. Only one (1) airstrip per [conditional-use special use](#) permit shall be allowed.
7. A maximum of two (2) airplane hangars may be allowed even in the absence of a primary structure to any approved [conditional-use special use](#). Any hangars in excess of two (2) shall be required to obtain separate approval from the mayor and city council, by the filing of a separate application.
8. All hangars constructed shall be required to obtain a permit and approval from the director and shall comply with any and all development and building regulations and standards.

3.2.6 Bed and breakfast facility (not in a subdivision).

- A. The regulations below are intended to allow for a more efficient use of large (over three thousand five hundred (3,500) square feet), older homes in residential areas if the neighborhood character is reserved to maintain both the residential neighborhood experience and the bed and breakfast experience. These regulations enable owners to maintain large residential structures in a manner that keeps them primarily in residential uses and provides an alternative form of lodging for visitors who prefer a residential setting. An approved [conditional-use special use](#) permit is required for all bed and breakfast facilities within the RR zoning district.
- B. The dwelling must be a minimum of ten (10) years old before a bed and breakfast facility is allowed. The individual or family operating the facility must occupy the house as their primary residence.
- C. Bed and breakfast facilities may have nonresident employees for such activities as booking rooms and food preparation. Hired services for normal maintenance, repair, and care of the residence such as yard maintenance are also permitted.
- D. The following functions are permitted: Luncheons, banquets, parties, weddings, meetings, charitable fundraising, commercial or advertising activities, or other gatherings for direct or indirect compensation.
- E. The site design standards that are set forth in the table below are required for bed and breakfast facilities (not in a subdivision).

Standards for Bed and Breakfast Facilities

Development Feature	Standard
Maximum number of bedrooms	Six
Maximum floor area which the bed and breakfast use may occupy within the primary structure, in relation to the homeowner's area	50 percent
Outdoor lighting	Exterior lighting shall be downcast of moderate brightness and shall not cause glare on any abutting property
Drop-off and pick-up areas	Designed and located away from residential areas, and separated from parking areas by a landscaped strip

3.2.7 Cemeteries.

- A. A cemetery may include one (1) or more of the following: a burial park for earth interments, a mausoleum for vault or crypt interments, and a columbarium.
- B. A cemetery may include a chapel or place of worship when it is operated in conjunction with, and within the boundaries of, such cemetery.
- C. Site design requirements are listed in the table below.

Standards for Cemeteries

Development Feature	Standard
Minimum land area:	
• Registered cemeteries (per State law)	Ten acres
• With a structure requiring a building permit	Two acres
• Without a structure requiring a building permit	One acre
Minimum setbacks for structures, storage, materials, equipment, or interment lots:	
• Front yard	40 feet
• Side yard	20 feet
• Rear yard	20 feet
• Adjacent to a residentially zoned property	50 feet
• Minimum road frontage	100 feet
Minimum buffer requirements:¹	
• Front property line	None
• Side and rear property lines	Pending
• Adjacent to State bodies of water	75 feet ²
• Access for existing cemeteries	Must be provided and maintained
• Access for new cemeteries	Easements are required

¹ The buffer shall be designed to achieve a minimum height of six (6) feet within three (3) years after installation.

D. Location Requirements.

1. A cemetery shall not be located in a wetland, one-hundred-year floodplain, floodway, or flood hazard area.
2. All new cemeteries shall be located a minimum of one hundred fifty (150) feet from a drinking water well.
3. The cemetery shall be located below the elevation of known drinking water wells.

E. Off-Street Vehicle Queuing. Adequate off-street vehicle queuing space shall be provided for funeral processions so that no vehicle stands in a dedicated right-of-way.

F. Access. Access to new cemeteries shall be provided from a city- or county-maintained roadway or State highway. The entrance and exits to the cemetery shall be from the frontage street only.

G. Mausoleums and Columbaria. Mausoleums and columbaria may be located within the boundaries of approved cemeteries, only. Mausoleums and columbaria shall have brick or stone facades.

H. Review and Approval Procedures.

1. A cemetery shall meet the requirements of this section. Upon approval, a final plat of the cemetery shall be recorded.
2. A drainage plan must be submitted and approved by the director before cemetery approval may be granted.
3. The owner of a cemetery shall notify the Henry County Health Department of the intent to build a cemetery and shall submit a letter from the county health department identifying the location of the cemetery in relation to any known drinking water wells as part of the application process.

3.2.8 Centers for manufacturing, production, processing or assembly.

- A. Purpose. Certain manufacturing, production, processing or assembly uses are permitted in the LI and HI zoning districts, subject to the site design requirements of the zoning district. However, within this broad group of uses certain uses are permitted within LI or HI only where supplemental site design standards are met. This section sets forth those specific site design standards that are required in addition to the site design standards of the zoning district in which the use is proposed.
- B. Supplemental Standards. Supplemental standards for asphalt and concrete batch plants, central mixing plants for cement, mortar and plaster and food processing plants are provided in the table below.

**Standards for Asphalt and Concrete Batch Plants,
Central Mixing Plants and Food Processing**

Development Feature	Standard
Minimum land area	Two acres
Minimum building or structure setback from residentially zoned properties	100 feet
Buffers	40 feet wide
Vibration or electromagnetic interference	Shall not be detected on adjacent properties
Loading docks	Screened from view of adjacent properties and the public right-of-way
Outside storage	Screened from view from adjacent properties and the public right-of-way. Setback a minimum of 200 feet from any residentially zoned property.

Refuse and solid waste containers	Enclosed, except for an access gate, and screened from view from adjacent properties and the public right-of-way
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3.2.9 Commercial greenhouses and plant nurseries.

- A. Greenhouses and plant nurseries are permitted in the C2, C3, LI, and HI zoning districts subject to the site design standards of the district and the supplemental standards set forth in this section.
- B. Greenhouses and plant nurseries in the RR zoning district require a ~~conditional use~~ special use permit and shall only sell plants grown on-site.
- C. Site design standard for greenhouses and plant nurseries are provided in the table below.

Standards for Greenhouses and Plant Nurseries

Development Feature	Standard
Minimum land area	1.25 acres
Outdoor storage and loading areas	Setback from residential properties a minimum of 75 feet. Fully screened, by opaque fence or solid wall, from any view from adjacent properties and the public right-of-way.
Storage of loose materials, such as topsoil, compost, mulch, gravel, and similar materials	Fully enclosed by a solid fence or solid wall. Stockpiles of loose materials shall be limited in height to the height of the fence or wall.
Buffer	25 feet wide

3.2.10 Electrical substations.

- A. Electrical substations are permitted in any zoning district, subject to the dimensional standards for the district and the supplemental standards set forth in this section.
- B. An electrical substation shall be fully enclosed, on all sides with a solid fence except for a gate, or with a landscaped buffer that meets the standards listed in the table below.

Standards for Electrical Substations

Development Feature	Standard
Buffer requirement	Standard
• Width	25 feet
• Number of trees	One tree for each 25 linear feet of buffer
• Number of shrubs	One large screening shrub for each eight linear feet, plus continuous hedge consisting of double staggered rows of shrubs
• Plant materials	Selected from list in Landscape plant materials standards [pending]

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3.2.14 Gasoline service stations.

- A. Gasoline service stations are permitted in the C-3 district and are a ~~conditional use~~ special use in the C-2 district, subject to the site design standards for the district, and the specific site design standards in this section.
- B. Gasoline service stations may include the following activities: sale of fuel, oil, lubricants, and similar products; minor repair; sale of small automotive accessories; sale of food and sundries; convenience store; restaurant drive-up windows; inspection stations for emissions; or car washes. Gasoline service stations shall not include game rooms, game arcades, major repair shops, body shops, paint shops, or paint booths.
- C. Gasoline service stations shall maintain a separation distance of four thousand five hundred (4,500) feet. This distance requirements shall be measured from property line to property line of another gasoline service station.
- D. Design standards for gasoline service stations are shown in the table below.

Standards for Gasoline Service Stations

Development Feature	Standard
Minimum setbacks:	
Principal building and/or gas pumps and canopy, where side and rear lot lines are abutting residentially zoned property	40 feet
Principal building, side and rear lot lines, all other zoning districts	25 feet
Access requirements for corner lots	Access drives shall be a minimum of 20 feet from the intersection of street right-of-way lines
Buffer, adjacent to residentially zoned property	Includes a solid wall or solid fence not less than six (6) feet in height in addition to the standards set forth in this title.

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3.2.17 Nursing homes, assisted living, and hospice care facilities.

- A. Persons seeking to operate such a facility must file a permit application with the city along with any fees established by the city council.
- B. Each permit application shall include an affidavit that the applicant either has applied for or will immediately apply for the corresponding permit or authorization for the operation of the facility from the State of Georgia Department of Community Health in accordance with its rules and regulations and the affidavit shall also certify that the proposed facility will meet and be operated in conformance with all applicable State and Federal laws and regulations and with all codes and regulations of the city.
- C. All application forms and information submitted to the State of Georgia Department of Community Health shall be submitted with the city permit application.
- D. The director of community development may require clarification or additional information from the applicant that is deemed necessary to determine whether operation will meet applicable laws, regulations and development standards.

- E. If the director of community development determines that an application to operate the facility is in compliance with the applicable requirements, the director of community development shall approve the application for a permit, but the permit for operation shall not be issued until the applicant has obtained the corresponding permit or authorization for operation of the facility from the State of Georgia Department of Community Health.
- F. No permit for the operation of the facility shall be transferable.
- G. No facility shall be operated without both a valid permit from the city and a valid license from the State of Georgia Department of Community Health.
- H. No such facility shall be located within one thousand (1,000) feet of any other such facility, said distance to be measured in a straight line from the closest property lines upon which each facility is located.
- I. All such facilities must provide at least eighty (80) square feet of personal living space per resident or that amount required by the State of Georgia for the licensing of such facilities, whichever is greater.
- J. No signs shall be permitted other than those permitted by the regulations of the zoning district within which such facility is located.
- K. Parking Requirement; One (1) for each three (3) dwelling units.
- L. The site design standards presented in the table below are required for nursing homes, assisted living and hospice care facilities.

Standards for Nursing Homes, Assisted Living Facilities, and Hospice Care Facilities

Development Feature	Standard
Minimum site area	One acre (not in a subdivision)
Minimum setbacks, side, and rear yards	50 feet
Place of operation	Freestanding structure, or within a religious facility if a conditional <u>special use</u> permit has been obtained
Number of children or adults	Two or more to be operational
Hours of operation	Required to be open for 24 hours (with 24-hour supervision required for all residents)
Parking	One standard off-street parking space per one bedroom shall be provided

3.2.18 Home occupations.

- A. A home occupation as defined by this section is permitted subject to the following requirements:
 - 1. Only the residents of the dwelling may be engaged in the home occupation.
 - 2. The home occupation shall be clearly incidental to the residential use of the dwelling and shall not change the residential character of the building.
 - 3. No display of products shall be visible from the street except agricultural products that are grown on the premises in an RR (Rural Residential) zoning district. Only products that are produced on the premises may be sold on the premises.
 - 4. No signs shall be allowed for identifying the premises as a home occupation, except in the RR district. Such signs may only advertise the items that are produced on the property.
 - 5. Use of a dwelling for a home occupation shall not exceed twenty-five percent (25%) of one (1) floor.

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6. No interior or exterior alterations that are inconsistent with the residential use of the building shall be permitted.
 7. The home occupation shall not constitute a nuisance to the community.
 8. No outside storage of materials to be used in connection with a home occupation is permitted, except in an RR district. To the extent that large or hazardous materials are used by a home occupation, the applicant shall be required to store such materials at a site other than the home occupation, consistent with applicable zoning and land use laws.
 9. No accessory buildings shall be used in connection with the home occupation, except in an RR district, unless it is approved as a ~~conditional use~~ special use and then in a residential district only. The use of an accessory building shall comply with the following conditions:
 - a. The accessory building shall maintain a residential appearance.
 - b. No business activities involving in-person contacts with customers shall be conducted between the hours of 7:30 p.m. and 7:30 a.m.
 - c. No automotive painting, body work, salvage, major automotive, or heavy equipment repairs are to be conducted.
 - d. No machinery or equipment shall be used which generates noise that is detectable outside the accessory structure.
 10. Applicants shall not be allowed to have customers visit the home occupation, except as follows:
 - a. The conduct of a home occupation involving rendering of services, such as those listed below, will be allowed subject to the following limitation(s):
 - i. Instruction in music and similar subjects shall be limited to two (2) students at a time, subject to the restrictions for certain types of businesses.
 - ii. Beauty shops, barber shops, manicurists and similar occupations shall be limited to (2) customers at a time.
 - b. Any service provider conducting a home occupation under this section shall not be allowed to market and sell goods or products on the premises of the home occupation.
 - c. Nothing in this section shall preclude the owner of a home occupation from meeting customers at a site other than the home occupation, consistent with applicable zoning and land use laws.
 11. Only passenger vehicles, pickup trucks, vans, and trailers that are pulled by such vehicles may be used in connection with the management of a home occupation. Trailers shall be stored in a garage or accessory structure when they are not in use, and no vehicle or trailer shall feature commercial advertising or marks identifying a commercial use of said vehicle.
 12. Beauty shops, barber shops, manicurists, and similar services that are conducted as home occupations are subject to the requirements for restricted businesses. They shall be limited to two (2) chairs (stations) and one (1) shampoo chair (station).
 13. No more than two (2) non-transient guests may be boarded at any one (1) time as a home occupation.
 14. The following and similar uses shall be considered to be home occupations, provided that they follow the minimum standards described in this section: Attorney, addressing service, art instruction, beauty and barber shop, dentist, doctor, drafting and surveying, dressmaking, insurance agent, manufacturers' representative, music teacher, notary public, photographer, real estate agent, tax services, and consultant.

15. All home occupations shall obtain an occupational tax certificate, or business license, from the city. The city clerk is hereby authorized to accept applications and either grant the same if an applicant demonstrates compliance with the requirements of this section or refer the matter to the mayor and city council for action.
 16. Agricultural activities that are associated with the raising of crops and farm animals on properties which are over three (3) acres in size shall not be subject to the requirements for home occupations.
 17. The city reserves the right to establish sanitation rates for home occupations that are higher than those for residential customers generally. All home occupations shall pay for sanitation services at the higher rate, and in a timely manner, or face the revocation of a previously-issued occupational tax certificate, denial of the rights to engage in a home occupation in the future, or any other civil penalties that are authorized by law.
- B. Family Day Care Centers Prohibited. Family day care centers, as are defined in this unified development code, shall hereafter be strictly prohibited within the City of Stockbridge.

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3.2.21 Keeping or raising of livestock.

The keeping or raising of all farm animals or fowl and use of private stables shall be limited to property located within the RR zoning district with a ~~conditional-use~~**special use** permit and must have a minimum lot area of three (3) acres. The keeping or raising of animals or fowl shall be subject to all regulations of the Henry County Health Department and the Henry County Animal Control Ordinance.

3.2.22 Livestock processing and feedlots.

Livestock processing and feedlots shall meet applicable State and Federal standards for confinement feeding operations. A buffer one hundred (100) feet in width is required on all side and rear property lines.

3.2.23 Lodges and event facilities.

- A. Lodges and event facilities are permitted in the OI and C3 (standalone building only), DT, and PUD zoning districts, subject to the site design standards for that district, as well as the restrictions pertaining to assembly uses. Lodges and event facilities are permitted with an approved ~~conditional-use~~**special use** permit within the LI and HI zoning districts, subject to the standards of the zoning district. An approved ~~conditional-use~~**special use** is also required within the RR zoning district, subject to the supplemental standards set forth in this section.
- B. Functions, including luncheons, banquets, parties, weddings, meetings, charitable fundraising, commercial or advertising activities, or other gatherings for direct or indirect compensation are permitted.
- C. The site design standards that are set forth below.

Standards for Lodges and Event Facilities

Development Feature	Standard
Minimum site area	Two acres
Minimum lot width	200 feet
Outdoor lighting	Exterior lighting shall be downcast of moderate brightness and shall not cause glare on any abutting property
Drop-off and pick-up areas	Designed and located away from residential areas Separated from parking areas

(Supp. No. 52, 4-23)

3.2.24 Mass assembly centers and grounds (fairgrounds, outdoor amusements, amphitheaters, convention centers, civic centers, rodeos, armories, places of worship, and athletic fields).

- A. As used in this zoning ordinance of the City of Stockbridge, Georgia, a place of assembly is a structure, portion of a structure, or area (either indoor or outdoor), designed primarily for people to gather to observe or participate in a single event or series of events. Places of assembly primarily consist of:
1. Places of ~~religious~~ worship;
 2. Conference centers;
 3. Funeral homes;
 4. Auditoriums;
 5. Stadiums and coliseums;
 6. Movie theaters;
 7. Concert halls;
 8. Dance halls;
 9. Movie, television and radio studios admitting an audience;
 10. Private commercial/vocational schools (including martial arts or dance studios, and technical or vocational training); and
 11. Clubs and/or lodges.
- B. The following uses are not considered places of assembly for purposes of the UDC of the City of Stockbridge, Georgia:
1. Public libraries;
 2. Hospitals, clinics and/or medical offices;
 3. Nursing homes;
 4. Flea markets;
 5. Transit stations;
 6. Restaurants;
 7. Recreational facilities without spectator seating.
- ~~C. Subject to all conditions of the underlying zoning district and the conditions below, the following specific type(s) of place of assembly are permitted by right in the commercial and industrial zoning districts of the city:~~
- ~~1. Places of religious worship;~~
 - ~~2. Movie theaters;~~
 - ~~3. Concert halls;~~
 - ~~4. Private commercial/vocational schools (including martial arts or dance studios, and technical or vocational training); and~~

5. ~~Clubs and/or lodges.~~

D. ~~Subject to subsection B, above and all conditions of any underlying zoning district places of assembly shall be conditional uses in all other zoning districts.~~

E. ~~In the event that any place of assembly is designed to serve more than fifty (50) persons at any given time (whether or not the place of assembly is actually occupied by more than fifty (50) persons), the parcel shall:~~

1. ~~Be located on a lot fronting a major thoroughfare; and~~
2. ~~Be located on a tract of land not less than two (2) acres in area and having a street frontage of not less than two hundred (200) feet. In the case of parcels of land containing multiple tenants, the total land area shall be prorated among the tenant spaces based on square footage of each tenant space. In such cases, the prorated area for the place of assembly shall be not less than two (2) acres in area.~~

FE. ~~Nothing in this section shall be deemed to amend or otherwise alter any life safety code or any other provision of this Code unless expressly provided for herein.~~

GE. ~~Fairgrounds, outdoor amusements, amphitheaters, civic centers, convention centers, rodeos, and armories may be approved as a conditional use in RR, C-2, C-3, LI, and HI districts. Such facilities shall also meet the requirements of the applicable zoning district; of any applicable overlay district; of the assembly use regulations; and the additional site design standards that are set forth in this section are also considered mass assembly centers.~~

HG. ~~Fairgrounds, outdoor amusements, and amphitheaters at which activities occur primarily outdoors shall also meet the site design standards of the table below.~~

Standards for Fairgrounds, Outdoor Amusements, and Amphitheaters

Development Feature	Standard
Minimum site area, including structures and associated parking	Two acres
Minimum setbacks for buildings:	
• Abutting residential zoning districts	200 feet
• Abutting nonresidential zoning districts	100 feet
Minimum setback for outdoor stage or performance area:	
• Abutting residential zoning districts	600 feet
• Abutting nonresidential zoning districts	200 feet
Minimum setback for parking lots and access drives, when abutting residential zoning districts:	200 feet
Parking lot design	Aisles may be paved; spaces may be paved, grass, dirt, or gravel
Minimum buffer	50 feet wide buffer specified in this title, plus a wall with noise abatement features
Lighting	Exterior lighting shall be downcast of moderate brightness and shall not cause glare on any abutting property
Loudspeakers or paging systems	Designed, installed, and used such that they are in accordance with the city noise ordinance

Outside storage and loading areas	Screened from view from adjacent properties and from the public right-of-way Setback a minimum of 200 feet from any residentially zoned property
Refuse and solid waste containers	Screened from view from adjacent properties and from the public right-of-way Setback a minimum of 100 feet from all property lines
Sanitation facilities, temporary or permanent	Screened from view from adjacent properties and from the public right-of-way Setback a minimum of 200 feet from all property lines
Vibration or electromagnetic interference	Shall not be detectable on adjacent properties

H. Outdoor amusements include such activities as miniature golf, carnivals or midway rides, pony rides, climbing walls, tracks for go-carts and similar vehicles, and other tourist-oriented rides and amusements. Temporary activities or special events that include outdoor amusements are also regulated in subsection 3.2.39.

1. Outdoor amusements may be freestanding, or two (2) or more amusements may be combined on a unified development site.
2. Outdoor amusements may include accessory uses, such as snack shops or food stands, gift shops, ice cream stands, or similar uses, provided that such uses are not open to the public without entrance to the outdoor amusement.
3. Site design standards for outdoor amusements are shown in the table below.

Standards for Outdoor Amusements

Development Feature	Standard
Minimum land area	Two acres
Minimum setback for buildings:	
• Abutting residential zoning districts	200 feet
• Abutting nonresidential zoning districts	100 feet
Minimum setback for parking lots and access drives, when abutting residential zoning districts	100 feet
Minimum buffer	35 feet wide buffer, plus a fence or wall
Lighting	Exterior lighting shall be downcast of moderate brightness and shall not cause glare on any abutting property
Loudspeakers or paging systems	Designed, installed, and used such that they are in accordance with the city noise ordinance
Outside storage and loading areas	Screened from view from adjacent properties and from the public right-of-way Setback a minimum of 200 feet from any residentially zoned property
Refuse and solid waste containers	Screened from view from adjacent properties and from the public right-of-way Setback a minimum of 100 feet from all property lines

Sanitation facilities, temporary or permanent	Screened from view from adjacent properties and from the public right-of-way Setback a minimum of 100 feet from all property lines
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- J. Convention centers, civic centers, centers for performing arts and armories (where activities occur primarily indoors) shall meet the site design standards in the table below.

Standards for Convention, Civic, and Performing Arts Centers and Armories

Development Feature	Standard
Minimum land area	5 acres
Minimum setback for buildings:	
• Abutting residential zoning districts	100 feet
• Abutting nonresidential zoning districts	50 feet
Minimum setback for parking lots and access drives, when abutting residential zoning districts	100 feet
Access management traffic flow	Designed to avoid residential and local streets
Minimum buffer	25-foot-wide buffer
Lighting	Exterior lighting shall be downcast of moderate brightness and shall not cause glare on any abutting property
Loudspeakers or paging systems	Designed, installed, and used such that they are in accordance with the city noise ordinance
Outside storage and loading areas	Fully screened from view from adjacent properties and the public right-of-way Setback a minimum of 100 feet from residentially zoned property
Vibration or electromagnetic interference	Shall not be detectable on adjacent properties

- KJ. Places of Worship and Similar Religious Facilities: ~~shall meet the Religious facilities, together with specified accessory uses and structures, are permitted in the OI zoning districts subject to the standards of the zoning district. Religious facilities, together with specified accessory uses and structures, may be permitted as a conditional use in the RR, SR, C-1 and C-3 zoning districts, subject to the standards of the district and the supplemental standards that are set forth in this section. These facilities are not permitted in strip mall buildings or similarly constructed properties. S~~ site design standards for places of worship and similar religious facilities are provided in the table below.

Standards for Places of Worship and Similar Religious Facilities

Development Feature	Standard
Minimum site area, including structures and associated parking	Two acres
Road frontage	200 feet
Buffers (sides and rear)	20 feet
Building materials	Brick, stone, stucco, glass, cement fiberboard or masonry materials compatible in the surrounding area
Building setbacks	50 feet from all property lines

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1. Uses and activities other than worship shall be considered accessory uses and shall be clearly ancillary to the primary use. Such uses and activities shall be limited to the following:
 - a. Religious instruction or similar instruction or study which is typically associated with the religion;
 - b. Offices to support the establishment;
 - c. Child or adult day care center (not on residentially-zoned property);
 - d. Private academic school;
 - e. Fellowship hall, with or without a kitchen (which may also be known as a community center, activity hall, or life center);
 - f. Recreation facilities, including athletic fields;
 - g. Individual meeting spaces; and
 - h. Parsonage.
 2. All accessory uses are subject to the following requirements:
 - a. The facility housing the accessory use shall meet all local, State, or Federal standards.
 - b. The operator of the accessory use shall obtain any licenses that are required to conduct the accessory use. Any approval of the accessory use shall be contingent upon the receipt of all licenses.
 - c. Loudspeaker or paging systems shall be located to ensure that they cannot be heard at the property line of adjacent properties.
 - d. All outdoor activities shall occur no earlier than 7:00 a.m. and no later than 10:00 p.m.
 - e. Exterior lighting shall be downcast of moderate brightness and shall not cause glare on any abutting property.
 - f. Outdoor play or activity areas shall be no closer than fifty (50) feet from any residential property line.
 3. Child day care centers, adult day care centers, preschools, or child nursery uses are allowable accessory uses, subject to the following standards:
 - a. The total floor area that is allocated to the child day care center, adult day care center, preschool, or nursery uses shall not exceed fifty percent (50%) of the total floor area on the site. The calculation of total floor area that is allocated to the uses shall be cumulative and shall include all child day care, adult day care, preschool, and nursery facilities, as well as related mechanical and support facilities.
 - b. An off-street drop-off area for persons who are served by the facility shall be provided. The entrance and vehicle drop-off points shall not be located on a street providing primary access to residences, unless such street is classified as a collector or arterial.
 4. Private academic schools are allowable accessory uses subject to the following standards:
 - a. The total floor area that is allocated to the school shall not exceed fifty percent (50%) of the total floor area on the site. The calculation of the total floor area that is allocated to the school shall include all classrooms, school library, school offices, teacher work areas, and the like, including related mechanical and support facilities.

- b. Notwithstanding provision number 5. below, the total floor area that is allocated to the school may exceed twenty percent (20%) of the total floor area on the site, provided that the area that is allocated to the school meets the requirements of subsection 3.2.33.
 - c. The entrance and vehicle drop-off points for students shall not be located on a street providing primary access to residences, unless such street is classified as a collector or arterial.
5. A fellowship hall is an allowable accessory use, provided that the total floor area which is allocated to the fellowship hall, including related mechanical and support facilities, shall not exceed thirty-five percent (35%) of the total floor area on the site.
6. One (1) dwelling unit to serve as a parsonage may be established, subject to the following standards:
 - a. The lot area within the parcel that is developed for religious uses and facilities to be devoted to the dwelling unit ("parsonage lot") shall have a minimum area of eight thousand (8,000) square feet. The parsonage lot shall be used exclusively for the dwelling unit, and it shall not include any primary or other accessory use that is allowable on the site. The parsonage lot shall not be used for any support activity to the primary or accessory uses, such as outdoor play areas, storage, or parking, other than as specifically provided for herein.
 - b. The maximum lot coverage for the parsonage lot shall be thirty-five percent (35%).
 - c. Two (2) parking spaces shall be provided within the parsonage lot.
 - d. The maximum building height on the parsonage lot shall be thirty-five (35) feet.
 - e. The parsonage lot may contain children's outdoor play equipment in a size and quantity that is typical of residential uses.
 - f. The parsonage lot may contain a residential swimming pool, which is fully enclosed, and attached to the dwelling.
7. A specific parking plan shall be provided. This plan shall identify the principal use and each accessory use that is proposed on the site. The parking plan shall indicate the hours of operation and the peak times of use (parking demand) for the primary use, as well as for and each accessory use on the site. The parking standards for the principal use and each accessory use shall be identified based upon unified development code requirements that are set forth in Section 4.7, Parking Requirements. The parking plan may propose reduced or shared parking, as set forth in subsection 4.7.8. The parking plan shall indicate areas that are designated for overflow parking during times of extraordinary use (such as festival or holiday periods).
8. For religious facilities that exceed ten thousand (10,000) square feet in total floor area, excluding the parsonage, if any, the minimum setback from any property line that is otherwise required shall increase five (5) feet for each two thousand (2,000) square feet, or portion thereof, over ten thousand (10,000) square feet.

LK. Athletic fields may be located in any zoning district, and they shall meet the site design standards in the table below.

Standards for Athletic Fields

Development Feature	Standard
Minimum site area, including structures and associated parking	One acre <u>Two acres</u>
Road frontage	100 feet
Buffers (sides and rear)	20 feet

Building materials	Brick, stone, stucco, glass, cement fiberboard or masonry materials compatible with structures in the surrounding area
Building setbacks	50 feet from all property lines
Lighting	Exterior lighting shall be downcast of moderate brightness and shall not cause glare on any abutting property
Loudspeakers or paging systems	Designed, installed, and used such that they are in accordance with the city noise ordinance
Parking lot design	Aisles may be paved. Spaces may be paved, grass, dirt, or gravel.

3.2.25 Mines and quarries.

- A. The development of natural resources, including removal of minerals and other natural materials, together with necessary buildings and machinery, is allowed in the HI zoning district, subject to applicable law and the supplemental standards of this section.
- B. Where an existing quarry is proposed for extension or expansion beyond the property lines of the quarry area, such extension or expansion shall be considered as a new operation, subject to the standards that are set forth in this section.
- C. The area where mining or quarrying operations are conducted shall be fully enclosed with a fence or wall, and they must meet the following requirements:
 - 1. The fence or wall shall be located at least ten (10) feet from the edge of any excavation.
 - 2. The fence or wall shall be designed and installed to ensure safety and security of the site, and to prevent any entrance to the site by animals and unauthorized persons.
- D. Product piles, spoil piles, or any other accumulation of by-products shall not exceed thirty-five (35) feet in height above the original contour of the site.
- E. Roads within the excavation site shall be surfaced with a dust-free material.
- F. A mining land use plan, conforming to the requirements of Federal and State law, shall be required prior to the approval of any mining or quarrying activity.

3.2.26 Reserved.

3.2.27 Outside storage.

- A. The following activities are only permitted in the C-3, LI, and HI zoning districts.
- B. The outside storage of machinery and equipment, service areas for vehicles in need of major service or repair, and materials for construction or distribution.
- C. Outside storage involving machinery and equipment is only permitted on lots in the RR zoning district that are not within a subdivision, and which have a minimum lot area of two (2) acres, provided that such storage is not visible from the public right-of-way.
- D. Outside storage shall be located within a rear yard or side yard.
- E. Outside storage shall be fully concealed with a solid fence, in addition to any buffer requirements set forth in title.

- F. Outside storage of parts and materials, service areas, refuse, or work areas shall be maintained in a neat and orderly manner.
- G. No materials shall be stored within any required buffers.
- H. No outside storage of seafaring containers shall be allowed.

3.2.28 Personal care homes, group homes, and boarding home having two or less persons.

Each personal care home, boarding home, and group home having two (2) or less persons shall be subject to the following requirements:

- A. All regulated facilities shall comply with State laws and regulations and acquire applicable State licenses for operation.
- B. The exterior appearance of any residential structure for which a personal care home, boarding home, or group home is approved, shall be maintained as a residential structure and no signs shall be erected.
- C. Meet all regulations as identified in the adopted building code and adopted fire code.
- D. Meet all parking standards.
- E. All facilities must apply for and receive a city business license.

Standards for Personal Care Homes, Group Homes and Boarding Homes Having Two or Less Persons

Development Feature	Standard
Distance from similar facility	At least one thousand five hundred (1,500) feet
Fence requirement	In residential districts—Properties must be fenced in the rear yard
Building requirement	Must not be within a subdivision

3.2.29 Personal care homes, group homes, and boarding home having three or more persons.

Each personal care home, boarding home, and group home having three (3) or more persons shall apply for and obtain a ~~conditional use~~special use permit from the city council and comply with the following requirements:

- A. All regulated facilities shall comply with State laws and regulations and acquire applicable State licenses for operation.
- B. The exterior appearance of any residential structure for which a personal care home, boarding home, or group home is approved, shall be maintained as a residential structure and no signs shall be erected.
- C. Meet all regulations as identified in the adopted building code and adopted fire code.
- D. Meet all parking standards as identified.
- E. All facilities must apply for and receive a city business license.

Standards for Personal Care Homes, Group Homes and Boarding Homes Having Three or More Persons

Development Feature	Standard
Minimum lot size	Residential—One (1) acre Commercial—Thirty thousand (30,000) square feet
Distance from similar facility	At least one thousand five hundred (1,500) feet

Building requirement	Must not be within a subdivision
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3.2.32 Salvage yards or junkyards and wrecker services (with storage area).

- A. Salvage yards and junkyards are permitted in the HI zoning districts, subject to the standards of the district and the supplemental standards in this section. In addition, salvage yards shall be required to have a minimum lot size of two (2) acres.
- B. The site design standards for salvage yards and junkyards are set forth in the table below.

Standards for Salvage Yards and Junkyards

Development Feature	Standard
Minimum setback	200 feet from all abutting property lines
Screening (fence) required	Solid wall or solid fence
Minimum height	Six feet
Minimum setback	100 feet from all property lines
Storage of salvaged or junk materials	Shall not exceed the height of the fence or wall
Buffers	40 feet on all property lines

- C. Sanitary landfills shall not be permitted.
- D. Wrecker services (with storage areas) are a ~~conditional use~~ **special use** in the HI zoning districts, subject to the standards of the districts and the supplemental standards of this section.
- E. The site design standards for wrecker services (with storage areas) are set forth in the table below.

Standards for Wrecker Services (with storage areas)

Development Feature	Standard
Minimum lot size	2 acres
Screening requirements for storage area	Solid wall or solid fence Six feet
Minimum height	
Placement	Behind the rear drip line of the office/primary structure.
Minimum buffer	30 feet wide for any portion of property adjacent to residential or commercially zoned property. 15 feet for any portion of property adjacent to industrial zoned property.
Storage of vehicles	Towed vehicles shall be stored within an enclosed, secured area which is not accessible to the public. No wrecked vehicles shall be stacked within the storage area. Storage of non-business-related vehicles is prohibited. Storage areas must be, at a minimum, covered with gravel.
Minimum size of office/primary structure	1,000 square feet, providing restroom facilities and reception area.
Building materials	Masonry front facade.
Off-street parking requirements	One space for each 10,000 square feet of site area or portion thereof, and one space for every 300 square feet of professional office space. All required off-street parking shall be located outside of any secured vehicle

	storage area. Driveway/entrance and public parking area outside of storage areas shall be paved with a dust-free surface.
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3.2.40 Truck stops.

- A. Truck stops (or truck service centers) are a ~~conditional-use~~special use in the HI zoning district only, subject to the site design standards for the district, any overlay district, and the specific site design standards in this section.
- B. Truck stops may include the following activities and uses: Sale of fuel, oil, lubricants, and similar products; sale of small automotive accessories; sale of food and sundries; convenience store; restaurant drive-up windows; inspection stations for emissions; or truck wash. Truck stops shall not include repair shops, body shops, paint shops, or paint booths.
- C. Design standards for truck stops are indicated in the table below.

Standards for Truck Stops

Development Feature	Standard
Minimum setbacks:	
• Abutting residentially-zoned property—Principal building and/or gas pumps and canopy, where side and rear lot lines	60 feet
• Abutting nonresidential zoning districts—Principal building, side and rear lot lines	40 feet
Access requirements for corner lots	Access drives shall be a minimum of 40 feet from the intersection of street right-of-way lines
Buffer, adjacent to residentially zoned property	40 feet wide, plus a solid wall or solid fence not less than six feet in height

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4.6 Buffer requirements.

4.6.1 Applicability.

Buffers shall be required between dissimilar districts or uses in accordance with the provisions of the zoning ordinance or as a condition of zoning, ~~conditional-use~~special use, or variance approval.

4.6.2 Location, measurement, and design of buffers.

- A. Buffers shall meet the minimum width requirements contained in the zoning ordinance, except as authorized to be reduced by the applicable buffer reduction process, as follows:
 1. As specified in the "Buffer Area Standards Table"; or

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2. As specified in a residential zoning district for a permitted nonresidential use (e.g. a church, temple, synagogue, etc.); or
 3. As required by a condition of zoning, ~~conditional use~~special use, or variance approval.
- B. Buffers shall be natural, undisturbed, and free of encroachments except as authorized by a condition of zoning, special use or variance approval, or as authorized herein, and shall contain the existing tree cover and vegetation as well as any supplemental plantings or replantings as may be required.
 - C. Buffers shall be located on the outer perimeter of a lot or parcel, parallel to the lot or parcel boundary line. Buffers shall not occupy any portion of an existing, dedicated, or reserved public or private street, or right-of-way.
 - D. Buffers required alongside property lines shall extend to a street right-of-way line unless otherwise required by the director in order to observe the sight distance requirements contained in the development regulations, or as authorized by a condition of zoning, special use, or variance approval.
 - E. In situations where the required buffer width is partially or completely contained within an existing easement (e.g. power or natural gas transmission, etc.), the screening requirements of this unified development code shall be met outside of the easement area, to ensure a continuous buffer.
 - F. Buffer width is measured from the property line.
 - G. Buffer plantings shall be designed taking into consideration existing conditions, including, but not limited to, soils, topography, streams, and existing vegetation. Native vegetation shall be used for landscaping and buffering unless the applicant demonstrates that the use of non-native, drought-resistant plants would best serve the site and advance the objectives of this section.
 - H. Buffers shall be maintained, in perpetuity, by the property owner.

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5.10 Variances for signs.

This section shall provide the exclusive procedures for granting variances to the requirements of this article for signs.

- A. Limitations. The ~~planning and zoning commission~~mayor and city council shall be allowed to grant variances where a hardship has been demonstrated pursuant to the city's zoning ordinance. Said variance or variances may only be granted as to number, setback, building material, size or sign style. Variances may not be granted for sign height.
- B. Timing. The city council shall hear and decide upon a variance within ninety (90) days of the submission of a complete and accurate application.
- C. The mere existence of a nonconforming sign shall not constitute a valid reason to grant a variance.
- D. The city council shall consider the following factors:
 1. The size of buildings constructed on the subject lot;
 2. The number of different tenants occupying the buildings;
 3. Whether there exist extraordinary and exceptional conditions pertaining to the property in question resulting from its size, shape, or topography that are not applicable to other lands or structures in the area;

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4. Whether granting a variance requested would confer upon the property of the applicant any significant privileges that are denied to other similar properties. Furthermore, peculiar conditions or circumstances which are the result of actions of the current or former owner(s) of the property covered by the application cannot be considered as grounds to justify a variance.

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6.1.6 Regulation of specific nonconforming structures.

A. Mobile/Manufactured Homes.

1. All mobile/manufactured homes located in a mobile home development shall provide documentation of compliance with the National Mobile Home Construction and Safety Act or compliance with specifications presented by the American National Standards Institute. ~~Existing mobile homes within mobile home developments not in compliance with either of these standards shall be deemed nonconforming.~~
2. An existing, nonconforming mobile/manufactured home that was lawfully permitted prior to the effective date of this unified development code may be replaced with a ~~new~~ another mobile home ~~of the same size~~ meeting the requirement set forth in paragraph A.1., above, provided the replacement is done so and the requirements of this chapter within ~~12 monthssixty (60) calendar days~~ of the date of removal of the existing mobile home and all conditions and requirements of O.C.G.A § 36-66-7 et seq are met.

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7.3 Authority.

7.3.1 Applications subject to the planning commission.

- A. The following applications shall be reviewed by the planning commission and recommendations provided to the mayor and city council.
 1. Rezoning of property and amendments to the official zoning map.
 2. Amendments to the unified development code.
 3. Amendments to the comprehensive plan and associated future land use map.
 4. Variances.
 5. ~~Conditional use~~ Special uses.
 6. Modifications to conditions placed on ~~conditional uses~~ special uses, variances and rezonings.

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Chapter 9 ZONING AMENDMENTS

9.1 Application requirements.

9.1.1 Pre-application conference.

- A. The purpose of the pre-application conference is to provide an opportunity for the applicant to consult with city staff for advice and assistance prior to preparation of any zoning application. This will enable the applicant to become familiar with the approval process, required documents, the comprehensive plan, and public hearing standards that may affect the proposed development.
- B. The intent of this unified development code is that all procedural and development requirements be identified during the pre-application conference. However, no person may rely upon any comment concerning a proposed development, or any expression of any nature about the proposal, made by a participant at the pre-application conference, as a representation or implication that the proposal will be ultimately approved or rejected in any form. Additionally, failure of a participant to identify any applicable requirement or condition shall not preclude the city from requiring an applicant to comply with such requirement or condition.

9.1.2 Amendment application.

After the pre-application conference, the applicant shall provide the following information for a map amendment (rezoning) or ~~conditional use~~special use permit:

- 1. The City of Stockbridge application for zoning.
- 2. Proof of ownership.
- 3. When the applicant is a representative of the property owner, a notarized statement authorizing the representative to act as an agent of the property owner with regard to the application and associated procedures.
- 4. Applicant campaign disclosure form (for applicant/owner, agent and/or attorney).
- 5. A property survey conducted no more than five (5) years prior to the filing of the application, containing the legal description, boundaries, land area, notation whether any portion of the property is within a floodplain and existing improvements located on the site. Where two (2) or more parcels are included within a proposed development, the survey shall include all parcels that are part of the proposed development, including all phases. The survey shall be prepared and sealed by a surveyor registered in the State of Georgia. If the survey is older than five (5) years, the survey must be certified by a surveyor registered in the State of Georgia as to whether changes have or have not been made to the property.
- 6. A letter of intent stating the reasons for the zoning map amendment, including a detailed description of any proposed development for which the rezoning is sought.
- 7. A vicinity map indicating the location of the site proposed for development.
- 8. A concept plan containing the information set forth below:
 - a. Project name.
 - b. Vicinity map showing zoning districts and existing land use within five hundred (500) feet of the boundaries of the site.
 - c. Total area in acres and square feet.
 - d. Current and proposed zoning classification, together with a summary of the applicable development standards for the proposed zoning district.

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- e. Natural features, including topography at ten-foot intervals, surface drainage, surface waters, floodplains, watershed areas, groundwater recharge areas, general location of wetlands, and the general location of wooded areas.
 - f. General location of existing and proposed roads and utility rights-of-way or easements.
 - g. Location of existing property lines within the development site.
 - h. General location of existing and proposed development by type of use.
 - i. Proposed residential density and dwelling unit types, if applicable.
 - j. Location of proposed open spaces, recreational areas, and public buildings and uses, indicating those areas reserved or dedicated for public use.
- 9. General plan for the provision of utilities and infrastructure, including the following:
 - a. A report or letter from the city or Henry County Water and Sewer Authority indicating the availability of water and sewer and a report or letter from the Henry County Environmental Health Department indicating septic suitability if sewer is not available.
 - 10. Architectural renderings or building plans, as determined by the community development director.
 - 11. Proof of payment of fees.

9.1.3 Determination of completeness.

- A. All applications shall be complete before acceptance for review and decision-making. A determination of completeness is a determination that all required documents and plans have been submitted in sufficient number, and that all fees have been paid. A determination of completeness is not a determination of compliance with substantive standards and criteria.
- B. If the director determines that the application is not complete, the director shall send notice to the applicant identifying the deficiencies. The applicant shall have thirty (30) calendar days from the date of notice to correct the deficiencies. Until the applicant corrects the deficiencies, no further action shall be taken for processing the application. If the applicant fails to correct the deficiencies within the thirty-day period, the application shall be deemed withdrawn, and fees shall be forfeited.
- C. If the director determines that the application is complete, the application shall be processed for review and action.

9.2 Procedural requirements.

9.2.1 Requirements for amending the official zoning map (rezoning).

- A. Requirements. The official zoning map may be amended by the mayor and city council on its own motion, on recommendation from the planning commission, or by approval by the mayor and city council of an application from a property owner. An adopted zoning resolution shall be an amendment to the official zoning map.
- B. Official Application. The applicant shall submit the rezoning application and associated documents as identified in subsection 9.1.2, Amendment Application.
- C. Action by the Director.
 - 1. The director shall make a determination of application completeness.

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2. The director shall prepare a staff report addressing the following issues, in priority:
 - a. Consistency with the comprehensive plan.
 - b. The relation that the proposed amendment bears to the purpose of the overall zoning scheme with due consideration given to whether or not the proposed change will help carry out the purposes of this unified development code.
 - c. Potential positive effects of the amendment on the character of the proposed zoning district, a particular piece of property, neighborhood, a particular area, or the community.
 - d. The physical conditions of the site relative to its capability to be developed as requested, including topography, drainage, access, and size and shape of the property.
 - e. The impact upon adjacent property owners shall the request be approved.
 - f. The potential impact of the proposed amendment on city infrastructure, including water and sewerage systems.
 - g. The impact of the proposed amendment on adjacent thoroughfares and pedestrian and vehicular circulation and traffic volumes.
 - h. The merits of the requested change in zoning relative to any other guidelines and policies for development that the planning commission and mayor and city council may use in furthering the objectives of the comprehensive plan.
 - i. The capacity of the site to be developed as presently zoned.

D. CZIM. A community zoning information meeting is required pursuant to section 9.2.10 Community Zoning Information Meeting (CZIM).

ED. Public Hearing. The director shall advertise for the public hearing at the ~~planning commission and the~~ mayor and city council in accordance with Section 9.3, Public Notice Requirements.

FE. Planning Commission Recommendation.

1. The application shall be submitted to the planning commission for review at a public ~~hearing~~meeting.
2. The planning commission shall review the application according to the published schedule.
3. The planning commission shall submit its report with comments and recommendations according to the published schedule. The recommendations of the planning commission shall be submitted to the mayor and city council. The recommendations of the planning commission shall be of an advisory nature and shall not be binding on the mayor and city council.
4. In making its recommendation, the planning commission may recommend approval, approval with conditions, or denial. Findings shall be set forth in official minutes of the planning commission.

GF. Mayor and City Council Action.

1. The mayor and city council shall consider the application for rezoning at a public hearing.
2. The mayor and city council shall consider the information set forth in the staff report and the findings and recommendations of the planning commission.
3. In deciding upon any application for an amendment to the official zoning map, the mayor and city council may, on their own motion or upon the suggestion of the applicant, or on consideration of the recommendations of the planning commission, grant the application subject to certain conditions necessary to promote and protect the health, safety, and general welfare.

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4. The mayor and city council may include conditions of zoning which they deem necessary in order to make the requested action acceptable and consistent with the proposed uses of the district(s) involved and to further the goals and objectives of the comprehensive plan. Such conditions:
 - a. Shall only be valid if they are included in the motion approving the amendment of adoption.
 - b. Shall be permanent conditions of approval unless a lesser period of time is specified in the amendment.
 - c. Shall be required of the property owner and subsequent owners as a condition of their use of the property.
 - d. Shall be permitted and continuously enforced by the community development director in the same manner as any other provision of this unified development code.
 5. Prior to a final vote being taken upon any application for an amendment to the official zoning map for which such conditions shall be imposed, such conditions shall be announced at the public hearing and made a part of the motion to approve. If such conditions are found to be unacceptable, the applicant may withdraw or request a postponement. Upon such withdrawal, the applicant shall not be permitted to re-file the same zoning map amendment for the same property until twelve (12) months has elapsed from the date of withdrawal.
 6. If the zoning decision of the mayor and city council is for the rezoning of property and the amendment to accomplish the rezoning is defeated by the mayor and city council, then the same property shall not again be considered for rezoning until the expiration of at least twelve (12) months immediately following the defeat of the rezoning by the mayor and city council.

9.2.2 Standards governing the exercise of zoning powers.

- A. In ruling upon any application for a zoning map amendment, or any other zoning decision, the mayor and council shall act in the best interest of the health, safety, morals, and general welfare of the city. In doing so, they will consider one (1) or more of the following standards of review which are relevant to the application:
 1. Whether the proposal is consistent and/or compatible with the city's plans, goals and objectives reflected in the city's comprehensive plan.
 2. How the proposal impacts the purposes of the overall zoning scheme, and whether the proposed change furthers the purposes of these zoning regulations. Applications for zoning amendments that do not contain specific site plans carry a rebuttable presumption that the proposed change shall adversely affect the zoning scheme.
 3. How the proposal impacts the character of the zoning district, the particular piece of property, neighborhoods, or the community.
 4. Whether the proposal creates an isolated district unrelated to adjacent properties and nearby districts.
 5. How the proposal impacts the aesthetic character of existing and future uses of the property and the surrounding area.
 6. Whether the proposal is consistent with adjacent development densities and the density patterns reflected in the comprehensive plan.
 7. How the proposal impacts the public health, safety, and general welfare.
 8. How the proposal impacts water, sewerage, other public facilities, or public services, and how the proposed amendment impacts expenditures of public funds.
 9. How the proposal impacts traffic safety and congestion.

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10. How the proposal impacts environmental conditions, including, but not limited to, drainage, soil erosion and sedimentation, flooding, air quality, water quality and quantity.
 11. How the proposal impacts the provision of adequate light and air.
 12. How the proposal impacts the value of adjacent property.
 13. Whether there are substantial reasons why the property cannot be used in accordance with existing regulations.
 14. Preservation of the integrity of residential neighborhoods shall carry greater weight than other factors. Where property fronts on a major thoroughfare and also adjoins an established residential neighborhood, the factor of preservation of the residential area shall carry greater weight.
- B. After hearing evidence at the zoning hearing, the mayor and council shall apply the evidence to the standards of review in making their decision. The mayor and council are not required to consider every criterion in the standards of review. The applicant carries the burden of proof that the proposed zoning map amendment promotes the public health, safety, morality, or general welfare.
- C. If the mayor and council determine from the evidence presented that the applicant has shown that the proposed zoning map amendment promotes the health, safety, morals, or general welfare under the standards of review, then the application shall be granted, subject to those reasonable conditions that may be imposed by the mayor and council. Otherwise, such applications shall be denied.
- D. In ruling upon any petition in which the petitioner has brought a challenge to the existing zoning classification, the mayor and council shall follow these general lines of inquiry:
1. The existing uses and zoning of the subject and surrounding property.
 2. The extent to which property values may be diminished by the particular zoning restrictions.
 3. The extent to which the reduction of property values, if any, promotes the health, safety, morals, or general welfare of the public.
 4. The relative gain to the public, as compared to the hardship, if any, imposed upon the individual property owner.
 5. The suitability of subject property for development purposes as presently zoned.
 6. The length of time the property, if vacant, has been vacant as zoned, considered in the context of land development in the vicinity of the property.
- E. The existing zoning classification shall be presumed to be valid; it shall be the responsibility of the applicant to present evidence to rebut this presumption.
- F. If the mayor and council determine, from the evidence presented, that the existing zoning classification is unduly burdensome to the applicant and is not offset by consideration of the public's health, safety, morals, and general welfare, and consideration of the integrity of this chapter and of the official zoning map, the mayor and council may impose any appropriate zoning classification, including allowable conditions, which might be consistent with the considerations outlined in subsection (a) of this section.

9.2.3 ReservedRevocation.

- A. ~~Upon the expiration of eighteen (18) months from the date of approval for an amendment to the official zoning map (rezoning) for which development has been abandoned (abandonment shall be deemed to have occurred when no, or minimal, improvements have been made), the city council may rezone the property to the previous zoning district or any other zoning classification with proper public notice and action as described by this unified development code.~~

Commented [RK1]: City Council has the authority to do this immediately upon adoption. There's no need to limit that authority and put additional conditions in place that could result in procedural due process violations.

~~B. Upon abandonment of a development, the community development director shall contact the property owner of the expiration of eighteen (18) months. Prior to the public hearing, the owner may provide the director with any documentation for consideration by the city council. If official documentation is provided, the city council shall pay reasonable consideration to the following occurrences:~~

- ~~1. Substantial monetary value placed into the development of the land;~~
- ~~2. A delay resulting from court action involving the property in question;~~
- ~~3. Non-availability of utilities or facilities resulting from government inaction; and~~
- ~~4. A delay in development resulting from receiving permitting and proper approval from a Federal or State agency.~~

9.2.4 Requirements for modifications to approved zoning conditions and approved master development plans.

A. Major modifications to zoning conditions include any changes to allowable uses, maximum density, maximum intensity, or compatibility requirements attached to the zoning approval as conditions of approval. The following procedure shall be followed:

1. An application shall be submitted containing details of the amendment requested, the situation giving rise to the need for an amendment and accompanied by plans fully describing the nature and extent of the amendment.
2. A staff report shall be prepared to address requirements listed in this section for the amended concept plan and/or zoning conditions.
3. CZIM. A community zoning information meeting is required pursuant to section 9.2.10 Community Zoning Information Meeting (CZIM).
- ~~43.~~ Public Hearing. The director shall advertise for the public hearing at the ~~planning commission and the~~ mayor and city council in accordance with Section 9.3, Public Notice Requirements.
- ~~54.~~ The planning commission shall review the application for an amended concept plan at a public meeting. The planning commission shall consider the application for amended conditions placed on ~~conditional uses~~special uses and/or variances and make a recommendation to mayor and city council according to the procedure in Section 9.2.
- ~~65.~~ The mayor and city council shall consider the application for amended zoning conditions and/or concept plan at a public hearing according to the procedures in Section 9.4.

B. Minor modifications include changes to dimensional design features as depicted on a concept plan. Such dimensional design features as provided on a development plan shall generally conform to the conditions depicted on the concept plan but shall be allowed to vary so long as the director determines that the development plan is generally consistent with the concept plan conditions. The following information shall be provided:

1. The development plan shall be accompanied by a detailed description of the site design features depicted on the development plan that differ from the concept plan.
2. The description of the modifications shall also include an explanation of the need for the modification.
3. The development plan application will be processed as set forth in Section 8.4.

C. Requests to modify approved development plans may be approved by the director as set forth below:

1. An application shall be submitted containing details of the amendment requested, the situation giving rise to the need for an amendment and accompanied by plans fully describing the nature and extent of the amendment.
2. Review by the director shall follow the same procedures and address the same issues as for the original application.

9.2.5 Requirements for ~~conditional uses~~special use permits.

- A. Requirements. An application for a ~~conditional uses~~special use permit can be submitted by a property owner.
- B. Official Application. The applicant shall submit the rezoning application and associated documents as identified in subsection 9.1.2, Amendment Application.
- C. Action by the Director.
 1. The director shall make a determination of application completeness.
 2. The director shall prepare a staff report addressing the following issues, in priority:
 - a. The proposed use shall not cause traffic congestion or conditions that will adversely affect nearby properties.
 - b. The physical conditions of the site, including topography, drainage and size and shape, are suitable for the proposed development.
 - c. Adequate public facilities are available to serve the proposed use.
 - d. The applicant has made a binding agreement for any specific limitations or conditions necessary to protect the public interest and assure the continued beneficial use and enjoyment of nearby properties or that no special limitations are necessary to protect the public.
 - e. The ~~conditional uses~~special use with specific limitations and design features as may have been required will further the aims of the comprehensive plan and will not be unduly detrimental to nearby properties.
- ~~D.~~ CZIM. A community zoning information meeting is required pursuant to section 9.2.10 Community Zoning Information Meeting (CZIM).
- ~~DE.~~ Public Hearing. The director shall advertise for the public hearing at the ~~planning commission and the mayor~~ and city council in accordance with Section 9.3, Public Notice Requirements.
- ~~EE.~~ Planning Commission Recommendation.
 1. The application shall be submitted to the planning commission for review at a public ~~meeting~~hearing.
 2. The planning commission shall review the application according to the published schedule.
 3. The planning commission shall submit its report with comments and recommendations according to the published schedule. The recommendations of the planning commission shall be submitted to the mayor and city council. The recommendations of the planning commission shall be of an advisory nature and shall not be binding on the mayor and city council.
 4. In making its recommendation, the planning commission may recommend approval, approval with conditions, or denial. Findings shall be set forth in official minutes of the planning commission.
- ~~FG.~~ Mayor and City Council Action.

1. The mayor and city council shall consider the application for conditional-use special use permit at a public hearing.
2. The mayor and city council shall consider the information set forth in the staff report and the findings and recommendations of the planning commission.
3. In deciding upon any application for a conditional-use special use permit, the mayor and city council may, on their own motion or upon the suggestion of the applicant, or on consideration of the recommendations of the planning commission, grant the application subject to certain conditions necessary to promote and protect the health, safety and general welfare.
4. The mayor and city council may include conditions of zoning which they deem necessary in order to make the requested action acceptable and consistent with the proposed uses of the district(s) involved and to further the goals and objectives of the comprehensive plan. Such conditions:
 - a. Shall only be valid if they are included in the motion approving the amendment of adoption.
 - b. Shall be permanent conditions of approval unless a lesser period of time is specified in the amendment.
 - c. Shall be required of the property owner and subsequent owners as a condition of their use of the property.
 - d. Shall be permitted and continuously enforced by the community development director in the same manner as any other provision of this unified development code.

Prior to a final vote being taken upon any application for a conditional-use special use permit for which such conditions shall be imposed, such conditions shall be announced at the public hearing and made a part of the motion to approve. If such conditions are found to be unacceptable, the applicant may withdraw or request a postponement. Upon such withdrawal, the applicant shall not be permitted to re-file the same zoning map amendment for the same property until one (1) year has elapsed from the date of withdrawal.

7. If the zoning decision of the mayor and city council is for a conditional-use special use permit and the application is defeated by the mayor and city council, then the same property shall not again be considered for a conditional-use special use permit until the expiration of at least twelve (12) months immediately following the defeat of the conditional-use special use permit by the mayor and city council.

9.2.6 Use permit considerations.

- A. In the interest of the public health, safety and welfare, the city council may exercise limited discretion in evaluating the site proposed for a use which requires a use permit. In exercising such discretion pertaining to the subject use, the city council shall consider each of the following:
 1. Whether the proposed use is consistent with the comprehensive land use plan adopted by the city council;
 2. Compatibility with land uses and zoning districts in the vicinity of the property for which the use permit is proposed;
 3. Whether the proposed use may violate local, State and/or Federal statutes, ordinances or regulations governing land development;
 4. The effect of the proposed use on traffic flow, vehicular and pedestrian, along adjoining streets;
 5. The location and number of off-street parking spaces;

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6. The amount and location of open space;
 7. Protective screening;
 8. Hours and manner of operation;
 9. Outdoor lighting; and
 10. Ingress and egress to the property.
- B. In granting such permits, conditions may be attached as are deemed necessary in the particular case for the protection or benefit of neighbors to ameliorate the effects of the proposed development/use.

9.2.7 ~~Revocation~~Reserved.

- A. ~~Upon the expiration of eighteen (18) months from the date of approval for an amendment to the official zoning map (rezoning) for which development has been abandoned (abandonment shall be deemed to have occurred when no, or minimal, improvements have been made), the city council may rezone the property to the previous zoning district or any other zoning classification with proper public notice and action as described by this unified development code.~~
- B. ~~Upon abandonment of a development, the community development director shall contact the property owner of the expiration of eighteen (18) months. Prior to the public hearing, the owner may provide the director with any documentation for consideration by the city council. If official documentation is provided, the city council shall pay reasonable consideration to the following occurrences:~~
- ~~1. Substantial monetary value placed into the development of the land;~~
 - ~~2. A delay resulting from court action involving the property in question;~~
 - ~~3. Non-availability of utilities or facilities resulting from government inaction; and~~
 - ~~4. A delay in development resulting from receiving permitting and proper approval from a Federal or State agency;~~

9.2.8 Requirements for amendments of the unified development code.

This unified development code may be amended by the mayor and city council on its own motion. Otherwise, a complete application packet shall be required as described below:

- A. An application to amend the text of the unified development code shall be submitted on forms provided by the city.
- B. The application shall include the following information:
 1. Identification of the specific provision proposed for amendment;
 2. The proposed modifications in a strikethrough and underline format;
 3. A detailed explanation of the rationale and justification for the requested amendment; and
 4. A detailed explanation of the potential impacts of the modification on the development of the City of Stockbridge;
- C. The director shall prepare a staff report analyzing the proposed amendment and recommending approval, denial, or approval with modifications. The staff report shall address the following issues:
 1. Consistency of the amendment with the comprehensive plan.

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2. Potential impacts on the character and quality of development in the city and any affected zoning districts.
 3. Potential impacts on the provision of infrastructure and improvements.
 4. The merits of the proposed amendments relative to any guidelines, policies, or programs adopted in furtherance of the comprehensive plan.
- D. Public Hearing. The director shall advertise for the public hearing at the ~~planning commission and the~~ mayor and city council in accordance with Section 9.3, Public Notice Requirements.
- E. The planning commission shall consider the proposed amendment to the unified development code at its regularly scheduled public meeting.
1. The planning commission shall evaluate the proposed amendment, considering the issues and recommendations contained in the staff report.
 2. The planning commission shall make a recommendation to the mayor and city council for approval, approval with further modifications, or denial.
- F. The mayor and city council shall consider the proposed amendment at a public hearing conducted as set forth in Section 6.4.
1. The mayor and city council shall consider the information set forth in the staff report and the recommendations of the planning commission.
 2. The mayor and city council may approve, approve with modifications, or deny the proposed amendment to the unified development code.

9.2.9 Requirements for amendment to the comprehensive plan.

The comprehensive plan may be amended by the mayor and city council on its own motion. Otherwise, a complete application packet shall be required as described below.

- A. An application to amend the text or maps of the comprehensive plan shall be submitted on forms provided by the city.
- B. The application shall include the following information:
 1. Identification of the specific provision proposed for amendment.
 2. The proposed modifications in a strikethrough and underline format.
 3. A detailed explanation of the rationale and justification for the requested amendment.
 4. A detailed explanation of the potential impacts of the modification on the development of the City of Stockbridge.
- C. The director shall prepare a staff report analyzing the proposed amendment and recommending approval, denial, or approval with modifications.
- D. Public Hearing. The director shall advertise for the public hearing at the planning commission and the mayor and city council in accordance with Section 9.3, Public Notice Requirements.
- E. The planning commission shall consider the proposed amendment to the comprehensive plan at a public meeting.
 1. The planning commission shall evaluate the proposed amendment, considering the issues and recommendations contained in the staff report.

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2. The planning commission shall make a recommendation to the mayor and city council for approval, approval with further modifications, or denial.
- F. The mayor and city council shall consider the proposed amendment at a public hearing conducted as set forth in Section 6.4.
1. The mayor and city council shall consider the information set forth in the staff report and the recommendations of the planning commission.
 2. The mayor and city council may approve, approve with modifications, or deny the proposed amendment to the comprehensive plan.

9.2.10 Community Zoning Information Meeting (CZIM).

- A. Purpose. The purpose of the community zoning information meeting (CZIM) requirement is to help educate applicants and neighbors about one another's interests, to attempt to resolve issues in a manner that respects those interests, and to identify unresolved issues.
- B. Applicability. CZIM's are applicant-initiated meetings required to be held for any applicant-initiated decisions as required by this chapter. They are encouraged in all cases.
- C. Written notice. The applicant or their representative is responsible for completing all requirements of this section. Written notice is required for all CZIMs and shall be sent via first class mail to the owners of all residentially zoned property adjacent to the boundaries of the subject property, as those property owners are listed on the tax records of Henry County. The notices shall be mailed at least 10 days before the date of the CZIM. Written notices shall indicate the nature of the application, the street address of the subject property, and the date, time, place and purpose of the meeting.
- D. CZIM. The applicant shall host a meeting, either virtual or in-person, that is accessible to the general public.
- E. Summary report. The applicant shall host the meeting and submit a summary of the CZIM prior to the public meeting before the planning commission. The summary report shall describe:
1. Efforts to notify neighbors about the meeting date, time, and location (how and when notification occurred, and who was notified);
 2. Meeting location, date, and time;
 3. Who was involved in the discussions;
 4. Suggestions and concerns raised by neighbors; and
 5. What specific changes to the proposal were considered and/or made as a result of the meeting.

9.3 Public notice requirements.

All hearings of the mayor and city council which involve annexation, zoning map amendments, amendment of the unified development code, special use permits, major modifications, appeals, and variances are public and subject to the notification requirements under the State Zoning Procedures Law, O.C.G.A. 36-66-1 et seq., where applicable.

Planning commission meetings shall be open to the public but are not required to be public hearings.

9.3.1 Public notice required.

- A. Notice shall be provided by the city for public meetings and hearings regarding the following actions:
1. Amendment of the official zoning map;

2. ~~Conditional-use~~Special use permits;
3. Amendment of unified development code;
4. Major modification of zoning conditions and/or master development plans; and
5. Variances.

B. ~~All required public N~~otices shall include the following information:

1. ~~Date and T~~ime of the public meeting or public hearing;
2. Place of the public meeting or public hearing;
3. Location of the property being considered;
4. Purpose of the requested action; and
5. For requests to amend the official zoning map, the notice shall include the current and proposed zoning district.

9.3.2 ~~Legal advertisements~~Requirements for publishing legal ads.

~~A. Upon receipt of a completed application, fees, and other information required by this chapter or Chapter 8, the community development director shall cause notice of such application to be published within a newspaper of general circulation within the territorial boundaries of the City of Stockbridge, at least fifteen-thirty (30-15) but not more than forty-five (45) calendar days prior to the date of the public hearing. The notice shall state the time, place, and purpose of the hearing.~~

~~B. If a rezoning is initiated by a party other than the city then the notice shall include the present zoning classification of the property, and the proposed zoning classification of the property.~~

9.3.3 Requirements for posting signs.

A. The city shall provide standardized signs for posting to provide public notice of meetings and hearings.

B. ~~The city shall be responsible for posting the s~~ign(s) shall be posted as follows:

1. The sign(s) shall be posted in a conspicuous location on the property.
2. The sign(s) shall be posted not less than ~~thirtyfifteen~~ (30-15) and not more than forty-five (45) calendar days prior to the date of the public hearing.
3. If the property proposed for rezoning does not have frontage on a public street, then the sign may be posted on the right-of-way of the nearest public street that provides access to the site.

~~C. The city shall be responsible for timely removal of the sign following the hearing.~~

~~D. Any city-initiated request shall be exempt from these posted notice requirements of this section unless otherwise required by the state statute referenced in Section 9.3.5, Additional Notice Required.~~

9.3.4 Mailed notice.

Mailed notice shall be provided to all adjacent property ownersies that share a boundary line with the subject property, including those across public rights-of-way, at least ~~thirtyfifteen~~ (30-15) but not more than forty-five (45) calendar days prior to the date of the public hearing for all variances, ~~conditional-usespecial uses~~, modifications, and amendments to the official zoning map (rezoning). Additionally, notice shall be sent to the subject property owner(s). Said adjacent-property owner~~The applicant shall mail these notices shall be mailed by~~

the applicant, and the applicant shall provide the community development director proof of mailing ~~a minimum of seven (7) days prior to the scheduled public hearing.~~

9.3.5 Additional notice required.

When any of the following actions are proposed, reference the Georgia Zoning Procedures Law, O.C.G.A. 36-66-1 et seq., for additional requirements.

- A. City-initiated rezoning and/or text amendment to revise a zoning classification related to single-family residential uses of property so as to authorize multifamily uses of property pursuant to such classification or definitions, or to grant blanket permission, under certain or all circumstances, for property owners to deviate from the existing zoning requirements of a single-family residential zoning; or,
- B. Halfway house, drug rehabilitation center, or other facility for the treatment of drug dependency; or,
- C. Annexation.

9.4 Procedures for conducting public hearings.

9.4.1 Rules of procedure.

The following rules of procedure in compliance with O.C.G.A. § 36-66-5 shall govern public hearings before the planning commission and the mayor and city council:

- A. Each person speaking before mayor and council shall identify him or herself by name, address, and state whether the applicant is owner or agent for the owner.
- B. Each applicant or other interested party who submits documents at the hearing shall have each document numbered and shall identify each document. Each document submitted shall be made a part of the official record of the hearing.
- C. Time Allotted for Testimony.
 - 1. Each applicant shall have ten (10) minutes to present data, evidence, and opinions pertinent to the application. A portion of this time may be saved for rebuttal.
 - 2. Persons in opposition to rezoning of property or amendment to the zoning ordinance shall have a total of ten (10) minutes to address the board. Each person shall provide the development director with his or her name and address.
 - 3. Additional time may be granted equally to the applicant and opponents at the discretion of the mayor or the chair of the planning commission.
- D. At the conclusion of a hearing by the planning commission, the board chair shall announce its recommendation, as required, and instruct the development director to notify the applicant of such decision or recommendation in writing. The notification shall be made a part of the record on the date written notification is given to the applicant.
- E. At the conclusion of a hearing by mayor and council, the mayor and council may take the following actions:
 - 1. Approve the application.
 - 2. Approve the application with conditions.
 - 3. Deny the application.

4. Continue or postpone their deliberations for rendering their decision to a date certain.
5. Remand matters to the planning commission for additional review and recommendation if the natural of the request has substantially changed.

Mayor and city council shall announce its decision and instruct the community development director to notify the applicant of the decision in writing. The written notification shall immediately be entered on the minutes and made a part of the record on the date such written notification is given to the applicant.

9.4.2 Additional hearing requirements.

When any of the following actions are proposed, reference the Georgia Zoning Procedures Law, O.C.G.A. 36-66-1 et seq., for additional requirements.

- A. City-initiated rezoning and/or text amendment to revise a zoning classification related to single-family residential uses of property so as to authorize multifamily uses of property pursuant to such classification or definitions, or to grant blanket permission, under certain or all circumstances, for property owners to deviate from the existing zoning requirements of a single-family residential zoning; or,
- B. Halfway house, drug rehabilitation center, or other facility for the treatment of drug dependency; or,
- C. Annexation.

9.7 Requirements for developments of regional impact.

- A. A proposed development that meets or exceeds the thresholds established by the Georgia Department of Community Affairs (DCA), Atlanta Regional Commission (ARC), and Georgia Regional Transportation Authority (GRTA) for a Development of Regional Impact (DRI) shall be reviewed according to the procedures in Chapter 110-12-3, Rules of the Department.
- B. When a development meeting the threshold standards established by the DCA, ARC, and GRTA is proposed, the city shall take no action (including actions by the director, planning commission, or mayor and city council) concerning the development until the DRI review process is completed.
- C. Upon receipt of a request for action related to a project that meets or exceeds the thresholds established for that development category, the City of Stockbridge may request that the applicant submit additional information about the project using forms available from DCA.
- D. Upon a determination that the proposed development is not a DRI, the city may process applications concerning procedures set forth in this unified development code.
- E. Upon conclusion of the DRI review, the city may continue with review and decision-making procedures as set forth in this unified development code.
 1. The city is encouraged to include the public finding and comments regarding the proposed DRI project in considering actions on the application for project approval.
 2. Where the project received a negative public finding and the city approves the project, the city shall notify the DCA, indicating any conditions that have been placed on the project to mitigate the negative finding.
 3. The director shall submit applications for DRI review to the DCA.

9.8 Zoning of annexed property with common zoning classification.

Property annexed from Henry County into the city shall be automatically zoned by the city through the operation of this section for the same use for which the property was zoned immediately prior to annexation, so long as the city and county zoning ordinances share a common zoning classification for such use. As provided under O.C.G.A. § 36-66-4(e), a zoning action taken pursuant to this section shall exempt the city from the notice and public hearing requirements of the Zoning Procedure Law, O.C.G.A. § 36-66-1 et seq., and the zoning amendment procedures under this Code. Property which was zoned pursuant to this section may later be rezoned upon compliance with the requirements of the Zoning Procedure Law, O.C.G.A. § 36-66-1 et seq., and the zoning amendment procedures under this Code.

9.9 Waivers

A. Applicability. The Waiver permits specified minor deviations from the Zoning Ordinance, as provided in the various articles of this Code and as consistent with the guiding principles of this Code. Waivers are intended to relieve practical difficulties in complying with the strict requirements of this Code. Waivers are not intended to relieve specific cases of financial hardship, nor to allow circumventing of the intent of this Code. There are two tiers of waiver requests defined herein.

B. Authorized Waiver Requests

1. Tier 1: Tier 1 waivers are minor in nature and intended to solve minor issues that arise from the application of the code during building and site design and development.
 - a. Reduce width of any dimensional standard for any architectural standard in Section 4.4 by up to 20 percent (20%).
 - b. Reduce width of any dimensional standard for any street or streetscape standard by up to 20 percent (20%), but in no case shall the sidewalk be reduced to less than four (4) feet wide.
 - c. Reorder the landscaped strip, sidewalk, and building zones or relocate improvements and amenities among them (e.g.: relocate trees to building zone).
 - d. Allow changes in frequency of improvements in the landscaped strip, sidewalk, and building zones in Section 4.5 by up to 20 percent (20%) (e.g.: increase the separation of bicycle racks from 250 to 350 feet).
2. Tier 2: Tier 2 waivers are more significant requests that would result in a more substantial departure from the code requirements.
 - a. Reduce width of any dimensional standard for any street or streetscape standard any amount.
 - b. Reduce, alter, or eliminate any standards in Section 4.4.
 - c. Reduce, alter, or eliminate any standards in Section 4.5s.
 - d. Reduce, alter, or eliminate any standards in Section 4.6.

- e. Reduce, alter, or eliminate any standards in Section 4.7.
 - f. Reduce, alter, or eliminate any standards in Section 4.8.
- C. Authority to File. Applications for waivers may be filed by the owner of the subject property or the property owner's authorized agent.
- D. Pre-application Meeting. A pre-application meeting with the Community Development Department is required for all waiver requests.
- E. Tier 1 and Tier 2 Notice.
 1. Tier 1 Waivers.
 - a. Posted notice (signs) shall be posted for a minimum of (10) days before a decision is rendered and in a conspicuous place on the subject property to notify the public of a request for a Tier 1 waiver.
 - b. Each notice shall provide the following information:
 1. Purpose of request
 2. Location of property
 - c. Members of the public wishing to support or oppose a request for Tier 1 waiver shall file their comments in writing with Community Development Department. The deadline for acceptance of comments is ten (10) days after notice was posted.
 2. Tier 2 Waivers. Tier 2 waivers require a public hearing.
 - a. Each notice shall provide the following information:
 1. Time of hearing
 2. Place of hearing
 3. Purpose of request
 4. Location of property
 5. Present zoning
 - b. Newspaper Notice. Newspaper notice shall be published at least 30 days but not more than 45 days before the date of the Mayor and City Council public hearing.
 - c. Posted Notice. Posted notice (signs) shall be posted at least 30 days but not more than 45 days before the date of the Mayor and City Council public hearing.
- F. Decision-Making Process
 1. Tier 1 Waivers.
 - a. Upon receipt of a complete Tier 1 waiver application, the Community Development Department shall review the proposal and prepare an analysis.
 - b. At least 30 days from the submittal of a complete application, the Community Development Director shall act to approve the Tier 1 waiver, approve the Tier 1

waiver with conditions, or deny the Tier 1 waiver based on the applicable review and approval criteria of. The Community Development Director is also authorized to allow the applicant to withdraw the Tier 1 waiver without prejudice.

2. Tier 2 Waivers.

- a. Staff Review. Upon receipt of a complete Tier 2 waiver application, the Community Development Department shall review the proposal and prepare an analysis and recommendation for consideration by the Planning Commission.
- b. Planning Commission Recommendation. The Planning Commission shall hold a public meeting on the Tier 2 waiver application. The Planning Commission shall act to recommend that the Tier 2 waiver be approved, approved with conditions, or denied based on the applicable review and approval criteria of this section. The Planning Commission may also recommend deferral of the application, or, upon request of the applicant, withdraw of the application without prejudice.
- c. Mayor and Council Decision. Upon receipt of a recommendation from the Planning Commission, the Mayor and City Council shall review the Tier 2 waiver application. The Mayor and City Council shall act to approve the Tier 2 waiver, approve the Tier 2 waiver with conditions, or deny the Tier 2 waiver based on the applicable review and approval criteria of this section. The Mayor and City Council is also authorized to withdraw the Tier 2 waiver without prejudice.

G. Review and Approval Criteria. The Community Development Director may authorize Tier 1 waivers, and the Council may authorize Tier 2 waivers from the provisions of this Zoning Ordinance based on consideration of the following criteria:

- 1. Features such as topography, high frequency transmission lines, existing trees of specimen or significant quality, underlying rock, or other condition outside the owner's control to the extent that strict adherence to said requirements would be unreasonable and not consistent with the purposes and goals of this code;
- 2. Alternative streetscape or building/façade design configurations are provided; and
- 3. Proposal will not result in any detriment to the public good, including without limitation, detriment to the interest of the public, and will not result in any harm to the health, safety or general welfare of the City and its citizens.

H. Successive Applications. If a waiver application is denied, an application to waive the same Zoning Ordinance provision for the same portion of the subject property may not be resubmitted for one (1) year from the date of the denial.

I. Appeals. See Section 10.3 for Tier 1 waivers and Section 10.4 for Tier 2 waivers.

J. Amending Conditions of Approval. A request for changes in conditions of approval attached to an approved waiver shall be processed as a new waiver application in accordance with the procedures of this division, including the requirements for fees, notices, and hearings.

Chapter 10 VARIANCES, ADMINISTRATIVE VARIANCE, AND ADMINISTRATIVE APPEALS

10.1 Variances.

10.1.1 Generally.

- A. A variance may be granted where owing to special conditions, a literal enforcement of the provisions of this unified development code will in an individual case result in unnecessary hardship.
- B. A variance shall observe the spirit of this unified development code, secure public safety and welfare, and deliver substantial justice.
- C. The existence of a nonconforming use on adjacent or nearby property shall not constitute a justification for granting a variance.
- D. The planning commission shall make recommendations to the mayor and city council which shall have the authority to render a decision on a variance application pursuant to the public notice and hearing requirements set forth in Chapter 9.
- E. A variance may not be granted for a use specifically prohibited by this unified development code. A variance is intended to compensate for a shortfall in a dimension of real property that would prevent the property from complying with a site design standard. Variances may only be granted following a review of an application against criteria established below.

10.1.2 ~~Types of variances~~Prohibited variances.

~~A. The variance procedures of this chapter shall not be used to:~~

- ~~A. Allow a structure or use not authorized in the subject zoning district;~~
- ~~B. Allow an increase in maximum building height;~~
- ~~C. Waive, vary, modify or otherwise override a condition of approval attached to a rezoning, special use, or other major modification under this unified development code;~~
- ~~D. Reduce, waive, or modify in any manner the minimum lot area or lot width required for any lot;~~
- ~~E. Allow the reestablishment of any nonconforming use that has been abandoned or lost its nonconforming rights; or~~
- ~~F. Allow the expansion or enlargement of any non-conforming use.~~

A request for a variance shall be limited to the following site design standards:

- ~~1. Maximum building height;~~
- ~~2. Minimum lot width;~~
- ~~3. Minimum lot area;~~
- ~~4. Required spacing for driveways;~~
- ~~5. Minimum front, side, or rear yard setbacks;~~

~~6. Dimensional standards for parking or loading spaces; or~~

~~7. Sign as it relates to number, set back, building material, size or sign style.~~

10.1.3 Criteria to be considered for deciding variances.

A variance may be granted only upon a finding by the mayor and city council that all the following conditions are met:

- A. Extraordinary and exceptional circumstances pertaining to the particular piece of property in question exist due its size, shape, or topography that are not found on other properties in the same zoning district;
- B. A literal interpretation of the provisions of this unified development code would deprive the applicant of rights commonly enjoyed by owners of other properties located in the same zoning district;
- C. Granting the variance requested will not confer upon the property owner any special privileges that are denied to other owners of property in the same zoning district;
- D. The variance will be consistent with the purposes and intent of this unified development code, will be compatible with uses on neighboring properties, and will serve the public welfare;
- E. The extraordinary circumstances are not the result of actions of the applicant;
- F. The variance is the minimum relief that will allow the legal use of the land, building or structure; and
- G. The variance is not a request to permit a use of land, buildings or structures that is prohibited in the same zoning district.

10.1.4 Requirements for authorizing a variance.

- A. Requirements. A variance may be initiated by an application from a property owner or on behalf of a property owner.
- B. Application. Applications shall contain the information set forth below:
 - 1. The City of Stockbridge application for variance.
 - 2. Proof of ownership.
 - 3. When the applicant is a representative of the property owner, a notarized statement authorizing the representative to act as an agent of the property owner with regard to the application and associated procedures.
 - 4. Applicant campaign disclosure form (for applicant/owner, agent and/or attorney).
 - 5. A property survey conducted no more than five (5) years prior to the filing of the application, containing the legal description, boundaries, land area, notation whether any portion of the property is within a floodplain and existing improvements located on the site. Where two (2) or more parcels are included within a proposed development, the survey shall include all parcels that are part of the proposed development, including all phases. The survey shall be prepared and sealed by a surveyor registered in the State of Georgia. If the survey is older than five (5) years, the survey must be certified by a surveyor registered in the State of Georgia as to whether changes have or have not been made to the property.
 - 6. A vicinity map indicating the location of the site proposed for development.
 - 7. Proof of payment of fees.

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8. Other information as may be required by the director.
- C. Action by the Director.
 1. The director shall make a determination of application completeness.
 2. The director shall prepare a staff report addressing the request for variance.
 - D. Public Hearing. The director shall advertise for the public hearing at the ~~planning commission and the~~ mayor and city council in accordance with Section 9.3, Public Notice Requirements.
 - E. Planning Commission Recommendation.
 1. The application shall be submitted to the planning commission for review at a public ~~hearing~~meeting.
 2. The planning commission shall review the application according to the published schedule.
 3. The planning commission shall submit its report with comments and recommendations according to the published schedule. The recommendations of the planning commission shall be submitted to the mayor and city council. The recommendations of the planning commission shall be of an advisory nature and shall not be binding on the mayor and city council.
 4. In making its recommendation, the planning commission may recommend approval, approval with conditions, or denial. Findings shall be set forth in official minutes of the planning commission.
 - F. Mayor and City Council Action.
 1. The mayor and city council shall consider the application for variance at a public hearing.
 2. The mayor and city council shall consider the information set forth in the staff report and the findings and recommendations of the planning commission.

10.2 Administrative variance.

The director shall have the power to approve a variance from site design and development standards of this unified development code where the intent of this unified development code can be achieved, equal performance obtained, and the administrative variance would not override conditions of zoning assigned by the elected body. The authority to grant a variance shall be limited to the following approvals:

- A. A reduction in the minimum front, side, or rear yard setbacks for a single lot, provided the following standards are met:
 1. The reduction is necessary due to the existence of any one (1) of the following factors:
 - a. Geologic conditions;
 - b. Topography; or
 - c. Inability of the applicant to adhere to tree protection standards set forth in Chapter 13, Tree Protection.
 2. The reduction is limited to a maximum deviation of ten percent (10%) from the site design standard.
- B. Side yard requirements may be waived by the community development director, where a joint fall-out shelter is proposed, provided that permanent easements are recorded to ensure access to both parties.
- C. A ~~waiver~~ waiver from Section 4.8 requiring a dust free parking surface may be issued by the director provided the parking area consists of a pervious or semi-pervious materials meeting the following standards:

1. There shall be a paved primary lot that serves the parking needs of customers and employees on a regular basis. Unpaved parking spaces may not count toward the parking requirements outlined in Section 4.8 with the exception of spaces dedicated to employees of the business.
2. Materials used for unpaved parking shall be approved by the Henry County Fire Department prior to installation.
3. Unpaved parking areas shall be enclosed by a fence that restricts public access. All gates and locks shall be approved by the Henry County Fire Department prior to installation.
4. The unpaved parking area shall meet the design standards for parking lots, with the exception of paving requirements, and including size of spaces, drive aisles, maneuvering areas and stormwater management.
5. A paved driveway leading to the unpaved parking area that is a minimum of twenty-four (24) feet in length shall be provided.
6. Unpaved parking areas are subject to the landscaping provisions, including the provision that all landscaping be permanently maintained. Surfaces must remain grass and weed free.

10.3 Appeal of administrative actions.

- A. The mayor and city council shall hear and decide appeals where it is alleged by the appellant that there is error in any approval, denial, written interpretation, or decision made by the director, based on the interpretation or enforcement of the unified development code.
- B. Only persons or entities that have legal standing in the challenged action shall be permitted to file an appeal under this Code section.
- C. Appeals under this Code section shall be filed with the director. The director shall immediately notify the appropriate department that an appeal application and the requisite fees have been filed and shall immediately forward those documents to the appropriate department head and/or his or her designee for handling. Upon receipt of the appeal documents, the department head or his/her designee shall be responsible for notifying the city clerk via email that an appeal application has been filed and shall thereafter, be responsible for ensuring that all appeal documentation is provided to the city clerk for inclusion of the matter on a scheduled public ~~meeting~~hearing to be heard by the mayor and city council not later than thirty (30) calendar days from the date of filing. The notifying department shall be responsible for submitting any required legal advertisements and posting the appropriate signs. The director shall be responsible for notifying ~~all property owner(s) and appellant(s) all affected parties~~ that an appeal has been filed and the date on which the appeal will be heard by the mayor and city council. The director shall be responsible for providing an executive summary detailing the rationale for the decision in question and shall present the findings and all relevant documents pertaining to the appeal to the city clerk for presentation at the mayor and city council meeting in which the appeal will be heard.

Should the mayor and city council overturn the decision of staff, the applicant shall have thirty (30) calendar days from the date of the decision to request a refund of no more than seventy-five percent (75%) of the appeal fee paid.

- D. A scheduled appeal may be temporarily postponed at the request of the appellant or staff; however, the party requesting such postponement shall be responsible for the cost of any legal advertisement fees prior to the matter being rescheduled for a new hearing date.

10.3.1 Applicability.

- A. Appeals may be filed by any person aggrieved by any written approval, denial, interpretation, decision or enforcement action of the director, based on or made in the enforcement of the unified development code.
- B. A person shall be considered aggrieved if:
 - 1. Said person or said person's property was the subject of the action appealed from; or
 - 2. Said person has a substantial interest in the action appealed from and is in danger of suffering special damage or injury not common to all property owners similarly situated.

10.3.2 Time for applications and hearings.

- A. An appeal shall be filed within thirty (30) calendar days following the written approval, denial, or interpretation, of the director.
- B. A hearing before the mayor and city council shall be held according to the published schedule.

10.3.3 Application requirements.

An appeal request, along with the advertising and review fee per the approved fee schedule shall be filed with the director indicating on the application in which the administrative decision originated and include a letter of intent addressing the following:

- 1. Completed application form, provided by the city;
- 2. Written documentation specifying the alleged errors in the approval, denial, interpretation, or decision of the planning commission or the director;
- 3. Citation of the section(s) of the unified development code pertaining to the action of the director; and
- 4. A statement of the specific relief requested by the party appealing.

10.3.4 Stay of proceedings.

An appeal stays all legal proceedings in furtherance of the action appealed from unless the director certifies to the mayor and city council, after notice of appeal has been filed, that by reasons of facts stated in the certificate, a stay would, in the opinion of the director, cause imminent peril to life or property. In such case, proceedings shall be stayed only by a restraining order granted by the Superior Court of Henry County on notice to the director and on due cause shown.

10.3.5 Action on appeals.

- A. The hearing of the appeal shall be quasi-judicial and shall be conducted at a regular meeting, according to the published schedule, or at a special meeting of the mayor and city council.
- B. Public Hearing. The director shall advertise for the public hearing at the ~~planning commission and the~~ mayor and city council in accordance with Section 9.3, Public Notice Requirements.
- C. Any party may appear at the hearing in person, by an authorized agent, or by an attorney.
- D. Following the consideration of all testimony, documentary evidence, and matters of record, the mayor and city council shall make a determination on the appeal. An appeal shall be sustained only upon an expressed finding by the mayor and city council that the decision by the director was based on an erroneous finding of

a material fact, or that the director acted in an arbitrary manner. In exercising its powers, the mayor and city council may reverse or affirm, wholly or partly, or may modify the requirement, decision or determination appealed from, and to that end shall have all the powers of the director from whom the appeal was taken and may issue or direct the issuance of a permit provided all requirements imposed by all other applicable laws are met.

10.4 Appeals of mayor and city council actions.

All appeals of final decisions of the mayor and city council shall be as follows:

- A. ~~A.—An appeal of the final decision of the mayor and city council under this chapter may be taken by the applicable processes as stated in O.C.G.A. § 36-66-5.1.~~
- B. ~~If an appeal is being made by way of petition for review to the superior court where the property lies, in accordance with both O.C.G.A. § 36-66-1 et seq and as provided for in Chapter 4, Title 5 of the Official Code of Georgia Annotated, any petition may be served through the city manager or mayor on behalf of the lower judiciary body being appealed. The city manager or mayor may be served with the petition on behalf of the city.~~
- C. ~~An appeal shall be filed within thirty (30) calendar days after the disputed final decision is rendered.~~

~~Any person aggrieved by a final decision of the mayor and city council may appeal such decision by filing a petition in writing with the Superior Court of Henry County.~~

- B. ~~An appeal shall be filed within thirty (30) calendar days after the disputed final decision is rendered.~~

10.5 Vested rights.

The purpose of this section is to provide a method to recognize vested rights and works-in-progress that were authorized prior to the effective date of this unified development code.

- A. Any property zoned PD (planned development) prior to adoption of this unified development code shall be subject to all development agreements and approved master plans until such time the property is rezoned.
- B. Any property that has been rezoned prior to adoption of this unified development code shall meet all prior zoning conditions imposed regardless of any zoning change caused by this unified development code until such time the property is rezoned.
- C. Applicant shall be vested in any permit approved prior to adoption of this unified development code until the permit expires.
- D. All flag lots platted and recorded prior to adoption of this unified development code shall be considered legal, nonconforming lots of record.

...

11.5 Types of violations.

The following items shall be deemed civil zoning violations, enforceable by the community development director (and their designees). Penalties may be imposed based on the provisions set forth in this article.

- A. The placement or erection of a primary structure, accessory structure, sign, or any other element determined to not conform to the provisions or explicit intent of the unified development code;

-
- B. The maintenance of a primary structure, accessory structure, sign, or any other element determined to not conform to the provisions or explicit intent of the unified development code;
 - C. Failure to obtain a building permit when required by this Code;
 - D. Conducting a use or uses that do not comply with the provisions or explicit intent of this Code;
 - E. Any failure to comply with the development standards and/or any regulations of this Code;
 - F. Proceeding with work under a stop-work-order or a violation of a memorandum of agreement; and
 - G. Any failure to comply with commitments or conditions made in connection with a rezoning, ~~conditional use~~special use, variance or other similar conditioned commitment made by the city council.

...

12.2 Definitions.

...

"Apartment" means ~~one (1) or more rooms in an apartment building~~ a type of multifamily dwelling, with private bath and kitchen facilities or combination living space and commercial building, arranged, intended, designed, or occupied on a rental basis ~~as a dwelling unit for a single family, an individual, or a group of individuals.~~

"Apartment building" means a type of multi-family dwelling ~~housing arranged, intended, designed, or occupied on a rental basis~~ structure designed and constructed to accommodate three (3) or more dwelling units with independent cooking and bathroom facilities.

...

"~~Conditional use~~Special use" means a use within a certain zoning districts of this chapter which is not permitted as a matter of right, but may be permitted within these districts by mayor and city council. A ~~conditional use~~special use is permanent in nature.

"Condominium" means the ownership in fee simple title of a single unit in a ~~multifamily family dwelling-unit structure~~ and an undivided ownership interest, in common with other owners of the common elements of the structure, including the common areas of land and its appurtenances.

...

"Dwelling" means a building or portion thereof which is designed or used ~~exclusively~~ for residential purposes, including single-family, two-family, ~~multiple~~-family dwellings, rooming and boarding houses, fraternities, sororities and modular dwellings, but not including hotels or motels.

- (1) "Accessory dwelling" means a dwelling unit established within the principal building or in a separate structure, and on the same lot as the principal structure. It is an independent dwelling unit, but it may share an entrance, yard and parking with the principal unit.
- (2) "Duplex" or "two-family" means a building containing two (2) dwelling units, designed for occupancy by not more than two (2) families living independent of each other.
- (3) "Multifamily" means a building or set of buildings containing a group of dwelling units on a common lot containing separate living units for three (3) or more families, having separate or joint entrances, and including apartments and condominiums. These are specifically distinguished from units defined as townhouses. means three (3) or more dwelling units in one (1) building with the number of families in residence not exceeding the number of dwelling units provided.

(4) "Single-family" means one (1) dwelling unit in one (1) building, other than a mobile home, hotel or motel, designed for and occupied by one (1) family, containing rooms for living, sleeping, toilet facilities and one (1) kitchen.

(5) "Townhouse" means one (1) of a series of three (3) or more attached dwelling units on separate lots which are separated from each other by a coincidental property line and party wall partitions. The structure must meet all front, rear, and side yard setback requirements in the zoning district in which it is located, except for the coincidental property line and wall. Each dwelling unit must be separately metered for all utilities, have access to a public street and the coincidental property line and wall must be fire-rated and extend from the foundation or ground (whichever is lower) to the roof decking of the structure. Each dwelling unit shall contain rooms for living, sleeping, toilet facilities and one (1) kitchen.

"Dwelling unit" means one (1) room, or rooms connected together, constituting a separate, independent housekeeping establishment for owner occupancy, for rental or lease on a weekly, monthly, or longer basis and physically separated from any other rooms or dwelling units which may be in the same structure, and containing independent living, sleeping, toilet and a single kitchen with cooking facilities.

...

"Townhouse, ~~fee-simple~~." See "dwelling, townhouse."

...

15.4.11 Administrative appeal and judicial review.

Appeals may be filed in accordance with section 10.3 and 10.4 of this chapter.

A. ~~Administrative Appeal. Any person aggrieved by a decision or order of the director, may appeal in writing within ten (10) days after the issuance of such decision or order to the city council of City of Stockbridge and shall be entitled to a hearing before the city council of City of Stockbridge within forty-five (45) days of receipt of the written appeal.~~

B. ~~Judicial Review. Any person aggrieved by a decision or order of the director, after exhausting all administrative remedies, shall have the right to appeal de novo to the superior court of Henry County.~~

...

Title 12

UNIFIED DEVELOPMENT CODE¹

Chapter 1 GENERAL PROVISIONS

...

1.12 Transition rules.

- A. Any application for a building permit or land disturbance permit that has been filed with the community development department, and is full and complete, prior to the effective date of this unified development code, shall be regulated by the terms and conditions of the zoning ordinance that was in place at the time of filing. However, all administrative procedures and penalties shall follow those which are set forth by this unified development code.
- B. Any application for a zoning map amendment (a rezoning) that was filed with the community development department and is full and complete prior to the effective date of this unified development code, shall continue through the process to completion pursuant to the terms and conditions of the zoning ordinance that was in place at the time of filing. However, if the proposed use would no longer be permitted in the proposed zoning district, or if the proposed zoning district no longer exists in this Code, the director shall amend the application such that the request for rezoning would accomplish the same end goal for the applicant.
- C. Any application which is before the mayor and city council or the planning commission (i.e. a rezoning, a zoning modification, a ~~conditional use~~special use, a development standards variance, or a land use amendment) that has been filed with the community development department, and is full and complete prior to the effective date of the ordinance from which this chapter is derived, shall continue the process pursuant to the terms and conditions of the zoning ordinance that was in place at the time of filing, provided that if such application is no longer required by the terms of this Code, the application will be dismissed.

...

2.4 Zoning districts—Uses and development standards.

The following sections present those development standards that must be met in the respective zoning districts that are established in this unified development code.

RR—Rural Residential District

¹Editor's note(s)—Printed herein is the unified development code of the city, Ordinance No. 22-496, as adopted by the city council on March 14, 2022. Amendments to the ordinance are indicated by parenthetical history notes following amended provisions. The absence of a history note indicates that the provision remains unchanged from the original ordinance. Obvious misspellings and punctuation errors have been corrected without notation. For stylistic purposes, headings and catchlines have been made uniform and the same system of capitalization, citation to State statutes, and expression of numbers in text as appears in the municipal code has been used. Additions made for clarity are indicated by brackets.

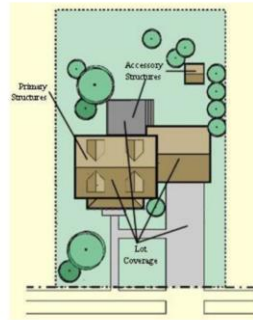
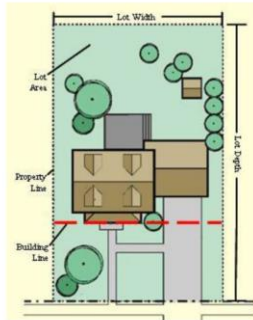
2.4.1 RR—Rural Residential District.

- A. District Intent. The intent of the Rural Residential District is to preserve the mixed agricultural and residential character of land which presently serves as a transition between rural land and land which may become urban in character.

B. ~~Permitted Uses and Conditional Uses.~~

<u>Permitted Uses</u>	<u>Conditional Uses</u>	<u>Conditional Uses Cont.</u>
<u>Residential</u>	<u>Residential</u>	<u>Public/Institutional</u>
- Single family residences - Boarding house/group home/personal care home having 2 or more residents less residents - Manufactured home - Senior adult housing	Boarding house/group home/personal care home having 3 or more residents	- Adult and child day care - Pre-K and private school K-12
<u>Agricultural</u>	<u>Agricultural</u>	<u>Commercial</u>
Riding academies and stables on tracts of not less than 3 acres	- Keeping or raising of livestock - Livestock processing and feedlots - Roadside produce stands	- Golf course or driving range - Commercial greenhouses or plant nurseries - Bed and breakfast facility (not in a subdivision)
<u>Public/Institutional</u>	<u>Public/Institutional</u>	<u>Accessory Uses</u>
- Cemeteries - Municipal, county, State or Federal buildings - Public school K-12 - Parks and playgrounds - Athletic fields - Emergency response and public safety facilities	- Funeral home, mortuaries, and crematoriums - Animal care facilities (kennels, animal hospitals, veterinary clinics, and stables) provided that all structures, pens, and runs be in the rear yard only, with a minimum setback of 75 feet from all property lines - Private clubs and lodges - Mass assembly centers and grounds (Section 3.2.24)	<u>Residential</u> - Accessory dwelling unit, such as garage apartment, basement quarters, mother-in-law suite, or other type as determined by the director - Home occupation, excluding family day cares - Short-term rental
<u>Communications/Utilities</u>		
- Wireless Telecommunications - Utility substation - Water tower		

~~C.B.~~ District Standards.



LOT DIMENSIONS

Minimum Lot Area:

- 1 acre on public water/sewer and/or septic
- 1.25 acres on private well and septic
- 3 acres for agricultural use

Minimum Lot Width:

- 150 feet

Maximum Lot Depth:

- None

Minimum Lot Frontage:

- 100 percent of the lot width

YARD SETBACKS

Minimum Front Yard Setback:

- 75 feet

Minimum Side Yard Setback:

- 20 feet

Minimum Rear Yard Setback:

- 40 feet

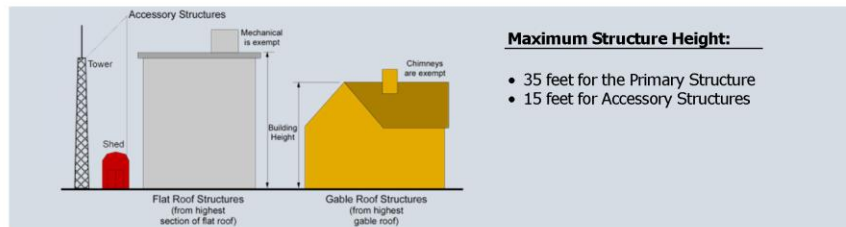
OTHER REQUIREMENTS

Maximum Lot Coverage:

- 30 percent

Minimum Living Area:

- 1,000 square feet on lot having 1.25-acre lot or larger
- 1,200 square feet on lot smaller than 1.25 acres



Maximum Structure Height:

- 35 feet for the Primary Structure
- 15 feet for Accessory Structures

SR—Suburban Residential District

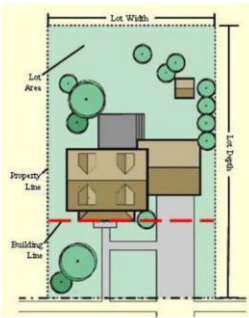
2.4.2 SR—Suburban Residential District.

A. District Intent. The intent of the Suburban Residential District is to provide for single-family dwellings of a low to moderate density character on individual lots.

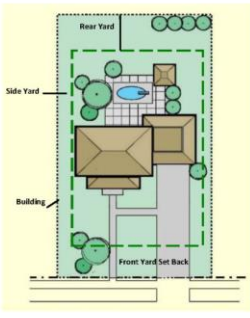
B. ~~Permitted Uses and Conditional Uses.~~

<u>Permitted Uses</u>	<u>Conditional Uses</u>	<u>Accessory Uses</u>
<u>Residential</u> Single-family residences	<u>Residential</u> - Boarding house/group home/personal care home having two (2) or fewer residents - Senior housing for ages fifty-five and over (55+), excluding medical services	<u>Residential</u> - Accessory dwelling unit, such as garage apartment, basement quarters, mother-in-law suite, or other type as determined by the director - Home occupation, excluding family day-cares
<u>Public/Institutional</u> - Cemeteries - Golf course or driving range - Municipal, county, State or Federal buildings - Public school K-12 - Parks and playgrounds	<u>Public/Institutional</u> - Adult and child day-care centers - Mass assembly centers and grounds (Section 3.2.24.)	
<u>Communications/Utilities</u> - Wireless telecommunications - Utility substation - Water tower		

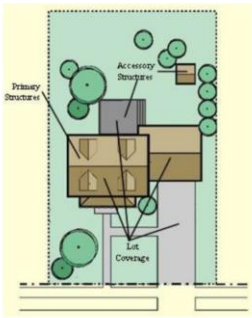
C. District Standards.



LOT DIMENSIONS

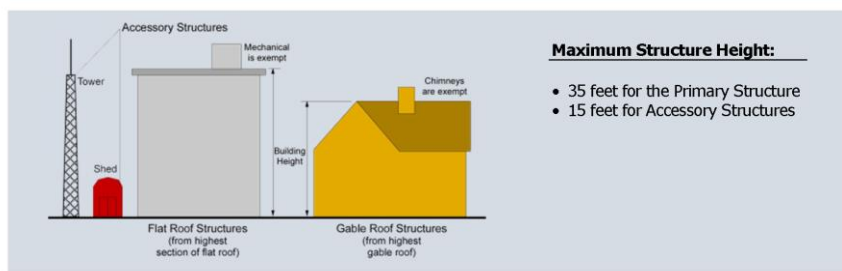


YARD SETBACKS



OTHER REQUIREMENTS

<u>Minimum Lot Area:</u>	<u>Minimum Front Yard Setback:</u>	<u>Maximum Lot Coverage:</u>
• 12,000	• 50 feet	• 30 percent
<u>Minimum Lot Width:</u>	<u>Minimum Side Yard Setback:</u>	<u>Minimum Living Area:</u>
• 75 feet	• 10 feet	• 1,500 square feet
<u>Maximum Lot Depth:</u>	<u>Minimum Rear Yard Setback:</u>	
• None	• 40 feet	
<u>Minimum Lot Frontage:</u>		
• 100 percent of the lot width		



CCR—City Center Residential District

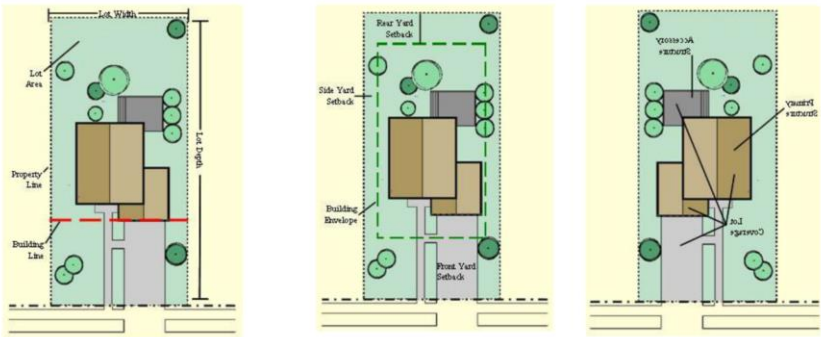
2.4.3 CCR—City Center Residential District.

A. District Intent. The intent of the City Center Residential District is to provide a diversity of residential housing types on smaller lots where public sewer systems are present, when they are a part of a planned development project.

B. ~~Permitted Uses and Conditional Uses.~~

<u>Permitted Uses</u>	<u>Conditional Uses</u>	<u>Accessory Uses</u>
<u>Residential</u> • Single-family residences • Townhomes • Duplex • Triplex • Quadraplex <u>Public/Institutional</u> • Municipal, county, State, or Federal buildings • Public school K-12 • Parks and playgrounds <u>Communications/Utilities</u> • Wireless telecommunications • Utility substation • Water tower	<u>Residential</u> • Boarding house/group home/personal care home having 2 or more residents	<u>Residential</u> • Accessory dwelling unit, such as garage apartment, basement quarters, mother-in-law suite, or other type as determined by the director • Home occupation, excluding family day cares • Short-term rental

CB. District Standards.



LOT DIMENSIONS**Minimum Lot Area:**

- 6,000 square feet

Minimum Lot Width:

- 50 feet

Maximum Lot Depth:

- None

Minimum Lot Frontage:

- 70 percent of the lot width

YARD SETBACKS**Minimum Front Yard Setback:**

- 25 feet

Minimum Side Yard Setback:

- 10 feet

Minimum Distance Between Buildings:

- 20 feet

Minimum Rear Yard Setback:

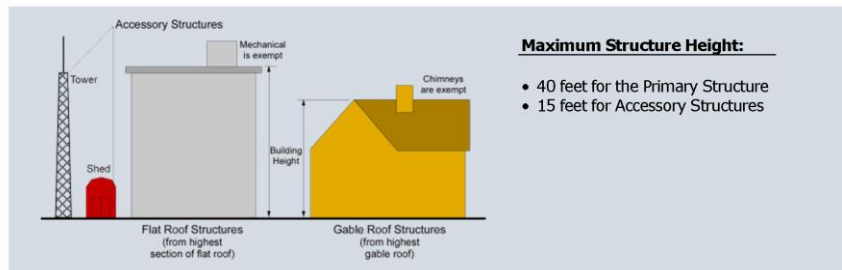
- 30 feet

OTHER REQUIREMENTS**Maximum Lot Coverage:**

- 50 percent

Minimum Living Area:

- 850 square feet per unit



MFR—Multiple Family Residential District

2.4.4 MFR—Multiple Family Residential District.

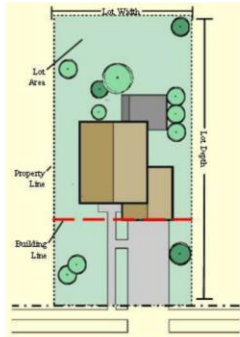
- A. District Intent. The intent of the Multiple Family Residential District is to allow the development of multiple family residences served by public water and sewer systems. The provisions that regulate this land use district provides for the development of residential neighborhoods in a high-density urban development environment with access provided on streets that are classified as collector streets of higher.

The city should promote an average density of fourteen (14) dwelling units per acre or higher.

~~B. Permitted Uses and Conditional Uses.~~

<u>Permitted Uses</u>	<u>Conditional Uses</u>	<u>Accessory Uses</u>
<u>Residential</u>	<u>Residential</u>	<u>Residential</u>
• Triplex • Quadraplex • Apartments • Townhouses • Condominiums	N/A	• Home occupation, except for home day cares
• Senior housing, excluding a medical component due to State licensing restrictions	<u>Public/Institutional</u>	
	• Adult and child day care centers • Private school K-12 • Nursing homes, assisted living, and hospice care facilities	
<u>Public/Institutional</u>		
• Municipal, county, State or Federal buildings • Public school K-12 • Parks and playgrounds		
<u>Communications/Utilities</u>		
• Wireless telecommunications • Utility substation • Water tower		

- ~~C.B.~~ District Standards.



LOT DIMENSIONS

Minimum Lot Area for Development:

- 2 acres

Minimum Lot Width:

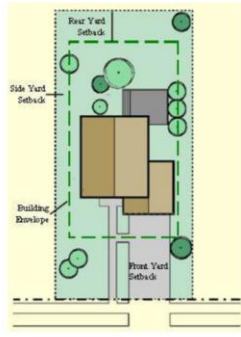
- 100 feet

Maximum Lot Depth:

- None

Minimum Lot Frontage:

- 100 percent of the lot width



YARD SETBACKS

Minimum Front Yard Setback:

- 50 feet

Minimum Side Yard Setback:

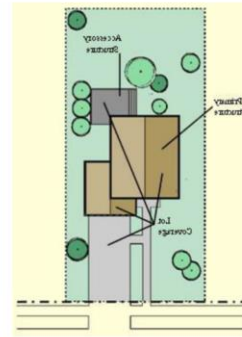
- 15 feet

Minimum Distance Between Buildings:

- 20 feet

Minimum Rear Yard Setback:

- 20 feet



OTHER REQUIREMENTS

Maximum Lot Coverage:

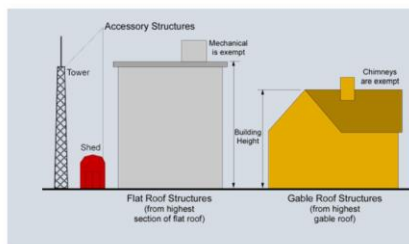
- 50 percent

Minimum Open Space:

- 15 percent

Minimum Living Area:

- Studio—800 square feet
- 1 bedroom—650 square feet
- 2 bedroom—950 square feet
- 3 bedroom—1,150 square feet



Maximum Structure Height:

- 45 feet for the Primary Structure
- 15 feet for Accessory Structures

MHR—Mobile Home Residential District

2.4.5 MHR—Mobile Home Residential District.

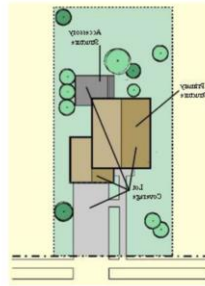
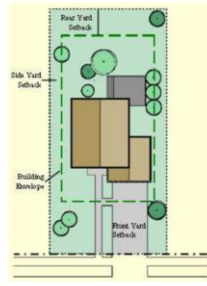
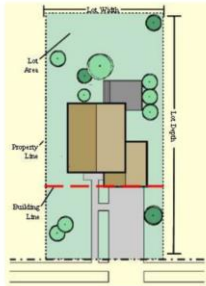
- A. District Intent. The intent of the Mobile home Residential District is to accommodate mobile home developments as an attractive and attainable housing options. Mobile home parks shall be designed in accordance with O.C.G.A §§ 8-2-160 through 168, the State Board of Health requirements, and the requirements of this Code.

It is intended that such mobile home developments shall be so located, designed, and improved as to provide a desirable residential environment, protection from potentially adverse neighboring influences, and access for vehicular traffic without traversing local streets in adjoining residential neighborhoods. Mobile home developments, including mobile home parks and mobile home subdivisions, shall be located on a thoroughfare having the minimum classification of an arterial roadway.

~~B. Permitted Uses and Conditional Uses:~~

<u>Permitted Uses</u>	<u>Conditional Uses</u>	<u>Accessory Uses</u>
<u>Residential</u>	<u>Public/Institutional</u>	<u>Residential</u>
• Manufactured home	• Pre-K and day care centers, provided that they are not located inside of a home, but rather in a freestanding building.	• Home occupation, except for pre-K and day care centers.
• Mobile home		• One (1) office/maintenance building incidental to use by residents of a mobile home park.
<u>Public/Institutional</u>		• Commercial and service establishments intended to serve only persons within the mobile home park when located within mobile home parks and occupying not more than three percent (3%) of the total land area of the mobile home park.
• Municipal, County, State, or Federal buildings		• Recreation areas and structures owned, operated and maintained exclusively for the use of residents and guests of residents of the mobile home park.
• Public School K-12		

~~C.B.~~ District Standards.



LOT DIMENSIONS

Minimum Development Area:

- 15 acres for park

Minimum Lot Width:

- 125 feet

Maximum Lot Depth:

- None

Minimum Lot Frontage:

- 100 percent of the lot width

Minimum Lot Area:

- 5,000 square feet with public water and sewer
- 18,000 square feet with public water and septic

YARD SETBACKS

Minimum Development Front Yard Setback:

- 60 feet

Minimum Side Yard Setback:

- 15 feet

Minimum Distance Between Buildings:

- 20 feet

Minimum Rear Yard Setback:

- 40 feet

OTHER REQUIREMENTS

Maximum Lot Coverage:

- 40 percent

Minimum Open Space:

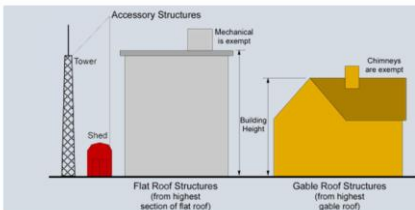
- 20 percent

Minimum Living Area:

- 720 square feet

Minimum Number of Units:

- 50 per development



Maximum Structure Height:

- 35 feet for the Primary Structure
- 15 feet for Accessory Structures

OI—Office Institutional District

2.4.6 OI—Office Institutional District.

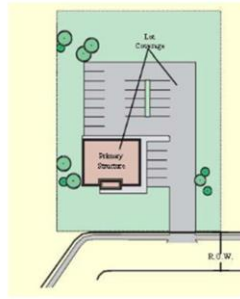
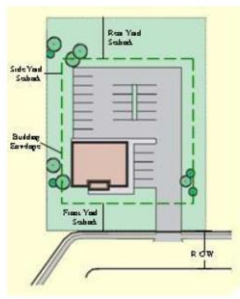
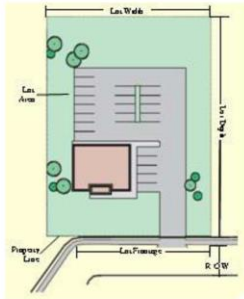
- A. District Intent. The intent of the OI district is to allow a land use category for offices, banks, and personal business services which can serve as a transitional area between residential and commercial districts.

~~B. Permitted Uses and Conditional Uses:~~

<u>Permitted Uses</u>	<u>Permitted Uses Cont.</u>	<u>Conditional Uses</u>
<u>Commercial Uses</u>		
• Bakeries	• Library or museum	• Nursing homes, assisted living, and hospice care facilities
• Banks and loan associations	• Restaurants having no drive thru	• Boarding house/group
• Barber shop and beauty salon, only when located inside of buildings for other uses	• Health services clinic, urgent care	home/personal care home having 3 or more residents
• Bookstores	• Home healthcare service, office use only	• Mass assembly centers and grounds (see Sections 3.2.24 and 3.1 Use Table)
• Cafes inside of buildings for other uses	• Hospital or medical facility	
• Child and adult day care centers	• Kidney dialysis center	
• Clothing and apparel store, only when located inside of buildings for other uses	• Medical or dental laboratories	
• Coin laundry, dry cleaning, and pick up stations, only when located inside of buildings for other uses	• Physical therapy	
• Dental offices	<u>Public/Institutional</u>	
• Fueling service stations	• Colleges, universities, research and training facilities	
• Florist and gift shops	• Municipal, county, State or Federal buildings	
• Fitness center	• Public school K-12	
• Museums and art galleries	• Private school K-12	
• Nonprofit fraternal organizations and clubs	• Parks and recreation centers	
• Pharmacy or apothecary	• Professional offices	
• Clinics, cafeterias, employee credit unions and recreational facilities for employees only	• Vocational schools	
	<u>Communications/Utilities</u>	
	• Bus station	
	• Park and ride lots	
	• Radio tower	
	• Wireless telecommunications	
	• Utility substation	
	• Water tower	

~~B.~~

- C. District Standards.



LOT DIMENSIONS

Minimum Lot Area:

- 20,000 square feet

Minimum Lot Width:

- 100 feet with public water/sewer
- 125 feet with public water and septic

Maximum Lot Depth:

- None

Minimum Lot Frontage:

- 100 percent of the lot width

YARD SETBACKS

Minimum Front Yard Setback:

- 50 feet

Minimum Side Yard Setback:

- 15 feet

Minimum Distance Between

Buildings:

- 20 feet

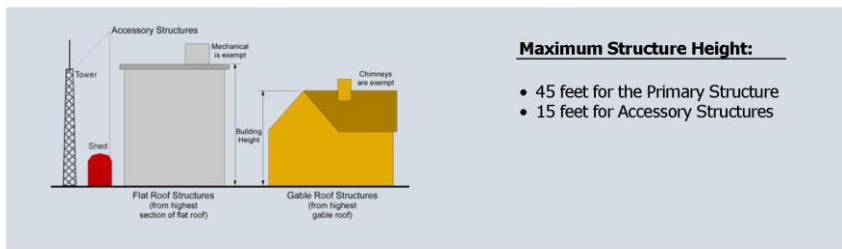
Minimum Rear Yard Setback:

- 20 feet

OTHER REQUIREMENTS

Maximum Lot Coverage:

- 70 percent



Maximum Structure Height:

- 45 feet for the Primary Structure
- 15 feet for Accessory Structures

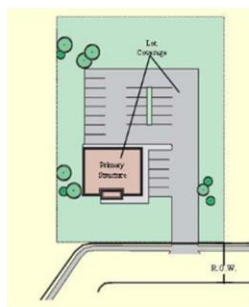
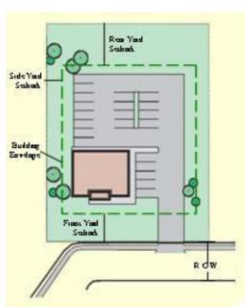
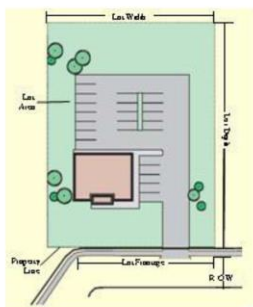
DT—Downtown District

2.4.7 DT—Downtown District.

- A. District Intent. The intent of the DT District is to maintain, enhance, and expand the development patterns and mixed use and open space character of Downtown Mainstreet. It is also to encourage compatible infill and redevelopment opportunities. Development standards within the district are intended to continue historic development patterns and promote a predominant land use activity for retail, dining, entertainment, cultural events, community festivals, and residential options, while still allowing for other uses to locate in the district.
- B. Permitted Uses and ~~Conditional Uses~~Special uses.

<u>Permitted Uses</u>	<u>Permitted Uses Cont.</u>	<u>Conditional Uses</u>
<u>Residential</u> - Residential units on upper floors - Live/work units	- Grocery store - Ice cream and confectionary stores - Jewelry store - Music store - Office buildings - Organizations and clubs - Pet supply store (no boarding) - Pharmacy - Recording studios - Professional offices - Restaurants, having no drive-through - Restaurants, including outdoor dining	<u>Residential</u> - Duplex - Triplex - Quadraplex
<u>Commercial Uses</u> - Apparel and retail stores - Art galleries - Antique shops - Bakery and cafe - Bank and loan associations - Barber shop and beauty salon, subject to the use restrictions for regulated businesses - Bookstores - Breweries and distilleries, when they are located inside of a restaurant - Clothing and apparel store - Day spa and aesthetician - Drugstore - Florist and gift shops - Food trucks and courts - Fitness center and similar group instruction - Farmer's markets - General merchandise store	<u>Public/Institutional</u> - Commercial parking garages - Municipal, county, State or Federal buildings - Parks, recreation, and open space	<u>Commercial Uses</u> - Bars, taverns, pubs, and clubs - Billiards and arcades - Mass assembly centers and grounds (see Sections 3.2.24 and 3.1 Use Table) <u>Public/Institutional</u> - Event space, subject to the "assembly use" restrictions that were adopted by city council, and subject to the obtaining of a temporary use permit <u>Communications/Utilities</u> - Wireless telecommunications - Utility substation - Water tower - Radio tower - Bus station - Park and ride lot

~~C.B.~~ District Standards.



LOT DIMENSIONS

Minimum Lot Area:

- None

Minimum Lot Width:

- None

Maximum Lot Depth:

- None

Minimum Lot Frontage:

- None

YARD SETBACKS

Maximum Front Yard Setback:

- 20 feet

Minimum Side Yard Setback:

- 0 feet
- 10 feet, with doors and windows

Minimum Rear Yard Setback:

- 10 feet

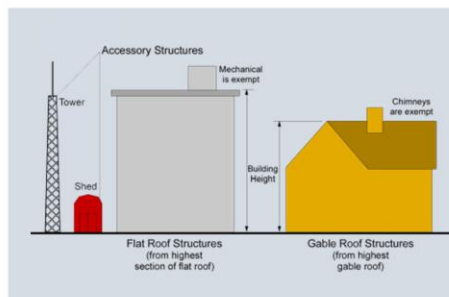
OTHER REQUIREMENTS

Maximum Lot Coverage:

- 90 percent

Minimum Living Area:

- Studio—600 square feet
- 1 bedroom—800 square feet
- 2 bedroom—1,000 square feet
- 3 bedroom—1,100 square feet



Maximum Structure Height:

- 45 feet for the Primary Structure
- 15 feet for Accessory Structures

C1—Neighborhood Commercial District

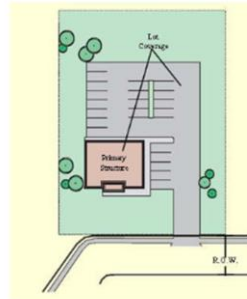
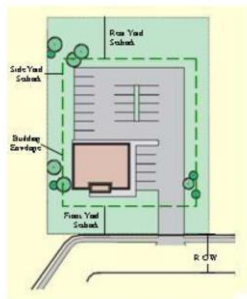
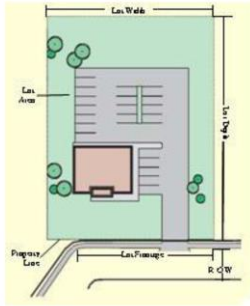
2.4.8 C1—Neighborhood Commercial District.

- A. District Intent. The intent of the C-1 District is to provide locations for limited retail and service uses to satisfy the common and frequent needs of nearby residents of nearby residential neighborhoods. It is the intent of this district to encourage such uses to be a part of a neighborhood convenience shopping center designed as a continuous architectural unit and on roads classified as minor arterial.

B. ~~Permitted Uses and Conditional Uses.~~

<u>Permitted Uses</u>	<u>Permitted Uses Cont.</u>	<u>Permitted Uses Cont.</u>
<u>Commercial Uses</u> - Apparel stores - Artisans' galleries - Antique shops, provided that there is no outdoor display or storage - Bakery, confectionary, and cafe uses - Bank and loan associations - Barber shop and beauty salon - Bookstores - Boarding and rooming houses - Bicycle sales and repair - Catering establishments - Child and adult day care centers - Coin laundry, dry cleaning, and pickup stations - Colleges, universities, and vocational/technical schools - Dental offices and clinics - Consignment and thrift stores, subject to the use restrictions for regulated businesses - Florist and gift shops - Fitness centers - Furniture stores - Hospitals - Hotels	<u>Commercial Uses</u> - Indoor recreation, including bowling alleys, theaters, pool rooms and electronic machines - Jewelry stores - Medical offices, clinics, and physical therapy facility - Museums and art galleries - Music store - Package store - Pet supply store (no boarding) - Pharmacy - Physical therapy - Professional offices - Professional/business schools and colleges or other private schools offered for profit - Restaurants and other dining establishments with or without a drive-through configuration - Sidewalk sales, provided that a temporary use permit is obtained <u>Public/Institutional</u> - Municipal, county, State or Federal buildings - Parks and recreation uses - Public school K-12	<u>Communications/Utilities</u> - Wireless telecommunications - Utility substation - Water tower - Radio tower <u>Conditional Uses</u> <u>Commercial Uses</u> - Cemeteries - Mass assembly centers and grounds (Section 3.2.24)

CB. District Standards.



LOT DIMENSIONS

Minimum Lot Area:

- 10,000 square feet

Minimum Lot Width:

- 60 feet

Maximum Lot Depth:

- None

Minimum Lot Frontage:

- 100 percent of the lot width

YARD SETBACKS

Minimum Front Yard Setback:

- 50 feet

Minimum Side Yard Setback:

- 10 feet
- 30 feet for corner lots

Minimum Distance Between Buildings:

- 20 feet

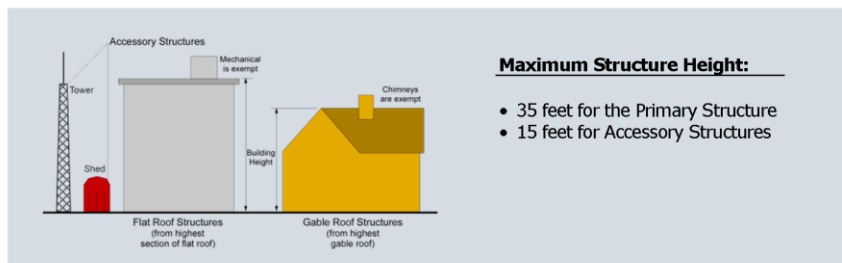
Minimum Rear Yard Setback:

- 20 feet

OTHER REQUIREMENTS

Maximum Lot Coverage:

- 70 percent



Maximum Structure Height:

- 35 feet for the Primary Structure
- 15 feet for Accessory Structures

C2—General Commercial District

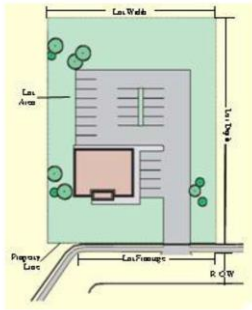
2.4.9 C2—General Commercial District.

- A. District Intent. The intent of the C-2 District is to provide locations for a wide variety of retail and service uses and wholesale establishments to satisfy the common and frequent needs of residents in large sections of the county and of the traveling public. It is the intent of this district to encourage businesses to be part of planned commercial convenience centers, neighborhood or community shopping centers, and/or developed sections along roads with a classification of minor arterial.

B. ~~Permitted Uses and Conditional Uses.~~

<u>Permitted Uses</u>	<u>Permitted Uses Cont.</u>	<u>Conditional Uses</u>
<u>Commercial Uses</u>		<u>Commercial Uses</u>
- Any use permitted in the C1 District - Ambulance service - Automobile broker (no vehicle storage) - Automobile wash/wax centers - Automobile rental and leasing facilities - Automobile service repair stations providing minor repair - Bowling alley, billiard hall, indoor tennis courts, indoor skating rink, or similar forms of indoor commercial recreation - Cigar bars, hookah lounges - Commercial parking garages and lots - Commuter transit, such as bus and train - Dancing schools and other group instruction - Department store - Furniture store - Health services clinic or hospital - Pawn shops and second-hand stores, including apparel, music, movies, gaming, and books	- Pet shops - Restaurants, including drive-through establishments - Retail warehouses/wholesalers providing sales of merchandise with no outdoor storage - Sporting field and complexes - Stationery, office supply, and equipment stores - Tattoo shops - Used appliances stores - Vape shops <u>Public/Institutional</u> - Municipal, county, State or Federal buildings - Public school K-12 <u>Communications/Utilities</u> - Wireless telecommunications - Utility substation - Water tower - Radio tower	- Automobile gasoline sales - Building and lumber supply establishments, providing that there is not outside storage of materials or equipment - Funeral home, mortuaries, and crematoriums - Greenhouses and nurseries, including landscape service - Mass assembly centers and grounds (see Sections 3.2.24 and 3.1 Use Table) - Trade shops, including electrical plumbing, heating/cooling, and roofing siding, having no outside storage - Veterinary clinic

C3. District Standards.



LOT DIMENSIONS

Minimum Lot Area:

- 10,000 square feet

Minimum Lot Width:

- 100

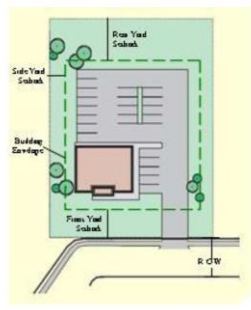
ne;

Maximum Lot Depth:

- None

Minimum Lot Frontage:

- 100 percent of the lot width



YARD SETBACKS

Minimum Front Yard Setback:

- 50 feet

Minimum Side Yard Setback:

- 10 feet
- 30 feet for corner lots

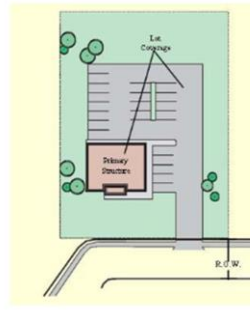
Minimum Distance Between

Buildings:

- 20 feet

Minimum Rear Yard Setback:

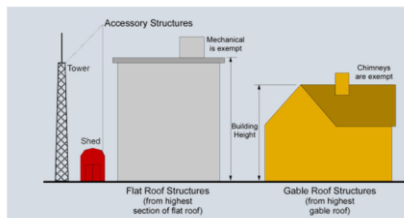
- 20 feet



OTHER REQUIREMENTS

Maximum Lot Coverage:

- 70 percent



Maximum Structure Height:

- 35 feet for the Primary Structure
- 15 feet for Accessory Structures

C3—Heavy Commercial District

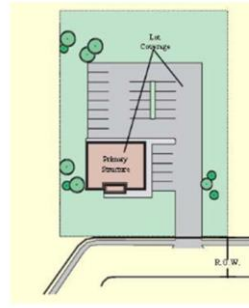
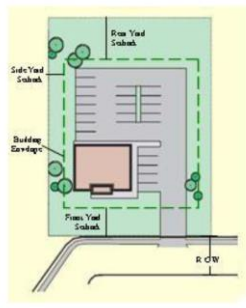
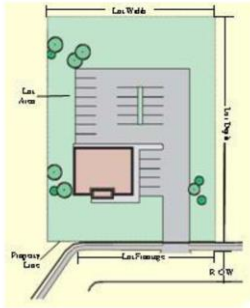
2.4.10 C3—Heavy Commercial District.

- A. District Intent. The intent of the C-3 District is to provide distinct areas for commercial activities which provide products and services that require locations along major arterial roads, highway intersections, and freeway interchange areas, due to their generation of heavy traffic or their need to transport and display heavy bulk materials, and which provide services that would not be appropriately located in areas providing neighborhood or other commercial retail and service activities. Uses in this district shall be located on roads having a minimum classification of major arterial.

~~B. Permitted Uses and Conditional Uses.~~

<u>Permitted Uses</u>	<u>Permitted Uses Cont.</u>	<u>Conditional Uses</u>
<u>Commercial Uses</u>		<u>Commercial Uses</u>
— Any use permitted within the C2 District	— Recreational vehicle/boat sales and service	— Automobile sales (new and used dealerships)
— Automobile brokers	— Trade shops, including electrical plumbing, heating/cooling, and roofing/siding, having no outside storage	— Mass assembly centers and grounds (see Sections 3.2.24 and 3.1—Use Table)
— Automobile gasoline sales	— Tattoo shops	
— Automobile service repair stations providing major repair	— Used appliance stores	<u>Accessory Uses</u>
— Building and lumber supply establishments		— Gate and security buildings
— Commercial parking garages and lots	<u>Public/Institutional</u>	— One (1) dwelling unit may be established for security personnel, management personnel, or the facility owner for a warehouse/self-storage facility
— Commuter transit, such as bus and train	— Municipal, county, State or Federal buildings	
— Computer and data processing services	— Public school K-12	
— Department store	<u>Communications/Utilities</u>	
— Farmers market	— Wireless telecommunications	
— Mini-warehouses and storage buildings without outdoor storage	— Utility substation	
— Office uses are permitted only when they are associated with other permitted uses	— Water tower	
— Retail warehouses/wholesales, including outside storage	— Radio tower	

~~C.B.~~ District Standards.



LOT DIMENSIONS

Minimum Lot Area:

- 10,000 square feet

Minimum Lot Width:

- 100

Maximum Lot Depth:

- None

Minimum Lot Frontage:

- 100 percent of the lot width

YARD SETBACKS

Minimum Front Yard Setback:

- 70 feet

Minimum Side Yard Setback:

- 10 feet
- 30 feet for corner lots

Minimum Distance Between Buildings:

- 20 feet

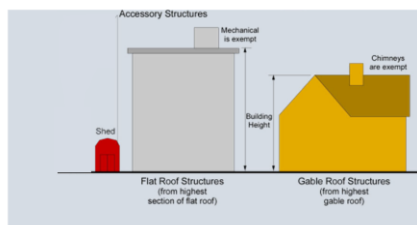
Minimum Rear Yard Setback:

- 30 feet

OTHER REQUIREMENTS

Maximum Lot Coverage:

- 70 percent



Maximum Structure Height:

- 45 feet for the Primary Structure
- 15 feet for Accessory Structures

LI—Light Manufacturing District

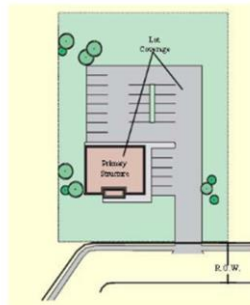
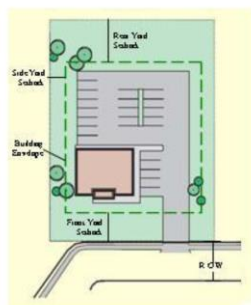
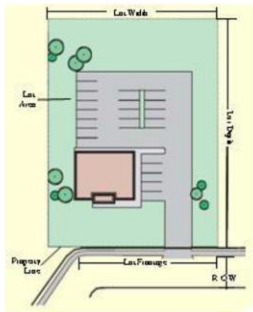
2.4.11 LI—Light Manufacturing District.

- A. District Intent. The intent of the Light Manufacturing District is to provide for light industrial uses, all of which shall be nuisance-free and not generators of hazardous wastes. It is intended that light manufacturing uses shall be located on either arterial or major collector streets, or within industrial parks having access to such thoroughfares.

~~B. Permitted Uses and Conditional Uses.~~

<u>Permitted Uses</u>	<u>Permitted Uses Cont.</u>	<u>Permitted Uses Cont.</u>
<u>Industrial and Warehousing</u>	— Professional offices and administration buildings, when they are associated with another permitted use (excluding office parks)	— Radio tower
— Agricultural implementation and equipment establishments	— Public utilities such as electric substations, storage of materials and trucks, repair facilities, offices and electric generating plants	— Wireless telecommunications
— Armory and equipment sales	— Repair, reconditioning, and manufacturing activities which are nuisance-free and which do not generate hazardous wastes	— Transit park and ride lot
— Automobile service repair stations providing major repair	— Research, experimental, or testing laboratories	— Utility substation
— Building materials and lumber supply establishments	— Trade shops, including electrical, plumbing, heating/cooling, and roofing	— Water tower
— Business distribution centers	— Trade/industrial/vocational schools	<u>Conditional Uses</u>
— Business parks	— Wholesale business, warehouse, distribution, and similar non processing storage and distribution uses	<u>Commercial Uses</u>
— Clinics, cafeterias, employee credit unions and recreational facilities for employees only	<u>Public/Institutional</u>	— Bowling alley, billiard hall, indoor archery and firearm range, indoor tennis courts, indoor skating rink, or similar forms of indoor commercial recreation
— Commercial parking garages and lots	— Municipal, county, State or Federal buildings and clubs	— Outdoor amusement parks
— Computer and data processing services		— Lodges and event facilities
— Fabrication shops		<u>Accessory Uses</u>
— Commercial greenhouses and plant nurseries, including landscaping services		— Gate and security buildings
— Manufacturing, compounding, processing or assembling food or consumer goods		— One (1) dwelling unit may be established for security personnel, management personnel, or the facility owner for a warehouse/self-storage facility
— Self-storage facilities		— Outdoor storage
— Newspaper and printing plants		
— Nonprofit fraternal organizations and clubs		

~~C. District Standards.~~



LOT DIMENSIONS

Minimum Lot Area:

- 30,000 square feet

Minimum Lot Width:

- 100 feet

Maximum Lot Depth:

- None

Minimum Lot Frontage:

- 100 percent of the lot width

YARD SETBACKS

Minimum Front Yard Setback:

- 70 feet

Minimum Side Yard Setback:

- 10 feet
- 30 feet for corner lots

Minimum Distance Between

Buildings:

- 20 feet

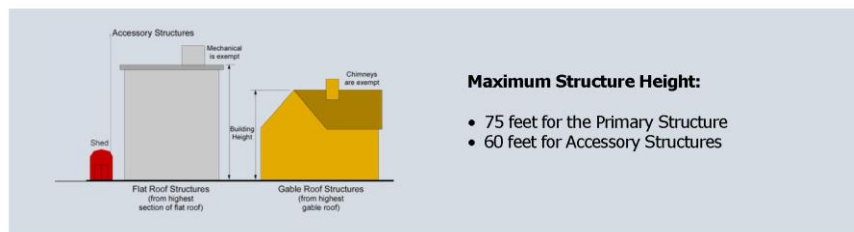
Minimum Rear Yard Setback:

- 20 feet

OTHER REQUIREMENTS

Maximum Lot Coverage:

- 50 percent



HI—Heavy Industrial District

2.4.12 HI—Heavy Industrial District.

- A. District Intent. The intent of the Heavy Manufacturing District is to provide for the broadest range of industrial operations permitted in the city. It is the district for the location of those industries which have not reached a technical stage which renders them to be free of all nuisance factors. These uses are to be located on either an arterial or major collector street, or, when they are located within an industrial park, shall have access to such thoroughfares.

~~B. Permitted Uses and Conditional Uses.~~

<u>Permitted Uses</u>	<u>Permitted Uses Cont.</u>	<u>Conditional Uses Cont.</u>
<u>Industrial and Warehousing</u>	—• Recycling centers for collection or processing —• Rock, sand or gravel distribution or storage —• Sawmills —• Salvage and junkyards —• Sheet metal products —• Smelting of copper, iron, zinc, or ore —• Tinsmith/roofing operations	—• Asphalt and concrete batching plants —• Central mixing plants for cement, mortar, plaster or housing materials —• Development of natural resources, including the removal of minerals (such as rock quarries) and natural materials, together with necessary buildings and machinery
—• Any use which is permitted in the Light Industrial (LI) District —• Agriculture crop processing and storage (of materials produced off-site) —• Asphalt manufacturing —• Building materials and lumber supply establishments —• Blast furnace, steel furnace, blooming, or rolling mill —• Brick, tile, and terracotta manufacturing —• Cement, lime, gypsum, or plaster of paris manufacturing —• Chemical storage or manufacturing —• Heating and electric power generating plants and all necessary uses —• Lumber yard for wholesaling of building	<u>Public/Institutional</u> —• Municipal, county, State, or Federal buildings <u>Communications/Utilities</u> —• Radio tower —• Transit park and ride lots —• Wireless telecommunications —• Utility substation —• Water tower	—• Sanitary landfills —• Truck, trailer, tractor sales and service —• Truck trailer storage lots and trailer drop lots —• Truck stops —• Truck terminals —• Towing, wrecking, and impound service <u>Accessory Uses</u> —• Gate and security buildings —• One (1) dwelling unit for

products

- Machine and machine tool manufacture
- Petroleum or inflammable liquids, production, refining, or storage
- Poultry killing, plucking, and processing
- Railroad spurs and yards
- Railway lines, passenger depots, intermodal facilities, and rail yards

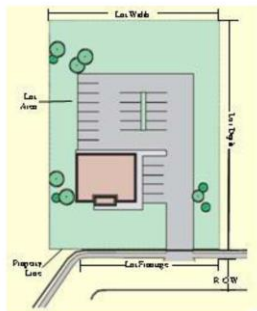
Conditional Uses

Industrial and Warehousing

- Airports, heliports, and landing areas
- Alternative energy production other than solar systems
- Radio/television

- security personnel, management personnel, or the facility owner for a warehouse/self-storage facility
- Outdoor storage

CB. District Standards.



LOT DIMENSIONS

Minimum Lot Area:

- 1 acre

Minimum Lot Width:

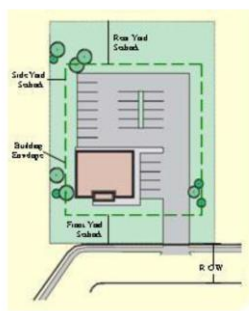
- 150 feet

Maximum Lot Depth:

- None

Minimum Lot Frontage:

- 100 percent of the lot width



YARD SETBACKS

Minimum Front Yard Setback:

- 70 feet

Minimum Side Yard Setback:

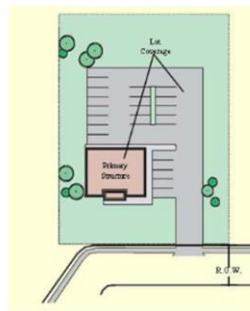
- 10 feet
- 30 feet for corner lots

Minimum Distance Between Buildings:

- 20 feet

Minimum Rear Yard Setback:

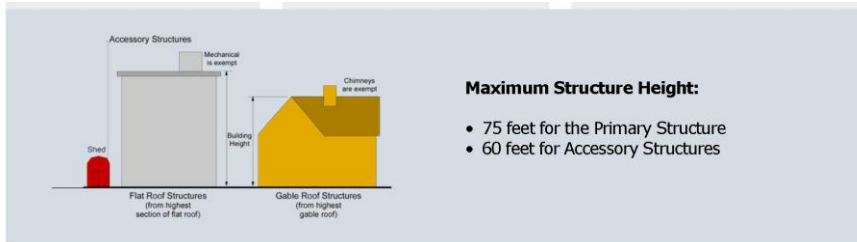
- 40 feet



OTHER REQUIREMENTS

Maximum Lot Coverage:

- 50 percent



PUD—Planned Unit Development

2.4.13 PUD—Planned Unit Development District.

A. District Intent. The intent of the Planned Unit Development District is to:

1. Allow the development of balanced neighborhoods containing physical, economic, and social assets which are difficult to achieve through the traditional separation of use and density zones;
2. Provide an appropriate district for mixed-use developments; and
3. Allow flexibility in design for environmentally challenged properties.

New developments may contain two (2) or more types of uses. Traditional single-family detached subdivisions are envisioned to be in Suburban Residential Districts instead of PUD Districts, unless an unusual site design is proposed (such as cluster housing) or the physical characteristics of the property necessitate flexibility in the site design. Traditional multifamily developments are similarly envisioned to be in a Multiple Family Residential District rather than in a PUD District.

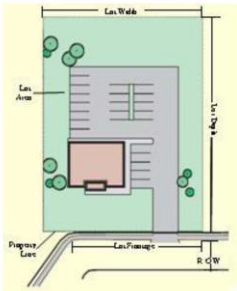
This is accomplished by allowing the applicant the freedom necessary to protect natural resources, to protect and improve the social and economic environment; and to protect the investment of both the city and the community within the development.

In designing a PUD development, special attention should be focused on the arrangement of buildings and other improvements for the orderly function and aesthetics, the preservation of open space for the use of residents and workers in the development, the variety of housing types and densities necessary to achieve a balanced neighborhood, and the provision of a pedestrian environment separate from the vehicular environment.

B. Permitted Uses and ~~Conditional Use~~ Special uses.

<u>Permitted Uses</u>	<u>Permitted Uses Cont.</u>	<u>Conditional Use</u> <u>Special uses</u>
<u>Residential</u> - Single-family residence - Duplex - Triplex - Quadrplex - Apartments - Townhouses - Condominiums - Residential dwellings on upper floors - Nursing homes, assisted living, and hospice care facilities	<u>Public/Office/Institutional</u> - Commercial parking garages and lots - Commuter transit, such as bus and train Municipal, county, State or Federal buildings Parks, recreation, and amphitheaters	Any proposed use subject to the approval by the city council
<u>Retail and Business Uses</u> Any use permitted in the OI, C-1, and C-2 Districts	<u>Communications/Utilities</u> - Wireless telecommunications - Utility substation - Water tower	<u>Accessory Uses</u> <u>Residential</u> - Accessory dwellings - Home occupation, except family day care - Short-term rental <u>Prohibited Uses</u> - Automobile service, major repair - Automobile sales and truck sales - Automobile rental and leasing facilities - Pawn shops

C. District Standards.



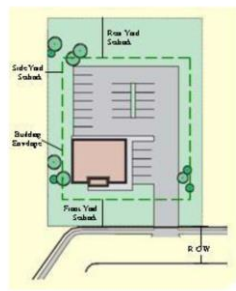
LOT DIMENSIONS

Minimum Lot Area for Development:

- 3 acres

Minimum Lot Width for Development:

- Determined by approved concept plan



YARD SETBACKS

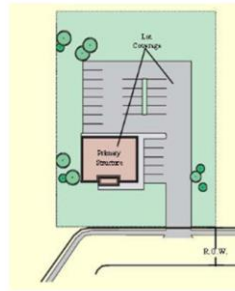
Minimum Front Yard Setback:

- Determined by approved concept plan

Minimum Side Yard Setback:

- Determined by approved concept plan

Minimum Distance Between



OTHER REQUIREMENTS

Maximum Lot Coverage:

- Determined by approved concept plan

Minimum Open Space:

- 20 percent

Maximum Density:

- Determined by approved

Maximum Lot Depth:

- Determined by approved concept plan

Minimum Lot Frontage:

- Determined by approved concept plan

Buildings:

- Determined by approved concept plan

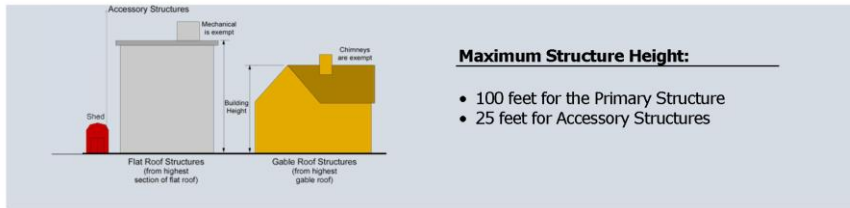
Minimum Rear Yard Setback:

- Determined by approved concept plan

concept plan

Minimum Living Area:

- Determined by approved concept plan



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2.5.3 DTV—Downtown Village Overlay District.

- A. Description of District. The Downtown Village Overlay District mainly consists of the Historic City of Stockbridge, and it is delineated on the adopted zoning map.
- B. Purpose. The purpose and intent of the Downtown Village Overlay District are:
 1. To recognize and affirm the function of the existing traditional downtown as the central focus of commercial, artisan, and civic activities within the community.
 2. To allow the existing downtown to flourish, intensify, and expand wherever it may be appropriate, in a manner that is consistent with its traditional character.
 3. To provide a local retail, service, artisan and civic center for the community.
- C. Applicability.
 1. These regulations of the Downtown Village Overlay District shall take precedence over the regulations of all other districts, including the base zoning districts and any other type of overlay district.
 2. The boundaries for the overlay are designated on the overlay district map.
 3. The requirements of this district are not intended to apply to existing single-family residences. The requirements for such uses shall be those provided under the appropriate zoning classifications for such uses, except where single-family or multiple family use(s) are/is located in a building containing another nonresidential permitted use in this district.
- D. Permitted Uses. The following are permitted uses in the Downtown Village Overlay District:
 1. All permitted uses as provided within the Downtown (DT) District.
 2. Residential units which are located on upper floors above and/or to the rear of commercial and/or office uses.
- E. ~~Conditional Use~~Special uses. The following are ~~conditional uses~~special uses in the Downtown Village overlay District:

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(Supp. No. 52, 4-23)

-
1. All ~~conditional uses~~special uses as provided in the Downtown (DT) District.
 2. Bed and breakfast establishments.
 3. Multi-family residential buildings.
 4. Passenger depots and transit shelters.
 5. Single-family residences.
- F. Prohibited Uses. The following uses are prohibited in the Downtown Village Overlay District:
1. Adult entertainment establishments.
 2. Boarding and rooming homes.
 3. Catering establishments.
 4. Child and adult day care centers.
 5. Consignment and thrift stores.
 6. Family day care homes.
 7. Payday loan, title loans, money cash exchanges—ensure each has a definition.
 8. Places of worship.
 9. Public and private schools and related facilities.
 10. Restaurants with drive through facilities and/or windows.
 11. Tobacco and vape shops, cigar bars, hookah lounges.
 12. Tattoo and piercing studios.
- G. Temporary Uses. The following temporary uses are required to seek special event approval from the director of community development within the Downtown Village Overlay District. The director may impose specific calendar dates, times, or relevant conditions to the approval.
1. Carnivals, fairs, and other similar activities of a temporary nature.
 2. Food trucks and similar temporary vendors.
 3. Outdoor recreational and/or educational opportunities.
 4. Sidewalk sales.
- H. Design Standards. All structures, except single-family homes, duplexes, triplexes, and quadraplexes, in this district must meet the minimum structural and architectural design standards that are listed below. These standards apply to new building construction and renovations, remodels, or expansions of existing buildings.
1. Architectural Features and Details. Exterior facades, including eaves, columns, pilasters, cornices, windows and window surrounds, canopies, fascia, and roofs shall be proportionate with the building and compatible with surrounding traditional buildings. The scale of new construction, including the arrangement of windows, doors, and other openings within the building facade, shall be compatible with surrounding traditional buildings.
 2. Permitted Materials. Exterior surfaces, exclusive of windows and doors, of all buildings shall be faced on three (3) sides with one hundred percent (100%) brick, and the front side shall be faced with fifty percent (50%) brick, stone or stucco. The remainder of the front side may include wood, stone, decorative glass, decorative block, architectural concrete, or precast concrete units, provided that surfaces are molded, serrated, or treated with a textured material in order to give the front side a

three-dimensional character. Vinyl, metal, or cement fiber board siding may be used in the eaves, soffits and gables of a building.

3. Colors. The colors that are to be used for exterior surfaces, including roofs, shall be harmonious with surrounding development and shall visually reflect the traditional concept of the Old Downtown. Incompatible colors include metallics, neon, and/or primary colors.
4. Prohibited Materials. No buildings shall be constructed of sheet aluminum, asbestos, iron, steel, corrugated metal, vinyl, plastic or fiberglass siding. Facia materials which rapidly deteriorate or become unsightly such as galvanized metal or unfinished structural clay tile, are not permitted.
5. Outdoor Dining. Restaurant tables and chairs are permitted in the front setback but shall not be positioned so that their use blocks or requires use of more than two (2) feet of the sidewalk. Within two (2) hours of the posted closing time, such tables and chairs must be stored inside the primary or accessory building.
6. Mechanical Equipment and Utilities. All mechanical equipment, such as furnaces, air conditioners, elevators, transformers, and utility equipment, whether they are on roofs or mounted on the ground, shall be completely screened from contiguous properties and adjacent streets to be compatible with the architectural treatment of the principal structure.
7. Accessory Structures. All accessory structures, screen walls, and exposed areas of retaining walls shall be of a similar type, quality, and appearance as the principal structure.
8. Loading and Service Areas. Loading and service areas must be completely screened, except at access points, from the ground level view from contiguous property and adjacent streets.
9. Outdoor Storage. There shall be no outdoor storage of either materials or products.
10. Trash and Recycling. All trash handling, related equipment, and outside areas for holding trash or materials for recycling, shall be completely enclosed and screened and shall be constructed out of materials which are compatible with the architectural treatment of the principal structure.
11. Streetscape. An eight-foot-wide sidewalk shall be located within the front yard that includes a six-foot-wide sodded landscape buffer between the street and the sidewalk. The landscaping of these buffer areas shall consist of at least one (1) tree or more as needed to provide a continuous balanced treescape with no greater than forty-foot spacing between trees. The exact species and location shall be determined by the community development director to ensure that it does not overly obstruct the view of the store front. Additional vegetation requirements may be required in accordance with Section 4.6, Buffer Requirements, and/or Section 4.7, Landscape Requirements. In addition, one (1) metal trash receptacle and/or one (1) metal bench should be added at strategic locations throughout the district, as determined by the community development director.
12. Street Lights. Historic style street lamps, approved by the community development director, shall be installed throughout the district.
13. Roads. Roadways shall be designed utilizing curb and gutter, in accordance with Chapter 16, Infrastructure Improvements.

I. Setback and Height Standards.

1. Setbacks.
 - a. Front Yard Setback. Minimum of fourteen (14) feet from the curb and may be increased to twenty (20) feet if additional space is landscaped as a garden or outdoor seating or dining area. Entries may be recessed up to twenty-five (25) feet.

- b. Side Yard Setback (each side). Zero (0) feet if attached to or abuts an adjacent building. A minimum of ten (10) feet if the side of building is not attached to or does not abut an adjacent building and a maximum of twenty (20) feet.
 - c. Rear Yard Setback. Minimum of twenty-five (25) feet. If located within the historic downtown, a minimum of fifty-five (55) feet with at least one (1) row of tree shaded parking.
2. Height Requirement. Maximum building height: Four (4) stories or fifty-five (55) feet with the first finished floor level being level with sidewalk grade. A height variance may be applied for in accordance with Section 10.1.4.

J. Required Parking Facilities.

1. On-street parking, either angled or parallel, may be provided along all public streets, unless otherwise determined by the mayor and city council.
2. Off-street parking shall be required for any permitted use within this district in accordance with the parking requirements for such use. In the case of a mixed-use building, the minimum amount of parking required shall be that of the use that provides the greatest number of spaces. The community development director may reduce the parking requirement by twenty-five percent (25%).
3. Off-street parking facilities shall provide an eight-foot-wide buffer between the facility and streets, islands eight (8) feet in width separating isles of parking, and separations four (4) feet in width every twelve (12) spaces. Said buffers, islands, and separations shall be landscaped with sod, three-gallon drought resistant shrubs (four (4) per parking space) and two and one-half (2½) caliper canopy trees which are approved by the community development director planted of a forty-foot spacing.
4. Off-street parking facilities shall be illuminated with downcast lighting using energy-efficient bulbs.

K. Underground Utilities.

1. Utilities shall be located underground.
2. For all new construction and redevelopment, utilities along public streets must be placed underground. This requirement does not apply to the temporary provision of electricity, including, but not limited to, construction power.
3. Water and sewer utilities shall be located in either street rights-of-way or easements located at the outer edge of street rights-of-way.

Chapter 3 USE REGULATIONS

3.1 Use table, zoning districts and use comparison.

KEY:	P - Permitted Use							"See Section" - Additional Regulations Apply					
	A - Permitted as an Accessory Use							SC - Conditional Use Special use					
Use	RR	SR	CCR	MFR	MHR	OI	DT	C1	C2	C3	LI	HI	See Section
AGRICULTURAL													
Agriculture, Forestry and Animal-Related Uses													

Commercial greenhouses and plant nurseries	CS								P	P	P	P	3.2.9
Keeping or raising of livestock	CS												3.2.21
Livestock processing and feedlots	CS										CS	P	3.2.22
Riding academies or stables	P												3.2.4
Roadside produce stands	CS												3.2.31
RESIDENTIAL													
Accessory dwelling unit (guesthouse, in-law suite, apartment over garage)	A	A	A										3.2.2
Duplex, triplex, quadruplex			P	P			CS						
Home occupation	A	A	A	A	A		A						3.2.18
Live-work unit							P						
Manufactured home					P								
Mobile home					P								3.2.26
Multi-family apartments and condos				P									
Single-family residences	P	P	P										
Townhouse			P	P									
Upper story residential							P						
LODGING													
Bed and breakfast (not in subdivision)	CS												3.26
Hotel/motel								P	P	P			
Short-term vacation rental	A		A										Title 9
SPECIALIZED HOUSING FACILITIES													
Boarding/rooming house	CS			CS		CS		P	P	P			3.2.7
Personal care homes, group homes, and	P	CS	CS	CS									3.2.28

boarding home having 2 or less persons														
Personal care homes, group homes, and boarding home having 2 or more persons	<u>CS</u>	<u>CS</u>				<u>CS</u>								3.2.29
Nursing homes, assisted living, and hospice care facilities				<u>CS</u>		<u>CS</u>								3.2.17
Senior adult housing	P	P	P	P										3.2.37
Cemeteries	P	P						<u>CS</u>						3.2.7
Funeral homes, mortuaries, and crematoriums	<u>CS</u>								<u>CS</u>					3.2.15
Emergency response and public safety facilities	P	P	P	P	P	P	P	P	P	P	P	P	P	3.2.12
Golf courses and driving ranges	<u>CS</u>	P		P										3.2.16
Municipal, county, State, or Federal buildings	P	P	P	P	P	P	P							
Library or museum						<u>SP</u>	P							
Parks and playgrounds	P	P	P	P	P	P	P							
MASS ASSEMBLY CENTERS & GROUNDS														
Amphitheaters									<u>CS</u>	<u>CS</u>	<u>CS</u>	<u>CS</u>	<u>CS</u>	3.2.24
Athletic fields	<u>SP</u>	<u>SP</u>	<u>P</u>	<u>P</u>	<u>P</u>	P	<u>SP</u>	P	P	P	<u>SP</u>	<u>SP</u>	<u>SP</u>	3.2.24
Armories									<u>CS</u>	<u>CS</u>	<u>CS</u>	<u>CS</u>	<u>CS</u>	3.2.24
Convention centers							<u>CS</u>		<u>CS</u>	<u>CS</u>	<u>CS</u>	<u>CS</u>	<u>CS</u>	3.2.24
Civic centers							<u>CS</u>		<u>CS</u>	<u>CS</u>	<u>CS</u>	<u>CS</u>	<u>CS</u>	3.2.24
Fairgrounds									<u>CS</u>	<u>CS</u>	<u>CS</u>	<u>CS</u>	<u>CS</u>	3.2.24
Lodges and event facilities	<u>CS</u>					P	<u>SP</u>			P	<u>CS</u>	<u>CS</u>	<u>CS</u>	3.2.23
Outdoor amusements (miniature golf, carnivals or midway rides, pony rides, climbing walls, tracks for go-carts and							<u>CS</u>		<u>CS</u>	<u>CS</u>	<u>CS</u>	<u>CS</u>	<u>CS</u>	3.2.24

similar vehicles, and other tourist-oriented rides and amusements)														
Places of worship	CS	CS				P	S	CP	CP	CP	S	S	3.2.24	
Rodeos									CS	CS	CS	CS	3.2.24	
EDUCATION														
Colleges, universities, research and training facilities	P					P		P	P	P	P	P		
Public kindergarten, elementary, middle and high schools	P	P	P	P	P	P		P	P	P			3.2.35	
Private kindergarten, elementary, middle and high schools	C					P		P	P	P			3.2.35	
Vocational schools						P		P	P	P	SP	SP	3.2.24	
AUTO RELATED USES														
Automobile brokerage (no vehicle storage)									P	P				
Automobile service, major repair										P	P	P	Title 9	
Automobile service, minor repair									P	P			Title 9	
Automobile sales and truck sales										CS			Title 9	
Automobile rental and leasing facilities									P	P				
Automobile wash and wax centers									P	P				
Gasoline service centers									CS	P			3.2.14	
Recreational vehicle/boat sales and service										P				
Tire shops										P			Title 9	
OFFICE														
Building and construction office, landscape contractors									P	P	P	P		

(material, equipment, storage)														
Temporary trailer, as home sales office or construction trailer									P	P	P			
General business office, including accounting, finance, banking, insurance, legal, medical, real estate, engineering, architecture, construction (without storage), etc.						P	P	P	P	P				
RECREATION AND ENTERTAINMENT														
Clubs and/or lounges	€							P	P	P	<u>SP</u>	<u>SP</u>	3.2.24	
Indoor recreation (bowling alleys, movie theatres and other activities conducted wholly indoors)								P	P	P	<u>PS</u>	<u>SP</u>	3.2.24	
Private commercial/vocational schools (including martial arts or dance studios, and technical or vocational training)								P	P	P	<u>SP</u>	<u>SP</u>	3.2.24	
Theaters with live performance, assembly or concert halls, or similar entertainment within enclosed building								P	P	P	<u>PS</u>	<u>SP</u>	3.2.24	
RETAIL														
Apparel or accessories store						A	P	P	P	P				
Art gallery						P	P	P	P	P				
Antique shops, provided that there is no outdoor display or storage							P	P	P	P				

Book, greeting card, or stationery store						P	P	P	P	P			
Farmer's market							P	CS	CS	P	P	P	
Florist and gift shops						P	P	P	P	P			
Grocery stores							P	P	P	P			
Hardware store or other building materials store								P	P	P			
Jewelry store							P	P	P	P			
Liquor or package store								P	P	P			Title 9
Music or music equipment store (retail)							P	P	P	P			
Office supplies and equipment store							P	P	P	P			
Pawn shops and second-hand stores, including apparel, music, movies, gaming, and books									P	P			Title 9
Pet supply store (no boarding)							P	P	P	P			
Pharmacy or drug store						P	P	P	P	P			
Radio, television, or consumer electronics store							P	P	P	P			
Small box discount stores									P	P			3.2.36
Tattoo shops									P	P			Title 9
Used appliance shops									P	P			Title 9
Vape shops, hookah sales									P	P			Title 9
RESTAURANT AND FOOD ESTABLISHMENTS													
Accessory cafe or eatery within a building						P	P	P	P	P	P	P	
Brewpub, beer growler, brewery							P	P	P	P			

Bakery, confectionary, and cafe uses							P	P	P	P			
Catering establishments								P	P	P			
Cigar bars, hookah lounges									P	P			
Food trucks							P						
Restaurants (non-drive-thru)						P	P	P	P	P			
Restaurants with a drive-thru configuration								P	P	P			
Specialty food stores (e.g., coffee, ice cream)						P	P	P	P	P			
TRANSPORTATION													
Ambulance, taxi or limousine service, dispatch, and storage											P	P	
Bus or rail stations or terminals for passengers												P	
Airstrips, airports and helicopters [heliports]											P	P	3.2.5
Parking, commercial lot											P	P	
Parking, commercial garage						A	A	A	A	A	P	P	
SERVICES													
Adult and child day care	CS	CS	CS	CS	P	P		P	P	P			3.2.3
Animal care facilities (kennels, animal hospitals, veterinary clinics, and stables)	CS								P	P	P		3.2.4
Banks, credit unions or other similar financial institutions							P	P	P	P			
Barber shop/beauty salon or similar establishments							P	P	P	P			Title 9

Coin laundry, dry cleaning, and pickup stations						A		P	P	P			
Day spa							P	P	P	P			
Nail shops							P	P	P	P			Title 9
Fitness center						A	P	P	P	P			
Personal services establishment							P	P	P	P			
Photographic studios							P	P	P	P			
Plumbing, HV/AC equipment establishments									P	P			
Publishing or printing establishments							P	P	P	P			
HEALTH AND MEDICAL SERVICES													
Dental offices and clinics						P	P	P	P	P			
Health services clinic, urgent care						P		P	P	P			
Home healthcare service, office use only						P		P	P	P			
Hospital or medical facility						P		P	P	P			3.2.19
Kidney dialysis center						P		P	P	P			
Medical or dental laboratories						P			P	P			
Physical therapy						P		P	P	P			
INDUSTRIAL													
Airports, heliports, and landing areas												P	3.2.5
Agricultural implementation and equipment establishments											P	P	
Armory and equipment sales											P	P	
Alternative energy production (other than solar energy systems)												ES	

Agriculture crop processing and storage (of materials produced off-site)												P	
Automobile/truck manufacturing											ES	P	
Asphalt and concrete batching plants												ES	
Asphalt manufacturing												P	
Building materials and lumber supply establishments											P	P	
Business distribution centers											P	P	
Business parks									P	P	P	P	
Building materials and lumber supply establishments												P	
Blast furnace, steel furnace, blooming, or rolling mill												P	
Brick, tile, and terracotta manufacturing												P	
Clinics, cafeterias, employee credit unions and recreational facilities for employees only						P		P	P	P	P	P	
Commercial parking garages and lots											P	P	
Computer and data processing services										P	P	P	
Centers for manufacturing, production, processing or assembly											P	P	3.2.8
Central mixing plants for cement, mortar, plaster or housing materials												ES	

Cement, lime, gypsum, or plaster manufacturing												P	
Chemical storage or manufacturing												P	
Heating and electric power generating plants and all necessary uses												P	
Fabrication shops											P	P	
Greenhouses and nurseries, including landscaping services	ES										P	P	
Industrialized and modular buildings								P	P	P	P	P	3.2.20
Lumber yard for wholesaling of building products												P	
Machine and machine tool manufacture											P	P	
Mines and quarries												P	3.2.25
Development of natural resources, including the removal of minerals (such as rock quarries) and natural materials, together with necessary buildings and machinery												ES	
Outdoor storage										P	P	P	3.2.27
Petroleum or inflammable liquids, production, refining, or storage												P	
Poultry killing, plucking, and processing												P	
Railroad spurs and yards												P	

Railway lines, passenger depots, intermodal facilities, and rail yards												P	
Recycling centers for collection or processing												P	
Research, experimental, or testing laboratories											P	P	
Rock, sand or gravel distribution or storage												P	
Sawmills												P	
Sheet metal products												P	
Smelting of copper, iron, zinc, or ore												P	
Tinsmith/roofing operations												P	
Tractor trailer storage and trailer drop lots												€S	
Truck terminals												€S	
Truck, trailer, tractor sales and service												€S	
Trade shops, including electrical, plumbing, heating/cooling, and roofing											P	P	
Trade/industrial/vocational schools											P	P	
Truck parking lots, as distinguished from truck terminals and similar uses											P	P	
Sanitary landfill												€S	
Salvage yards or junkyards and wrecker services (with storage area)												P	3.2.32
Self-service storage facilities										P	P	P	3.2.35

Towing, wrecking, and impound service												P	
Truck stops												CS	3.2.40
Warehousing or storage											P	P	
Wholesale business, warehouse, distribution, and similar nonprocessing storage and distribution uses											P	P	
COMMUNICATIONS/UTILITIES													
Radio/television transmission towers over 35 feet high										CS	CS	CS	
Radio tower under 35 feet high										P	P	P	
Transit park-and-ride lots										P	P	P	
Wireless telecommunications	P									P	P	P	
Utility substation	P									P	P	P	
Water tower	P									P	P	P	
SOLAR ENERGY SYSTEMS													
Integrated SES	A	A	A	A	A	A	A	A	A	A	A	A	3.2.37
Rooftop SES	CS	CS	CS	CS	CS	CS	CS	CS	CS	CS	CS	CS	3.2.37
Ground-mounted SES, small scale									CS	CS	CS	P	3.2.37
Ground-mounted SES, intermediate scale										CS	P	P	3.2.37
Ground-mounted SES, large scale											CS	CS	3.2.37
ACCESSORY USES													
Accessory structures	A	A	A	A	A	A	A	A	A	A	A	A	3.2.1
Fences and walls	A	A	A	A	A	A	A	A	A	A	A	A	3.2.13
Electric vehicle charging stations	A	A	A	A	A	A	A	A	A	A	A	A	3.2.11
Electrical substations	P	P	P	P	P	P	P	P	P	P	P	P	3.2.10
Gate and security buildings											A	A	

Satellite dish antennas	P	P	P	P	P	P	P	P	P	P	P	P	
Swimming pools and pool enclosures	A	A	A	A	A	A	A	A	A	A	A	A	3.2.38
Temporary structures and uses	P	P	P	P	P	P	P	P	P	P	P	P	3.2.39

(Ord. No. OR23-525 , § 1, 2-13-2023)

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3.2.4 Animal care facilities (kennels, animal hospitals, veterinary clinics, and stables).

- A. Animal care facilities, with the exception of stables and facilities for livestock, are permitted in the RR zoning district with an approved ~~conditional use~~ **special use** permit and are subject to the site design standards for the district. Stables and facilities for livestock are permitted in the RR zoning district and are subject to the site design standards in this section.
- B. Animal care facilities, with the exception of noncommercial kennels in C2, C3, and LI zoning districts are subject to the site design standards for the district and specific site design standards in this section.
- C. Design standards for an animal hospital or veterinary clinic in a freestanding building are listed in the table below.

Standards for Freestanding Animal Hospital or Veterinary Clinic

Development Feature	Standard
Animals allowed	Domestic pets, farm animals, and livestock Wild animals are prohibited
Minimum setback from any residential zoning district for buildings	50 feet
Minimum setback from any residential zoning district for outdoor runs	75 feet
Building design	Consistent with the design, materials, and color of buildings in the surrounding area
Outdoor runs	Drains connected to an approved sanitary facility; odor control required; pest control required
Buffer requirements	20 feet wide, plus a fence or wall adjacent to any residentially zoned property
Boarding	Soundproofing required

- D. Design standards for an animal hospital or veterinary clinic in a shopping center are listed in the table below.

Standards for Animal Hospital or Veterinary Clinic in a Shopping Center

Development Feature	Standard
Animals allowed	Domestic pets only; farm animals, livestock, and wild animals are prohibited

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(Supp. No. 52, 4-23)

Minimum building setback from any residential zoning district	50 feet
Building design	Soundproofing required; odor-proofing required; pest control required
Outdoor runs	Prohibited
Boarding	Prohibited

E. Design standards for commercial kennels are listed in the table below.

Standards for Commercial Kennels

Development Feature	Standard
Animals allowed	Domestic pets only; farm animals, livestock, and wild animals are prohibited
Minimum land area	Two acres in the RR zoning district; 32,670 square feet on septic tank or 10,000 square feet on public sewer in the C-2 and C-3 zoning districts; one acre on septic tank and 30,000 square feet on public sewer in LI; and one acre in the HI zoning district
Minimum setback from any residential zoning district for any buildings or structures	50 feet
Minimum setback from any residential zoning district for outdoor runs	75 feet
Outdoor runs	Fencing required in addition to any fencing on the perimeter of the site; drains connected to an approved sanitary facility; odor-proofing required; pest control required; hours of operation limited to 7:00 a.m. until 7:00 p.m.
Buffer requirements	20 feet wide, plus a fence or wall adjacent to any residentially zoned property
Boarding	Soundproofing required

F. Design standards for noncommercial kennels are listed in the table below.

Standards for Noncommercial Kennels

Development Feature	Standard
Animals allowed	Up to ten adult domestic pets, only; farm animals, livestock, and wild animals are prohibited
Minimum setback from any residential zoning district for any buildings or structures	50 feet
Minimum setback from any residential zoning district for outdoor runs	50 feet
Outdoor runs	Fencing required in addition to any fencing on the perimeter of the site; drains connected to an approved sanitary facility

G. Design standards for stables, including riding academies, barns, and other facilities for farm animals and livestock are listed in the table below.

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(Supp. No. 52, 4-23)

Standards for Stables and Facilities for Livestock

Development Feature	Standard
Animals allowed	Farm animals and livestock
Limitations on zoning districts	Allowed only in RR zoning district
Minimum land area	Three acres
Minimum setback from any adjacent residential zoning district for any buildings or structures	50 feet
Minimum setback from any residential zoning district for outdoor tracks and exercise yards	100 feet
Outdoor tracks and exercise yards	Odor control required; pest control required
Fences	The parcel (three or more acres) shall be fenced. The outdoor track and each exercise yard shall be separately fenced.

3.2.5 Airstrips, airports and helicopters [heliports].

- A. Airstrips, airports and helicopters [heliports], other than private airstrips and helicopters [heliports] within a residential fly-in neighborhood, are permitted in the M-1 and M-2 zoning districts. Those properties zoned RA (Residential Agricultural) outside of a subdivision, shall be required to obtain a ~~conditional use~~ special use permit and meet the following minimum standards:
1. Minimum acreage shall be fifteen (15) acres.
 2. An undisturbed vegetative buffer shall be provided along all property lines that abut property with a residential zoning classification, except where prohibited to provide access or utility easements. The purpose of the buffer shall be to screen sight or sound of activities from adjacent and nearby residential neighborhoods. The buffer shall be a minimum of one hundred (100) feet in width. Should the property lack existing vegetation, a detailed landscaped plan shall be submitted and approved by the development plan review department, prior to the submittal of a ~~conditional use~~ special use application, and shall conform to the plant material requirements and specifications set forth in this title. Existing vegetation within the buffer area should be preserved and enhanced where insufficient to provide adequate screening, but not in excess of that which is required.
 3. The landing strip/runway shall not be paved. The use of permeable or pervious pavement materials shall be allowed.
 4. The private airstrips, airports and helicopters [heliports] shall adhere to all applicable laws and regulations of the Georgia Department of Transportation (GDOT) and Federal Aviation Administration (FAA).
 5. No commercial activities shall be allowed or permitted with any approved ~~conditional use~~ special use. The following uses are prohibited: Flight instruction, aircraft storage (other than hangars for use by the property owner), aircraft maintenance (other than by the property owner), aircraft fueling (other than for use by the property owner), and other similar commercial airport activities.
 6. Only one (1) airstrip per ~~conditional use~~ special use permit shall be allowed.
 7. A maximum of two (2) airplane hangars may be allowed even in the absence of a primary structure to any approved ~~conditional use~~ special use. Any hangars in excess of two (2) shall be required to obtain separate approval from the mayor and city council, by the filing of a separate application.

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8. All hangars constructed shall be required to obtain a permit and approval from the director and shall comply with any and all development and building regulations and standards.

3.2.6 Bed and breakfast facility (not in a subdivision).

- A. The regulations below are intended to allow for a more efficient use of large (over three thousand five hundred (3,500) square feet), older homes in residential areas if the neighborhood character is reserved to maintain both the residential neighborhood experience and the bed and breakfast experience. These regulations enable owners to maintain large residential structures in a manner that keeps them primarily in residential uses and provides an alternative form of lodging for visitors who prefer a residential setting. An approved ~~conditional use~~ special use permit is required for all bed and breakfast facilities within the RR zoning district.
- B. The dwelling must be a minimum of ten (10) years old before a bed and breakfast facility is allowed. The individual or family operating the facility must occupy the house as their primary residence.
- C. Bed and breakfast facilities may have nonresident employees for such activities as booking rooms and food preparation. Hired services for normal maintenance, repair, and care of the residence such as yard maintenance are also permitted.
- D. The following functions are permitted: Luncheons, banquets, parties, weddings, meetings, charitable fundraising, commercial or advertising activities, or other gatherings for direct or indirect compensation.
- E. The site design standards that are set forth in the table below are required for bed and breakfast facilities (not in a subdivision).

Standards for Bed and Breakfast Facilities

Development Feature	Standard
Maximum number of bedrooms	Six
Maximum floor area which the bed and breakfast use may occupy within the primary structure, in relation to the homeowner's area	50 percent
Outdoor lighting	Exterior lighting shall be downcast of moderate brightness and shall not cause glare on any abutting property
Drop-off and pick-up areas	Designed and located away from residential areas, and separated from parking areas by a landscaped strip

3.2.7 Cemeteries.

- A. A cemetery may include one (1) or more of the following: a burial park for earth interments, a mausoleum for vault or crypt interments, and a columbarium.
- B. A cemetery may include a chapel or place of worship when it is operated in conjunction with, and within the boundaries of, such cemetery.
- C. Site design requirements are listed in the table below.

Standards for Cemeteries

Development Feature	Standard
Minimum land area:	

• Registered cemeteries (per State law)	Ten acres
• With a structure requiring a building permit	Two acres
• Without a structure requiring a building permit	One acre
Minimum setbacks for structures, storage, materials, equipment, or interment lots:	
• Front yard	40 feet
• Side yard	20 feet
• Rear yard	20 feet
• Adjacent to a residentially zoned property	50 feet
• Minimum road frontage	100 feet
Minimum buffer requirements:¹	
• Front property line	None
• Side and rear property lines	Pending
• Adjacent to State bodies of water	75 feet ²
• Access for existing cemeteries	Must be provided and maintained
• Access for new cemeteries	Easements are required

¹ The buffer shall be designed to achieve a minimum height of six (6) feet within three (3) years after installation.

D. Location Requirements.

1. A cemetery shall not be located in a wetland, one-hundred-year floodplain, floodway, or flood hazard area.
2. All new cemeteries shall be located a minimum of one hundred fifty (150) feet from a drinking water well.
3. The cemetery shall be located below the elevation of known drinking water wells.

E. Off-Street Vehicle Queuing. Adequate off-street vehicle queuing space shall be provided for funeral processions so that no vehicle stands in a dedicated right-of-way.

F. Access. Access to new cemeteries shall be provided from a city- or county-maintained roadway or State highway. The entrance and exits to the cemetery shall be from the frontage street only.

G. Mausoleums and Columbaria. Mausoleums and columbaria may be located within the boundaries of approved cemeteries, only. Mausoleums and columbaria shall have brick or stone facades.

H. Review and Approval Procedures.

1. A cemetery shall meet the requirements of this section. Upon approval, a final plat of the cemetery shall be recorded.
2. A drainage plan must be submitted and approved by the director before cemetery approval may be granted.
3. The owner of a cemetery shall notify the Henry County Health Department of the intent to build a cemetery and shall submit a letter from the county health department identifying the location of the cemetery in relation to any known drinking water wells as part of the application process.

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(Supp. No. 52, 4-23)

3.2.8 Centers for manufacturing, production, processing or assembly.

- A. Purpose. Certain manufacturing, production, processing or assembly uses are permitted in the LI and HI zoning districts, subject to the site design requirements of the zoning district. However, within this broad group of uses certain uses are permitted within LI or HI only where supplemental site design standards are met. This section sets forth those specific site design standards that are required in addition to the site design standards of the zoning district in which the use is proposed.
- B. Supplemental Standards. Supplemental standards for asphalt and concrete batch plants, central mixing plants for cement, mortar and plaster and food processing plants are provided in the table below.

**Standards for Asphalt and Concrete Batch Plants,
Central Mixing Plants and Food Processing**

Development Feature	Standard
Minimum land area	Two acres
Minimum building or structure setback from residentially zoned properties	100 feet
Buffers	40 feet wide
Vibration or electromagnetic interference	Shall not be detected on adjacent properties
Loading docks	Screened from view of adjacent properties and the public right-of-way
Outside storage	Screened from view from adjacent properties and the public right-of-way. Setback a minimum of 200 feet from any residentially zoned property.
Refuse and solid waste containers	Enclosed, except for an access gate, and screened from view from adjacent properties and the public right-of-way

3.2.9 Commercial greenhouses and plant nurseries.

- A. Greenhouses and plant nurseries are permitted in the C2, C3, LI, and HI zoning districts subject to the site design standards of the district and the supplemental standards set forth in this section.
- B. Greenhouses and plant nurseries in the RR zoning district require a ~~conditional use~~ special use permit and shall only sell plants grown on-site.
- C. Site design standard for greenhouses and plant nurseries are provided in the table below.

Standards for Greenhouses and Plant Nurseries

Development Feature	Standard
Minimum land area	1.25 acres
Outdoor storage and loading areas	Setback from residential properties a minimum of 75 feet. Fully screened, by opaque fence or solid wall, from any view from adjacent properties and the public right-of-way.
Storage of loose materials, such as topsoil, compost, mulch, gravel, and similar materials	Fully enclosed by a solid fence or solid wall. Stockpiles of loose materials shall be limited in height to the height of the fence or wall.
Buffer	25 feet wide

3.2.10 Electrical substations.

- A. Electrical substations are permitted in any zoning district, subject to the dimensional standards for the district and the supplemental standards set forth in this section.
- B. An electrical substation shall be fully enclosed, on all sides with a solid fence except for a gate, or with a landscaped buffer that meets the standards listed in the table below.

Standards for Electrical Substations

Development Feature	Standard
Buffer requirement	Standard
• Width	25 feet
• Number of trees	One tree for each 25 linear feet of buffer
• Number of shrubs	One large screening shrub for each eight linear feet, plus continuous hedge consisting of double staggered rows of shrubs
• Plant materials	Selected from list in Landscape plant materials standards [pending]

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3.2.14 Gasoline service stations.

- A. Gasoline service stations are permitted in the C-3 district and are a ~~conditional use~~ special use in the C-2 district, subject to the site design standards for the district, and the specific site design standards in this section.
- B. Gasoline service stations may include the following activities: sale of fuel, oil, lubricants, and similar products; minor repair; sale of small automotive accessories; sale of food and sundries; convenience store; restaurant drive-up windows; inspection stations for emissions; or car washes. Gasoline service stations shall not include game rooms, game arcades, major repair shops, body shops, paint shops, or paint booths.
- C. Gasoline service stations shall maintain a separation distance of four thousand five hundred (4,500) feet. This distance requirements shall be measured from property line to property line of another gasoline service station.
- D. Design standards for gasoline service stations are shown in the table below.

Standards for Gasoline Service Stations

Development Feature	Standard
Minimum setbacks:	
Principal building and/or gas pumps and canopy, where side and rear lot lines are abutting residentially zoned property	40 feet
Principal building, side and rear lot lines, all other zoning districts	25 feet
Access requirements for corner lots	Access drives shall be a minimum of 20 feet from the intersection of street right-of-way lines
Buffer, adjacent to residentially zoned property	Includes a solid wall or solid fence not less than six (6) feet in height in addition to the standards set forth in this title.

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3.2.17 Nursing homes, assisted living, and hospice care facilities.

- A. Persons seeking to operate such a facility must file a permit application with the city along with any fees established by the city council.
- B. Each permit application shall include an affidavit that the applicant either has applied for or will immediately apply for the corresponding permit or authorization for the operation of the facility from the State of Georgia Department of Community Health in accordance with its rules and regulations and the affidavit shall also certify that the proposed facility will meet and be operated in conformance with all applicable State and Federal laws and regulations and with all codes and regulations of the city.
- C. All application forms and information submitted to the State of Georgia Department of Community Health shall be submitted with the city permit application.
- D. The director of community development may require clarification or additional information from the applicant that is deemed necessary to determine whether operation will meet applicable laws, regulations and development standards.
- E. If the director of community development determines that an application to operate the facility is in compliance with the applicable requirements, the director of community development shall approve the application for a permit, but the permit for operation shall not be issued until the applicant has obtained the corresponding permit or authorization for operation of the facility from the State of Georgia Department of Community Health.
- F. No permit for the operation of the facility shall be transferable.
- G. No facility shall be operated without both a valid permit from the city and a valid license from the State of Georgia Department of Community Health.
- H. No such facility shall be located within one thousand (1,000) feet of any other such facility, said distance to be measured in a straight line from the closest property lines upon which each facility is located.
- I. All such facilities must provide at least eighty (80) square feet of personal living space per resident or that amount required by the State of Georgia for the licensing of such facilities, whichever is greater.
- J. No signs shall be permitted other than those permitted by the regulations of the zoning district within which such facility is located.
- K. Parking Requirement; One (1) for each three (3) dwelling units.
- L. The site design standards presented in the table below are required for nursing homes, assisted living and hospice care facilities.

Standards for Nursing Homes, Assisted Living Facilities, and Hospice Care Facilities

Development Feature	Standard
Minimum site area	One acre (not in a subdivision)
Minimum setbacks, side, and rear yards	50 feet
Place of operation	Freestanding structure, or within a religious facility if a conditional <u>special use</u> permit has been obtained
Number of children or adults	Two or more to be operational
Hours of operation	Required to be open for 24 hours (with 24-hour supervision required for all residents)

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Parking	One standard off-street parking space per one bedroom shall be provided
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3.2.18 Home occupations.

- A. A home occupation as defined by this section is permitted subject to the following requirements:
1. Only the residents of the dwelling may be engaged in the home occupation.
 2. The home occupation shall be clearly incidental to the residential use of the dwelling and shall not change the residential character of the building.
 3. No display of products shall be visible from the street except agricultural products that are grown on the premises in an RR (Rural Residential) zoning district. Only products that are produced on the premises may be sold on the premises.
 4. No signs shall be allowed for identifying the premises as a home occupation, except in the RR district. Such signs may only advertise the items that are produced on the property.
 5. Use of a dwelling for a home occupation shall not exceed twenty-five percent (25%) of one (1) floor.
 6. No interior or exterior alterations that are inconsistent with the residential use of the building shall be permitted.
 7. The home occupation shall not constitute a nuisance to the community.
 8. No outside storage of materials to be used in connection with a home occupation is permitted, except in an RR district. To the extent that large or hazardous materials are used by a home occupation, the applicant shall be required to store such materials at a site other than the home occupation, consistent with applicable zoning and land use laws.
 9. No accessory buildings shall be used in connection with the home occupation, except in an RR district, unless it is approved as a ~~conditional use~~special use and then in a residential district only. The use of an accessory building shall comply with the following conditions:
 - a. The accessory building shall maintain a residential appearance.
 - b. No business activities involving in-person contacts with customers shall be conducted between the hours of 7:30 p.m. and 7:30 a.m.
 - c. No automotive painting, body work, salvage, major automotive, or heavy equipment repairs are to be conducted.
 - d. No machinery or equipment shall be used which generates noise that is detectable outside the accessory structure.
 10. Applicants shall not be allowed to have customers visit the home occupation, except as follows:
 - a. The conduct of a home occupation involving rendering of services, such as those listed below, will be allowed subject to the following limitation(s):
 - i. Instruction in music and similar subjects shall be limited to two (2) students at a time, subject to the restrictions for certain types of businesses.
 - ii. Beauty shops, barber shops, manicurists and similar occupations shall be limited to (2) customers at a time.
 - b. Any service provider conducting a home occupation under this section shall not be allowed to market and sell goods or products on the premises of the home occupation.

c. Nothing in this section shall preclude the owner of a home occupation from meeting customers at a site other than the home occupation, consistent with applicable zoning and land use laws.

11. Only passenger vehicles, pickup trucks, vans, and trailers that are pulled by such vehicles may be used in connection with the management of a home occupation. Trailers shall be stored in a garage or accessory structure when they are not in use, and no vehicle or trailer shall feature commercial advertising or marks identifying a commercial use of said vehicle.
12. Beauty shops, barber shops, manicurists, and similar services that are conducted as home occupations are subject to the requirements for restricted businesses. They shall be limited to two (2) chairs (stations) and one (1) shampoo chair (station).
13. No more than two (2) non-transient guests may be boarded at any one (1) time as a home occupation.
14. The following and similar uses shall be considered to be home occupations, provided that they follow the minimum standards described in this section: Attorney, addressing service, art instruction, beauty and barber shop, dentist, doctor, drafting and surveying, dressmaking, insurance agent, manufacturers' representative, music teacher, notary public, photographer, real estate agent, tax services, and consultant.
15. All home occupations shall obtain an occupational tax certificate, or business license, from the city. The city clerk is hereby authorized to accept applications and either grant the same if an applicant demonstrates compliance with the requirements of this section or refer the matter to the mayor and city council for action.
16. Agricultural activities that are associated with the raising of crops and farm animals on properties which are over three (3) acres in size shall not be subject to the requirements for home occupations.
17. The city reserves the right to establish sanitation rates for home occupations that are higher than those for residential customers generally. All home occupations shall pay for sanitation services at the higher rate, and in a timely manner, or face the revocation of a previously-issued occupational tax certificate, denial of the rights to engage in a home occupation in the future, or any other civil penalties that are authorized by law.

B. Family Day Care Centers Prohibited. Family day care centers, as are defined in this unified development code, shall hereafter be strictly prohibited within the City of Stockbridge.

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3.2.21 Keeping or raising of livestock.

The keeping or raising of all farm animals or fowl and use of private stables shall be limited to property located within the RR zoning district with a ~~conditional use~~special use permit and must have a minimum lot area of three (3) acres. The keeping or raising of animals or fowl shall be subject to all regulations of the Henry County Health Department and the Henry County Animal Control Ordinance.

3.2.22 Livestock processing and feedlots.

Livestock processing and feedlots shall meet applicable State and Federal standards for confinement feeding operations. A buffer one hundred (100) feet in width is required on all side and rear property lines.

3.2.23 Lodges and event facilities.

A. Lodges and event facilities are permitted in the OI and C3 (standalone building only), DT, and PUD zoning districts, subject to the site design standards for that district, as well as the restrictions pertaining to

assembly uses. Lodges and event facilities are permitted with an approved ~~conditional use~~special use permit within the LI and HI zoning districts, subject to the standards of the zoning district. An approved ~~conditional use~~special use is also required within the RR zoning district, subject to the supplemental standards set forth in this section.

- B. Functions, including luncheons, banquets, parties, weddings, meetings, charitable fundraising, commercial or advertising activities, or other gatherings for direct or indirect compensation are permitted.
- C. The site design standards that are set forth below.

Standards for Lodges and Event Facilities

Development Feature	Standard
Minimum site area	Two acres
Minimum lot width	200 feet
Outdoor lighting	Exterior lighting shall be downcast of moderate brightness and shall not cause glare on any abutting property
Drop-off and pick-up areas	Designed and located away from residential areas Separated from parking areas

3.2.24 Mass assembly centers and grounds (fairgrounds, outdoor amusements, amphitheaters, convention centers, civic centers, rodeos, armories, places of worship, and athletic fields).

- A. As used in this zoning ordinance of the City of Stockbridge, Georgia, a place of assembly is a structure, portion of a structure, or area (either indoor or outdoor), designed primarily for people to gather to observe or participate in a single event or series of events. Places of assembly primarily consist of:
 - 1. Places of ~~religious~~ worship;
 - 2. Conference centers;
 - 3. Funeral homes;
 - 4. Auditoriums;
 - 5. Stadiums and coliseums;
 - 6. Movie theaters;
 - 7. Concert halls;
 - 8. Dance halls;
 - 9. Movie, television and radio studios admitting an audience;
 - 10. Private commercial/vocational schools (including martial arts or dance studios, and technical or vocational training); and
 - 11. Clubs and/or lodges.
- B. The following uses are not considered places of assembly for purposes of the UDC of the City of Stockbridge, Georgia:
 - 1. Public libraries;
 - 2. Hospitals, clinics and/or medical offices;

3. Nursing homes;
4. Flea markets;
5. Transit stations;
6. Restaurants;
7. Recreational facilities without spectator seating.

~~C.~~ Subject to all conditions of the underlying zoning district and the conditions below, the following specific type(s) of place of assembly are permitted by right in the commercial and industrial zoning districts of the city:

- ~~1. Places of religious worship;~~
- ~~2. Movie theaters;~~
- ~~3. Concert halls;~~
- ~~4. Private commercial/vocational schools (including martial arts or dance studios, and technical or vocational training); and~~
- ~~5. Clubs and/or lodges.~~

~~D.~~ Subject to subsection B. above and all conditions of any underlying zoning district places of assembly shall be conditional uses in all other zoning districts.

~~E.~~ In the event that any place of assembly is designed to serve more than fifty (50) persons at any given time (whether or not the place of assembly is actually occupied by more than fifty (50) persons), the parcel shall:

1. Be located on a lot fronting a major thoroughfare; and
2. Be located on a tract of land not less than two (2) acres in area and having a street frontage of not less than two hundred (200) feet. In the case of parcels of land containing multiple tenants, the total land area shall be prorated among the tenant spaces based on square footage of each tenant space. In such cases, the prorated area for the place of assembly shall be not less than two (2) acres in area.

~~F.~~ Nothing in this section shall be deemed to amend or otherwise alter any life safety code or any other provision of this Code unless expressly provided for herein.

~~G.~~ Fairgrounds, outdoor amusements, amphitheaters, civic centers, convention centers, rodeos, and armories may be approved as a conditional use in RR, C 2, C 3, LI, and HI districts. Such facilities shall also meet the requirements of the applicable zoning district; of any applicable overlay district; of the assembly use regulations; and the additional site design standards that are set forth in this section are also considered mass assembly centers.

~~H.~~ Fairgrounds, outdoor amusements, and amphitheaters at which activities occur primarily outdoors shall also meet the site design standards of the table below.

Standards for Fairgrounds, Outdoor Amusements, and Amphitheaters

Development Feature	Standard
<u>Minimum site area, including structures and associated parking</u>	<u>Two acres</u>
Minimum setbacks for buildings:	
• Abutting residential zoning districts	200 feet
• Abutting nonresidential zoning districts	100 feet

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Minimum setback for outdoor stage or performance area:	
• Abutting residential zoning districts	600 feet
• Abutting nonresidential zoning districts	200 feet
Minimum setback for parking lots and access drives, when abutting residential zoning districts:	200 feet
Parking lot design	Aisles may be paved; spaces may be paved, grass, dirt, or gravel
Minimum buffer	50 feet wide buffer specified in this title, plus a wall with noise abatement features
Lighting	Exterior lighting shall be downcast of moderate brightness and shall not cause glare on any abutting property
Loudspeakers or paging systems	Designed, installed, and used such that they are in accordance with the city noise ordinance
Outside storage and loading areas	Screened from view from adjacent properties and from the public right-of-way Setback a minimum of 200 feet from any residentially zoned property
Refuse and solid waste containers	Screened from view from adjacent properties and from the public right-of-way Setback a minimum of 100 feet from all property lines
Sanitation facilities, temporary or permanent	Screened from view from adjacent properties and from the public right-of-way Setback a minimum of 200 feet from all property lines
Vibration or electromagnetic interference	Shall not be detectable on adjacent properties

H. Outdoor amusements include such activities as miniature golf, carnivals or midway rides, pony rides, climbing walls, tracks for go-carts and similar vehicles, and other tourist-oriented rides and amusements. Temporary activities or special events that include outdoor amusements are also regulated in subsection 3.2.39.

1. Outdoor amusements may be freestanding, or two (2) or more amusements may be combined on a unified development site.
2. Outdoor amusements may include accessory uses, such as snack shops or food stands, gift shops, ice cream stands, or similar uses, provided that such uses are not open to the public without entrance to the outdoor amusement.
3. Site design standards for outdoor amusements are shown in the table below.

Standards for Outdoor Amusements

Development Feature	Standard
Minimum land area	Two acres
Minimum setback for buildings:	
• Abutting residential zoning districts	200 feet
• Abutting nonresidential zoning districts	100 feet

Minimum setback for parking lots and access drives, when abutting residential zoning districts	100 feet
Minimum buffer	35 feet wide buffer, plus a fence or wall
Lighting	Exterior lighting shall be downcast of moderate brightness and shall not cause glare on any abutting property
Loudspeakers or paging systems	Designed, installed, and used such that they are in accordance with the city noise ordinance
Outside storage and loading areas	Screened from view from adjacent properties and from the public right-of-way Setback a minimum of 200 feet from any residentially zoned property
Refuse and solid waste containers	Screened from view from adjacent properties and from the public right-of-way Setback a minimum of 100 feet from all property lines
Sanitation facilities, temporary or permanent	Screened from view from adjacent properties and from the public right-of-way Setback a minimum of 100 feet from all property lines

- J.** Convention centers, civic centers, centers for performing arts and armories (where activities occur primarily indoors) shall meet the site design standards in the table below.

Standards for Convention, Civic, and Performing Arts Centers and Armories

Development Feature	Standard
Minimum land area	5 acres
Minimum setback for buildings:	
• Abutting residential zoning districts	100 feet
• Abutting nonresidential zoning districts	50 feet
Minimum setback for parking lots and access drives, when abutting residential zoning districts	100 feet
Access management traffic flow	Designed to avoid residential and local streets
Minimum buffer	25-foot-wide buffer
Lighting	Exterior lighting shall be downcast of moderate brightness and shall not cause glare on any abutting property
Loudspeakers or paging systems	Designed, installed, and used such that they are in accordance with the city noise ordinance
Outside storage and loading areas	Fully screened from view from adjacent properties and the public right-of-way Setback a minimum of 100 feet from residentially zoned property
Vibration or electromagnetic interference	Shall not be detectable on adjacent properties

- K.** Places of Worship and Similar Religious Facilities: ~~shall meet the Religious facilities, together with specified accessory uses and structures, are permitted in the OI zoning districts subject to the standards of the zoning district. Religious facilities, together with specified accessory uses and structures, may be permitted as a~~

~~conditional use in the RR, SR, C-1 and C-3 zoning districts, subject to the standards of the district and the supplemental standards that are set forth in this section. These facilities are not permitted in strip mall buildings or similarly constructed properties. S~~ site design standards ~~for places of worship and similar religious facilities are provided in the~~ table below.

Standards for Places of Worship and Similar Religious Facilities

Development Feature	Standard
Minimum site area, including structures and associated parking	Two acres
Road frontage	200 feet
Buffers (sides and rear)	20 feet
Building materials	Brick, stone, stucco, glass, cement fiberboard or masonry materials compatible in the surrounding area
Building setbacks	50 feet from all property lines

1. Uses and activities other than worship shall be considered accessory uses and shall be clearly ancillary to the primary use. Such uses and activities shall be limited to the following:
 - a. Religious instruction or similar instruction or study which is typically associated with the religion;
 - b. Offices to support the establishment;
 - c. Child or adult day care center (not on residentially-zoned property);
 - d. Private academic school;
 - e. Fellowship hall, with or without a kitchen (which may also be known as a community center, activity hall, or life center);
 - f. Recreation facilities, including athletic fields;
 - g. Individual meeting spaces; and
 - h. Parsonage.
2. All accessory uses are subject to the following requirements:
 - a. The facility housing the accessory use shall meet all local, State, or Federal standards.
 - b. The operator of the accessory use shall obtain any licenses that are required to conduct the accessory use. Any approval of the accessory use shall be contingent upon the receipt of all licenses.
 - c. Loudspeaker or paging systems shall be located to ensure that they cannot be heard at the property line of adjacent properties.
 - d. All outdoor activities shall occur no earlier than 7:00 a.m. and no later than 10:00 p.m.
 - e. Exterior lighting shall be downcast of moderate brightness and shall not cause glare on any abutting property.
 - f. Outdoor play or activity areas shall be no closer than fifty (50) feet from any residential property line.
3. Child day care centers, adult day care centers, preschools, or child nursery uses are allowable accessory uses, subject to the following standards:

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- a. The total floor area that is allocated to the child day care center, adult day care center, preschool, or nursery uses shall not exceed fifty percent (50%) of the total floor area on the site. The calculation of total floor area that is allocated to the uses shall be cumulative and shall include all child day care, adult day care, preschool, and nursery facilities, as well as related mechanical and support facilities.
 - b. An off-street drop-off area for persons who are served by the facility shall be provided. The entrance and vehicle drop-off points shall not be located on a street providing primary access to residences, unless such street is classified as a collector or arterial.
 4. Private academic schools are allowable accessory uses subject to the following standards:
 - a. The total floor area that is allocated to the school shall not exceed fifty percent (50%) of the total floor area on the site. The calculation of the total floor area that is allocated to the school shall include all classrooms, school library, school offices, teacher work areas, and the like, including related mechanical and support facilities.
 - b. Notwithstanding provision number 5. below, the total floor area that is allocated to the school may exceed twenty percent (20%) of the total floor area on the site, provided that the area that is allocated to the school meets the requirements of subsection 3.2.33.
 - c. The entrance and vehicle drop-off points for students shall not be located on a street providing primary access to residences, unless such street is classified as a collector or arterial.
 5. A fellowship hall is an allowable accessory use, provided that the total floor area which is allocated to the fellowship hall, including related mechanical and support facilities, shall not exceed thirty-five percent (35%) of the total floor area on the site.
 6. One (1) dwelling unit to serve as a parsonage may be established, subject to the following standards:
 - a. The lot area within the parcel that is developed for religious uses and facilities to be devoted to the dwelling unit ("parsonage lot") shall have a minimum area of eight thousand (8,000) square feet. The parsonage lot shall be used exclusively for the dwelling unit, and it shall not include any primary or other accessory use that is allowable on the site. The parsonage lot shall not be used for any support activity to the primary or accessory uses, such as outdoor play areas, storage, or parking, other than as specifically provided for herein.
 - b. The maximum lot coverage for the parsonage lot shall be thirty-five percent (35%).
 - c. Two (2) parking spaces shall be provided within the parsonage lot.
 - d. The maximum building height on the parsonage lot shall be thirty-five (35) feet.
 - e. The parsonage lot may contain children's outdoor play equipment in a size and quantity that is typical of residential uses.
 - f. The parsonage lot may contain a residential swimming pool, which is fully enclosed, and attached to the dwelling.
 7. A specific parking plan shall be provided. This plan shall identify the principal use and each accessory use that is proposed on the site. The parking plan shall indicate the hours of operation and the peak times of use (parking demand) for the primary use, as well as for and each accessory use on the site. The parking standards for the principal use and each accessory use shall be identified based upon unified development code requirements that are set forth in Section 4.7, Parking Requirements. The parking plan may propose reduced or shared parking, as set forth in subsection 4.7.8. The parking plan shall indicate areas that are designated for overflow parking during times of extraordinary use (such as festival or holiday periods).

8. For religious facilities that exceed ten thousand (10,000) square feet in total floor area, excluding the parsonage, if any, the minimum setback from any property line that is otherwise required shall increase five (5) feet for each two thousand (2,000) square feet, or portion thereof, over ten thousand (10,000) square feet.

- ~~H.K.~~ Athletic fields may be located in any zoning district, and they shall meet the site design standards in the table below.

Standards for Athletic Fields

Development Feature	Standard
Minimum site area, including structures and associated parking	One acre Two acres
Road frontage	100 feet
Buffers (sides and rear)	20 feet
Building materials	Brick, stone, stucco, glass, cement fiberboard or masonry materials compatible with structures in the surrounding area
Building setbacks	50 feet from all property lines
Lighting	Exterior lighting shall be downcast of moderate brightness and shall not cause glare on any abutting property
Loudspeakers or paging systems	Designed, installed, and used such that they are in accordance with the city noise ordinance
Parking lot design	Aisles may be paved. Spaces may be paved, grass, dirt, or gravel.

3.2.25 Mines and quarries.

- A. The development of natural resources, including removal of minerals and other natural materials, together with necessary buildings and machinery, is allowed in the HI zoning district, subject to applicable law and the supplemental standards of this section.
- B. Where an existing quarry is proposed for extension or expansion beyond the property lines of the quarry area, such extension or expansion shall be considered as a new operation, subject to the standards that are set forth in this section.
- C. The area where mining or quarrying operations are conducted shall be fully enclosed with a fence or wall, and they must meet the following requirements:
1. The fence or wall shall be located at least ten (10) feet from the edge of any excavation.
 2. The fence or wall shall be designed and installed to ensure safety and security of the site, and to prevent any entrance to the site by animals and unauthorized persons.
- D. Product piles, spoil piles, or any other accumulation of by-products shall not exceed thirty-five (35) feet in height above the original contour of the site.
- E. Roads within the excavation site shall be surfaced with a dust-free material.
- F. A mining land use plan, conforming to the requirements of Federal and State law, shall be required prior to the approval of any mining or quarrying activity.

3.2.26 Reserved.

3.2.27 Outside storage.

- A. The following activities are only permitted in the C-3, LI, and HI zoning districts.
- B. The outside storage of machinery and equipment, service areas for vehicles in need of major service or repair, and materials for construction or distribution.
- C. Outside storage involving machinery and equipment is only permitted on lots in the RR zoning district that are not within a subdivision, and which have a minimum lot area of two (2) acres, provided that such storage is not visible from the public right-of-way.
- D. Outside storage shall be located within a rear yard or side yard.
- E. Outside storage shall be fully concealed with a solid fence, in addition to any buffer requirements set forth in title.
- F. Outside storage of parts and materials, service areas, refuse, or work areas shall be maintained in a neat and orderly manner.
- G. No materials shall be stored within any required buffers.
- H. No outside storage of seafaring containers shall be allowed.

3.2.28 Personal care homes, group homes, and boarding home having two or less persons.

Each personal care home, boarding home, and group home having two (2) or less persons shall be subject to the following requirements:

- A. All regulated facilities shall comply with State laws and regulations and acquire applicable State licenses for operation.
- B. The exterior appearance of any residential structure for which a personal care home, boarding home, or group home is approved, shall be maintained as a residential structure and no signs shall be erected.
- C. Meet all regulations as identified in the adopted building code and adopted fire code.
- D. Meet all parking standards.
- E. All facilities must apply for and receive a city business license.

Standards for Personal Care Homes, Group Homes and Boarding Homes Having Two or Less Persons

Development Feature	Standard
Distance from similar facility	At least one thousand five hundred (1,500) feet
Fence requirement	In residential districts—Properties must be fenced in the rear yard
Building requirement	Must not be within a subdivision

3.2.29 Personal care homes, group homes, and boarding home having three or more persons.

Each personal care home, boarding home, and group home having three (3) or more persons shall apply for and obtain a ~~conditional use~~**special use** permit from the city council and comply with the following requirements:

- A. All regulated facilities shall comply with State laws and regulations and acquire applicable State licenses for operation.

- B. The exterior appearance of any residential structure for which a personal care home, boarding home, or group home is approved, shall be maintained as a residential structure and no signs shall be erected.
- C. Meet all regulations as identified in the adopted building code and adopted fire code.
- D. Meet all parking standards as identified.
- E. All facilities must apply for and receive a city business license.

**Standards for Personal Care Homes, Group Homes and Boarding Homes
Having Three or More Persons**

Development Feature	Standard
Minimum lot size	Residential—One (1) acre Commercial—Thirty thousand (30,000) square feet
Distance from similar facility	At least one thousand five hundred (1,500) feet
Building requirement	Must not be within a subdivision

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3.2.32 Salvage yards or junkyards and wrecker services (with storage area).

- A. Salvage yards and junkyards are permitted in the HI zoning districts, subject to the standards of the district and the supplemental standards in this section. In addition, salvage yards shall be required to have a minimum lot size of two (2) acres.
- B. The site design standards for salvage yards and junkyards are set forth in the table below.

Standards for Salvage Yards and Junkyards

Development Feature	Standard
Minimum setback	200 feet from all abutting property lines
Screening (fence) required	Solid wall or solid fence
Minimum height	Six feet
Minimum setback	100 feet from all property lines
Storage of salvaged or junk materials	Shall not exceed the height of the fence or wall
Buffers	40 feet on all property lines

- C. Sanitary landfills shall not be permitted.
- D. Wrecker services (with storage areas) are a ~~conditional use~~ **special use** in the HI zoning districts, subject to the standards of the districts and the supplemental standards of this section.
- E. The site design standards for wrecker services (with storage areas) are set forth in the table below.

Standards for Wrecker Services (with storage areas)

Development Feature	Standard
Minimum lot size	2 acres
Screening requirements for storage area	Solid wall or solid fence Six feet
Minimum height	
Placement	Behind the rear drip line of the office/primary structure.

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(Supp. No. 52, 4-23)

Minimum buffer	30 feet wide for any portion of property adjacent to residential or commercially zoned property. 15 feet for any portion of property adjacent to industrial zoned property.
Storage of vehicles	Towed vehicles shall be stored within an enclosed, secured area which is not accessible to the public. No wrecked vehicles shall be stacked within the storage area. Storage of non-business-related vehicles is prohibited. Storage areas must be, at a minimum, covered with gravel.
Minimum size of office/primary structure	1,000 square feet, providing restroom facilities and reception area.
Building materials	Masonry front facade.
Off-street parking requirements	One space for each 10,000 square feet of site area or portion thereof, and one space for every 300 square feet of professional office space. All required off-street parking shall be located outside of any secured vehicle storage area. Driveway/entrance and public parking area outside of storage areas shall be paved with a dust-free surface.

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3.2.40 Truck stops.

- A. Truck stops (or truck service centers) are a ~~conditional use~~ special use in the HI zoning district only, subject to the site design standards for the district, any overlay district, and the specific site design standards in this section.
- B. Truck stops may include the following activities and uses: Sale of fuel, oil, lubricants, and similar products; sale of small automotive accessories; sale of food and sundries; convenience store; restaurant drive-up windows; inspection stations for emissions; or truck wash. Truck stops shall not include repair shops, body shops, paint shops, or paint booths.
- C. Design standards for truck stops are indicated in the table below.

Standards for Truck Stops

Development Feature	Standard
Minimum setbacks:	
• Abutting residentially-zoned property—Principal building and/or gas pumps and canopy, where side and rear lot lines	60 feet
• Abutting nonresidential zoning districts—Principal building, side and rear lot lines	40 feet
Access requirements for corner lots	Access drives shall be a minimum of 40 feet from the intersection of street right-of-way lines
Buffer, adjacent to residentially zoned property	40 feet wide, plus a solid wall or solid fence not less than six feet in height

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(Supp. No. 52, 4-23)

4.6 Buffer requirements.

4.6.1 Applicability.

Buffers shall be required between dissimilar districts or uses in accordance with the provisions of the zoning ordinance or as a condition of zoning, ~~conditional use~~special use, or variance approval.

4.6.2 Location, measurement, and design of buffers.

- A. Buffers shall meet the minimum width requirements contained in the zoning ordinance, except as authorized to be reduced by the applicable buffer reduction process, as follows:
 1. As specified in the "Buffer Area Standards Table"; or
 2. As specified in a residential zoning district for a permitted nonresidential use (e.g. a church, temple, synagogue, etc.); or
 3. As required by a condition of zoning, ~~conditional use~~special use, or variance approval.
- B. Buffers shall be natural, undisturbed, and free of encroachments except as authorized by a condition of zoning, special use or variance approval, or as authorized herein, and shall contain the existing tree cover and vegetation as well as any supplemental plantings or replantings as may be required.
- C. Buffers shall be located on the outer perimeter of a lot or parcel, parallel to the lot or parcel boundary line. Buffers shall not occupy any portion of an existing, dedicated, or reserved public or private street, or right-of-way.
- D. Buffers required alongside property lines shall extend to a street right-of-way line unless otherwise required by the director in order to observe the sight distance requirements contained in the development regulations, or as authorized by a condition of zoning, special use, or variance approval.
- E. In situations where the required buffer width is partially or completely contained within an existing easement (e.g. power or natural gas transmission, etc.), the screening requirements of this unified development code shall be met outside of the easement area, to ensure a continuous buffer.
- F. Buffer width is measured from the property line.
- G. Buffer plantings shall be designed taking into consideration existing conditions, including, but not limited to, soils, topography, streams, and existing vegetation. Native vegetation shall be used for landscaping and buffering unless the applicant demonstrates that the use of non-native, drought-resistant plants would best serve the site and advance the objectives of this section.
- H. Buffers shall be maintained, in perpetuity, by the property owner.

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5.10 Variances for signs.

This section shall provide the exclusive procedures for granting variances to the requirements of this article for signs.

- A. Limitations. The ~~planning and zoning commission~~mayor and city council shall be allowed to grant variances where a hardship has been demonstrated pursuant to the city's zoning ordinance. Said

variance or variances may only be granted as to number, setback, building material, size or sign style. Variances may not be granted for sign height.

- B. Timing. The city council shall hear and decide upon a variance within ninety (90) days of the submission of a complete and accurate application.
- C. The mere existence of a nonconforming sign shall not constitute a valid reason to grant a variance.
- D. The city council shall consider the following factors:
 - 1. The size of buildings constructed on the subject lot;
 - 2. The number of different tenants occupying the buildings;
 - 3. Whether there exist extraordinary and exceptional conditions pertaining to the property in question resulting from its size, shape, or topography that are not applicable to other lands or structures in the area;
 - 4. Whether granting a variance requested would confer upon the property of the applicant any significant privileges that are denied to other similar properties. Furthermore, peculiar conditions or circumstances which are the result of actions of the current or former owner(s) of the property covered by the application cannot be considered as grounds to justify a variance.

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6.1.6 Regulation of specific nonconforming structures.

A. Mobile/Manufactured Homes.

- 1. All mobile/manufactured homes located in a mobile home development shall provide documentation of compliance with the National Mobile Home Construction and Safety Act or compliance with specifications presented by the American National Standards Institute. ~~Existing mobile homes within mobile home developments not in compliance with either of these standards shall be deemed nonconforming.~~
- 2. An existing, nonconforming mobile/manufactured home that was lawfully permitted prior to the effective date of this unified development code may be replaced with a ~~new~~another mobile home ~~of the same size~~ meeting the requirement set forth in paragraph A.1., above, provided the replacement is done so and the requirements of this chapter within ~~12 months~~sixty (60) calendar days of the date of removal of the existing mobile home and all conditions and requirements of O.C.G.A § 36-66-7 et seq are met.

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7.3 Authority.

7.3.1 Applications subject to the planning commission.

- A. The following applications shall be reviewed by the planning commission and recommendations provided to the mayor and city council.
 - 1. Rezoning of property and amendments to the official zoning map.

2. Amendments to the unified development code.
3. Amendments to the comprehensive plan and associated future land use map.
4. Variances.
5. ~~Conditional use~~Special uses.
6. Modifications to conditions placed on ~~conditional uses~~special uses, variances and rezonings.

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Chapter 9 ZONING AMENDMENTS

9.1 Application requirements.

9.1.1 Pre-application conference.

- A. The purpose of the pre-application conference is to provide an opportunity for the applicant to consult with city staff for advice and assistance prior to preparation of any zoning application. This will enable the applicant to become familiar with the approval process, required documents, the comprehensive plan, and public hearing standards that may affect the proposed development.
- B. The intent of this unified development code is that all procedural and development requirements be identified during the pre-application conference. However, no person may rely upon any comment concerning a proposed development, or any expression of any nature about the proposal, made by a participant at the pre-application conference, as a representation or implication that the proposal will be ultimately approved or rejected in any form. Additionally, failure of a participant to identify any applicable requirement or condition shall not preclude the city from requiring an applicant to comply with such requirement or condition.

9.1.2 Amendment application.

After the pre-application conference, the applicant shall provide the following information for a map amendment (rezoning) or ~~conditional uses~~special use permit:

1. The City of Stockbridge application for zoning.
2. Proof of ownership.
3. When the applicant is a representative of the property owner, a notarized statement authorizing the representative to act as an agent of the property owner with regard to the application and associated procedures.
4. Applicant campaign disclosure form (for applicant/owner, agent and/or attorney).
5. A property survey conducted no more than five (5) years prior to the filing of the application, containing the legal description, boundaries, land area, notation whether any portion of the property is within a floodplain and existing improvements located on the site. Where two (2) or more parcels are included within a proposed development, the survey shall include all parcels that are part of the proposed development, including all phases. The survey shall be prepared and sealed by a surveyor registered in the State of Georgia. If the survey is older than five (5) years, the survey must be certified by a surveyor registered in the State of Georgia as to whether changes have or have not been made to the property.

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6. A letter of intent stating the reasons for the zoning map amendment, including a detailed description of any proposed development for which the rezoning is sought.
 7. A vicinity map indicating the location of the site proposed for development.
 8. A concept plan containing the information set forth below:
 - a. Project name.
 - b. Vicinity map showing zoning districts and existing land use within five hundred (500) feet of the boundaries of the site.
 - c. Total area in acres and square feet.
 - d. Current and proposed zoning classification, together with a summary of the applicable development standards for the proposed zoning district.
 - e. Natural features, including topography at ten-foot intervals, surface drainage, surface waters, floodplains, watershed areas, groundwater recharge areas, general location of wetlands, and the general location of wooded areas.
 - f. General location of existing and proposed roads and utility rights-of-way or easements.
 - g. Location of existing property lines within the development site.
 - h. General location of existing and proposed development by type of use.
 - i. Proposed residential density and dwelling unit types, if applicable.
 - j. Location of proposed open spaces, recreational areas, and public buildings and uses, indicating those areas reserved or dedicated for public use.
 9. General plan for the provision of utilities and infrastructure, including the following:
 - a. A report or letter from the city or Henry County Water and Sewer Authority indicating the availability of water and sewer and a report or letter from the Henry County Environmental Health Department indicating septic suitability if sewer is not available.
 10. Architectural renderings or building plans, as determined by the community development director.
 11. Proof of payment of fees.

9.1.3 Determination of completeness.

- A. All applications shall be complete before acceptance for review and decision-making. A determination of completeness is a determination that all required documents and plans have been submitted in sufficient number, and that all fees have been paid. A determination of completeness is not a determination of compliance with substantive standards and criteria.
- B. If the director determines that the application is not complete, the director shall send notice to the applicant identifying the deficiencies. The applicant shall have thirty (30) calendar days from the date of notice to correct the deficiencies. Until the applicant corrects the deficiencies, no further action shall be taken for processing the application. If the applicant fails to correct the deficiencies within the thirty-day period, the application shall be deemed withdrawn, and fees shall be forfeited.
- C. If the director determines that the application is complete, the application shall be processed for review and action.

9.2 Procedural requirements.

9.2.1 Requirements for amending the official zoning map (rezoning).

- A. Requirements. The official zoning map may be amended by the mayor and city council on its own motion, on recommendation from the planning commission, or by approval by the mayor and city council of an application from a property owner. An adopted zoning resolution shall be an amendment to the official zoning map.
- B. Official Application. The applicant shall submit the rezoning application and associated documents as identified in subsection 9.1.2, Amendment Application.
- C. Action by the Director.
 - 1. The director shall make a determination of application completeness.
 - 2. The director shall prepare a staff report addressing the following issues, in priority:
 - a. Consistency with the comprehensive plan.
 - b. The relation that the proposed amendment bears to the purpose of the overall zoning scheme with due consideration given to whether or not the proposed change will help carry out the purposes of this unified development code.
 - c. Potential positive effects of the amendment on the character of the proposed zoning district, a particular piece of property, neighborhood, a particular area, or the community.
 - d. The physical conditions of the site relative to its capability to be developed as requested, including topography, drainage, access, and size and shape of the property.
 - e. The impact upon adjacent property owners shall the request be approved.
 - f. The potential impact of the proposed amendment on city infrastructure, including water and sewerage systems.
 - g. The impact of the proposed amendment on adjacent thoroughfares and pedestrian and vehicular circulation and traffic volumes.
 - h. The merits of the requested change in zoning relative to any other guidelines and policies for development that the planning commission and mayor and city council may use in furthering the objectives of the comprehensive plan.
 - i. The capacity of the site to be developed as presently zoned.
- ~~D.~~ CZIM. A community zoning information meeting is required pursuant to section 9.2.10 Community Zoning Information Meeting (CZIM).
- ~~ED.~~ Public Hearing. The director shall advertise for the public hearing at the ~~planning commission and the~~ mayor and city council in accordance with Section 9.3, Public Notice Requirements.
- ~~FE.~~ Planning Commission Recommendation.
 - 1. The application shall be submitted to the planning commission for review at a public ~~hearing~~meeting.
 - 2. The planning commission shall review the application according to the published schedule.
 - 3. The planning commission shall submit its report with comments and recommendations according to the published schedule. The recommendations of the planning commission shall be submitted to the mayor and city council. The recommendations of the planning commission shall be of an advisory nature and shall not be binding on the mayor and city council.

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4. In making its recommendation, the planning commission may recommend approval, approval with conditions, or denial. Findings shall be set forth in official minutes of the planning commission.

G.F. Mayor and City Council Action.

1. The mayor and city council shall consider the application for rezoning at a public hearing.
2. The mayor and city council shall consider the information set forth in the staff report and the findings and recommendations of the planning commission.
3. In deciding upon any application for an amendment to the official zoning map, the mayor and city council may, on their own motion or upon the suggestion of the applicant, or on consideration of the recommendations of the planning commission, grant the application subject to certain conditions necessary to promote and protect the health, safety, and general welfare.
4. The mayor and city council may include conditions of zoning which they deem necessary in order to make the requested action acceptable and consistent with the proposed uses of the district(s) involved and to further the goals and objectives of the comprehensive plan. Such conditions:
 - a. Shall only be valid if they are included in the motion approving the amendment of adoption.
 - b. Shall be permanent conditions of approval unless a lesser period of time is specified in the amendment.
 - c. Shall be required of the property owner and subsequent owners as a condition of their use of the property.
 - d. Shall be permitted and continuously enforced by the community development director in the same manner as any other provision of this unified development code.
5. Prior to a final vote being taken upon any application for an amendment to the official zoning map for which such conditions shall be imposed, such conditions shall be announced at the public hearing and made a part of the motion to approve. If such conditions are found to be unacceptable, the applicant may withdraw or request a postponement. Upon such withdrawal, the applicant shall not be permitted to re-file the same zoning map amendment for the same property until twelve (12) months has elapsed from the date of withdrawal.
6. If the zoning decision of the mayor and city council is for the rezoning of property and the amendment to accomplish the rezoning is defeated by the mayor and city council, then the same property shall not again be considered for rezoning until the expiration of at least twelve (12) months immediately following the defeat of the rezoning by the mayor and city council.

9.2.2 Standards governing the exercise of zoning powers.

- A. In ruling upon any application for a zoning map amendment, or any other zoning decision, the mayor and council shall act in the best interest of the health, safety, morals, and general welfare of the city. In doing so, they will consider one (1) or more of the following standards of review which are relevant to the application:
 1. Whether the proposal is consistent and/or compatible with the city's plans, goals and objectives reflected in the city's comprehensive plan.
 2. How the proposal impacts the purposes of the overall zoning scheme, and whether the proposed change furthers the purposes of these zoning regulations. Applications for zoning amendments that do not contain specific site plans carry a rebuttable presumption that the proposed change shall adversely affect the zoning scheme.
 3. How the proposal impacts the character of the zoning district, the particular piece of property, neighborhoods, or the community.

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4. Whether the proposal creates an isolated district unrelated to adjacent properties and nearby districts.
 5. How the proposal impacts the aesthetic character of existing and future uses of the property and the surrounding area.
 6. Whether the proposal is consistent with adjacent development densities and the density patterns reflected in the comprehensive plan.
 7. How the proposal impacts the public health, safety, and general welfare.
 8. How the proposal impacts water, sewerage, other public facilities, or public services, and how the proposed amendment impacts expenditures of public funds.
 9. How the proposal impacts traffic safety and congestion.
 10. How the proposal impacts environmental conditions, including, but not limited to, drainage, soil erosion and sedimentation, flooding, air quality, water quality and quantity.
 11. How the proposal impacts the provision of adequate light and air.
 12. How the proposal impacts the value of adjacent property.
 13. Whether there are substantial reasons why the property cannot be used in accordance with existing regulations.
 14. Preservation of the integrity of residential neighborhoods shall carry greater weight than other factors. Where property fronts on a major thoroughfare and also adjoins an established residential neighborhood, the factor of preservation of the residential area shall carry greater weight.
- B. After hearing evidence at the zoning hearing, the mayor and council shall apply the evidence to the standards of review in making their decision. The mayor and council are not required to consider every criterion in the standards of review. The applicant carries the burden of proof that the proposed zoning map amendment promotes the public health, safety, morality, or general welfare.
- C. If the mayor and council determine from the evidence presented that the applicant has shown that the proposed zoning map amendment promotes the health, safety, morals, or general welfare under the standards of review, then the application shall be granted, subject to those reasonable conditions that may be imposed by the mayor and council. Otherwise, such applications shall be denied.
- D. In ruling upon any petition in which the petitioner has brought a challenge to the existing zoning classification, the mayor and council shall follow these general lines of inquiry:
1. The existing uses and zoning of the subject and surrounding property.
 2. The extent to which property values may be diminished by the particular zoning restrictions.
 3. The extent to which the reduction of property values, if any, promotes the health, safety, morals, or general welfare of the public.
 4. The relative gain to the public, as compared to the hardship, if any, imposed upon the individual property owner.
 5. The suitability of subject property for development purposes as presently zoned.
 6. The length of time the property, if vacant, has been vacant as zoned, considered in the context of land development in the vicinity of the property.
- E. The existing zoning classification shall be presumed to be valid; it shall be the responsibility of the applicant to present evidence to rebut this presumption.

- F. If the mayor and council determine, from the evidence presented, that the existing zoning classification is unduly burdensome to the applicant and is not offset by consideration of the public's health, safety, morals, and general welfare, and consideration of the integrity of this chapter and of the official zoning map, the mayor and council may impose any appropriate zoning classification, including allowable conditions, which might be consistent with the considerations outlined in subsection (a) of this section.

9.2.3 ~~Reserved~~Revocation.

- A. ~~Upon the expiration of eighteen (18) months from the date of approval for an amendment to the official zoning map (rezoning) for which development has been abandoned (abandonment shall be deemed to have occurred when no, or minimal, improvements have been made), the city council may rezone the property to the previous zoning district or any other zoning classification with proper public notice and action as described by this unified development code.~~
- B. ~~Upon abandonment of a development, the community development director shall contact the property owner of the expiration of eighteen (18) months. Prior to the public hearing, the owner may provide the director with any documentation for consideration by the city council. If official documentation is provided, the city council shall pay reasonable consideration to the following occurrences:~~
- ~~1. Substantial monetary value placed into the development of the land;~~
 - ~~2. A delay resulting from court action involving the property in question;~~
 - ~~3. Non-availability of utilities or facilities resulting from government inaction; and~~
 - ~~4. A delay in development resulting from receiving permitting and proper approval from a Federal or State agency.~~

Commented [RK1]: City Council has the authority to do this immediately upon adoption. There's no need to limit that authority and put additional conditions in place that could result in procedural due process violations.

9.2.4 Requirements for modifications to approved zoning conditions and approved master development plans.

- A. Major modifications to zoning conditions include any changes to allowable uses, maximum density, maximum intensity, or compatibility requirements attached to the zoning approval as conditions of approval. The following procedure shall be followed:
1. An application shall be submitted containing details of the amendment requested, the situation giving rise to the need for an amendment and accompanied by plans fully describing the nature and extent of the amendment.
 2. A staff report shall be prepared to address requirements listed in this section for the amended concept plan and/or zoning conditions.
 3. CZIM. A community zoning information meeting is required pursuant to section 9.2.10 Community Zoning Information Meeting (CZIM).
 - ~~43.~~ Public Hearing. The director shall advertise for the public hearing at the ~~planning commission and the~~ mayor and city council in accordance with Section 9.3, Public Notice Requirements.
 - ~~54.~~ The planning commission shall review the application for an amended concept plan at a public meeting. The planning commission shall consider the application for amended conditions placed on ~~conditional uses~~ special uses and/or variances and make a recommendation to mayor and city council according to the procedure in Section 9.2.
 - ~~65.~~ The mayor and city council shall consider the application for amended zoning conditions and/or concept plan at a public hearing according to the procedures in Section 9.4.

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- B. Minor modifications include changes to dimensional design features as depicted on a concept plan. Such dimensional design features as provided on a development plan shall generally conform to the conditions depicted on the concept plan but shall be allowed to vary so long as the director determines that the development plan is generally consistent with the concept plan conditions. The following information shall be provided:
1. The development plan shall be accompanied by a detailed description of the site design features depicted on the development plan that differ from the concept plan.
 2. The description of the modifications shall also include an explanation of the need for the modification.
 3. The development plan application will be processed as set forth in Section 8.4.
- C. Requests to modify approved development plans may be approved by the director as set forth below:
1. An application shall be submitted containing details of the amendment requested, the situation giving rise to the need for an amendment and accompanied by plans fully describing the nature and extent of the amendment.
 2. Review by the director shall follow the same procedures and address the same issues as for the original application.

9.2.5 Requirements for ~~conditional uses~~special use permits.

- A. Requirements. An application for a ~~conditional uses~~special use permit can be submitted by a property owner.
- B. Official Application. The applicant shall submit the rezoning application and associated documents as identified in subsection 9.1.2, Amendment Application.
- C. Action by the Director.
1. The director shall make a determination of application completeness.
 2. The director shall prepare a staff report addressing the following issues, in priority:
 - a. The proposed use shall not cause traffic congestion or conditions that will adversely affect nearby properties.
 - b. The physical conditions of the site, including topography, drainage and size and shape, are suitable for the proposed development.
 - c. Adequate public facilities are available to serve the proposed use.
 - d. The applicant has made a binding agreement for any specific limitations or conditions necessary to protect the public interest and assure the continued beneficial use and enjoyment of nearby properties or that no special limitations are necessary to protect the public.
 - e. The ~~conditional uses~~special use with specific limitations and design features as may have been required will further the aims of the comprehensive plan and will not be unduly detrimental to nearby properties.

~~D.~~ CZIM. A community zoning information meeting is required pursuant to section 9.2.10 Community Zoning Information Meeting (CZIM).

~~D.E.~~ Public Hearing. The director shall advertise for the public hearing at the ~~planning commission and the~~ mayor and city council in accordance with Section 9.3, Public Notice Requirements.

~~E.E.~~ Planning Commission Recommendation.

1. The application shall be submitted to the planning commission for review at a public ~~meeting~~hearing.
2. The planning commission shall review the application according to the published schedule.
3. The planning commission shall submit its report with comments and recommendations according to the published schedule. The recommendations of the planning commission shall be submitted to the mayor and city council. The recommendations of the planning commission shall be of an advisory nature and shall not be binding on the mayor and city council.
4. In making its recommendation, the planning commission may recommend approval, approval with conditions, or denial. Findings shall be set forth in official minutes of the planning commission.

~~F.G.~~ Mayor and City Council Action.

1. The mayor and city council shall consider the application for ~~conditional use~~special use permit at a public hearing.
2. The mayor and city council shall consider the information set forth in the staff report and the findings and recommendations of the planning commission.
3. In deciding upon any application for a ~~conditional use~~special use permit, the mayor and city council may, on their own motion or upon the suggestion of the applicant, or on consideration of the recommendations of the planning commission, grant the application subject to certain conditions necessary to promote and protect the health, safety and general welfare.
4. The mayor and city council may include conditions of zoning which they deem necessary in order to make the requested action acceptable and consistent with the proposed uses of the district(s) involved and to further the goals and objectives of the comprehensive plan. Such conditions:
 - a. Shall only be valid if they are included in the motion approving the amendment of adoption.
 - b. Shall be permanent conditions of approval unless a lesser period of time is specified in the amendment.
 - c. Shall be required of the property owner and subsequent owners as a condition of their use of the property.
 - d. Shall be permitted and continuously enforced by the community development director in the same manner as any other provision of this unified development code.

Prior to a final vote being taken upon any application for a ~~conditional use~~special use permit for which such conditions shall be imposed, such conditions shall be announced at the public hearing and made a part of the motion to approve. If such conditions are found to be unacceptable, the applicant may withdraw or request a postponement. Upon such withdrawal, the applicant shall not be permitted to re-file the same zoning map amendment for the same property until one (1) year has elapsed from the date of withdrawal.

7. If the zoning decision of the mayor and city council is for a ~~conditional use~~special use permit and the application is defeated by the mayor and city council, then the same property shall not again be considered for a ~~conditional use~~special use permit until the expiration of at least twelve (12) months immediately following the defeat of the ~~conditional use~~special use permit by the mayor and city council.

9.2.6 Use permit considerations.

- A. In the interest of the public health, safety and welfare, the city council may exercise limited discretion in evaluating the site proposed for a use which requires a use permit. In exercising such discretion pertaining to the subject use, the city council shall consider each of the following:

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1. Whether the proposed use is consistent with the comprehensive land use plan adopted by the city council;
 2. Compatibility with land uses and zoning districts in the vicinity of the property for which the use permit is proposed;
 3. Whether the proposed use may violate local, State and/or Federal statutes, ordinances or regulations governing land development;
 4. The effect of the proposed use on traffic flow, vehicular and pedestrian, along adjoining streets;
 5. The location and number of off-street parking spaces;
 6. The amount and location of open space;
 7. Protective screening;
 8. Hours and manner of operation;
 9. Outdoor lighting; and
 10. Ingress and egress to the property.
- B. In granting such permits, conditions may be attached as are deemed necessary in the particular case for the protection or benefit of neighbors to ameliorate the effects of the proposed development/use.

9.2.7 ~~Revocation~~Reserved.

- A. ~~Upon the expiration of eighteen (18) months from the date of approval for an amendment to the official zoning map (rezoning) for which development has been abandoned (abandonment shall be deemed to have occurred when no, or minimal, improvements have been made), the city council may rezone the property to the previous zoning district or any other zoning classification with proper public notice and action as described by this unified development code.~~
- ~~B. Upon abandonment of a development, the community development director shall contact the property owner of the expiration of eighteen (18) months. Prior to the public hearing, the owner may provide the director with any documentation for consideration by the city council. If official documentation is provided, the city council shall pay reasonable consideration to the following occurrences:~~
- ~~1. Substantial monetary value placed into the development of the land;~~
 - ~~2. A delay resulting from court action involving the property in question;~~
 - ~~3. Non-availability of utilities or facilities resulting from government inaction; and~~
 - ~~4. A delay in development resulting from receiving permitting and proper approval from a Federal or State agency.~~

9.2.8 Requirements for amendments of the unified development code.

This unified development code may be amended by the mayor and city council on its own motion. Otherwise, a complete application packet shall be required as described below:

- A. An application to amend the text of the unified development code shall be submitted on forms provided by the city.
- B. The application shall include the following information:
 1. Identification of the specific provision proposed for amendment;

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2. The proposed modifications in a strikethrough and underline format;
 3. A detailed explanation of the rationale and justification for the requested amendment; and
 4. A detailed explanation of the potential impacts of the modification on the development of the City of Stockbridge;
- C. The director shall prepare a staff report analyzing the proposed amendment and recommending approval, denial, or approval with modifications. The staff report shall address the following issues:
1. Consistency of the amendment with the comprehensive plan.
 2. Potential impacts on the character and quality of development in the city and any affected zoning districts.
 3. Potential impacts on the provision of infrastructure and improvements.
 4. The merits of the proposed amendments relative to any guidelines, policies, or programs adopted in furtherance of the comprehensive plan.
- D. Public Hearing. The director shall advertise for the public hearing at the ~~planning commission and the~~ mayor and city council in accordance with Section 9.3, Public Notice Requirements.
- E. The planning commission shall consider the proposed amendment to the unified development code at its regularly scheduled public meeting.
1. The planning commission shall evaluate the proposed amendment, considering the issues and recommendations contained in the staff report.
 2. The planning commission shall make a recommendation to the mayor and city council for approval, approval with further modifications, or denial.
- F. The mayor and city council shall consider the proposed amendment at a public hearing conducted as set forth in Section 6.4.
1. The mayor and city council shall consider the information set forth in the staff report and the recommendations of the planning commission.
 2. The mayor and city council may approve, approve with modifications, or deny the proposed amendment to the unified development code.

9.2.9 Requirements for amendment to the comprehensive plan.

The comprehensive plan may be amended by the mayor and city council on its own motion. Otherwise, a complete application packet shall be required as described below.

- A. An application to amend the text or maps of the comprehensive plan shall be submitted on forms provided by the city.
- B. The application shall include the following information:
 1. Identification of the specific provision proposed for amendment.
 2. The proposed modifications in a strikethrough and underline format.
 3. A detailed explanation of the rationale and justification for the requested amendment.
 4. A detailed explanation of the potential impacts of the modification on the development of the City of Stockbridge.

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- C. The director shall prepare a staff report analyzing the proposed amendment and recommending approval, denial, or approval with modifications.
 - D. Public Hearing. The director shall advertise for the public hearing at the planning commission and the mayor and city council in accordance with Section 9.3, Public Notice Requirements.
 - E. The planning commission shall consider the proposed amendment to the comprehensive plan at a public meeting.
 - 1. The planning commission shall evaluate the proposed amendment, considering the issues and recommendations contained in the staff report.
 - 2. The planning commission shall make a recommendation to the mayor and city council for approval, approval with further modifications, or denial.
 - F. The mayor and city council shall consider the proposed amendment at a public hearing conducted as set forth in Section 6.4.
 - 1. The mayor and city council shall consider the information set forth in the staff report and the recommendations of the planning commission.
 - 2. The mayor and city council may approve, approve with modifications, or deny the proposed amendment to the comprehensive plan.

9.2.10 Community Zoning Information Meeting (CZIM).

- A. Purpose. The purpose of the community zoning information meeting (CZIM) requirement is to help educate applicants and neighbors about one another's interests, to attempt to resolve issues in a manner that respects those interests, and to identify unresolved issues.
- B. Applicability. CZIM's are applicant-initiated meetings required to be held for any applicant-initiated decisions as required by this chapter. They are encouraged in all cases.
- C. Written notice. The applicant or their representative is responsible for completing all requirements of this section. Written notice is required for all CZIMs and shall be sent via first class mail to the owners of all residentially zoned property adjacent to the boundaries of the subject property, as those property owners are listed on the tax records of Henry County. The notices shall be mailed at least 10 days before the date of the CZIM. Written notices shall indicate the nature of the application, the street address of the subject property, and the date, time, place and purpose of the meeting.
- D. CZIM. The applicant shall host a meeting, either virtual or in-person, that is accessible to the general public.
- E. Summary report. The applicant shall host the meeting and submit a summary of the CZIM prior to the public meeting before the planning commission. The summary report shall describe:
 - 1. Efforts to notify neighbors about the meeting date, time, and location (how and when notification occurred, and who was notified);
 - 2. Meeting location, date, and time;
 - 3. Who was involved in the discussions;
 - 4. Suggestions and concerns raised by neighbors; and
 - 5. What specific changes to the proposal were considered and/or made as a result of the meeting.

9.3 Public notice requirements.

All hearings of the mayor and city council which involve annexation, zoning map amendments, amendment of the unified development code, special use permits, major modifications, appeals, and variances are public and subject to the notification requirements under the State Zoning Procedures Law, O.C.G.A. 36-66-1 et seq., where applicable.

Planning commission meetings shall be open to the public but are not required to be public hearings.

9.3.1 Public notice required.

A. Notice shall be provided by the city for public meetings and hearings regarding the following actions:

1. Amendment of the official zoning map;
2. ~~Conditional use~~Special use permits;
3. Amendment of unified development code;
4. Major modification of zoning conditions and/or master development plans; and
5. Variances.

B. All required public notices shall include the following information:

1. Date and time of the public meeting or public hearing;
2. Place of the public meeting or public hearing;
3. Location of the property being considered;
4. Purpose of the requested action; and
5. For requests to amend the official zoning map, the notice shall include the current and proposed zoning district.

9.3.2 ~~Legal advertisements~~Requirements for publishing legal ads.

~~A. Upon receipt of a completed application, fees, and other information required by this chapter or Chapter 8, the community development director shall cause notice of such application to be published within a newspaper of general circulation within the territorial boundaries of the City of Stockbridge, at least fifteen-thirty (30-45) but not more than forty-five (45) calendar days prior to the date of the public hearing. The notice shall state the time, place, and purpose of the hearing.~~

~~B. If a rezoning is initiated by a party other than the city then the notice shall include the present zoning classification of the property, and the proposed zoning classification of the property.~~

9.3.3 Requirements for posting signs.

A. The city shall provide standardized signs for posting to provide public notice of meetings and hearings.

B. ~~The city shall be responsible for posting the s~~Sign(s) shall be posted as follows:

1. The sign(s) shall be posted in a conspicuous location on the property.
2. The sign(s) shall be posted not less than ~~thirty-fifteen (30-45)~~ and not more than forty-five (45) calendar days prior to the date of the public hearing.
3. If the property proposed for rezoning does not have frontage on a public street, then the sign may be posted on the right-of-way of the nearest public street that provides access to the site.

~~C. The city shall be responsible for timely removal of the sign following the hearing.~~

~~DC. Any city-initiated request shall be exempt from these posted notice requirements of this section unless otherwise required by the state statute referenced in Section 9.3.5, Additional Notice Required.~~

9.3.4 Mailed notice.

Mailed notice shall be provided to all adjacent property ~~ownersies~~ that share a boundary line with the subject property, including those across public rights-of-way, at least ~~thirtyfiveen (3015)~~ but not more than forty-five (45) calendar days prior to the date of the public hearing for all variances, ~~conditional-usespecial uses~~, modifications, and amendments to the official zoning map (rezoning). ~~Additionally, notice shall be sent to the subject property owner(s). Said adjacent-property owner-The applicant shall mail these notices shall be mailed by the applicant, and the applicant shall~~ provide the community development director proof of mailing ~~a minimum of seven (7) days prior to the scheduled public hearing.~~

9.3.5 Additional notice required.

~~When any of the following actions are proposed, reference the Georgia Zoning Procedures Law, O.C.G.A. 36-66-1 et seq., for additional requirements.~~

- ~~A. City-initiated rezoning and/or text amendment to revise a zoning classification related to single-family residential uses of property so as to authorize multifamily uses of property pursuant to such classification or definitions, or to grant blanket permission, under certain or all circumstances, for property owners to deviate from the existing zoning requirements of a single-family residential zoning; or,~~
- ~~B. Halfway house, drug rehabilitation center, or other facility for the treatment of drug dependency; or,~~
- ~~C. Annexation.~~

9.4 Procedures for conducting public hearings.

9.4.1 Rules of procedure.

The following rules of procedure in compliance with O.C.G.A. § 36-66-5 shall govern public hearings before the planning commission and the mayor and city council:

- A. Each person speaking before mayor and council shall identify him or herself by name, address, and state whether the applicant is owner or agent for the owner.
- B. Each applicant or other interested party who submits documents at the hearing shall have each document numbered and shall identify each document. Each document submitted shall be made a part of the official record of the hearing.
- C. Time Allotted for Testimony.
 - 1. Each applicant shall have ten (10) minutes to present data, evidence, and opinions pertinent to the application. A portion of this time may be saved for rebuttal.
 - 2. Persons in opposition to rezoning of property or amendment to the zoning ordinance shall have a total of ten (10) minutes to address the board. Each person shall provide the development director with his or her name and address.
 - 3. Additional time may be granted equally to the applicant and opponents at the discretion of the mayor or the chair of the planning commission.

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- D. At the conclusion of a hearing by the planning commission, the board chair shall announce its recommendation, as required, and instruct the development director to notify the applicant of such decision or recommendation in writing. The notification shall be made a part of the record on the date written notification is given to the applicant.
 - E. At the conclusion of a hearing by mayor and council, the mayor and council may take the following actions:
 - 1. Approve the application.
 - 2. Approve the application with conditions.
 - 3. Deny the application.
 - 4. Continue or postpone their deliberations for rendering their decision to a date certain.
 - 5. Remand matters to the planning commission for additional review and recommendation if the natural of the request has substantially changed.

Mayor and city council shall announce its decision and instruct the community development director to notify the applicant of the decision in writing. The written notification shall immediately be entered on the minutes and made a part of the record on the date such written notification is given to the applicant.

9.4.2 Additional hearing requirements.

When any of the following actions are proposed, reference the Georgia Zoning Procedures Law, O.C.G.A. 36-66-1 et seq., for additional requirements.

- A. City-initiated rezoning and/or text amendment to revise a zoning classification related to single-family residential uses of property so as to authorize multifamily uses of property pursuant to such classification or definitions, or to grant blanket permission, under certain or all circumstances, for property owners to deviate from the existing zoning requirements of a single-family residential zoning; or,
- B. Halfway house, drug rehabilitation center, or other facility for the treatment of drug dependency; or,
- C. Annexation.

9.7 Requirements for developments of regional impact.

- A. A proposed development that meets or exceeds the thresholds established by the Georgia Department of Community Affairs (DCA), Atlanta Regional Commission (ARC), and Georgia Regional Transportation Authority (GRTA) for a Development of Regional Impact (DRI) shall be reviewed according to the procedures in Chapter 110-12-3, Rules of the Department.
- B. When a development meeting the threshold standards established by the DCA, ARC, and GRTA is proposed, the city shall take no action (including actions by the director, planning commission, or mayor and city council) concerning the development until the DRI review process is completed.
- C. Upon receipt of a request for action related to a project that meets or exceeds the thresholds established for that development category, the City of Stockbridge may request that the applicant submit additional information about the project using forms available from DCA.
- D. Upon a determination that the proposed development is not a DRI, the city may process applications concerning procedures set forth in this unified development code.
- E. Upon conclusion of the DRI review, the city may continue with review and decision-making procedures as set forth in this unified development code.

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1. The city is encouraged to include the public finding and comments regarding the proposed DRI project in considering actions on the application for project approval.
 2. Where the project received a negative public finding and the city approves the project, the city shall notify the DCA, indicating any conditions that have been placed on the project to mitigate the negative finding.
 3. The director shall submit applications for DRI review to the DCA.

9.8 Zoning of annexed property with common zoning classification.

Property annexed from Henry County into the city shall be automatically zoned by the city through the operation of this section for the same use for which the property was zoned immediately prior to annexation, so long as the city and county zoning ordinances share a common zoning classification for such use. As provided under O.C.G.A. § 36-66-4(e), a zoning action taken pursuant to this section shall exempt the city from the notice and public hearing requirements of the Zoning Procedure Law, O.C.G.A. § 36-66-1 et seq., and the zoning amendment procedures under this Code. Property which was zoned pursuant to this section may later be rezoned upon compliance with the requirements of the Zoning Procedure Law, O.C.G.A. § 36-66-1 et seq., and the zoning amendment procedures under this Code.

9.9 Waivers

A. Applicability. The Waiver permits specified minor deviations from the Zoning Ordinance, as provided in the various articles of this Code and as consistent with the guiding principles of this Code. Waivers are intended to relieve practical difficulties in complying with the strict requirements of this Code. Waivers are not intended to relieve specific cases of financial hardship, nor to allow circumventing of the intent of this Code. There are two tiers of waiver requests defined herein.

B. Authorized Waiver Requests

1. Tier 1: Tier 1 waivers are minor in nature and intended to solve minor issues that arise from the application of the code during building and site design and development.
 - a. Reduce width of any dimensional standard for any architectural standard in Section 4.4 by up to 20 percent (20%).
 - b. Reduce width of any dimensional standard for any street or streetscape standard by up to 20 percent (20%), but in no case shall the sidewalk be reduced to less than four (4) feet wide.
 - c. Reorder the landscaped strip, sidewalk, and building zones or relocate improvements and amenities among them (e.g.: relocate trees to building zone).
 - d. Allow changes in frequency of improvements in the landscaped strip, sidewalk, and building zones in Section 4.5 by up to 20 percent (20%) (e.g.: increase the separation of bicycle racks from 250 to 350 feet).
2. Tier 2: Tier 2 waivers are more significant requests that would result in a more substantial departure from the code requirements.
 - a. Reduce width of any dimensional standard for any street or streetscape standard any amount.
 - b. Reduce, alter, or eliminate any standards in Section 4.4.

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- c. Reduce, alter, or eliminate any standards in Section 4.5s.
 - d. Reduce, alter, or eliminate any standards in Section 4.6.
 - e. Reduce, alter, or eliminate any standards in Section 4.7.
 - f. Reduce, alter, or eliminate any standards in Section 4.8.
 - C. Authority to File. Applications for waivers may be filed by the owner of the subject property or the property owner's authorized agent.
 - D. Pre-application Meeting. A pre-application meeting with the Community Development Department is required for all waiver requests.
 - E. Tier 1 and Tier 2 Notice.
 - 1. Tier 1 Waivers.
 - a. Posted notice (signs) shall be posted for a minimum of (10) days before a decision is rendered and in a conspicuous place on the subject property to notify the public of a request for a Tier 1 waiver.
 - b. Each notice shall provide the following information:
 - 1. Purpose of request
 - 2. Location of property
 - c. Members of the public wishing to support or oppose a request for Tier 1 waiver shall file their comments in writing with Community Development Department. The deadline for acceptance of comments is ten (10) days after notice was posted.
 - 2. Tier 2 Waivers. Tier 2 waivers require a public hearing.
 - a. Each notice shall provide the following information:
 - 1. Time of hearing
 - 2. Place of hearing
 - 3. Purpose of request
 - 4. Location of property
 - 5. Present zoning
 - b. Newspaper Notice. Newspaper notice shall be published at least 30 days but not more than 45 days before the date of the Mayor and City Council public hearing.
 - c. Posted Notice. Posted notice (signs) shall be posted at least 30 days but not more than 45 days before the date of the Mayor and City Council public hearing.
 - F. Decision-Making Process
 - 1. Tier 1 Waivers.

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- a. Upon receipt of a complete Tier 1 waiver application, the Community Development Department shall review the proposal and prepare an analysis.
 - b. At least 30 days from the submittal of a complete application, the Community Development Director shall act to approve the Tier 1 waiver, approve the Tier 1 waiver with conditions, or deny the Tier 1 waiver based on the applicable review and approval criteria of. The Community Development Director is also authorized to allow the applicant to withdraw the Tier 1 waiver without prejudice.
 - 2. Tier 2 Waivers.
 - a. Staff Review. Upon receipt of a complete Tier 2 waiver application, the Community Development Department shall review the proposal and prepare an analysis and recommendation for consideration by the Planning Commission.
 - b. Planning Commission Recommendation. The Planning Commission shall hold a public meeting on the Tier 2 waiver application. The Planning Commission shall act to recommend that the Tier 2 waiver be approved, approved with conditions, or denied based on the applicable review and approval criteria of this section. The Planning Commission may also recommend deferral of the application, or, upon request of the applicant, withdraw of the application without prejudice.
 - c. Mayor and Council Decision. Upon receipt of a recommendation from the Planning Commission, the Mayor and City Council shall review the Tier 2 waiver application. The Mayor and City Council shall act to approve the Tier 2 waiver, approve the Tier 2 waiver with conditions, or deny the Tier 2 waiver based on the applicable review and approval criteria of this section. The Mayor and City Council is also authorized to withdraw the Tier 2 waiver without prejudice.
 - G. Review and Approval Criteria. The Community Development Director may authorize Tier 1 waivers, and the Council may authorize Tier 2 waivers from the provisions of this Zoning Ordinance based on consideration of the following criteria:
 - 1. Features such as topography, high frequency transmission lines, existing trees of specimen or significant quality, underlying rock, or other condition outside the owner's control to the extent that strict adherence to said requirements would be unreasonable and not consistent with the purposes and goals of this code;
 - 2. Alternative streetscape or building/façade design configurations are provided; and
 - 3. Proposal will not result in any detriment to the public good, including without limitation, detriment to the interest of the public, and will not result in any harm to the health, safety or general welfare of the City and its citizens.
 - H. Successive Applications. If a waiver application is denied, an application to waive the same Zoning Ordinance provision for the same portion of the subject property may not be resubmitted for one (1) year from the date of the denial.
 - I. Appeals. See Section 10.3 for Tier 1 waivers and Section 10.4 for Tier 2 waivers.

J. Amending Conditions of Approval. A request for changes in conditions of approval attached to an approved waiver shall be processed as a new waiver application in accordance with the procedures of this division, including the requirements for fees, notices, and hearings.

Chapter 10 VARIANCES, ADMINISTRATIVE VARIANCE, AND ADMINISTRATIVE APPEALS

10.1 Variances.

10.1.1 Generally.

- A. A variance may be granted where owing to special conditions, a literal enforcement of the provisions of this unified development code will in an individual case result in unnecessary hardship.
- B. A variance shall observe the spirit of this unified development code, secure public safety and welfare, and deliver substantial justice.
- C. The existence of a nonconforming use on adjacent or nearby property shall not constitute a justification for granting a variance.
- D. The planning commission shall make recommendations to the mayor and city council which shall have the authority to render a decision on a variance application pursuant to the public notice and hearing requirements set forth in Chapter 9.
- E. A variance may not be granted for a use specifically prohibited by this unified development code. A variance is intended to compensate for a shortfall in a dimension of real property that would prevent the property from complying with a site design standard. Variances may only be granted following a review of an application against criteria established below.

10.1.2 ~~Types of variances~~ Prohibited variances.

~~A. The variance procedures of this chapter shall not be used to:~~

- ~~A. Allow a structure or use not authorized in the subject zoning district;~~
- ~~B. Allow an increase in maximum building height;~~
- ~~C. Waive, vary, modify or otherwise override a condition of approval attached to a rezoning, special use, or other major modification under this unified development code;~~
- ~~D. Reduce, waive, or modify in any manner the minimum lot area or lot width required for any lot;~~
- ~~E. Allow the reestablishment of any nonconforming use that has been abandoned or lost its nonconforming rights; or~~
- ~~F. Allow the expansion or enlargement of any non-conforming use.~~

~~A request for a variance shall be limited to the following site design standards:~~

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- ~~1. Maximum building height;~~
 - ~~2. Minimum lot width;~~
 - ~~3. Minimum lot area;~~
 - ~~4. Required spacing for driveways;~~
 - ~~5. Minimum front, side, or rear yard setbacks;~~
 - ~~6. Dimensional standards for parking or loading spaces; or~~
 - ~~7. Sign as it relates to number, set back, building material, size or sign style.~~

10.1.3 Criteria to be considered for deciding variances.

A variance may be granted only upon a finding by the mayor and city council that all the following conditions are met:

- A. Extraordinary and exceptional circumstances pertaining to the particular piece of property in question exist due its size, shape, or topography that are not found on other properties in the same zoning district;
- B. A literal interpretation of the provisions of this unified development code would deprive the applicant of rights commonly enjoyed by owners of other properties located in the same zoning district;
- C. Granting the variance requested will not confer upon the property owner any special privileges that are denied to other owners of property in the same zoning district;
- D. The variance will be consistent with the purposes and intent of this unified development code, will be compatible with uses on neighboring properties, and will serve the public welfare;
- E. The extraordinary circumstances are not the result of actions of the applicant;
- F. The variance is the minimum relief that will allow the legal use of the land, building or structure; and
- G. The variance is not a request to permit a use of land, buildings or structures that is prohibited in the same zoning district.

10.1.4 Requirements for authorizing a variance.

- A. Requirements. A variance may be initiated by an application from a property owner or on behalf of a property owner.
- B. Application. Applications shall contain the information set forth below:
 1. The City of Stockbridge application for variance.
 2. Proof of ownership.
 3. When the applicant is a representative of the property owner, a notarized statement authorizing the representative to act as an agent of the property owner with regard to the application and associated procedures.
 4. Applicant campaign disclosure form (for applicant/owner, agent and/or attorney).
 5. A property survey conducted no more than five (5) years prior to the filing of the application, containing the legal description, boundaries, land area, notation whether any portion of the property is within a floodplain and existing improvements located on the site. Where two (2) or more parcels are included within a proposed development, the survey shall include all parcels that are part of the

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proposed development, including all phases. The survey shall be prepared and sealed by a surveyor registered in the State of Georgia. If the survey is older than five (5) years, the survey must be certified by a surveyor registered in the State of Georgia as to whether changes have or have not been made to the property.

6. A vicinity map indicating the location of the site proposed for development.
 7. Proof of payment of fees.
 8. Other information as may be required by the director.
- C. Action by the Director.
1. The director shall make a determination of application completeness.
 2. The director shall prepare a staff report addressing the request for variance.
- D. Public Hearing. The director shall advertise for the public hearing at the ~~planning commission and the~~ mayor and city council in accordance with Section 9.3, Public Notice Requirements.
- E. Planning Commission Recommendation.
1. The application shall be submitted to the planning commission for review at a public ~~hearing~~meeting.
 2. The planning commission shall review the application according to the published schedule.
 3. The planning commission shall submit its report with comments and recommendations according to the published schedule. The recommendations of the planning commission shall be submitted to the mayor and city council. The recommendations of the planning commission shall be of an advisory nature and shall not be binding on the mayor and city council.
 4. In making its recommendation, the planning commission may recommend approval, approval with conditions, or denial. Findings shall be set forth in official minutes of the planning commission.
- F. Mayor and City Council Action.
1. The mayor and city council shall consider the application for variance at a public hearing.
 2. The mayor and city council shall consider the information set forth in the staff report and the findings and recommendations of the planning commission.

10.2 Administrative variance.

The director shall have the power to approve a variance from site design and development standards of this unified development code where the intent of this unified development code can be achieved, equal performance obtained, and the administrative variance would not override conditions of zoning assigned by the elected body. The authority to grant a variance shall be limited to the following approvals:

- A. A reduction in the minimum front, side, or rear yard setbacks for a single lot, provided the following standards are met:
 1. The reduction is necessary due to the existence of any one (1) of the following factors:
 - a. Geologic conditions;
 - b. Topography; or
 - c. Inability of the applicant to adhere to tree protection standards set forth in Chapter 13, Tree Protection.

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2. The reduction is limited to a maximum deviation of ten percent (10%) from the site design standard.
 - B. Side yard requirements may be waived by the community development director, where a joint fall-out shelter is proposed, provided that permanent easements are recorded to ensure access to both parties.
 - C. A ~~waiver~~ waiver from Section 4.8 requiring a dust free parking surface may be issued by the director provided the parking area consists of a pervious or semi-pervious materials meeting the following standards:
 1. There shall be a paved primary lot that serves the parking needs of customers and employees on a regular basis. Unpaved parking spaces may not count toward the parking requirements outlined in Section 4.8 with the exception of spaces dedicated to employees of the business.
 2. Materials used for unpaved parking shall be approved by the Henry County Fire Department prior to installation.
 3. Unpaved parking areas shall be enclosed by a fence that restricts public access. All gates and locks shall be approved by the Henry County Fire Department prior to installation.
 4. The unpaved parking area shall meet the design standards for parking lots, with the exception of paving requirements, and including size of spaces, drive aisles, maneuvering areas and stormwater management.
 5. A paved driveway leading to the unpaved parking area that is a minimum of twenty-four (24) feet in length shall be provided.
 6. Unpaved parking areas are subject to the landscaping provisions, including the provision that all landscaping be permanently maintained. Surfaces must remain grass and weed free.

10.3 Appeal of administrative actions.

- A. The mayor and city council shall hear and decide appeals where it is alleged by the appellant that there is error in any approval, denial, written interpretation, or decision made by the director, based on the interpretation or enforcement of the unified development code.
- B. Only persons or entities that have legal standing in the challenged action shall be permitted to file an appeal under this Code section.
- C. Appeals under this Code section shall be filed with the director. The director shall immediately notify the appropriate department that an appeal application and the requisite fees have been filed and shall immediately forward those documents to the appropriate department head and/or his or her designee for handling. Upon receipt of the appeal documents, the department head or his/her designee shall be responsible for notifying the city clerk via email that an appeal application has been filed and shall thereafter, be responsible for ensuring that all appeal documentation is provided to the city clerk for inclusion of the matter on a scheduled public ~~meeting~~ ~~hearing~~ to be heard by the mayor and city council not later than thirty (30) calendar days from the date of filing. The notifying department shall be responsible for submitting any required legal advertisements and posting the appropriate signs. The director shall be responsible for notifying ~~all property owner(s) and appellant(s) and affected parties~~ that an appeal has been filed and the date on which the appeal will be heard by the mayor and city council. The director shall be responsible for providing an executive summary detailing the rationale for the decision in question and shall present the findings and all relevant documents pertaining to the appeal to the city clerk for presentation at the mayor and city council meeting in which the appeal will be heard.

Should the mayor and city council overturn the decision of staff, the applicant shall have thirty (30) calendar days from the date of the decision to request a refund of no more than seventy-five percent (75%) of the appeal fee paid.

- D. A scheduled appeal may be temporarily postponed at the request of the appellant or staff; however, the party requesting such postponement shall be responsible for the cost of any legal advertisement fees prior to the matter being rescheduled for a new hearing date.

10.3.1 Applicability.

- A. Appeals may be filed by any person aggrieved by any written approval, denial, interpretation, decision or enforcement action of the director, based on or made in the enforcement of the unified development code.
- B. A person shall be considered aggrieved if:
1. Said person or said person's property was the subject of the action appealed from; or
 2. Said person has a substantial interest in the action appealed from and is in danger of suffering special damage or injury not common to all property owners similarly situated.

10.3.2 Time for applications and hearings.

- A. An appeal shall be filed within thirty (30) calendar days following the written approval, denial, or interpretation, of the director.
- B. A hearing before the mayor and city council shall be held according to the published schedule.

10.3.3 Application requirements.

An appeal request, along with the advertising and review fee per the approved fee schedule shall be filed with the director indicating on the application in which the administrative decision originated and include a letter of intent addressing the following:

1. Completed application form, provided by the city;
2. Written documentation specifying the alleged errors in the approval, denial, interpretation, or decision of the planning commission or the director;
3. Citation of the section(s) of the unified development code pertaining to the action of the director; and
4. A statement of the specific relief requested by the party appealing.

10.3.4 Stay of proceedings.

An appeal stays all legal proceedings in furtherance of the action appealed from unless the director certifies to the mayor and city council, after notice of appeal has been filed, that by reasons of facts stated in the certificate, a stay would, in the opinion of the director, cause imminent peril to life or property. In such case, proceedings shall be stayed only by a restraining order granted by the Superior Court of Henry County on notice to the director and on due cause shown.

10.3.5 Action on appeals.

- A. The hearing of the appeal shall be quasi-judicial and shall be conducted at a regular meeting, according to the published schedule, or at a special meeting of the mayor and city council.

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- B. Public Hearing. The director shall advertise for the public hearing at the ~~planning commission and the~~ mayor and city council in accordance with Section 9.3, Public Notice Requirements.
 - C. Any party may appear at the hearing in person, by an authorized agent, or by an attorney.
 - D. Following the consideration of all testimony, documentary evidence, and matters of record, the mayor and city council shall make a determination on the appeal. An appeal shall be sustained only upon an expressed finding by the mayor and city council that the decision by the director was based on an erroneous finding of a material fact, or that the director acted in an arbitrary manner. In exercising its powers, the mayor and city council may reverse or affirm, wholly or partly, or may modify the requirement, decision or determination appealed from, and to that end shall have all the powers of the director from whom the appeal was taken and may issue or direct the issuance of a permit provided all requirements imposed by all other applicable laws are met.

10.4 Appeals of mayor and city council actions.

All appeals of final decisions of the mayor and city council shall be as follows:

- ~~A. A—An appeal of the final decision of the mayor and city council under this chapter may be taken by the applicable processes as stated in O.C.G.A. § 36-66-5.1.~~
 - ~~B. If an appeal is being made by way of petition for review to the superior court where the property lies, in accordance with both O.C.G.A. § 36-66-1 et seq and as provided for in Chapter 4, Title 5 of the Official Code of Georgia Annotated, any petition may be served through the city manager or mayor on behalf of the lower judiciary body being appealed. The city manager or mayor may be served with the petition on behalf of the city.~~
 - ~~C. An appeal shall be filed within thirty (30) calendar days after the disputed final decision is rendered.~~
- ~~Any person aggrieved by a final decision of the mayor and city council may appeal such decision by filing a petition in writing with the Superior Court of Henry County.~~
- ~~B. An appeal shall be filed within thirty (30) calendar days after the disputed final decision is rendered.~~

10.5 Vested rights.

The purpose of this section is to provide a method to recognize vested rights and works-in-progress that were authorized prior to the effective date of this unified development code.

- A. Any property zoned PD (planned development) prior to adoption of this unified development code shall be subject to all development agreements and approved master plans until such time the property is rezoned.
- B. Any property that has been rezoned prior to adoption of this unified development code shall meet all prior zoning conditions imposed regardless of any zoning change caused by this unified development code until such time the property is rezoned.
- C. Applicant shall be vested in any permit approved prior to adoption of this unified development code until the permit expires.
- D. All flag lots platted and recorded prior to adoption of this unified development code shall be considered legal, nonconforming lots of record.

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11.5 Types of violations.

The following items shall be deemed civil zoning violations, enforceable by the community development director (and their designees). Penalties may be imposed based on the provisions set forth in this article.

- A. The placement or erection of a primary structure, accessory structure, sign, or any other element determined to not conform to the provisions or explicit intent of the unified development code;
- B. The maintenance of a primary structure, accessory structure, sign, or any other element determined to not conform to the provisions or explicit intent of the unified development code;
- C. Failure to obtain a building permit when required by this Code;
- D. Conducting a use or uses that do not comply with the provisions or explicit intent of this Code;
- E. Any failure to comply with the development standards and/or any regulations of this Code;
- F. Proceeding with work under a stop-work-order or a violation of a memorandum of agreement; and
- G. Any failure to comply with commitments or conditions made in connection with a rezoning, ~~conditional use~~ special use, variance or other similar conditioned commitment made by the city council.

...

12.2 Definitions.

...

"Apartment" means ~~one (1) or more rooms in an apartment building~~ a type of multifamily dwelling, with private bath and kitchen facilities or combination living space and commercial building, arranged, intended, designed, or occupied on a rental basis ~~as a dwelling unit for a single family, an individual, or a group of individuals.~~

"Apartment building" means a ~~type of multi-family dwelling~~ housing arranged, intended, designed, or occupied on a rental basis ~~structure designed and constructed to accommodate three (3) or more dwelling units with independent cooking and bathroom facilities.~~

...

"~~Conditional use~~ Special use" means a use within a certain zoning districts of this chapter which is not permitted as a matter of right, but may be permitted within these districts by mayor and city council. A ~~conditional use~~ special use is permanent in nature.

"Condominium" means the ownership in fee simple title of a single unit in a multi ~~family family dwelling-unit structure~~ and an undivided ownership interest, in common with other owners of the common elements of the structure, including the common areas of land and its appurtenances.

...

"Dwelling" means a building or portion thereof which is designed or used ~~exclusively~~ for residential purposes, including single-family, two-family, ~~multiple~~ family dwellings, rooming and boarding houses, fraternities, sororities and modular dwellings, but not including hotels or motels.

- (1) "Accessory dwelling" means a dwelling unit established within the principal building or in a separate structure, and on the same lot as the principal structure. It is an independent dwelling unit, but it may share an entrance, yard and parking with the principal unit.

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- (2) "Duplex" or "two-family" means a building containing two (2) dwelling units, designed for occupancy by not more than two (2) families living independent of each other.
- (3) "Multifamily" ~~means a building or set of buildings containing a group of dwelling units on a common lot containing separate living units for three (3) or more families, having separate or joint entrances, and including apartments and condominiums. These are specifically distinguished from units defined as townhouses. means three (3) or more dwelling units in one (1) building with the number of families in residence not exceeding the number of dwelling units provided.~~
- (4) "Single-family" means one (1) dwelling unit in one (1) building, other than a mobile home, hotel or motel, designed for and occupied by one (1) family, containing rooms for living, sleeping, toilet facilities and one (1) kitchen.
- (5) "Townhouse" means one (1) of a series of three (3) or more attached dwelling units on separate lots which are separated from each other by a coincidental property line and party wall partitions. The structure must meet all front, rear, and side yard setback requirements in the zoning district in which it is located, except for the coincidental property line and wall. Each dwelling unit must be separately metered for all utilities, have access to a public street and the coincidental property line and wall must be fire-rated and extend from the foundation or ground (whichever is lower) to the roof decking of the structure. Each dwelling unit shall contain rooms for living, sleeping, toilet facilities and one (1) kitchen.

"Dwelling unit" means one (1) room, or rooms connected together, constituting a separate, independent housekeeping establishment for owner occupancy, for rental or lease on a weekly, monthly, or longer basis and physically separated from any other rooms or dwelling units which may be in the same structure, and containing independent living, sleeping, toilet and a single kitchen with cooking facilities.

...

"Townhouse, ~~fee simple.~~" See "dwelling, townhouse."

...

15.4.11 Administrative appeal and judicial review.

Appeals may be filed in accordance with section 10.3 and 10.4 of this chapter.

~~A. Administrative Appeal. Any person aggrieved by a decision or order of the director, may appeal in writing within ten (10) days after the issuance of such decision or order to the city council of City of Stockbridge and shall be entitled to a hearing before the city council of City of Stockbridge within forty five (45) days of receipt of the written appeal.~~

~~B. Judicial Review. Any person aggrieved by a decision or order of the director, after exhausting all administrative remedies, shall have the right to appeal de novo to the superior court of Henry County.~~

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