

CITY COUNCIL WORK SESSION

Monday, May 02, 2022 at 6:00 PM Council Chambers and YouTube Livestream

MISSION STATEMENT

It is the mission of the City of Forest Park to enhance, strengthen, and grow our city by collaborating with our community to provide the highest level of service. Striving to be recognized as a diverse community that values and respects all members. We will strive to provide fair, professional, and courteous service through transparency and open communication. As we work to achieve this mission, we will have integrity beyond reproach while employing fiscal discipline and innovation. In this work there are no praises and raises for mediocrity.

Website: www.forestparkga.gov YouTube: https://bit.ly/3c28p0A Phone Number: (404) 366.1555 FOREST PARK CITY HALL 745 Forest Parkway Forest Park, GA 30297

The Honorable Mayor Angelyne Butler, MPA

The Honorable Kimberly James The Honorable Hector Gutierrez The Honorable Allan Mears The Honorable Dabouze Antoine The Honorable Latresa Akins-Wells

lears Dr. Marc-Antonie Cooper, City Manager

S. Diane White, City Clerk

Mike Williams, City Attorney

AGENDA

VIRTUAL NOTICE

DISCLAIMER: For in-person attendance, all CDC requirements of Masks and Social Distancing is recommended.

To watch the meeting via YouTube - https://bit.ly/3c28p0A

The Council Meetings will be livestream and available on the City's

YouTube page - "City of Forest Park GA"

CALL TO ORDER/WELCOME:

ROLL CALL - CITY CLERK:

CITY MANAGER'S REPORT: Dr. Marc-Antonie Cooper, City Manager

COVID-19 UPDATE: EMS Coordinator, Andrew Gelmini

NEW BUSINESS:

1. Clayton County Summer Food Service Program Agreement – Recreation & Leisure Services Background/History: Recreation Department would like to enter into a Summer Food Service Program partnership with Clayton County Public Schools to provide meals (breakfast and lunch) to Summer Camp 2022 participants and children in the community ages 18 years and under from June 6, 2022, through July 22, 2022. The Seamless Summer Option (SSO) will provide Clayton County Public Schools free summer meals in low-income areas during the traditional summer vacation periods.

2. Citywide Janitorial Services – Various Departments throughout the City

Background/History:

The Various Departments throughout the City is requesting your approval to enter into a contractual agreement with the following Janitorial Service Contractor: Acsential Services. The Department of Procurement conducted a request for proposals for Citywide Janitorial Services and of the eight firms that submitted their proposals, Acsential Services was the lowest and most qualified firm and therefore they were selected. This will eliminate the use of several different janitorial contractors providing services to individual departments and replace it with one contractor for the entire City. The contract will last for 3 years with two additional 1- year term renewal options if the City wants to continue with this firm based on their performance.

3. Council Approval of Conditional Use Permit at 5370 Ash Street - PUBLIC HEARING – Planning & Community Development Department

Background/History:

The applicant, Kelvin Waters, is requesting a Conditional Use Permit to operate a church, school, and associated offices at 5370 Ash Street. This property is in the Single-Family Residential District (RS). Places of worship, private schools, and daycares require conditional use permits to operate in the Single-Family Residential District. Currently, the property houses occasional worship services and a virtual learning school.

Staff recommended Approval of Conditional Use Permit to allow a church, school, and a daycare in the Single-Family Residential (RS) District with the following conditions:

The applicant and/or his tenants cannot operate a trucking or freight business in this location.

The applicant and/or his tenants may be allowed to operate a church, school, and a daycare and offices associated with those uses. However, no other offices or commercial uses will be permitted.

Storage of vehicles, trucks, and trailers is prohibited.

Violation of these conditions will result in the loss of the conditional use permit and associated business licenses.

The Planning Commission voted to approve the Conditional Use Permit with Conditions.

<u>4.</u> Council Approval of Text Amendments - PUBLIC HEARING – Planning & Community Development Department

Background/History:

In September 2021, the City Council approved the City of Forest Park's new Zoning Ordinance and Sign Ordinance. With these changes, the Planning & Community Development Department has discovered

some areas of these ordinances that need to be amended for clarity. The requested text amendments will not be injurious to the public health, safety, morals, and general welfare of the community, and the use will not be affected in a substantially adverse manner.

5. Council Approval of Technical Map Amendments PUBLIC HEARING– Planning & Community Development Department

Background/History:

The Planning & Community Development Department is proposing several map amendments. PC-2022-02 (MAP) includes changes to the zoning map.

In September 2021, the City of Forest Park City Council adopted a new Zoning Ordinance and new Zoning Map. Staff finds that certain zoning districts as shown on the zoning map are inconsistent with the existing character and development areas in the City. The proposed technical map amendment corrects technical errors to the zoning map that were adopted in September 2021. The requested map amendments will not be injurious to the public health, safety, morals, and general welfare of the community, and the use will not be affected in a substantially adverse manner.

For PUBLIC HEARING on the Regular Agenda

EXECUTIVE SESSION: (When an Executive Session is required, one will be called for the following issues: Personnel, Litigation or Real Estate)

ADJOURNMENT:

In compliance with the Americans with Disabilities Act, those requiring accommodation for Council meetings should notify the City Clerk's Office at least 24 hours prior to the meeting at 404-366-1555.

File Attachments for Item:

1. Clayton County Summer Food Service Program Agreement – Recreation & Leisure Services

Background/History:

Recreation Department would like to enter into a Summer Food Service Program partnership with Clayton County Public Schools to provide meals (breakfast and lunch) to Summer Camp 2022 participants and children in the community ages 18 years and under from June 6, 2022, through July 22, 2022. The Seamless Summer Option (SSO) will provide Clayton County Public Schools free summer meals in low-income areas during the traditional summer vacation periods.



City Council Agenda Item

Budgeted for: Yes

Subject:Clayton County Summer Food Service Program Agreement – Recreation & Leisure
ServicesSubmitted By:Tarik MaxwellDate Submitted:April 18, 2022Work Session Date:May 02, 2022Council Meeting Date:May 02, 2022

Background/History:

Recreation Department would like to enter into a Summer Food Service Program partnership with Clayton County Public Schools to provide meals (breakfast and lunch) to Summer Camp 2022 participants and children in the community ages 18 years and under from June 6, 2022, through July 22, 2022. The Seamless Summer Option (SSO) will provide Clayton County Public Schools free summer meals in low-income areas during the traditional summer vacation periods.

Cost: \$ N/A

Financial Impact:

N/A

Action Requested from Council:

Vote on approval for partnership.

No



CLAYTON COUNTY PUBLIC SCHOOLS Nutrition Services

• 218-B Stockbridge Road • Jonesboro, GA 30236 • (678) 479-0171 • FAX (678)-479-0181 •

• <u>www.clayton.k12.ga.us</u>•

Dr. Morcease J. Beasley Superintendent Audrey A. Hamilton Nutrition Services Director

Item #1.

Partnership Agreement

between

City of Forest Park and Clayton County Public Schools

for the

SUMMER FOOD SERVICE PROGRAM

This Partnership Agreement (hereinafter the "Agreement") is entered into between **CITY OF FOREST PARK**, (the "City"), and **CLAYTON COUNTY PUBLIC SCHOOLS**, through its Nutrition Services Department ("CCPS").

The purpose of this Agreement is to memorialize a partnership between the entities noted above in connection with the Summer Food Service Program (the "Program"), in which children (18 years of age and under) in the community are provided free breakfast and lunch meals from June 6, 2022 through July 22, 2022 at the Forest Park Community Recreation Center.

Whereas, CCPS will be utilizing the 'Seamless Summer Option'' (SSO) for its summer feeding program, which is funded and regulated by the United Stated Department of Agriculture (USDA) through the Georgia Department of Education; and

Whereas, the SSO allows CCPS to provide free summer meals in low-income areas during the traditional summer vacation periods; and

Whereas, under the SSO, CCPS is required to follow meal patterns described in 7 CFR 210.10 and 7 CFR 220.8; and

"Fueling Student Achievement through Proper Nutrition" "This Institution is an Equal Opportunity Provider"

Whereas, the Nutrition Services Department of CCPS has agreed to serve as a sponsor for the City of Forest Park, whereby the Nutrition Services Department will utilize the Forest Park Community Recreation Center as a feeding site for the SSO, and the city has agreed to allow CCPS to serve its constituents in such capacity.

Listed below are the roles and responsibilities as agreed upon by each of the named entities:

Clayton County Public Schools agrees to:

- Serve as a sponsor for the City of Forest Park whereby the Nutrition Services Department will utilize the Forest Park Community Recreation Center as a feeding site for the SSO.
- Serve meals to all needy children 18 years of age and under (or persons 19 and over who are mentally or physically disabled and participating in a public or private nonprofit school program for the mentally or physically disabled).
- ➤ Serve breakfast meals from 8:00 a.m. to 8:30 a.m. and lunch meals from 11:00 a.m. 12:00 p.m. that meet the minimum meal pattern requirements daily.
- > Provide adequate supervision of the actual meal service.
- > Ensure program compliance with all district, state and federal regulations.

City of Forest Park agrees to:

- > Pick up breakfast and lunch meals from a designated CCPS site within 30mins of meals service
- Allow children 18 years of age and under, as well as those persons 19 years of age and over who meet the State of Georgia agency's definition of mentally or physically disabled, from the community to participate in the Program during the time periods indicated above.
- > Provide adequate supervision of the facility during the meal service.
- > Maintain and submit such reports and records that CCPS requires.
- > Report any other problems regarding the meal services.

Amendment of Agreement

This agreement cannot be changed or modified except by a written instrument executed and signed by all parties hereto.

Assignment/Subcontracting Clause

Each of the parties hereto shall ensure that all of its assignees or subcontractors, if any, comply with the terms of this Agreement.

"Fueling Student Achievement through Proper Nutrition" "This Institution is an Equal Opportunity Provider"

Entire Agreement

This Agreement represents the entire understanding of the parties regarding the Program and it supersedes any previous documents, correspondence, conversations or other oral or written understanding of the parties.

Choice of Law and Jurisdiction for Disputes

This Agreement shall be governed by and construed under the laws of the State of Georgia without regard to its choice of law rules.

Independent Parties

The parties hereto are independent, contracting entities, and neither is authorized to act as an agent, employee, or legal representative of the other. Neither party nor its respective employees shall be considered employees of the other. The method and manner of performance of the food service shall be under the exclusive control of CCPS.

Dr. Morcease J Beasley Superintendent of Schools Clayton County Public Schools

March 31, 2022 | 4:57:21 PM EDT

Date

Angelyne Butler, MPA Mayor City of Forest Park

Dr. Marc-Antonie Cooper, ICMA-CM City Manager City of Forest Park

Date

Date

"Fueling Student Achievement through Proper Nutrition" "This Institution is an Equal Opportunity Provider" Item #1.

File Attachments for Item:

2. Citywide Janitorial Services – Various Departments throughout the City

Background/History:

The Various Departments throughout the City is requesting your approval to enter into a contractual agreement with the following Janitorial Service Contractor: Acsential Services. The Department of Procurement conducted a request for proposals for Citywide Janitorial Services and of the eight firms that submitted their proposals, Acsential Services was the lowest and most qualified firm and therefore they were selected. This will eliminate the use of several different janitorial contractors providing services to individual departments and replace it with one contractor for the entire City. The contract will last for 3 years with two additional 1- year term renewal options if the City wants to continue with this firm based on their performance.



City Council Agenda Item

Subject:Citywide Janitorial Services – Various Departments throughout the CitySubmitted By:Girard GeeterDate Submitted:April 14, 2022Work Session Date:May 2, 2022Council Meeting Date:May 2, 2022

Background/History:

The Various Departments throughout the City is requesting your approval to enter into a contractual agreement with the following Janitorial Service Contractor: Acsential Services. The Department of Procurement conducted a request for proposals for Citywide Janitorial Services and of the eight firms that submitted their proposals, Acsential Services was the lowest and most qualified firm and therefore they were selected. This will eliminate the use of several different janitorial contractors providing services to individual departments and replace it with one contractor for the entire City. The contract will last for 3 years with two additional 1- year term renewal options if the City wants to continue with this firm based on their performance.

Cost: \$ 6,624.61 per month

Budgeted for: <u>x</u> Yes <u>No</u>

Financial Impact:

Action Requested from Council:

Approve the contractual agreement with the Janitorial Service Contractor: Acsential Services

		A-Action Janitorial Service Inc		Acsential Services			Building Maintenance Services, Inc.			Carvell Consulting			Disinfectant Solutions of Atlanta			Exquisite Services Enterprise				Good Success Company, Inc.				Marsh Cleaning Services									
Graded Item	Total Possible Points	evaluator 1	evaluator 2	evaluator 3	Total	evaluator 1	evaluator 2	evaluator 3	Total	evaluator 1	evaluator 2	evaluator 3	Total	evaluator 1	evaluator 2	evaluator 3	Total	evaluator 1	evaluator 2	evaluator 3	Total	evaluator 1	evaluator 2	evaluator 3	Total	Non	Respor	isive	Total	evaluator 1	evaluator 2	evaluator 3	Total
Organizational Structures and Resumes	25	14	15	14	14.33	16	15	18	16.33	20.5	20	20	20.17	16	17	17	16.67	9	10	8	9	10	10	10	10				0	11	10	14	11.67
Experience and Past Performance	25	14	13	17	14.67	19	18	12	16.33	19.5	18.75	19	19.08	17	17	15	16.33	10	10	11	10.33	6	7	5	6				0	11	10	14	11.67
Management Plan	20	9	10	10	9.667	13	15	10	12.67	11	10	9	10	11	10	12	11	11	11	17	13	6	7	5	6				0	10	10	13	11
Quality Control Plan	15	9.5	11.25	10	10.25	7	7.5	12	8.833	13	12	12	12.33	8	9	9	8.667	9	8	10	9	10	10	10	10				0	7	7	10	8
Procurement Plan	10	3	3	4	3.333	4	5	7	5.333	3	3	5	3.667	8	10	9	9	2	3	3	2.667	5	5	2	4				0	3	4	3	3.333
Local, Small Business, and Diversity Program (Outreach Plan)	5	5	5	5	5	3	4	3	3.333	2	2.5	3	2.5	3	2	3	2.667	2	1	3	2	1	0	3	1.333				0	2	2	2	2
Total	100	54.5	57.25	60	57.25	62	64.5	62	62.83	69	66.25	Do 68	67.75		65	elow th 65	his line 64.33		43	52	46	38	39	35	37.33	0	0	0	0	44	43	56	<mark>47.67</mark>
Cost Proposal Total Per Month						\$		6,62	24.61	\$		9,4	16.25	\$		9,7	65.68										Non Res	ponsive)				

Evaluator 1 Evaluator 2 Evaluator 3

Cost proposals of the top three ranked proponents were open the lowest bidder amongst the top three ranked was awarded

File Attachments for Item:

3. Council Approval of Conditional Use Permit at 5370 Ash Street - PUBLIC HEARING – Planning & Community Development Department

Background/History:

The applicant, Kelvin Waters, is requesting a Conditional Use Permit to operate a church, school, and associated offices at 5370 Ash Street. This property is in the Single-Family Residential District (RS). Places of worship, private schools, and daycares require conditional use permits to operate in the Single-Family Residential District. Currently, the property houses occasional worship services and a virtual learning school.

Staff recommended Approval of Conditional Use Permit to allow a church, school, and a daycare in the Single-Family Residential (RS) District with the following conditions:

The applicant and/or his tenants cannot operate a trucking or freight business in this location.

The applicant and/or his tenants may be allowed to operate a church, school, and a daycare and offices associated with those uses. However, no other offices or commercial uses will be permitted.

Storage of vehicles, trucks, and trailers is prohibited.

Violation of these conditions will result in the loss of the conditional use permit and associated business licenses.

The Planning Commission voted to approve the Conditional Use Permit with Conditions.



City Council Agenda Item

Subject:Approve Conditional Use Permit at 5370 Ash Street - Planning & Community
Development DepartmentSubmitted By:James ShelbyDate Submitted:April 22, 2022Work Session Date:May 2, 2022Council Meeting Date:Hay 2, 2022

Background/History:

The applicant, Kelvin Waters, is requesting a Conditional Use Permit to operate a church, school, and associated offices at 5370 Ash Street. This property is in the Single-Family Residential District (RS). Places of worship, private schools, and daycares require conditional use permits to operate in the Single-Family Residential District. Currently, the property houses occasional worship services and a virtual learning school.

Staff recommended Approval of Conditional Use Permit to allow a church, school, and a daycare in the Single-Family Residential (RS) District with the following conditions:

- 1. The applicant and/or his tenants cannot operate a trucking or freight business in this location.
- 2. The applicant and/or his tenants may be allowed to operate a church, school, and a daycare and offices associated with those uses. However, no other offices or commercial uses will be permitted.
- 3. Storage of vehicles, trucks, and trailers is prohibited.
- 4. Violation of these conditions will result in the loss of the conditional use permit and associated business licenses.

The Planning Commission voted to approve the Conditional Use Permit with Conditions.

Cost: \$ N/A	Budgeted for:	Yes	No
Financial Impact:			
No financial impact			

Action Requested from Council:

Vote on the Conditional Use Permit at 5370 Ash Street.

Item #3.



CITY OF FOREST PARK

Planning & Community Development Department 785 Forest Parkway Forest Park, Georgia 30297 (404) 608-2300 Fax: (404) 608-2306

Staff Report – Conditional Use Permit

Public Hearing Date: April 21, 2022 City Council Meeting: May 2, 2022

Case: CUP-2022-02

Current Zoning: RS – Single-Family Residential District

Proposed Request: Requesting a Conditional Use Permit to allow a church, school, daycare, and affiliated offices to be in the RS – Single-Family Residential District

Staff Report Compiled By: Caity Chandler

Staff Recommendation: Approval of Conditional Use Permit with Conditions

APPLICANT INFORMATION

Owner of Re	ecord:	Applicant:								
Name:	Kelvin Waters	Name: Kelvin Waters								
Address:	5370 Ash Street	Address: 5370 Ash Street								
City/State:	Forest Park, GA 30297	City/State: Forest Park, GA 30297								
	PROPERTY INFORMATION									
Parcel Num	ber: 13079D G010	Acreage: 5.48								
Address: 537	70 Ash Street	FLU: Institutional								

SUMMARY & BACKGROUND

The applicant is requesting a Conditional Use Permit to operate a church, school, and associated offices at 5370 Ash Street. This property is located in the Single-Family Residential District (RS). Places of worship, private schools, and daycares require conditional use permits to operate in the Single-Family Residential District. Currently, the property houses occasional worship services and a virtual learning school.

Property Zoned Single Family Residential (RS)

Direction	Zoning & Use	Direction	Zoning & Use					
North	RS- Single Family Residential	East	Clayton County (Morrow)					
South	RS- Single Family Residential	West	RS- Single Family Residential					

AERIAL MAP



ZONING MAP



SITE PHOTOS – MARCH 2022







Item #3.



ZONING CRITERIA AND ANALYSIS

- 1. Would the proposed amendment be consistent and compatible with the City's land use and development, plans, goals, and objectives? The proposed use is compatible and consistent with the City's land use and development goals and objectives.
- 2. Would the proposed amendment tend to increase, to decrease, or to have no impact on traffic safety and congestion in the streets? The proposal will not cause a significant impact on the transportation infrastructure.
- 3. Would the proposed amendment tend to increase, to decrease, or to have no relationship to safety from fire and other dangers? The proposed use will have no impact on community facilities
- 4. Would the proposed amendment tend to promote, to diminish, or to have no influence on the public health and general welfare of the City? The proposal development does not appear to be a detriment to the public health, safety, morals, or general welfare if the Conditional Use Permit is granted.
- 5. Would the proposed amendment tend to increase, to decrease or to have no influence on the adequacy of light and air? No impact on light and air quality.
- 6. Would the proposed amendment tend to cause, to prevent, or to have no influence on the overcrowding of land? No.

- 7. Would the proposed amendment tend to cause, to prevent, or to have no relationship on the population distribution within the City, thus creating any area so dense in population as to adversely affect the health, safety, and general welfare of the City? The proposed use will not increase the population or density as to adversely affect the health, safety, and general welfare of the City.
- 8. Would the proposed amendment tend to impede, to facilitate, or to have no impact on the adequate provision of transportation, water, sewerage, other public services, utilities, or facilities? The proposed use will not cause any additional impact on the water/sewer and other utilities or other public services.
- 9. Would the proposed amendment tend to be compatible with environmental conditions in light of surrounding developments? If compatible, what factors, if any, would diminish the value, use and enjoyment of surrounding properties? The subject property value has no existing zoning restriction that would diminish the value and enjoyment of surrounding properties.
- 10. Would the proposed amendment tend to promote, to diminish, or to have no influence upon the aesthetic effect of existing and future uses of the property and the surrounding area? Granting a Conditional Use Permit would not diminish the future uses of the property and surrounding area.
- 11. Would the proposed amendment have measurable adverse economic effect on the value of surrounding or adjacent property? The use appears suitable for the nearby properties. There is no indication of any potential detrimental causes that would decrease the property value of surrounding or adjacent property
- 12. Would the proposed amendment create an isolated district unrelated to adjacent and nearby districts? The Conditional Use Permit would not create an isolated district.

STAFF RECOMMENDATION

Staff recommends **APPROVAL OF A CONDITIONAL USE PERMIT** to allow a church, school, and a daycare in the Single-Family Residential (RS) District **WITH THE FOLLOWING CONDITIONS:**

- 1. The applicant and/or his tenants <u>cannot</u> operate a trucking or freight business in this location.
- 2. The applicant and/or his tenants may be allowed to operate a church, school, and a daycare and offices associated with those uses. However, no other offices or commercial uses will be permitted.
- 3. Storage of vehicles, trucks, and trailers is strictly prohibited.
- 4. Violation of these conditions will result in the loss of the conditional use permit and associated business licenses.

Attachments Included:

- Application
- Letter of Intent

File Attachments for Item:

4. Council Approval of Text Amendments - PUBLIC HEARING – Planning & Community Development Department

Background/History:

In September 2021, the City Council approved the City of Forest Park's new Zoning Ordinance and Sign Ordinance. With these changes, the Planning & Community Development Department has discovered some areas of these ordinances that need to be amended for clarity. The requested text amendments will not be injurious to the public health, safety, morals, and general welfare of the community, and the use will not be affected in a substantially adverse manner.



City Council Agenda Item

Subject:Approval of Text Amendments-Planning & Community Development DepartmentSubmitted By:James ShelbyDate Submitted:April 25, 2022Work Session Date:May 2, 2022

Council Meeting Date: May 2, 2022

Background/History:

In September 2021, the City Council approved the City of Forest Park's new Zoning Ordinance and Sign Ordinance. With these changes, the Planning & Community Development Department has discovered some areas of these ordinances that need to be amended for clarity. The requested text amendments will not be injurious to the public health, safety, morals, and general welfare of the community, and the use will not be affected in a substantially adverse manner.

Cost: \$ N/A

Budgeted for: Yes No

Financial Impact:

No financial impact

Action Requested from Council:

Approval of the text amendments made to the zoning ordinance

ORDINANCE NO.

AN ORDINANCE AMENDING THE CODE OF ORDINANCES, CITY OF FOREST PARK, GEORGIA TO PROVIDE FOR CERTAIN TECHNICAL TEXT AMENDMENTS; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

WITNESSETH:

Be it ordained by the Governing Body of the City of Forest Park, Georgia as follows:

<u>SECTION 1.</u> That Section 8-3-16 of the Code of Ordinances, City of Forest Park, Georgia, Georgia is hereby amended by deleting said section and replacing it the following in lieu thereof:

"Sec. 8-3-16. Nonconforming signs.

It is the policy of the City of Forest Park to encourage the compliance of all signs within the city with the terms and requirements of this section. The city finds that nonconforming signs may adversely affect the public health, safety, and welfare of the city. Such signs may adversely affect the aesthetic characteristics of the city and may adversely affect public safety due to the visual impact of said signs on motorists and the structural characteristics of said signs.

(1) No sign shall be permitted or erected on any lot which has located thereupon an existing nonconforming sign until the nonconforming sign has either been removed or brought into compliance with this section.

(2) Maintained. A nonconforming sign shall not be replaced by another nonconforming sign, except that the substitution or interchange of quality material panels, painted boards, or dismountable material on nonconforming signs shall be permitted as long as the nonconforming sign retains its grandfathering rights. All nonconforming signs shall be maintained in good repair, free from peeled paint, rust, missing panels, missing letters, etc. Minor repairs and maintenance of nonconforming signs shall be permitted. However, no structural repairs, changes in shape, size, or design shall be permitted except to make a nonconforming sign comply with all requirements of this section. Repairs; material change. Minor repairs and maintenance of nonconforming signs shall be permitted when the cost of such repair does not exceed twenty-five (25) percent of the replacement cost of the existing sign, provided, however, that no structural repairs or changes in the size or shape of a nonconforming sign shall be permitted except to make the standards of this chapter.

(3) Legal-nonconforming or "grandfathering" and provisions. Nonconforming signs may stay in place until one (1) of the following conditions occurs:

a. The advertised business ceases at the location for a period of more than thirty (30) days and/or the sign is not used for a period of more than thirty (30) days;

b. The deterioration of the sign or damage to the sign makes it a hazard or renders it dilapidated, unsightly, or unkempt;

c. The sign has been damaged to such an extent that more than minor repairs (greater than twenty-five (25) percent of the sign replacement cost of the existing sign) or a material change is required to restore the sign. No structural repairs or changes in the size or shape of a nonconforming sign shall be permitted except to make the sign comply with the standards of this chapter; or

d. If the business or use for which the nonconforming sign(s) was installed is expanded or modified, and if the value of the expansion or modification exceeds fifty (50) percent of the value of the existing improvements. The sign or signs shall be immediately brought into compliance with this chapter with a new permit secured therefore or shall be removed. All improvements to a single business or use within any 12-month period shall be treated cumulatively in the administration of this subparagraph.

(4) In the event that a sign loses its legal-nonconforming (grandfathering) status, the applicant shall not be granted a business license until the nonconforming sign is brought into compliance with the regulations in the Chapter 3. – Signs, otherwise known as the sign ordinance.

All signs within the city must be brought into compliance or removed within three (3) years from the adoption of this chapter. At this time, all signs will lose their legal nonconforming status.

<u>SECTION 2.</u> That Section 8-3-23 of the Code of Ordinances, City of Forest Park, Georgia, Georgia is hereby amended by deleting said section and replacing it the following in lieu thereof

"Sec. 8-3-23. Restrictions based on location.

If not otherwise stated, any sign not specifically allowed in a zoning district as provided under this section shall be prohibited in that district, except as otherwise provided for under this chapter. The following standards govern signs within specific zoning districts.

The following standards govern signs within specific zoning districts.

- (1) RS—Single family residential district.
 - a. Entry feature sign/freestanding sign. One (1) maximum thirty-two (32) square foot, freestanding monument sign per lot occupied with an institutional use shall be permitted for each street on which the lot has frontage. The sign may have sign panels.
 - One (1) maximum thirty-two (32) square foot, freestanding monument sign or two

 single-faced freestanding monument signs not to exceed sixteen (16) square
 feet for each side of a platted single-family subdivision entrance shall be
 permitted for each street on which the subdivision has an entrance. If developed
 with a mixture of detached and attached dwellings in separate pods or phases, an
 additional sixteen (16) square foot sign shall be permitted for the attached
 dwelling phase.

- 2. Entry feature signs shall have a maximum height of six (6) feet, may be externally illuminated, and shall not have changeable copy.
- 3. Entry feature signs may be attached to a subdivision entrance wall, provided the wall is no more than eight (8) feet in height, and so long as the top of the sign panel is no more than six (6) feet in height.
- (2) RT—Two family residential district.
 - a. Entry feature sign/freestanding sign.
 - 1. One (1) maximum thirty-two (32) square foot, freestanding monument sign per lot occupied with an institutional use shall be permitted for each street on which the lot has frontage. The sign may have sign panels.
 - 2. One (1) maximum thirty-two (32) square foot, freestanding monument sign or two (2) single-faced freestanding monument signs not to exceed sixteen (16) square feet for each side of a platted single-family subdivision entrance shall be permitted for each street on which the subdivision has an entrance. If developed with a mixture of detached and attached dwellings in separate pods or phases, an additional sixteen (16) square foot sign shall be permitted for the attached dwelling phase.
 - 3. Entry feature signs shall have a maximum height of six (6) feet, may be externally illuminated, and shall not have changeable copy.
 - 4. Entry feature signs may be attached to a subdivision entrance wall, provided the wall is no more than eight (8) feet in height, and so long as the top of the sign panel is no more than six (6) feet in height.
- (3) RM—Multiple family residential district.
 - a. Entry feature sign/freestanding sign.
 - 1. One (1) maximum thirty-two (32) square foot freestanding monument sign shall be permitted for each street on which the multi-family lot has frontage. The sign shall have a maximum height of six (6) feet, may be externally illuminated, and shall not have changeable copy.
 - 2. One (1) maximum thirty-two (32) square foot, freestanding monument sign per lot occupied with an institutional use shall be permitted for each street on which the lot has frontage. The sign may have sign panels.
- (4) MH—Mobile home park district.
 - a. Entry feature sign/freestanding sign.
 - 1. One (1) maximum thirty-two (32) square foot freestanding monument sign shall be permitted for each street on which the multi-family lot has frontage. The sign shall have a maximum height of six (6) feet, may be externally illuminated, and shall not have changeable copy.

- 2. One (1) maximum thirty-two (32) square foot, freestanding monument sign per lot occupied with an institutional use shall be permitted for each street on which the lot has frontage. The sign may have sign panels.
- (5) IC—Institutional commercial district.
 - a. Freestanding signs.
 - 1. One (1) maximum thirty-two (32) square foot, freestanding monument sign per street frontage shall be permitted for each lot which contains less than fifteen (15) acres.
 - For lots that contain more than fifteen (15) acres, one (1) maximum sixty-four (64) square foot, freestanding monument sign for the primary frontage and one thirty-two (32) square foot, freestanding monument sign for each street on which the lot has secondary frontage. If the primary frontage of the lot is five hundred (500) linear feet or more and if the lot has two (2) or more entrances on the street on which it has primary frontage, the one (1) maximum sixty-four (64) square foot sign may be substituted by two (2) single-faced freestanding monument signs not to exceed thirty-two (32) square feet. The sign shall have a maximum height of six (6) feet if thirty-two (32) square feet or less and eight (8) feet if sixty-four (64) square feet or less.
 - 3. All freestanding monument signs may be internally or externally lighted. Each sign may have sign panels. If constructed as part of a brick or stone wall, at least thirty (30) feet in length, the sign face may double the allowable size, and sign panels may be measured separately rather than as part of a continuous polygon as required by Section 23 hereof. If the freestanding sign is constructed on a wall with the increased sign size allowance, the parcel shall not be permitted to construct a separate directory sign. The freestanding sign size may be increased by thirty-two (32) square feet if the owner of the parcel opts to not construct a separate directory sign.
- (6) GC—General commercial district.
 - a. Freestanding signs.
 - 1. One (1) maximum thirty-two (32) square foot per street frontage for each lot which contains less than fifteen (15) acres. The freestanding monument sign shall have a maximum height of six (6) feet.
 - 2. For lots that contain more than fifteen (15) acres, one (1) maximum sixty-four (64) square foot, freestanding monument sign for the primary frontage and one thirty-two (32) square foot, freestanding monument sign for each street on which the lot has secondary frontage. If the primary frontage of the lot is five hundred (500) linear feet or more and if the lot has two (2) or more entrances on the street on which it has primary frontage, the one (1) maximum sixty-four (64) square foot monument sign may be substituted by two (2) single-faced freestanding monument signs not to exceed thirty-two (32) square feet. The sign shall have a maximum

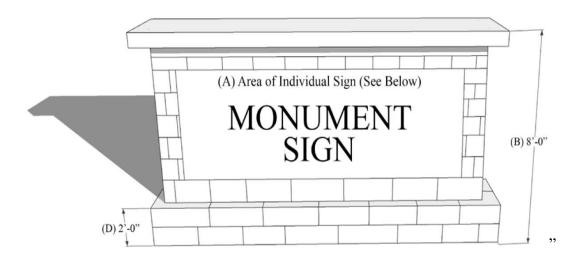
height of six (6) feet if thirty-two (32) square feet or less and eight (8) feet if sixtyfour (64) square feet or less.

- 3. All freestanding signs may be internally or externally lighted. Each sign may have sign panels. If constructed as part of a brick or stone wall, at least thirty (30) feet in length, the sign face may double the allowable size, and sign panels may be measured separately rather than as part of a continuous polygon as required by Section 23 hereof. If the freestanding sign is constructed on a wall with the increased sign size allowance, the parcel shall not be permitted to construct a separate directory sign. The freestanding monument sign size may be increased by thirty-two (32) square feet if the owner of the parcel opts to not construct a separate directory sign.
- (8) UV—Urban village district.
 - a. Freestanding signs.
 - 1. One (1) maximum thirty-two (32) square foot, freestanding monument sign per street frontage shall be permitted for each lot which contains less than fifteen (15) acres.
 - 2. For lots that contain more than fifteen (15) acres, one (1) maximum sixty-four (64) square foot, freestanding monument sign for the primary frontage and one thirty-two (32) square foot, freestanding monument sign for each street on which the lot has secondary frontage. If the primary frontage of the lot is five hundred (500) linear feet or more and if the lot has two (2) or more entrances on the street on which it has primary frontage, the one (1) maximum sixty-four (64) square foot monument sign may be substituted by two (2) single-faced freestanding monument signs not to exceed thirty-two (32) square feet. The sign shall have a maximum height of six (6) feet if thirty-two (32) square feet or less and eight (8) feet if sixty-four (64) square feet or less.
- (9) Industrial districts.
 - b. Freestanding signs.
 - 1. One (1) maximum thirty-two (32) square foot, freestanding monument sign shall be permitted for each street on which the lot has up to and including five hundred (500) feet of frontage. The sign shall have a maximum height of eight (8) feet (see exception) and shall not have changeable copy.
 - 2. One (1) maximum sixty-four (64) square foot, freestanding monument sign shall be permitted for each street on which the lot has more than five hundred (500) linear square feet and up to one thousand (1,000) linear feet of frontage. The sign shall have a maximum height of eight (8) feet (see exception) and shall not have changeable copy.
 - 3. One (1) maximum seventy-two (72) square foot, freestanding monument sign shall be permitted for each street on which the lot has more than one thousand (1,000) linear feet of frontage (excludes spin sites and out-parcels). The sign shall have a

maximum height of eight (8) feet (see exception) and shall not have changeable copy.

- 4. One (1) maximum thirty-two (32) square foot, freestanding monument sign per spin site or out-parcel which is identified on a site plan approved pursuant to a single zoning case.
- 5. Freestanding monument signs on arterial streets may be ten (10) feet in height.
- 6. All freestanding signs may be internally or externally lighted. Each sign may have sign panels. If constructed as part of a brick or stone wall, at least thirty (30) feet in length, the sign face may double the allowable size, and sign panels may be measured separately rather than as part of a continuous polygon as required by Section 23 hereof. If the freestanding sign is constructed on a wall with the increased sign size allowance, the parcel shall not be permitted to construct a separate directory sign. The freestanding sign size may be increased by thirty-two (32) square feet if the owner of the parcel opts to not construct a separate directory sign.
- (10) GZ Gillem zoning district.
 - a. Billboards. Billboards are prohibited.
 - b. Freestanding.
 - One (1) maximum thirty-two (32) square foot, freestanding monument sign shall be permitted for each street on which the lot has up to and including five hundred (500) feet of frontage. The sign shall have a maximum height of eight (8) feet (see exception) and shall not have changeable copy.
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increased sign size allowance, the parcel shall not be permitted to construct a separate directory sign. The freestanding sign size may be increased by thirty-two (32) square feet if the owner of the parcel opts to not construct a separate directory sign.



<u>SECTION 3.</u> That Section 8-8-77 of the Code of Ordinances, City of Forest Park, Georgia, Georgia is hereby amended by adding the following subsections:

- "(18) Interference. No equipment or processes shall be used in such home occupation, which creates noise, vibration, glare, fumes, odors, or electrical interference, outside the dwelling unit. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any television or radio receivers off the premises or causes fluctuations in line voltage off the premises.
- (19) The following are permitted home occupations provided they do not violate any of the provisions of this section or any other section within this Ordinance:
 - a. Dressmaking, sewing and tailoring.
 - b. Painting, sculpturing, writing and other fine arts.
 - c. Telephone answering and marketing.
 - d. Home crafts, such as model making, rug weaving, and lapidary work.
 - *e. Instruction or teaching, such as academic, tutoring, performing arts, or fine arts limited to one (1) student at any given time.*
 - f. Computer application and internet sales, not including the sale of computers.
 - g. Office uses for consulting professionals, such as attorneys, realtors, insurance agents, engineers, architects, and other consultants, accountants, brokers, etc.
 - *h.* Administrative or clerical support services, such as transcription, court reporters, stenographers, notary public, or addressing services.
 - *i.* Repair of clocks, instruments or other small appliances which do not create a nuisance due to noise, vibration, glare, fumes, odors or result in electrical interference.

- *j.* Janitorial and cleaning services.
- *k.* Consultants and representatives for the sales industry, having no product displays onsite.
- (20) Due to incompatibility with the residential character and qualities of residential zoning districts, no license shall be issued for a home occupation in any of the following trades or businesses:
 - a. Automotive repair.
 - b. Auto sales.
 - c. Firearms and firearms' supplies dealers/sales/service (including gunsmithing).
 - *d. Group assembly or instruction involving more than four (4) persons.*
 - e. Dancing or band instrument instruction in groups.
 - f. Mobile oil change.
 - g. Pest control services.
 - h. Septic tank operation or repair.
 - i. Taxicab/limousine services.
 - j. Transporting autos for dealerships.
 - k. Wrecker/towing service.
 - *l. Florists, flower shops, or greenhouses.*
 - m. Tearooms and restaurants.
 - n. Fish hatcheries, worm farms or bait houses.
 - o. Kennels and animal hospitals.
 - p. Maintenance or similar operations.
 - q. Retail or wholesale shops.
 - r. Boarding houses, rooming houses, or other motel type establishments.
 - s. Activities that involve the use of chemicals, machinery or matter of energy that may create or cause to be created, noise, noxious odors or hazards that will endanger the health, safety, or welfare of the community."

SECTION 4. Intention of the Governing Body. It is the intention of the governing body, and it is hereby ordained that the provisions of this ordinance shall become and be made a part of the Code of Ordinances, City of Forest Park, Georgia, and the sections of the ordinance may be renumbered to accomplish such intention.

<u>SECTION 5.</u> <u>Approval of Execution</u>. The Mayor is hereby authorized to sign all documents necessary to effectuate this Ordinance.

<u>SECTION6.</u> <u>Attestation.</u> 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.

<u>SECTION 7.</u> Codification and Severability.

(a) It is hereby declared to be the intention of the City Council that all sections, paragraphs, sentences, clauses and phrases of this Ordinance are and were upon their enactment believed by the City Council to be fully valid, enforceable and constitutional.

(b) It is hereby declared to be the intention of the City Council that to the greatest extent allowed by law each and every section, paragraph, sentence, clause or phrase of this ordinance is severable from every other section, paragraph, sentence, clause or phrase of this ordinance. It is hereby further declared to be the intention of the City Council that to the greatest extent allowed by law no section, paragraph, sentence, clause or phrase of this ordinance is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this ordinance.

(c) In the event that any section, paragraph, sentence, clause or phrase of this ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the City Council that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining sections, paragraphs, sentences, clauses, or phrases of the ordinance and that to the greatest extent allowed by law all remaining Sections, paragraphs, sentences, clauses, or phrases of the ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

<u>SECTION 8</u>. <u>**Repeal of Conflicting Provisions**</u>. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

<u>SECTION 9.</u> <u>Effective Date</u>. This ordinance shall become effective immediately upon its adoption by the Mayor and City Council of the City of Forest Park as provided in the City Charter.

[SIGNATURES APPEAR ON FOLLOWING PAGE]

SO ORDAINED this ______ day of ______, 2022.

Mayor Angelyne Butler

Council Member Kimberly James, Ward 1

Council Member Dabouze Antoine, Ward 2

Council Member Hector Gutierrez, Ward 3

Council Member Latresa Wells, Ward 4

Council Member Allan Mears, Ward 5

ATTEST:

(SEAL)

City Clerk

APPROVED AS TO FORM:

City Attorney





Planning & Community Development Department 785 Forest Parkway Forest Park, Georgia 30297 (404) 608-2300 Fax: (404) 608-2306

STAFF REPORT – Text Amendments

Public Hearing Date: April 21, 2022 City Council Meeting: May 2, 2022

Case: PC-2022-03

Proposed Request: Text Amendments

Staff Report Compiled By: Caity Chandler

PROPOSED TEXT AMENDMENTS

The Planning & Community Development Department is proposing several text amendments. The proposed code amendments are considered maintenance revisions, or minor clean-up actions, such as typographical errors, and updates for clarity. PC-2022-03 (TEXT) includes a typographical update to *Sec. 8-8-38. Institutional Commercial District (IC).* Also included is an update to the *Sec. 8-3-16. Nonconforming Signs* section of the Sign Ordinance and updated language for freestanding signs under *Sec. 8-3-23. Restrictions Based on Location.* Additionally, *Sec. 8-8-77. Home Occupation Standards* section of the Zoning Ordinance will be updated for clarity.

BACKGROUND

In September 2021, the City Council approved the City of Forest Park's new Zoning Ordinance and Sign Ordinance. With these changes, the Planning & Community Development Department has discovered some areas of these ordinances that need to be amended for clarity. The requested text amendments will not be injurious to the public health, safety, morals, and general welfare of the community, and the use will not be affected in a substantially adverse manner. The following text amendments have been proposed:

1. An update to a scrivener's error in Sec. 8-8-38. *Institutional commercial district (IC)*. During the drafting or submittal of the new Zoning Ordinance, a typographical error was made. In the list of permitted uses for the IC District, the scrivener recorded "Professional offices pub and tavern" under the same bullet point. These uses should be included under two different bullet points, as they are different uses.

Current: • Professional offices pub and tavern Corrected: • Professional offices • Pubs and Taverns

2. An update to Sec. 8-3-16. *Nonconforming Signs*. A new subsection of the Legal Nonconforming section of the Sign Ordinance has been proposed. It states that a business must bring their sign

into compliance once the sign loses its legal nonconforming status before the applicant can be issued a business license. This portion is intended to address dilapidated and noncompliant signs in the city. It also gives the City the ability to more easily enforce the standards set forth in this section. The new subsection states (see highlighted sections for updates):

Sec. 8-3-16. Nonconforming signs.

It is the policy of the City of Forest Park to encourage the compliance of all signs within the city with the terms and requirements of this section. The city finds that nonconforming signs may adversely affect the public health, safety, and welfare of the city. Such signs may adversely affect the aesthetic characteristics of the city and may adversely affect public safety due to the visual impact of said signs on motorists and the structural characteristics of said signs.

(1) No sign shall be permitted or erected on any lot which has located thereupon an existing nonconforming sign until the nonconforming sign has either been removed or brought into compliance with this section.

(2) Maintained. A nonconforming sign shall not be replaced by another nonconforming sign, except that the substitution or interchange of quality material panels, painted boards, or dismountable material on nonconforming signs shall be permitted as long as the nonconforming sign retains its grandfathering rights. All nonconforming signs shall be maintained in good repair, free from peeled paint, rust, missing panels, missing letters, etc. Minor repairs and maintenance of nonconforming sign shall be permitted except to make a nonconforming sign comply with all requirements of this section. Repairs; material change. Minor repairs and maintenance of nonconforming sign, provided, however, that no structural repairs or changes in the size or shape of a nonconforming sign, provided, however, that no structural repairs or changes in the size or shape of a nonconforming sign shall be permitted except to make the sign comply with the standards of this chapter.

(3) Legal-nonconforming or "grandfathering" and provisions. Nonconforming signs may stay in place until one (1) of the following conditions occurs:

a. The advertised business ceases at the location for a period of more than thirty (30) days and/or the sign is not used for a period of more than thirty (30) days;

b. The deterioration of the sign or damage to the sign makes it a hazard or renders it dilapidated, unsightly, or unkempt;

c. The sign has been damaged to such an extent that more than minor repairs (greater than twentyfive (25) percent of the sign replacement cost of the existing sign) or a material change is required to restore the sign. No structural repairs or changes in the size or shape of a nonconforming sign shall be permitted except to make the sign comply with the standards of this chapter; or

d. If the business or use for which the nonconforming sign(s) was installed is expanded or modified, and if the value of the expansion or modification exceeds fifty (50) percent of the value of the existing improvements. The sign or signs shall be immediately brought into compliance with this chapter with a new permit secured therefore or shall be removed. All improvements to a single business or use within any 12-month period shall be treated cumulatively in the administration of this subparagraph. (4) In the event that a sign loses its legal-nonconforming (grandfathering) status, the applicant shall not be granted a business license until the nonconforming sign is brought into compliance with the regulations in the Chapter 3. – Signs, otherwise known as the sign ordinance.

All signs within the city must be brought into compliance or removed within three (3) years from the adoption of this chapter. At this time, all signs will lose their legal nonconforming status.

3. An update to the language for freestanding signs under Sec. 8-3-23. *Restrictions Based on Location.* The intent of the Sign Ordinance update was to strengthen the standards for signs in the community and create a sense of consistency, to enhance the aesthetics of the city. Part of this enhancement included putting restrictions on freestanding signs due to the overconcentration of large pole signs throughout the city. The solution was to restrict freestanding signs, only allowing for new monument signs to be erected in place of pole signs. This will increase visibility and enhance the appearance of Forest Park. The update to the ordinance did not, however, explicitly state that the freestanding signs must be monument signs, despite that being the intent of the ordinance. The following section Sec. 8-3-23. has been updated to reflect the intent of the Sign Ordinance (see sections):

Sec. 8-3-23. Restrictions based on location.

If not otherwise stated, any sign not specifically allowed in a zoning district as provided under this section shall be prohibited in that district, except as otherwise provided for under this chapter. The following standards govern signs within specific zoning districts.

The following standards govern signs within specific zoning districts.

- (1) RS—Single family residential district.
 - a. Entry feature sign/freestanding sign. One (1) maximum thirty-two (32) square foot, freestanding <u>monument</u> sign per lot occupied with an institutional use shall be permitted for each street on which the lot has frontage. The sign may have sign panels.
 - One (1) maximum thirty-two (32) square foot, freestanding <u>monument</u> sign or two (2) single-faced freestanding <u>monument</u> signs not to exceed sixteen (16) square feet for each side of a platted single-family subdivision entrance shall be permitted for each street on which the subdivision has an entrance. If developed with a mixture of detached and attached dwellings in separate pods or phases, an additional sixteen (16) square foot sign shall be permitted for the attached dwelling phase.
 - 2. Entry feature signs shall have a maximum height of six (6) feet, may be externally illuminated, and shall not have changeable copy.
 - 3. Entry feature signs may be attached to a subdivision entrance wall, provided the wall is no more than eight (8) feet in height, and so long as the top of the sign panel is no more than six (6) feet in height.
- (2) RT—Two family residential district.
 - a. Entry feature sign/freestanding sign.

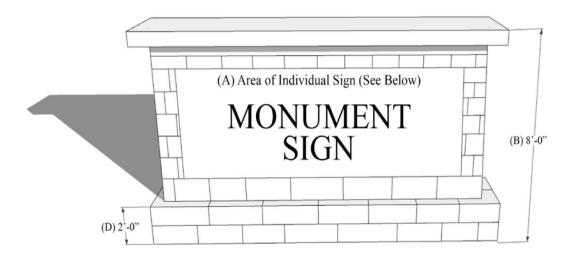
- One (1) maximum thirty-two (32) square foot, freestanding <u>monument</u> sign per lot occupied with an institutional use shall be permitted for each street on which the lot has frontage. The sign may have sign panels.
- 2. One (1) maximum thirty-two (32) square foot, freestanding <u>monument</u> sign or two (2) single-faced freestanding <u>monument</u> signs not to exceed sixteen (16) square feet for each side of a platted single-family subdivision entrance shall be permitted for each street on which the subdivision has an entrance. If developed with a mixture of detached and attached dwellings in separate pods or phases, an additional sixteen (16) square foot sign shall be permitted for the attached dwelling phase.
- 3. Entry feature signs shall have a maximum height of six (6) feet, may be externally illuminated, and shall not have changeable copy.
- 4. Entry feature signs may be attached to a subdivision entrance wall, provided the wall is no more than eight (8) feet in height, and so long as the top of the sign panel is no more than six (6) feet in height.
- (3) RM—Multiple family residential district.
 - a. Entry feature sign/freestanding sign.
 - One (1) maximum thirty-two (32) square foot freestanding <u>monument</u> sign shall be permitted for each street on which the multi-family lot has frontage. The sign shall have a maximum height of six (6) feet, may be externally illuminated, and shall not have changeable copy.
 - 2. One (1) maximum thirty-two (32) square foot, freestanding <u>monument</u> sign per lot occupied with an institutional use shall be permitted for each street on which the lot has frontage. The sign may have sign panels.
- (4) MH—Mobile home park district.
 - a. Entry feature sign/freestanding sign.
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- (5) IC—Institutional commercial district.
 - a. Freestanding signs.
 - 1. One (1) maximum thirty-two (32) square foot, freestanding <u>monument</u> sign per street frontage shall be permitted for each lot which contains less than fifteen (15) acres.

- 2. For lots that contain more than fifteen (15) acres, one (1) maximum sixty-four (64) square foot, freestanding monument sign for the primary frontage and one thirty-two (32) square foot, freestanding monument sign for each street on which the lot has secondary frontage. If the primary frontage of the lot is five hundred (500) linear feet or more and if the lot has two (2) or more entrances on the street on which it has primary frontage, the one (1) maximum sixty-four (64) square foot sign may be substituted by two (2) single-faced freestanding monument signs not to exceed thirty-two (32) square feet. The sign shall have a maximum height of six (6) feet if thirty-two (32) square feet or less and eight (8) feet if sixty-four (64) square feet or less.
- 3. All freestanding monument signs may be internally or externally lighted. Each sign may have sign panels. If constructed as part of a brick or stone wall, at least thirty (30) feet in length, the sign face may double the allowable size, and sign panels may be measured separately rather than as part of a continuous polygon as required by Section 23 hereof. If the freestanding sign is constructed on a wall with the increased sign size allowance, the parcel shall not be permitted to construct a separate directory sign. The freestanding sign size may be increased by thirty-two (32) square feet if the owner of the parcel opts to not construct a separate directory sign.
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Item #4.

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- b. Freestanding.
 - One (1) maximum thirty-two (32) square foot, freestanding <u>monument</u> sign shall be permitted for each street on which the lot has up to and including five hundred (500) feet of frontage. The sign shall have a maximum height of eight (8) feet (see exception) and shall not have changeable copy.
 - 2. One (1) maximum sixty-four (64) square foot, freestanding <u>monument</u> sign shall be permitted for each street on which the lot has more than five hundred (500) linear square feet and up to one thousand (1,000) linear feet of frontage. The sign shall have a maximum height of eight (8) feet (see exception) and shall not have changeable copy.
 - 3. One (1) maximum seventy-two (72) square foot, freestanding <u>monument</u> sign shall be permitted for each street on which the lot has more than one thousand (1,000) linear feet of frontage (excludes spin sites and out-parcels). The sign shall have a maximum height of eight (8) feet (see exception) and shall not have changeable copy.
 - 4. One (1) maximum thirty-two (32) square foot, freestanding sign per spin site or out-parcel which is identified on a site plan approved pursuant to a single zoning case.
 - 5. Freestanding signs on arterial streets may be ten (10) feet in height.
 - 6. All freestanding signs may be internally or externally lighted. Each sign may have sign panels. If constructed as part of a brick or stone wall, at least thirty (30) feet in length, the sign face may double the allowable size, and sign panels may be measured separately rather than as part of a continuous polygon as required by Section 23 hereof. If the freestanding sign is constructed on a wall with the increased sign size allowance, the parcel shall not be permitted to construct a separate directory sign. The freestanding sign size may be increased by thirty-two (32) square feet if the owner of the parcel opts to not construct a separate directory sign.



4. An update to Sec. 8-8-77. *Home Occupation Standards*. The current Home Occupation Standards section is not explicit in the allowable uses for home occupations, nor does it list the

prohibited uses. The proposed update clearly lists the allowable and prohibited uses for home occupations. The following changes have been proposed (see highlighted sections).

Sec. 8-8-77. Home occupation standards.

Home occupations are those which meet the following standards: representing requirements which permit minimal business practices in certain residential zoning districts while maintaining residential character.

- (1) Location. Home occupation shall be conducted only within the principal residential structure, including garage area, and only if garage door remains closed.
- (2) Use of premises. An area equal to not more than twenty-five (25) percent of the full area of the principal structure and garage area may be utilized for home occupational purposes.
- (3) Group instruction/assembly. No home occupation shall be permitted wherein group instruction or group assembly, or activity is involved.
- (4) Employees. Only members of a family residing on the premises may be employed on the premises in pursuit of the business, trade, or occupation or profession.
- (5) Commodity. No commodity shall be sold on the premises.
- (6) Outdoor storage. No outdoor storage of any items related to the business, trade, profession, or occupation shall be allowed in connection with any home occupation.
- (7) Maintenance of residential character. No alteration of the residential character of the premises may be made, and the home occupation shall not be allowed to create a nuisance or to create any undue disturbance.
- (8) Signs. No signs relating to the home occupation shall be allowed on the premises.
- (9) Noise. No business, trade, profession, or occupation shall qualify as a home occupation if the pursuit of such generates noise which is audible beyond the property lines of the property upon which the premises is located.
- (10) Vehicles.
 - a. No business, trade, profession, or occupation which generates vehicular trips or nonresidents to the premises exceeding ten (10) per day shall qualify as a home occupation. No business delivery may be made to the premises holding the home occupation license by any semi-tractor trailer.
 - b. For purposes of this paragraph, the term "common carrier" shall include any delivery vehicle having more than two (2) axles.
- (11) Vehicle advertising. No vehicles which display advertising relating to an occupation, business, trade, or profession carried on the premises of a home occupation may be utilized in such a manner to avoid the restriction on signs contained above.
- (12) Vehicle limitations. No more than one (1) vehicle displaying advertising relating to the business, trade, profession, or occupation carried on the premises may be parked on or about the premises at any one (1) time. Off street parking must be provided on paved surfaces.
- (13) Storage or parking of equipment. Except as allowed by item (12) above, no business, trade, occupation, or profession otherwise qualifying as a home occupation shall be permitted to park or store any vehicular or motorized equipment, including, but not limited to, trucks, vans,

tractors, earth moving equipment, construction vehicles, trailers, or like items used in conducting of such business on the premises.

- (14) Chemicals. No business, trade, occupation, or profession which would otherwise qualify as home occupation may store any chemical not normally used for common household purposes on the premises.
- (15) Inspections. As a condition for the granting of the home occupation license, the licensee agrees the city shall conduct an inspection during normal business hours for the purpose of determining whether the provisions of this Code section are being complied with.
- (16) Occasional use. The occasional use of portions of the premises for the receipt of telephone calls, of consultation with clients, or the maintenance of a home office by an employee or owner of a business which maintains an active office location in a properly zoned area shall not require a home occupation permit, provided that all the other limitations of this section shall control.
- (17) Produce. Nothing contained within this chapter shall prohibit the occasional sales of seasonal produce grown entirely upon the premises from a home garden.
- (18) Interference. No equipment or processes shall be used in such home occupation, which creates noise, vibration, glare, fumes, odors, or electrical interference, outside the dwelling unit. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any television or radio receivers off the premises or causes fluctuations in line voltage off the premises.
 - (19) The following are permitted home occupations provided they do not violate any of the provisions of this section or any other section within this Ordinance:
 - a. Dressmaking, sewing and tailoring.
 - b. Painting, sculpturing, writing and other fine arts.
 - c. Telephone answering and marketing.
 - d. Home crafts, such as model making, rug weaving, and lapidary work.
 - e. Instruction or teaching, such as academic, tutoring, performing arts, or fine arts limited to one (1) student at any given time.
 - f. Computer application and internet sales, not including the sale of computers.
 - g. Office uses for consulting professionals, such as attorneys, realtors, insurance agents, engineers, architects, and other consultants, accountants, brokers, etc.
 - <u>h.</u> Administrative or clerical support services, such as transcription, court reporters, stenographers, notary public, or addressing services.
 - i. <u>Repair of clocks, instruments or other small appliances which do not create a nuisance</u> due to noise, vibration, glare, fumes, odors or result in electrical interference.
 - j. Janitorial and cleaning services.
 - k. Consultants and representatives for the sales industry, having no product displays onsite.
 - (20) Due to incompatibility with the residential character and qualities of residential zoning districts, no license shall be issued for a home occupation in any of the following trades or businesses:

a. Automotive repair.

<u>b. Auto sales.</u>

c. Firearms and firearms' supplies dealers/sales/service (including gunsmithing).

- d. Group assembly or instruction involving more than four (4) persons.
- e. Dancing or band instrument instruction in groups.

f. Mobile oil change.

g. Pest control services.

h. Septic tank operation or repair.

i. Taxicab/limousine services.

j. Transporting autos for dealerships.

<mark>k. Wrecker/towing service.</mark>

l. Florists, flower shops, or greenhouses.

m. Tearooms and restaurants.

n. Fish hatcheries, worm farms or bait houses.

o. Kennels and animal hospitals.

p. Maintenance or similar operations.

q. Retail or wholesale shops.

r. Boarding houses, rooming houses, or other motel type establishments.

s. Activities that involve the use of chemicals, machinery or matter of energy that may create or cause to be created, noise, noxious odors or hazards that will endanger the health, safety, or welfare of the community.

File Attachments for Item:

5. Council Approval of Technical Map Amendments PUBLIC HEARING- Planning & Community

Development Department

Background/History:

The Planning & Community Development Department is proposing several map amendments. PC-2022-02 (MAP) includes changes to the zoning map.

In September 2021, the City of Forest Park City Council adopted a new Zoning Ordinance and new Zoning Map. Staff finds that certain zoning districts as shown on the zoning map are inconsistent with the existing character and development areas in the City. The proposed technical map amendment corrects technical errors to the zoning map that were adopted in September 2021. The requested map amendments will not be injurious to the public health, safety, morals, and general welfare of the community, and the use will not be affected in a substantially adverse manner.

For PUBLIC HEARING on the Regular Agenda



City Council Agenda Item

Subject:	Approval of Technical Map Amendments–Planning & Community Development Department
Submitted By:	James Shelby
Date Submitted:	April 25, 2022
Work Session Date:	May 2, 2022
Council Meeting Dates	: May 2, 2022

Background/History:

The Planning & Community Development Department is proposing several map amendments. PC-2022-02 (MAP) includes changes to the zoning map.

In September 2021, the City of Forest Park City Council adopted a new Zoning Ordinance and new Zoning Map. Staff finds that certain zoning districts as shown on the zoning map are inconsistent with the existing character and development areas in the City. The proposed technical map amendment corrects technical errors to the zoning map that were adopted in September 2021. The requested map amendments will not be injurious to the public health, safety, morals, and general welfare of the community, and the use will not be affected in a substantially adverse manner.

Cost: \$ N/A

Budgeted for: Yes No

Financial Impact:

No financial impact

Action Requested from Council:

Approval of the technical map amendments

ORDINANCE NO.

AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP, CITY OF FOREST PARK, GEORGIA; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the governing authority of the City of Forest Park is the Mayor and Council thereof;

WHEREAS, the governing authority of the City of Forest Park, Georgia desires amend the official zoning map pursuant to Section 8-8-191 of the City of Forest Park Zoning Ordinance to provide for certain technical amendments; and,

WHEREAS, the health, safety, and welfare of the citizens of Forest Park, Georgia, will be positively impacted by the adoption of this Ordinance.

BE IT AND IT IS HEREBY ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF FOREST PARK, GEORGIA, and by the authority thereof:

Section 1. The technical map amendments shown as Exhibit "A," a copy of which is attached hereto and incorporated herein by reference, are hereby adopted as amendments to the official zoning map of the City of Forest Park pursuant to Section 8-8-191 of the City of Forest Park Zoning Ordinance.

Section 2. The preamble of this Ordinance shall be considered to be and is hereby incorporated by reference as if fully set out herein.

Section 3. (a) It is hereby declared to be the intention of the Mayor and Council that all sections, paragraphs, sentences, clauses and phrases of this Ordinance are or were, upon their enactment, believed by the Mayor and Council to be fully valid, enforceable and constitutional.

(b) It is hereby declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this Ordinance is severable from every other section, paragraph, sentence, clause or phrase of this Ordinance. It is hereby further declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, no section, paragraph, sentence, clause or phrase of this Ordinance is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this Ordinance.

(c) In the event that any phrase, clause, sentence, paragraph or section of this Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the Mayor and Council that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or sections of the Ordinance and that, to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs and sections of the Ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

Section 4. All ordinances and parts of ordinances in conflict herewith are hereby expressly repealed.

Section 5. Penalties in effect for violations of the City of Forest Park Zoning Ordinance at the time of the effective date of this Ordinance shall be and are hereby made applicable to this Ordinance and shall remain in full force and effect.

Section 6. The effective date of this Ordinance shall be the date of adoption unless otherwise specified herein.

SO ORDAINED this ______ day of ______, 2022.

Mayor Angelyne Butler

Council Member Kimberly James, Ward 1

Council Member Dabouze Antoine, Ward 2

Council Member Hector Gutierrez, Ward 3

Council Member Latresa Wells, Ward 4

Council Member Allan Mears, Ward 5

ATTEST:

_____ (SEAL)

City Clerk

APPROVED AS TO FORM:

City Attorney

EXHIBIT "A"

Technical Zoning Map Amendments





Planning & Community Development Department 785 Forest Parkway Forest Park, Georgia 30297 (404) 608-2300 Fax: (404) 608-2306

STAFF REPORT – Technical Map Amendments

Public Hearing Date: April 21, 2022 City Council Meeting: May 2, 2022

Case: PC-2022-02

Proposed Request: Technical Map Amendments

Staff Report Compiled By: Caity Chandler

BACKGROUND

The Planning & Community Development Department is proposing several map amendments. PC-2022-02 (MAP) includes changes to the zoning map.

In September 2021, the City of Forest Park City Council adopted a new Zoning Ordinance and new Zoning Map. Staff finds that certain zoning districts as shown on the zoning map are inconsistent with the existing character and development areas in the City. The proposed technical map amendment corrects technical errors to the zoning map that were adopted in September 2021. The requested map amendments will not be injurious to the public health, safety, morals, and general welfare of the community, and the use will not be affected in a substantially adverse manner.

TECHNICAL MAP AMENDMENTS

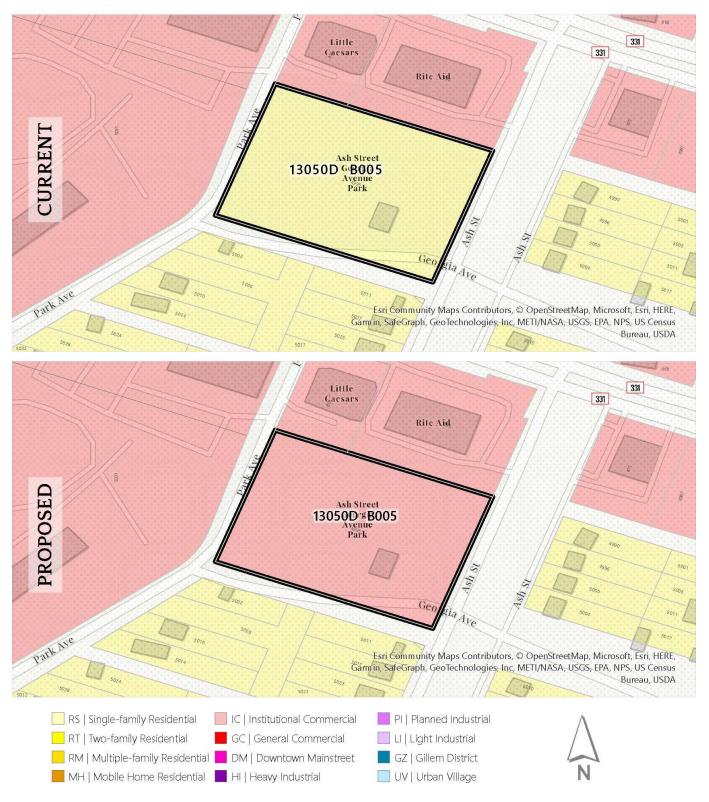
The following map amendments have been proposed:

- 1. Starr Park Soccer Fields: <u>Technical Map Correction</u>-The current zoning shown on the Zoning Map for this area is RS (Single-Family Residential). The soccer field is part of Starr Park. The current and future uses for this property are IC (Institutional Commercial). The zoning map change will reflect the current and future land uses.
- 2. West Starr Park Neighborhood: <u>Technical Map Correction</u>. The zoning and character of this area has always been single-family residential. The current zoning shown on the Zoning Map for this area is RM (Multiple-Family Residential). The proposed zoning map change will better reflect the current and future land uses.
- 3. Forest Park Middle School: <u>Technical Map Correction</u>. The current zoning shown on the Zoning Map for this area is RM (Multiple-Family Residential) and GC (General Commercial). However, this area is an institutional area, (public school) and will continue to function as such. The proposed zoning map change to IC (Institutional Commercial) will better reflect the current and future land uses.
- 4. Ernest Drive: <u>Technical Map Correction</u>. The zoning and character of this area has always been single-family residential. The current zoning shown on the Zoning Map for this area is GC (General Commercial) The proposed zoning map change will better reflect the current and future land uses.

- **5. Ruskin Drive:** <u>Technical Map Correction</u>. The current zoning shown on the Zoning Map for this area is LI (Light Industrial). However, this portion of Ruskin Drive houses several commercial businesses. Thus, the GC (General Commercial) District designation is more appropriate and reflects the current and future land uses.
- 6. West Main Street: <u>Technical Map Correction</u>. The current zoning for this area is both LI (Light Industrial) and RM (Multiple-Family Residential). However, this parcel on the west end of Main Street is surrounded by industrial uses on the northwest and southeast of the property. The double zoning of this property was done in error. The LI (Light Industrial) District designation is more appropriate for the current and future land uses.

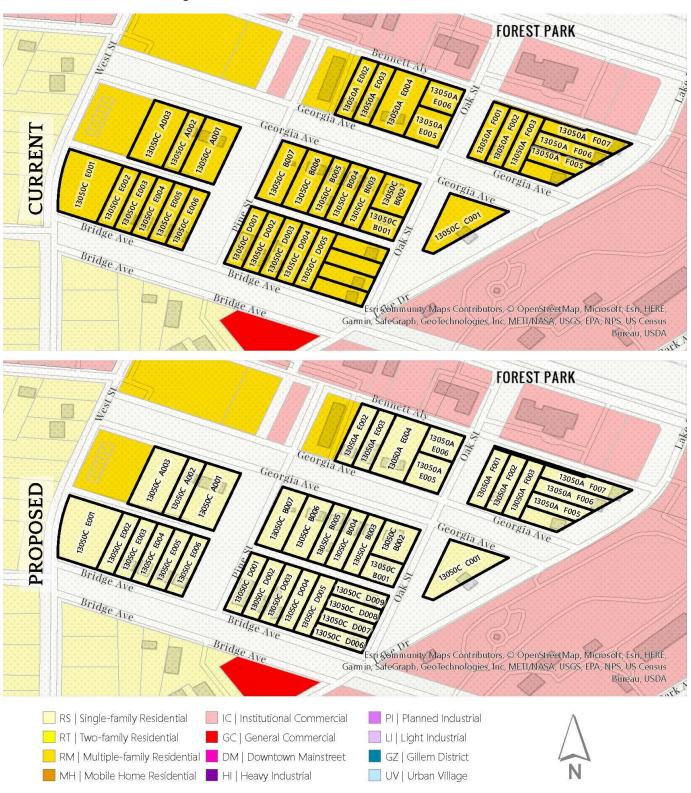
Parcel(s): 13050D B005

Current Zoning: **RS** Proposed Zoning: **IC**



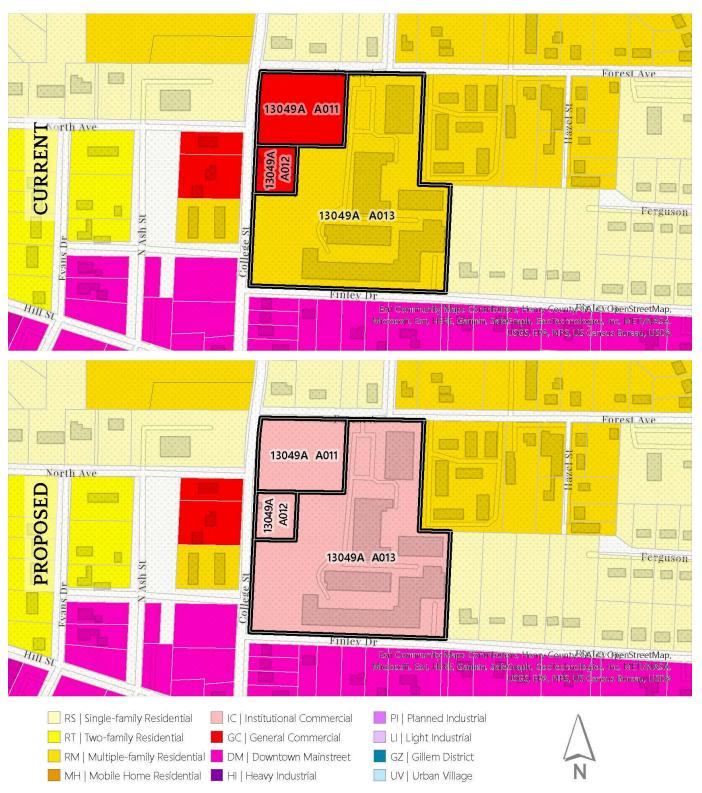
West Starr Park Neighborhood

Current Zoning: **RM** Proposed Zoning: **RS**



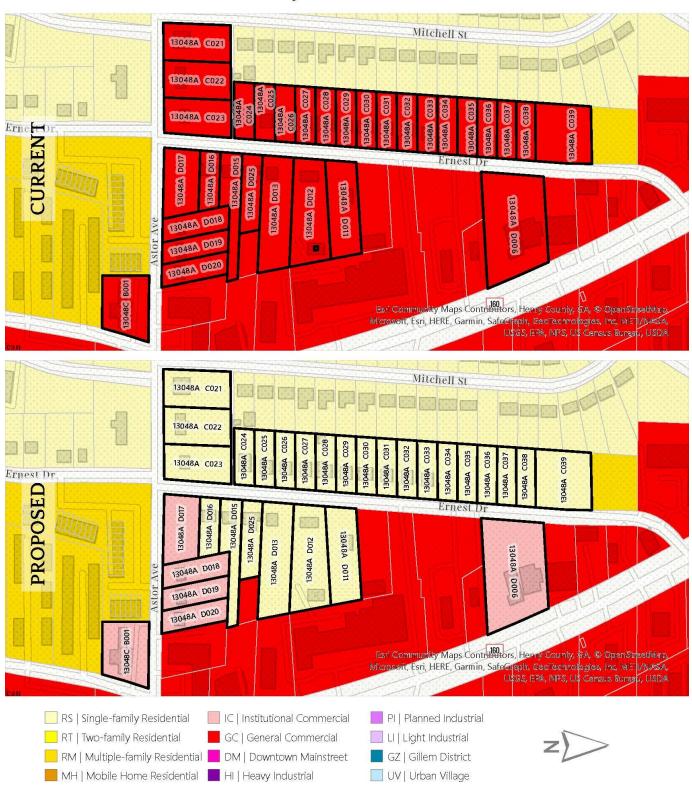
Parcel(s): 13049A A013, 13049A A012, 13049A A011

Current Zoning: **RM/GC** Proposed Zoning: **IC**



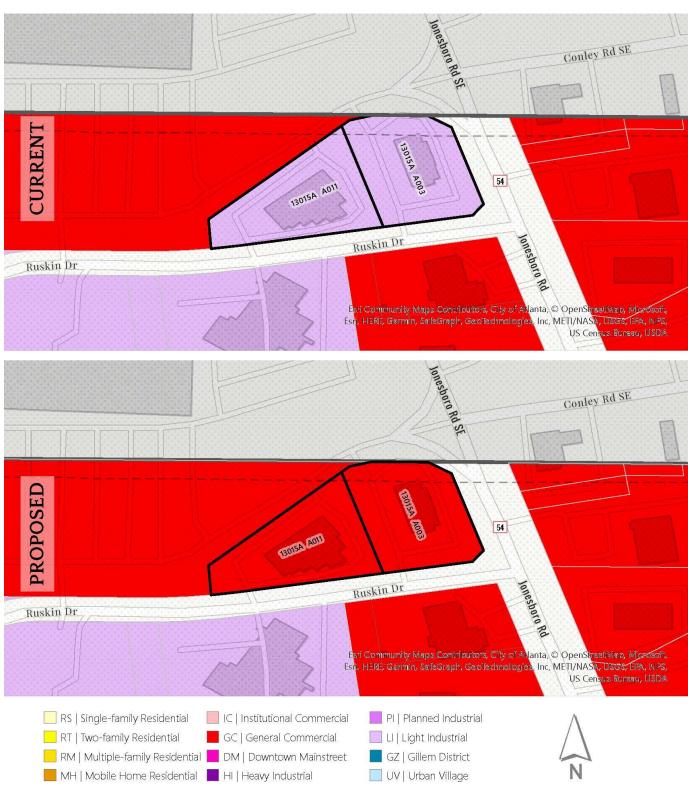
Parcel(s): Ernest Dr & Astor Ave Properties

Current Zoning: GC Proposed Zoning: RS & IC



Parcel(s): 13015A A011 & 13015A A003

Current Zoning: LI Proposed Zoning: GC



Parcel(s): 13051A A055

Current Zoning: **RM** Proposed Zoning: **LI**

