

A G E N D A

REGULAR MEETING OF MAYOR AND COUNCIL OF JANUARY 19, 2016

6:00 P.M. Work Session

- Presentation by Edie Yongue – Keep Forest Park Beautiful
- Report by City Manager

I. Call to Order – 7:00 p.m. – Mayor David Lockhart

II. Invocation

III. Pledge of Allegiance

IV. Roll Call

V. Comment Period

VI. Approval of Minutes

1. Work Session of Mayor and Council of January 4, 2016
2. Regular Meeting of Mayor and Council of January 4, 2016

VII. Agenda Items

1. Recognition of the completion of the Grant Memorial on Main Street
2. Keep Forest Park Beautiful – Award presented for Best Christmas Decorations - Residential
3. Consider new retail alcohol license for beer and wine from Boon Investments, Inc., Twin Pic, 4869 West Street, no exceptions noted
4. Consider new retail alcohol license for liquor, beer and wine from Tipsys Package Store, LLC, Tipsys Package Store, 819 Forest Parkway, Suite A, no exceptions noted

5. Consider new on-premises consumption alcohol license for liquor, beer and wine from RC Fiesta Palace, LLC, RC Fiesta, 4140 Jonesboro Road, Suite A-1, no exceptions noted
6. Consider renewal of a retail alcohol license for beer and wine from Eckerd Corporation, Rite Aid #11787, 833 Forest Parkway, no exceptions noted
7. Consider Resolution by the Mayor and City Council of Forest Park, Georgia, to apply for HUD Funding through the Community Development Block Grant Program (CDBG) for Curb and Gutter, Sidewalks, and Storm Water Piping on West Street from South Avenue to Cash Memorial and a Neighborhood Stabilization Officer and to accept the HUD Funding through the CDBG Program once it becomes available; to repeal all Resolution and parts of Resolutions in conflict herewith; to provide an effective ate; and for other purposes
8. Consider Resolution by the Mayor and Council of the City of Forest Park, Georgia to appoint a Board Member to the Development Authority to replace resigned Board Member Councilman Allan Mears; and for all other purposes necessary to accomplish this transaction and effectuate this intent
9. **Tabled from December 7, 2015 Agenda:** Consider an Ordinance to amend Title 6 ("Public Works"), title 8 ("Planning and Development"), and Title 9 ("Licensing and Regulation") of the Code of Ordinances, City of Forest Park, Georgia, to revise certain provisions to facilitate the use of Green Infrastructure or Low Impact Development Technologies; to provide for codification, to provide for severability; to repeal conflicting ordinances; to provide an adoption date; to provide an effective date; and for other purposes allowed by law
10. Discussion of removal of Felicia Davis from the Urban Redevelopment Agency, including notice of charges and hearing schedule
11. Discuss planning retreat for the Council
12. Consideration of a permanent City Manager and all matters directly related thereto, including the appointment of a City Manager, City Manager contract matters and Resolutions and/or Ordinances to effectuate the will of the Council with respect to the appointment of a City Manager

VIII. Legal Matters

IX. Comments by Governing Body

X. Adjournment

MINUTES

WORK SESSION OF MAYOR AND COUNCIL OF JANUARY 4, 2016

Call to Order: The Work Session of Mayor and Council of January 4, 2016 was called to order by Mayor David Lockhart at 6:00 p.m.

Roll Call: Present were: Mayor David Lockhart and Councilmembers Tommy Smith, Dabouze Antoine and Latresa Akins.

Also present were Interim City Manager Al Wiggins, Director of Finance Mike Blandenburg, Director of Public Works Jeff Eady, Director of Support Services Christine Terrell, Chief Dwayne Hobbs, Chief Eddie Buckholts, Director of Recreation and Leisure Services Elaine Corley, Deputy Director of Planning and Zoning Jonathan Jones, Management Analyst Angela Redding and City Attorney Winston Denmark.

Agenda Items: Municipal Court Judge: Mayor Lockhart stated Judge Ronald Freeman currently serves as Municipal Court Judge and suggested he be reappointed.

Environmental Court Judge: Mayor Lockhart stated presently serving is L'Erin Barnes but she is stepping down. Mayor Lockhart stated Judge Freeman has indicated he would accept the position.

Mayor Pro-tem – Mayor Lockhart stated it is customary we rotate this position each year, and Tommy Smith will be Mayor Pro-tem for 2016.

Appt. to Urban Redevelopment Agency: Mayor Lockhart explained this position will fill the seat Councilman Elect Mears has vacated. Mayor Lockhart stated State Law dictates the Mayor makes the appointment to Urban Redevelopment Agencies with the consent of Council. Mayor Lockhart requested Ms. Marlene Larson be appointed for this position.

Personnel Hearing Officer - Mayor Lockhart stated it has been suggested by Ms. Christine Terrell that Mr. Clifford Nelson remain as the Personnel Hearing Officer for the City.

Voting Delegate to GMA - Mayor Lockhart stated there is a vacancy on the Board of Directors of the Georgia Municipal Association and delegates from member Cities will now vote for a new member. It has been suggested Councilman Elect Mears serve as the City's voting delegate.

Legal Matters: Mayor Lockhart stated an Executive Session is requested to discuss a personnel matter and asked this be done at the Regular Meeting.

Mr. Wiggins presented two alcohol licenses and asked that the agenda be amended add these additional items. There was no objection.

Adjournment: Ms. Akins made a motion to adjourn, seconded by Mr. Smith. Voting for the motion was unanimous.

MINUTES

REGULAR MEETING OF MAYOR AND COUNCIL OF JANUARY 4, 2016

- Call to Order: The Work Session of Mayor and Council of January 4, 2016 was called to order by Mayor David Lockhart at 7:00 p.m.
- Invocation: The invocation was given by Councilman Elect Allan Mears followed by the Pledge of Allegiance to the American Flag.
- Roll Call: Present were: Mayor David Lockhart and Councilmembers Tommy Smith, Dabouze Antoine and Latresa Akins.
- Also present were Interim City Manager Al Wiggins, Director of Finance Mike Blandenburg, Director of Public Works Jeff Eady, Director of Support Services Christine Terrell, Chief Dwayne Hobbs, Chief Eddie Buckholts, Director of Recreation and Leisure Services Elaine Corley, Deputy Director of Planning and Zoning Jonathan Jones, Management Analyst Angela Redding and City Attorney Winston Denmark.
- Comment Period: Ms. Doris Elder – stated in 2011 the City and Clayton County Water Authority came out and dug a hole in her yard and it has since gotten bigger. She would like the City to come out and fill it in.
- Approval of Minutes: Ms. Akins made a motion to approve the minutes of the Work Session and Regular Meeting of December 21, 2015, seconded by Mr. Smith. Voting for the motion was unanimous.
- Swearing in: Judge Ronald Freeman swore in Councilmember Elect Sandra Bagley, Councilmember Latresa Akins and Councilmember Elect Allan Mears.
- Municipal Court Judge: Ms. Akins made a motion to reappoint Judge Ronald Freeman as Municipal Court Judge for 2016, seconded by Mr. Smith. Voting for the motion was unanimous.
- Environmental Court Judge: Ms. Akins made a motion to appoint Judge Ronald Freeman as Environmental Court Judge for 2016, seconded by Mr. Smith. Voting for the motion was unanimous.

Mayor Pro-tem: Ms. Akins made a motion to appoint Councilman Tommy Smith as Mayor Pro-tem for 2016, seconded by Mr. Mears. Voting for the motion was unanimous.

Urban Redevelopment Agency: Ms. Akins made a motion to appoint Ms. Marlene Larson as a member of the Urban Redevelopment Agency, seconded by Mr. Antoine. Voting for the motion was unanimous.

Personnel Hearing Officer: Mr. Smith made a motion to appoint Mr. Clifford Nelson as Personnel Hearing Officer, seconded by Ms. Akins. Voting for the motion was unanimous.

Alcohol Licenses: Request was made to consider the following alcohol license renewals:

- 1) Retail alcohol license for beer and wine from Shree Gogajikrupa LLC, Parkway Bottle Shoppe, 11 Forest Parkway, no exceptions noted
- 2) Retail alcohol license for beer only from Carniceria Garcias #5, Inc., Carniceria Garcias #5, 4460 Jonesboro Road, no exceptions noted.

Mr. Smith made a motion to approve the alcohol license renewals, seconded by Ms. Akins. Voting for the motion was unanimous.

Voting Delegate: Ms. Akins made a motion to appoint Mr. Allan Mears to serve as the voting delegate for the Georgia Municipal Association, seconded by Mr. Smith. Voting for the motion was unanimous.

Resolution: Request was made to consider a Resolution by the Mayor and Council of the City of Forest Park, Georgia naming the depositories for funds of the City of Forest Park; authorizing withdrawals of said funds by check or draft; and naming the officers of said City authorized to sign checks.

Mayor Lockhart stated Mayor Pro-tem Tommy Smith will be included in this Resolution.

Mr. Smith made a motion to approve the Resolution, seconded by Ms. Akins. Voting for the motion was unanimous.

Ordinance: Request was made to consider an Ordinance authorizing temporary loans by the City of Forest Park, under the

Constitution of the State of Georgia, Article 9, Section 5, paragraph V, and for other purposes.

Mr. Smith made a motion to approve the Ordinance, seconded by Mr. Mears. Voting for the motion was unanimous.

Other
Business:

Ms. Akins made a motion to amend the agenda and add the following items, seconded by Mr. Antoine.

- 1) Consider new retail alcohol license for beer only from A Shamim, Inc., T. A. Food Mart, 4700 Jonesboro Road, no exceptions noted
- 2) HR Convenience Stores, Inc., Old Dixie Exxon, 5428 Old Dixie Hwy., no exceptions noted

Voting for the motion was unanimous.

Mr. Antoine made a motion to approve both alcohol licenses, seconded by Ms. Akins. Voting for the motion was unanimous.

Legal Matters:

Mr. Smith made a motion to recess the regular meeting and enter into Executive Session to discuss a personnel matter, seconded by Ms. Akins. Voting for the motion was unanimous.

Mr. Mears made a motion to reconvene the Regular Meeting, seconded by Ms. Akins. Voting for the motion was unanimous.

Adjournment:

Ms. Akins made a motion to adjourn, seconded by Ms. Bagley. Voting for the motion was unanimous.

DEPARTMENT OF POLICE SERVICES
Forest Park, Georgia

INTEROFFICE MEMO

DATE: December 29, 2015

NO: #281-2016

TO: Al Wiggins, Interim City Manager
FROM: L. Dwayne Hobbs, Director, Dept. of Police Services
SUBJECT: Retail Alcohol License (Beer & Wine)

*****NEW*****

RE: Boon Investments Inc
Twin Pic
4869 West St
Forest Park, GA 30297


Glenda Aguirre

NO EXCEPTIONS NOTED

DEPARTMENT OF POLICE SERVICES
Forest Park, Georgia

INTEROFFICE MEMO

DATE: December 29, 2015
NO: #282-2016

TO: Al Wiggins, Interim City Manager
FROM: L. Dwayne Hobbs, Director, Dept. of Police Services 
SUBJECT: Retail Alcohol License (Liquor, Beer & Wine)

*****NEW*****

RE: Tipsys Package Store, LLC
Tipsys Package Store
819 Forest Parkway Ste A
Forest Park, GA 30297

Izogie Isaac Imasuagbon

NO EXCEPTIONS NOTED

DEPARTMENT OF POLICE SERVICES
Forest Park, Georgia

INTEROFFICE MEMO

DATE: December 29, 2015
CONTROL NO: CA158-2016

TO: Al Wiggins, Interim City Manager
FROM: L. Dwayne Hobbs, Director, Dept. of Police Services
SUBJECT: On-Premises Consumption Alcohol License (Liq., Beer & Wine)



*****NEW*****

RE: RC Fiesta Palace, LLC
RC Fiesta
4140 Jonesboro Rd Ste A-1
Forest Park, Georgia 30297

Ruskin Castillo

NO EXCEPTIONS NOTED

DEPARTMENT OF POLICE SERVICES
Forest Park, Georgia

INTEROFFICE MEMO

DATE: January 7, 2016
NO: #263-2016

TO: Al Wiggins, Interim City Manager
FROM: L. Dwayne Hobbs, Director, Dept. of Police Services
SUBJECT: Retail Alcohol License (Beer & Wine)



*****RENEWAL*****

RE: Eckerd Corporation
Rite Aid #11787
833 Forest Parkway
Forest Park, GA 30297

John Strother

NO EXCEPTIONS NOTED

STATE OF GEORGIA
COUNTY OF CLAYTON

RESOLUTION NO.: _____

RESOLUTION BY THE MAYOR AND CITY COUNCIL OF FOREST PARK, GEORGIA TO APPLY FOR HUD FUNDING THROUGH THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM (CDBG) FOR CURB AND GUTTER, SIDEWALKS, AND STORM WATER PIPING ON WEST STREET FROM SOUTH AVENUE TO CASH MEMORIAL AND A NEIGHBORHOOD STABILIZATION OFFICER AND TO ACCEPT THE HUD FUNDING THROUGH THE CDBG PROGRAM ONCE IT BECOMES AVAILABLE; TO REPEAL ALL RESOLUTIONS AND PARTS OF RESOLUTIONS IN CONFLICT HERewith; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the Clayton County Community Development Office of HUD Programs has issued a notice of funding availability for its Community Development Block Grant (CDBG), Emergency Solutions Grant (ESG) and HOME Investment Partnership Programs; and

WHEREAS, the Mayor and City Council of Forest Park, Georgia desires to apply for and receive an allocation of funding from the Clayton County Community Development of HUD Programs for streetscape improvements consisting of sidewalks, curb and gutter, and storm water piping on West Street and a Neighborhood Stabilization Officer for the Planning, Building and Zoning Department Quality of Life Program; and

WHEREAS, one of the requirements in applying for funding from the Clayton County Community Development of HUD Programs is a Resolution by Mayor and Council to accept the funding once it is presented to the City of Forest Park; and

WHEREAS, the Mayor and City Council of Forest Park, Georgia intend to accept the HUD funding applied for once it is received and authorizes the Mayor to execute the Subrecipient agreements; and

WHEREAS, the City is not required to match the HUD funding applied for once it is received.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. Authority to Submit

The Mayor and City Council of Forest Park, Georgia hereby authorize the submittal of appropriate documents and/or application(s) to the Clayton County Community Development Office of HUD Programs so that the City may be eligible to receive funds allocated through the CDBG, ESG, and/or HOME programs. Further, approval is hereby granted for the acceptance of funding through these programs for the purposes as applied for once said funding is presented to the City of Forest Park.

Section 2. Authority to Execute Sub-recipient Agreements

The Mayor or Mayor Pro Tempore is hereby authorized to execute, in the name of the City of Forest Park, all necessary applications, documents, contracts, payment

requests, agreements, and amendments thereto, for the purpose of securing funds from the HUD Programs and to implement and carry out the purposes specified in the 2016 consolidated application.

Section 3. Severability

If any section, sentence, clause or phrase of this Resolution is for any reason held to be invalid or unconstitutional by a decision of the court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Resolution, and such remainder shall remain in full force and effect.

Section 4. Effective Date

This resolution shall be in full force and effect immediately upon and after its final passage.

SO RESOLVED, this _____ day of _____, 2016.

CITY OF FOREST PARK

David N. Lockhart, Mayor

Tommy Smith
Mayor Pro-Tempore (Ward One)

Dabouze Antoine
Councilmember, Ward Two

Sandra Bagley
Councilmember, Ward Three

Latresa Akins
Councilmember, Ward Four

Allan Mears
Councilmember, Ward Five

ATTEST:

CITY CLERK

(THE SEAL OF THE CITY OF
FOREST PARK, GEORGIA)

Approved as to form:

City Attorney

STATE OF GEORGIA
CITY OF FOREST PARK

RESOLUTION NO. _____

A RESOLUTION BY THE MAYOR AND COUNCIL OF THE CITY OF FOREST PARK, GEORGIA TO APPOINT A BOARD MEMBER TO THE DEVELOPMENT AUTHORITY TO REPLACE RESIGNED BOARD MEMBER COUNCILMAN ALLAN MEARS; AND FOR ALL OTHER PURPOSES NECESSARY TO ACCOMPLISH THIS TRANSACTION AND EFFECTUATE THIS INTENT.

WHEREAS, Paragraph III of Section VI of Article IX of the Constitution of the State of Georgia gives the General Assembly the authority to create development authorities within the State of Georgia; and

WHEREAS, the General Assembly has created such a development authority in the City of Forest Park, Georgia ("City"), the Development Authority of the City of Forest Park ("Development Authority"), by an Act of the General Assembly set forth in Georgia Laws 1969, page 137, and codified in Section 36-62-4 of the Official Code of Georgia; and

WHEREAS, the members of the board of directors of the Development Authority are required by Section 36-62-4 of the Official Code of Georgia to be appointed by a Resolution of the official governing body of the City; and

WHEREAS, the directors of the Development Authority were appointed by resolution of the governing body of the City on April 30, 2014; and

WHEREAS, by resolution dated July 20, 2015, Mr. Allan Mears was appointed to replace Mr. Joe Wimberly who was deceased and to serve the remainder of Mr. Wimberly's unexpired term; and

WHEREAS, effective December 31, 2015, Mr. Allan Mears resigned from the Development Authority in order to serve as a member of the City Council of the City of Forest Park; and

WHEREAS, Section 36-62-4 of the Official Code of Georgia provides that the Development Authority must have not less than seven members and Mr. Mears' resignation creates a vacancy that shall be filled by appointment of the governing body of the City; and

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the City of Forest Park, Georgia that _____ is hereby appointed to fill the position of board member on the Development Authority left vacant by the resignation of Mr. Allan Mears. Mr. Mears' term began on July 20, 2015 and expires on April 30, 2020. The term of _____ will begin on the effective date of this resolution and will expire upon the earlier of appointment of a successor or April 30, 2020.

BE IT FURTHER RESOLVED that any and all resolutions in conflict with this resolution be and the same are hereby repealed.

BE IT FURTHER RESOLVED that this resolution shall be effective immediately upon its adoption by the City Council of the City.

PASSED, ADOPTED, SIGNED, APPROVED, AND EFFECTIVE this
_____ day of _____ 2016.

David Lockhart
Mayor

Tommy Smith
Mayor Pro-tempore (Ward One)

Dabouze Antoine
Councilmember, Ward Two

Sandra Bagley
Councilmember, Ward Three

Latresa Akins
Councilmember, Ward Four

Allan Mears
Councilmember, Ward Five

ATTEST:

City Clerk

Approved as to Form

City Attorney

CITY OF FOREST PARK

STATE OF GEORGIA

ORDINANCE NO. _____

AN ORDINANCE TO AMEND TITLE 5 ("PUBLIC WORKS"), TITLE 8 ("PLANNING AND DEVELOPMENT"), AND TITLE 9 ("LICENSING AND REGULATION") OF THE CODE OF ORDINANCES, CITY OF FOREST PARK, GEORGIA; TO REVISE CERTAIN PROVISIONS TO FACILITATE THE USE OF GREEN INFRASTRUCTURE OR LOW IMPACT DEVELOPMENT TECHNOLOGIES; TO PROVIDE FOR CODIFICATION; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN ADOPTION DATE; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES ALLOWED BY LAW.

WHEREAS, the Governing Body of the City of Forest Park, Georgia (the "City") is the Mayor and Council thereof; and

WHEREAS, the City is a holder of an MS4 permit from the Georgia Department of Natural Resources that authorizes the City to issue regulations for the protection of the environmental and stormwater infrastructure of the City; and

WHEREAS, the preservation and restoration of natural landscape features, such as forests and floodplains, are critical components of green stormwater infrastructure; and

WHEREAS, pursuant to its MS4 permit, the City is charged with the periodic review of its codes and ordinances to ensure that they do not prohibit or impede the use of green infrastructure or low impact development technologies; and

WHEREAS, the Mayor and Council, following said review by City personnel, wish to make certain changes to the City's Code of Ordinances, Titles 5, 8, and 9, in order to facilitate the use of green infrastructure or low impact development technologies.

NOW THEREFORE, be it ordained by the Governing Body of the City of Forest Park, Georgia:

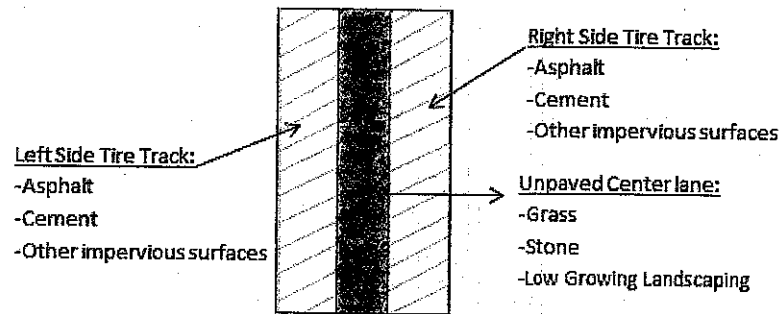
Section 1. That Title 5, Chapter 1 of the Code of Ordinances, City of Forest Park, Georgia is hereby amended by striking the existing text in subsection (a) of Section 5-1-8 and inserting the following text in lieu thereof:

(a) New driveways shall be installed at the expense of the property owner after obtaining the approval as to curb cut and driveway design by the city manager or his/her designee.

(1) The following are the design requirements for residential developments, whether single or multiple dwellings.

- (2) All driveways shall be constructed of concrete, asphalt or the like and subject to the specifications on file in the public works department. Gravel mix, two-track driveways and shared parking in residential developments may be built pending approval from the city manager or his/her designee. As employed in this section, the phrase "two-track driveway" means a driveway made of two narrow, parallel, paved wheel tracks that are separated by an unpaved area containing stone, grass or other low growing landscaping. Wheel tracks in any two-track driveway must be installed flush with the ground and constructed with materials capable of supporting all vehicle/equipment tires without driving onto or over an unapproved parking surface.

Note: Illustration of two track driveway below:



- (3) All buildings, structures and uses of land shall provide off-street parking in an amount sufficient to meet the needs caused by the building or use of land.
- (4) All off-street parking shall be on a dust-free surface.
- (5) All impervious areas shall comply with maximum ground coverage and setback requirements in accordance with the applicable zoning district regulations.
- (6) Parking on the street, sidewalk or grass is prohibited.
- (7) Parking in any multiple residential development is permitted only in designated parking spaces.

Section 2. That Title 5, Chapter 1 of the Code of Ordinances, City of Forest

Park, Georgia is hereby amended by adding Section 5-1-9 which shall read as follows:

Sec. 5-1-9. - Sidewalk design

Sidewalks shall be designed and constructed with a minimum width of four (4) feet and will be sloped towards front yards when practicable. Alternate mediums for pedestrian travel, such as paving stones, may be substituted for sidewalks when they are not located adjacent to a road. When possible, a two (2) foot grass strip shall be included. Final approval of sidewalk widths will be determined in accordance with the recommendations of the city manager or his/her designee.

Section 3. That Title 8, Chapter 7 of the Code of Ordinances, City of Forest

Park, Georgia is hereby amended by striking the existing text in subsection (j) of Section 8-7-31 and inserting the following text in lieu thereof:

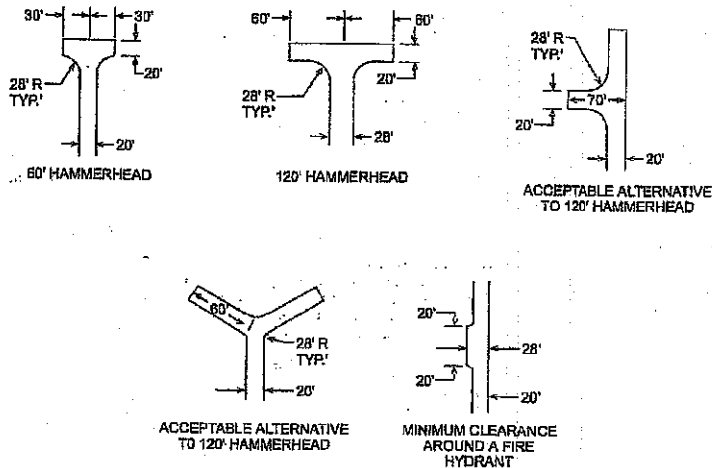
- (j) Street right-of-way widths shall be as shown in the major thoroughfare plan for the city and where not shown therein shall be no less than as follows:

Street type	Right-of-way (in feet)
Major	100 minimum
Collector (commercial and residential)	60 minimum
Minor	45 minimum

Section 4. That Title 8, Chapter 7 of the Code of Ordinances, City of Forest Park, Georgia is hereby amended by striking the existing text in subsection (l) of Section 8-7-31 and inserting the following text in lieu thereof:

(l) A permanent dead end street, not to exceed 800 feet in length, may be laid out. There shall be provided a turnaround, at the closed end, with a radius of not less than 75 feet to center line. Residential streets without landscaped islands may be provided with a radius of not less than 35 feet to the center line. Hammerhead turnarounds may be built in lieu of circular turnarounds in residential neighborhoods, in accordance with the designs provided in Figure X. Final approval of hammerhead designs will be determined in accordance with the recommendations of the city manager or his/her designee.

Figure X: Hammerhead Turnaround Design Specifications



Section 5. That Title 8, Chapter 7 of the Code of Ordinances, City of Forest Park, Georgia is hereby amended by striking the existing text in Section 8-7-51 and inserting the following text in lieu thereof:

Street improvements shall be provided in each subdivision as prescribed below:

- (1) All residential minor streets shall be improved in accordance with the specifications for street paving of the city.
- (2) All other streets shall be improved in accordance with the recommendations of the city engineer as approved by the mayor and council.

- (3) No residential minor street shall be constructed with a pavement width of less than twenty-two (22) feet or twenty-six (26) feet measured from back of curb to back of curb.
- (4) All other residential streets shall have a pavement width of twenty-four (24) feet or twenty-eight (28) feet measured from back of curb to back of curb. All other roadway widths to be determined by the number of travel lanes and existing conditions. Final approval of roadway widths are to be determined in accordance with the recommendations of the city manager or his/her designee.

Section 6. That Title 8, Chapter 8 of the Code of Ordinances, City of Forest Park, Georgia is hereby amended by striking the existing text in Section 8-8-32 and inserting the following text in lieu thereof:

(a) Off-street automobile parking space shall be provided on every lot on which any of the following uses are hereafter established. The number of automobile parking spaces provided shall be at least as great as the number specified below for various uses. Each space shall be at least one hundred ninety (190) square feet in area and shall have vehicular access to a public street. Turning space shall be provided (except for single-family residences) so that no vehicle will be required to back into the street. The number of parking spaces required under this subsection may be reduced by no more than ten (10) percent for any lot within one thousand (1000) feet of a public bus stop or other mass transit location.

- (1) *Automobile repair garages.* One (1) space for each regular employee plus one (1) space for each two hundred fifty (250) square feet of floor area used for repair work.
- (2) *Gasoline filling stations.* Three (3) spaces for each grease rack or similar facility plus two (2) spaces for each gas pump attendant.
- (3) *Hospitals and nursing homes or similar institutions.* One (1) space for each two (2) beds plus one (1) space for each staff or visiting doctor plus one (1) space for each three (3) employees.
- (4) *Lodges and clubs.* One (1) space for each ten (10) members.
- (5) *Offices.* One (1) space for each three hundred (350) square feet of floor space.
- (6) *Places of amusement or assembly without fixed seats.* One (1) space for each two hundred (200) square feet of floor space devoted to patron use.
- (7) *Places of public assembly.* One (1) space for each four (4) seats in the principal assembly room.
- (8) *Residential.* At least one (1) space for each dwelling unit.
- (9) *Restaurants.* One (1) space for each seventy-five (75) square feet of floor area devoted to patron use, plus one (1) space for each four (4) employees.
- (10) *Retail business.* One (1) space for each two hundred fifty (250) square feet of sales space.
- (11) *Rooming and boarding houses.* One (1) space for each two (2) bedrooms.
- (12) *Tourist courts, hotels, and motels.* One (1) space for each accommodation.
- (13) *Wholesale business.* One (1) space for each two (2) employees.

(b) The owners of property either previously developed or being developed which would be covered by subsection (a) of this section may petition the mayor and council for the right to expand the existing or proposed development or to develop potential out parcels onto property that would otherwise be required for parking under the requirements of subsection (a) hereof. Such petitions would be considered by the mayor and council applying the following criteria.

- (1) Whether or not the parking spaces presently existing are underutilized or in the case of a new development, whether or not the parking spaces which would otherwise be required by subsection (a) are likely to be underutilized;

- (2) Whether or not the parking requirements for the total development are sufficient; and
- (3) In the case of an existing development, what renovations and/or rehabilitation will be done to the existing development, in order to enhance the viability of the property.

(c) A petition filed under subsection (b) hereof shall be in a form as may be developed by the department of planning, building and zoning of the city, shall be accompanied by a landscape plan for the entire development including parking facilities; a written acknowledgment from the applicant that over-flow parking onto city streets or rights of way or adjacent properties from the development will not be permitted; and with regard to additions to existing developments or to out-parcels adjacent to existing developments shall include a plan for the renovation or rehabilitation of the existing development.

(d) Shared parking arrangements may be made, in which case the number of parking space required under subsection (a) may be reduced by no more than ten (10) percent. Any off-street automobile parking area under a shared parking arrangement shall include one (1) two-sided bicycle rack. Shared parking arrangements may be used for out parcels. Any shared parking arrangement involving two (2) or more lots must be committed to writing in an instrument acceptable to the department of planning, building and zoning and approved by the owners of each of the affected lots or uses. A copy of the instrument shall be filed for record with the Clerk of the Superior Court of Clayton County.

(e) An applicant under this Chapter shall be allowed: (1) an additional 0.5 square feet of floor area above the maximum allowed floor area ratio for every one (1) square foot of structured parking provided that is a minimum of three (3) stories in height; or (2) an additional three hundred fifty (350) square feet of building space for each parking space in a parking structure which is a minimum of three (3) stories in height that will be available for public use. The applicant shall meet the other requirements of the development standards for the base zone in which the subject of the application is to be located.

Section 7. That Title 8, Chapter 9 of the Code of Ordinances, City of Forest Park, Georgia is hereby amended by striking the existing text in subsection (a) of Section 8-9-5 and inserting the following text in lieu thereof:

(a) Buffer and setback requirements. All land development activity subject to this chapter shall meet the following requirements:

- (1) An undisturbed natural vegetative buffer shall be maintained for fifty (50) feet, measured horizontally, on both banks (as applicable) of the stream as measured from the top of the stream bank.
- (2) An additional setback shall be maintained for twenty-five (25) feet, measured horizontally, beyond the undisturbed natural vegetative buffer, in which all impervious cover shall be prohibited. Grading, filling and earthmoving shall be minimized within the setback.
- (3) No septic tanks or septic tank drain fields shall be permitted within the buffer or the setback.
- (4) An undisturbed natural vegetative buffer shall be maintained for twenty-five (25) feet, measured horizontally, of a designated wetland in all directions. No stormwater from a proposed development may be discharged into this buffer without having undergone pretreatment prior to the discharge.

Section 8. That Title 9, Chapter 14 of the Code of Ordinances, City of Forest Park, Georgia is hereby amended by striking the existing text in subsection (2) of Section 9-14-6 and inserting the following text in lieu thereof:

(2) In addition, two site plans shall be attached to the application form and filed with the department. The plans will be drawn to an engineer's scale such that the following are easily identified:

- a. The proposed location of the entrances and exits to the facility;
- b. The widths of access streets;
- c. The capacity and location of the reservoir space to be used for the receiving and temporary storage of incoming vehicles;
- d. The internal traffic plan;
- e. The proposed parking plan showing the size and location of the parking stalls and aisles to serve them;
- f. The location, width, and general design of ramps or elevators to be used inside the structures;
- g. If applying for a shared-use paid parking facility permit, the location of the stalls to be used during the primary establishment's business hours;
- h. Any other information required to enable the city to make a fair and complete appraisal of the operation of the proposed parking facility; and
- i. All landscaping features, which shall comprise a minimum of five (5) percent of the parking area.

Section 9. The preamble of this Ordinance shall be considered to be and is hereby incorporated by reference as if fully set out herein.

Section 10. This Ordinance shall be codified in a manner consistent with the laws of the State of Georgia and the City.

Section 11. (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

(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 this Ordinance and that, to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance shall remain valid, constitutional, enforceable, and of full force and effect:

Section 12. All ordinances and parts of ordinances in conflict herewith are hereby expressly repealed.

Section 13. The effective date of this Ordinance shall be the date of adoption unless otherwise stated herein.

ORDAINED this _____ day of _____, 2016.

David Lockhart
Mayor

Tommy Smith, Council Ward 1
Mayor Pro-tem

Dabouze Antoine
Councilmember, Ward Two

Sandra Bagley
Councilmember, Ward Three

Latresa Akins
Councilmember, Ward Four

Allan Mears
Councilmember, Ward Five

ATTEST:

City Clerk

THE SEAL OF THE CITY OF
FOREST PARK, GEORGIA

Approved as to form:

City Attorney