



## Community Development Department

P. O. Box 900  
Locust Grove, Georgia 30248

Phone: (770) 957-5043  
Facsimile (770) 954-1223

# Item Coversheet

---

**Item:** A variance request to reduce the side yard setback from 35 feet to 20 feet on a corner lot located at Bill Gardner Parkway and Barker Drive (Private Easement).

**Action Item:**  Yes  No

**Public Hearing Item:**  Yes  No

**Executive Session Item:**  Yes  No

**Advertised Date:** February 28, 2024

**Budget Item:** N/A

**Date Received:** January 29, 2024

**Workshop Date:** March 18, 2024

**Regular Meeting Date:** April 01, 2024

### **Discussion:**

Jacob Lang of Rincon, GA requests a variance from zoning ordinance provision 3-7-153 f (4) to reduce the side yard setback from 35 feet to 20 feet on a corner lot located at Bill Gardner Parkway and Barker Drive (Private Easement).

### **Recommendation:**

Staff recommends **APPROVAL** of the applicant's variance request.

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE TO APPROVE A VARIANCE REQUEST TO REDUCE THE SIDE YARD SETBACK FROM 35 FEET TO 20 FEET LOCATED AT 4939 BILL GARDNER PARKWAY AND BAKER DRIVE (PRIVATE EASEMENT); ON APPROXIMATELY 2.022+/- ACRES IN LAND LOT 200 OF THE 2<sup>ND</sup> DISTRICT WITHIN THE CITY OF LOCUST GROVE, GEORGIA; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES**

**WHEREAS**, the City of Locust Grove (“City”) is a municipal corporation, duly organized and existing under the laws of the State of Georgia; and,

**WHEREAS**, Jacob Lang of Rincon, GA (the “Applicant”), requests a variance to reduce the side yard setback from 35 feet to 20 feet on a corner lot of the intersection of two public streets located on 4939 Bill Gardner Parkway at Barker Drive (Private Easement), (Parcel ID # 112-01013034 in land lot 200 of the 2<sup>nd</sup> District (the “Property”), attached hereto as **Exhibit A**; and,

**WHEREAS**, the Applicant filed a request for a Variance on January 29, 2024 as shown in the application attached hereto and incorporated herein by reference as **Exhibit B**; and,

**WHEREAS**, the Applicant’s request has been reviewed by the Mayor and City Council at a Public Hearing held on March 18, 2024, as well as by the City Community Development Director; and,

**WHEREAS**, the Applicant requests a Variance for the purpose of facilitating the development of the subject parcel into a quick service restaurant, ancillary retail, and low rise offices; and,

**WHEREAS**, notice of this matter (as attached hereto and incorporated herein as **Exhibit C**) has been provided in accordance with applicable state law and local ordinances; and,

WHEREAS, the Mayor and City Council have reviewed and considered the Applicant's request and both the recommendations of the public hearing and City staff as presented in the Staff Report.

**THEREFORE, THE COUNCIL OF THE CITY OF LOCUST GROVE HEREBY ORDAINS:**

1.

(X) That the request for variance is hereby **APPROVED**.

( ) That the request for variance is hereby **DENIED**.

2.

That the use of the Property is subject to:

( ) The condition(s) set forth on **Exhibit D** attached hereto and incorporated herein by reference.

( ) The terms of the Development Agreement attached hereto as **Exhibit D** and incorporated herein by reference.

(X) If no **Exhibit D** is attached hereto, then the property is zoned without conditions.

If granted, this Ordinance shall become effective immediately subject to the corresponding annexation ordinance under consideration.

**SO ORDAINED** by the Council of this City this 1<sup>st</sup> of April 2024.

\_\_\_\_\_  
VINCENT WILLIAMS, Mayor Pro Tem

ATTEST:

\_\_\_\_\_  
MISTY SPURLING, City Clerk

(Seal) APPROVED AS TO FORM:

\_\_\_\_\_ City Attorney



**EXHIBIT A**



# VARIANCE EVALUATION REPORT

FILE: VR-24-01-01

March 18, 2024

VARIANCE

## Property Information

Tax ID	112-01013034
Location/address	Land Lots 200 of the 2 <sup>nd</sup> District, Barker Drive (Private Easement).
Parcel Size	2.022 +/- acres
Current Zoning	C-2 (General Commercial District)
Request	A variance from zoning ordinance provision 3-7-153 f (4) to reduce the side yard setback from thirty-five (35) feet to twenty (20) feet
Proposed Use	Quick-service restaurant, ancillary retail, and low-rise offices
Existing Land Use	Vacant/undeveloped
Future Land Use	Commercial
Recommendation	Approval

## Summary

IPILG4 LLC, Jacob Lang of Rincon, GA requests a variance to reduce the side yard setback from 35' to 20' located at 4939 Bill Gardner Parkway at Barker Drive (Private Easement). The development will consist of a quick service restaurant and ancillary retail on the C-2 (General Commercial) zoned property located on Barker Drive from Bill Gardner Parkway.

The goal of the commercial district is to house a broad range of retail, service, and wholesale businesses to meet the regular and everyday needs of people who live on a lot of the city and its environs, as well as those who visit. This area aims to promote the presence of companies along built segments of regularly frequented routes, as well as in planned commercial convenience centers, neighborhood, community, and regional shopping centers. The district is intended to be utilized in areas designated as mixed-use zones, community commercial centers, and regional commercial centers on the approved future land use map of the city. The reduction of the side yard setback will allow the applicant to maximize the buildable space; please note, however, that this proposal will preserve the sight shape, but will allow better utilization of the parcel's





# VARIANCE EVALUATION REPORT

FILE: VR-24-01-01

March 18, 2024

VARIANCE

unique shape. Additionally, this request unambiguously creates a side yard at a crosswalk that is parallel to a nearby public street and private easement.

## **Future Land Use**

The subject property is located within an area designated for commercial use on the Future Land Use Map. The purpose of this classification is to provide areas where general commercial, neighborhood commercial, and heavy commercial uses can be located. This district is intended to provide locations for a wide variety of retail and service uses and wholesale establishments to satisfy the common and frequent needs of residents in large sections of the city and surrounding area including the traveling public. This district intends to encourage businesses to be part of planned commercial convenience centers, neighborhoods, community, and regional shopping centers and along developed sections of heavily traveled corridors. This district is to use areas denoted as community commercial centers, regional commercial centers, and mixed-use areas on the city's future land use map, as adopted. Uses in this district shall be located on or near roads having a minimum classification of minor or major arterial. Typical zoning district(s) under the current ordinance would be C-1 (neighborhood commercial) and C-2 (general commercial).

## **Development of Regional Impact (DRI)**

The proposed development does not meet the Georgia Department of Community Affairs (DCA) threshold for a Development of Regional Impact (DRI). For Commercial Developments in areas designated as regional shopping centers or commercial convenience centers. The threshold is 500,000 square feet of development or greater than 300,000 gross square feet. The Applicant is proposing a variance on an 88,095+/- square feet of commercial development on the subject property.

## **Service Delivery / Infrastructure**

**Water and Sewer:** According to the City of Locust Grove Public Works Department, the subject properties will be serviced by the City of Locust Grove for water and sewer services.

**Police Services:** The subject property is in the existing city limits and will remain on a regular patrol route.

**Fire:** Henry County will perform fire and emergency services as is the case in other areas of the city.

*Preserving the Past... . . . Planning the Future*





# VARIANCE EVALUATION REPORT

FILE: VR-24-01-01

March 18, 2024

VARIANCE

**Transportation Impacts:** The applicant's request is for a variance to reduce side yard setback. The transportation impact from this request is N/A.

## Criteria for Evaluation of Variance Request

**Section 17.04.273 of the City Municipal Code allows variances to be granted upon the following principles:**

- 1. There are extraordinary and exceptional conditions on the piece of property in question because of its size, shape, or topography that do not apply to other lands or structures in the same district.**

Site selection within the subject property is limited by topographical and other location-related constraints. The proposed development and realignment of Barker Drive are engineered to best limit and manage variance intrusion given the existing streams and buffers on the site. The applicant seeks to decrease the side yard setback to increase the buildable area. This proposal will not decrease the sight shape while allowing for utilization use of the uniquely shaped parcel.

- 2. A literal interpretation of the provisions of this Chapter would deprive the applicant of rights commonly enjoyed by other properties within the City or a similar zoning or overlay district.**

All lots are subject to the provisions of the City Code. A literal interpretation of the provisions would prevent the Applicant from building the proposed structure on the subject property due to the constraints listed above, as well as prevent the planned realignment of Barker Drive. A literal interpretation of the code may also cause an undue hardship by effectively limiting the structure size beyond what is reasonable for the intended use, which is permitted by right under the current zoning.

- 3. Granting the variance requested will not confer upon the property of the applicant any special privileges that are denied to other properties within the City or a similar zoning or overlay district.**

Any property owner or developer may ask the City Council to consider a similar request.



# VARIANCE EVALUATION REPORT

FILE: VR-24-01-01

March 18, 2024

VARIANCE

- 4. The requested variance will be in harmony with the purpose and intent of this Article, the specific zoning of the property, and the land use plan and will not be injurious to the general welfare of the community.**

Issuance of the proposed variance for this project presents no conflict with current or future land use planning. The proposed commercial use of the property is permitted in the current zoning designation (C-2), and land use plan, and is consistent with nearby commercial developments.

- 5. The special circumstances or justifications for the variance are not the result or cause of the self-imposed actions or misfortunes of the applicant.**

The exceptional conditions related to the topography and location of the site are not the result of any action or misfortune on the part of the applicant.

- 6. The variance requested is the minimum reasonable variance that will make possible the legal use of the land, building, or structure.**

The requested variance is the minimum needed by the applicant to develop the site for proposed commercial use. The requested variance is essential and appropriate for the site's proposed commercial uses.

- 7. The variance is not requested to permit the use of land, buildings or structures which is not permitted by right in the overlaying zoning district or scheme of the land use plan.**

The requested variance supports the site's development as permitted by right in the C-2 (General Commercial) zoning district.





# VARIANCE EVALUATION REPORT

FILE: VR-24-01-01

March 18, 2024

VARIANCE

---

## Recommendation

---

Based on the seven criteria points required for issuance of a variance being met, Staff recommends **APPROVAL** of the applicant's variance request.

**EXHIBIT B**





1/29/2024

**VIA Overnight Delivery**

Honorable Mayor and City Council of Locust Grove  
c/o City of Locust Grove, Community Development Department  
3644 Highway 42 South  
Locust Grove, Georgia 30248

Re: **Justification Letter**

Variance: Side Yard (Building Setback), Reduce from 35' to 20'  
Applicant: IPILG4 LLC, Jacob Lang as Manager  
Address: 4939 Bill Gardner Parkway at Barker Drive (Private Easement), Locust Grove  
Use: General Retail or other uses allowed under the C-2 Zoning Classification

Honorable Mayor and Council:

This Application seeks variance to the City of Locust Grove Ordinance 17.04.134 - Section 3-7-153—C-2: general commercial district adopted as amended in order to facilitate the development of the parcel into a quick service restaurant and ancillary retail and low rise office compatible with surrounding uses. Specifically, this Application seeks a variance from Zoning Ordinance provision 3-7-153 f(4). Applicant requests permission to reduce the width of the side yard on a corner lot at the intersection of two public streets from 35' to 20' as depicted on the Variance Plan. While the applicant seeks to decrease the side yard to increase the buildable area, it should be noted that this proposal will not decrease the sight triangle while allowing for utilization of the uniquely shaped parcel. This request also clearly establishes a side yard at an intersection is created by a public street and private easement. Included under this cover is:

- Application with Fee, Check 1001, Amount \$300.000
- Applicant Disclosure Form
- Deed in lieu of Letter of Ownership. Applicant is Owner.
- Legal Description in Deed and on Plat
- Variance Plan
- Survey Plat

Regards,

A handwritten signature in blue ink that reads "Jacob E. Lang". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Jacob E. Lang, P.E.  
Manager, IPILG4 LLC

Enclosures

Request for Zoning Map Amendment

Name of Applicant: IPILG4 LLC Phone: 912 358 1166 ext 101 Date: 1.29.2024  
Address Applicant: 201 N. COLUMBIA AVE Ste C Cell # 912 655 3438  
City: RINCON State: GA Zip: 31326 E-mail: jacob@langcre.com  
Name of Agent: JACOB LANG Phone: 912 358 1166 ext 101 Date: 1.29.2024  
Address Agent: 201 N. Columbia Ave Ste C Cell # 912 655 3438  
City: RINCON State: GA Zip: 31326 E-mail: jacob@langcre.com

THE APPLICANT NAMED ABOVE AFFIRMS THAT THEY ARE THE OWNER OR AGENT OF THE OWNER OF THE PROPERTY DESCRIBED BELOW AND REQUESTS: (PLEASE CHECK THE TYPE OF REQUEST OR APPEAL AND FILL IN ALL APPLICABLE INFORMATION LEGIBLY AND COMPLETELY).

Concept Plan Review  Conditional Use  Conditional Exception  Modifications to Zoning Conditions

Variance  Rezoning  DRI Review/Concurrent  Amendment to the Future Land Use Plan

Request from Reduce SIDE SETBACK FROM 35' FEET TO 20' FEET  
(Current Zoning) (Requested Zoning)

Request from \_\_\_\_\_ to \_\_\_\_\_  
(Current Land Use Designation) (Requested Land Use Designation)

For the Purpose of Retail Development  
(Type of Development)  
Address of Property: 4939 BILL GARDNER PARKWAY

Nearest intersection to the property: BARKER DRIVE (PRIVATE)

Size of Tract: 2.022 acre(s), Land Lot Number(s): 200, District(s): 2nd

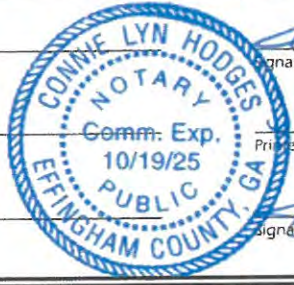
Gross Density: n/a units per acre Net Density: n/a units per acre

Property Tax Parcel Number: 112-01013034 (Required)

Witness' Signature \_\_\_\_\_ Signature of Owners/s \_\_\_\_\_

Printed Name of Witness \_\_\_\_\_ Printed Name of Owner/s JACOB E. LANG, MANAGER

Notary \_\_\_\_\_ Signature of Agent \_\_\_\_\_



(For Office Use Only)

Total Amount Paid \$ 200 Cash \_\_\_\_\_ Check # 1001 Received by: [Signature] (FEES ARE NON-REFUNDABLE)

Application checked by: \_\_\_\_\_ Date: \_\_\_\_\_ Map Number(s): \_\_\_\_\_

Pre-application meeting: \_\_\_\_\_ Date: \_\_\_\_\_

Public Hearing Date: \_\_\_\_\_

Council Decision: \_\_\_\_\_ Ordinance: \_\_\_\_\_

Date Mapped in GIS: \_\_\_\_\_ Date: \_\_\_\_\_



## Applicant Campaign Disclosure Form

Has the applicant<sup>1</sup> made, within two (2) years immediately preceding the filing of this application for rezoning, campaign contributions aggregating \$250 or more or made gifts having in the aggregate a value of \$250 or more to a member of the Locust Grove City Council and/or Mayor who will consider the application?

Yes  No

If **Yes**, the applicant and the attorney representing the applicant must file a disclosure report with the Locust Grove City Clerk within ten (10) days after this application is first filed. Please supply the following information that will be considered as the required disclosure:

Council/Planning Commission Member Name	Dollar amount of Campaign Contribution	Description of Gift \$250 or greater given to Council/Planning Commission Member

We certify that the foregoing information is true and correct, this 29 day of January, 2024

JACOB E. LANG

Applicant's Name - Printed

*[Handwritten Signature]*

Signature of Applicant

N/A

Applicant's Attorney, if applicable - Printed

Signature of Applicant's Attorney, if applicable

Sworn to and subscribed before me this 29 day of JANUARY, 2024



Connie Hodges  
Notary Public

<sup>1</sup> Applicant means any individual or business entity (corporation, partnership, limited partnership, firm enterprise, franchise, association, or trust) applying for rezoning or other action.

1001

**IPILG4 LLC**  
201 N Columbia Ave Ste C  
Rincon, GA 31326  
9123581166



64 397/611

DATE 1.29.2024

PAY TO THE ORDER OF CITY OF LOCUST GROVE \$ 300<sup>00</sup>

three hundred & 00/100 DOLLARS

**QUEENSBOROUGH**  
NATIONAL BANK & TRUST COMPANY

Jacob E Lang, Manager IPILG4 LLC

FOR Variance Application Fee

*Jacob E Lang* MP

⑈00100⑆ ⑆061103975⑆ 2503114962⑈

RECEIVED IN OFFICE  
HENRY COUNTY  
CLERK OF SUPERIOR COURT  
2023 NOV 21 AM 11:13

BK: 19302 PG: 2463-2468  
Filed and Recorded  
Nov-21-2023 03:53:32PM  
DOC#: D2023-027788  
Real Estate Transfer Tax Paid \$1,200.00  
0752023008613  
SABRIYA HILL  
CLERK OF SUPERIOR COURT Henry County, GA.

Parcel No. 112-01013034  
4939 Bill Gardner Parkway,  
Locust Grove, GA 30248

Return To: Jennifer D. Sawyer, Esq.  
Sawyer Law Group, LLC  
111 East 34th Street  
Savannah, GA 31401

**LIMITED WARRANTY DEED**

THIS INDENTURE is made and entered into as of November 20<sup>th</sup>, 2023, by and between **LOCUST GROVE MEDICAL COMPLEX, LLC**, a Georgia limited liability company (herein "Grantor"), and **IPILG4 LLC**, a Georgia limited liability company (herein "Grantee"), to include their respective successors, legal representatives and assigns where the context requires or permits.

**WITNESSETH:**

Grantor, in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other valuable consideration, the receipt and sufficiency of which are hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and, subject to the terms and conditions contained herein, does hereby grant, bargain, sell, alien, convey and confirm unto Grantee all that certain tract or parcel of land lying and being in Henry County, Georgia (hereinafter referred to as the "Property") as is more particularly described in **Exhibit "A"** attached hereto and by this reference made a part hereof.

TO HAVE AND TO HOLD said Property, together with all and singular the rights, members, hereditaments, improvements, easements and appurtenances thereof, to the same being and belonging, or in anywise appertaining, to the full and proper use, benefit and behoof of Grantee, forever in fee simple; subject only to those matters (hereinafter referred to as "Permitted Exceptions") set out in **Exhibit "B"** attached hereto and by this reference made a part hereof.

AND Grantor will warrant and forever defend the right and title to the Property unto Grantee against the claims of any persons owning, holding or claiming by, through or under Grantor except for claims arising under or by virtue of the Permitted Exceptions.

[SIGNATURE PAGE FOLLOWS]

IN WITNESS WHEREOF, Grantor has caused this Limited Warranty Deed to be duly executed under seal as of the day and year first above written.

**GRANTOR:**

Signed, sealed and delivered  
in the presence of:

**LOCUST GROVE MEDICAL COMPLEX,  
LLC, a Georgia limited liability company**

*Hanne Mødem*

Unofficial Witness

By: *Jay R. Prakash* (SEAL)  
Jay R. Prakash, Manager

*Maria Roa Morrow*

Notary Public

Commission Expiration Date:

[AFFIX NOTARY SEAL]



**Exhibit "A" to Limited Warranty Deed**

*Legal Description*

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 200 of the 2nd District, City of Locust Grove, Henry County, Georgia, identified as **Tract C**, containing 2.022 acres, on Lot Division Survey prepared by Andy Williams Surveying, Inc., dated November 1, 2016, revised December 6, 2016, filed for record December 29, 2016, and recorded in Plat Book 55, Page 276, in the Office of the Clerk of Superior Court, Henry County, Georgia; as re-filed for record February 15, 2023, and re-recorded in Plat Book 63, Page 21, in the Office of the Clerk of Superior Court, Henry County, Georgia.

**TOGETHER WITH** all of Grantor's right, title and interest in the land lying beneath the roads, streets, highways, avenues and alleys adjoining the Property, and all rights, easements, interests, privileges, tenements and hereditaments appurtenant to the Property, including without limitation those easement rights and benefits granted in and created by that certain Easements with Covenants and Restrictions Affecting Land ("ECR") dated as of March 24, 2009, filed for record March 30, 2009, and recorded in Deed Book 11257, Page 61, in the Office of the Clerk of Superior Court, Henry County, Georgia, as amended from time to time.



## Exhibit "B" to Limited Warranty Deed

### *Permitted Exceptions*

1. Real estate taxes for the year 2024 and subsequent years, not yet due and payable.
2. Easement from Florence Price Manley to Georgia Power Company, dated January 18, 1949, filed for record February 1, 1949, and recorded in Deed Book 41, Page 91-B, in the Office of the Clerk of Superior Court, Henry County, Georgia.
3. Drainage rights and right of reverter contained in Right of Way Deed from H. F. Price and Florence Price Manley, dated May 20, 1950, filed for record June 27, 1950, and recorded in Deed Book 42, Page 610, in the Office of the Clerk of Superior Court, Henry County, Georgia.
4. Easement from T. M. Steele to Georgia Power Company, dated April 27, 1956, filed for record June 7, 1956, and recorded in Deed Book 55, Page 55, in the Office of the Clerk of Superior Court, Henry County, Georgia.
5. Easement from Florence Price Manley to Georgia Power Company, dated April 14, 1973, filed for record April 26, 1973, and recorded in Deed Book 175, Page 93, in the Office of the Clerk of Superior Court, Henry County, Georgia.
6. Easements with Covenants and Restrictions Affecting Land by and among Eric S. Zorn, as Trustee of Wal-Mart Real Estate Business Trust, a Delaware statutory trust, Shi Investments One, LLC, a Georgia limited liability company, Locust Grove Medical Complex, LLC, a Georgia limited liability company, and STLC, L.L.C., a Georgia limited liability company, dated as of March 24, 2009, filed for record March 30, 2009, and recorded in Deed Book 11257, Page 61, in the Office of the Clerk of Superior Court, Henry County, Georgia; as affected by the following:
  - a) First Amendment to Easements with Covenants and Restrictions Affecting Land by and among Eric S. Zorn, as Trustee of Wal-Mart Real Estate Business Trust, a Delaware statutory trust, Shi Investments One, LLC, a Georgia limited liability company, Locust Grove Medical Complex, LLC, a Georgia limited liability company, STLC, L.L.C., a Georgia limited liability company, and Zaxby's Holdings, L.L.C., a Georgia limited liability company, dated as of October 29, 2010, filed for record November 2, 2010, and recorded in Deed Book 11910, Page 149, in the Office of the Clerk of Superior Court, Henry County, Georgia;
  - b) Approval made by Eric S. Zorn, as Trustee of Wal-Mart Real Estate Business Trust, a Delaware statutory trust, executed March 20, 2009, filed for record November 2, 2010, and recorded in Deed Book 11910, Page 181, in the Office of the Clerk of Superior Court, Henry County, Georgia;
  - c) Notice of Acquisition under ECR made by Tony D. Townley on behalf of Zaxby's Holdings, L.L.C., executed November 9, 2010, filed for record December 21, 2010, and recorded in Deed Book 11961, Page 323, in the Office of the Clerk of Superior Court, Henry County, Georgia;
  - d) Notice of Acquisition under ECR made by Tony D. Townley on behalf of M&T Development, LLC, executed July 26, 2011, filed for record July 29, 2011, and recorded in Deed Book 12182, Page 136, in the Office of the Clerk of Superior Court, Henry County, Georgia;

- e) Second Amendment to Easements with Covenants and Restrictions Affecting Land by and among Karen Roberts, as successor to Eric S. Zorn, as Trustee of Wal-Mart Real Estate Business Trust, a Delaware statutory trust, Shi Investments One, LLC, a Georgia limited liability company, Locust Grove Medical Complex, LLC, a Georgia limited liability company, STLC, L.L.C., a Georgia limited liability company, M&T Development, LLC, a Georgia limited liability company, and Murphy Oil USA, Inc., a Delaware corporation, dated May 14, 2012, filed for record May 17, 2012, and recorded in Deed Book 12531, Page 55, in the Office of the Clerk of Superior Court, Henry County, Georgia;
- f) Notice of Acquisition under ECR made by Douglas K. Freeman on behalf of Ahad Properties, LLC, executed March 28, 2013, filed for record April 25, 2013, and recorded in Deed Book 13056, Page 333, in the Office of the Clerk of Superior Court, Henry County, Georgia;
- g) Notice of Transfer made by Locust Grove (Locust Grove) SRX, LLC, a Delaware limited liability company, executed July 24, 2013, filed for record August 6, 2013, and recorded in Deed Book 13222, Page 5, in the Office of the Clerk of Superior Court, Henry County, Georgia;
- h) Notice of Acquisition under ECR made by IPILG LLC, a Georgia limited liability company, dated October 30, 2020, filed for record November 12, 2020, and recorded in Deed Book 17613, Page 289, in the Office of the Clerk of Superior Court, Henry County, Georgia;
- i) Notice of Acquisition made by Locust Grove EOC, LLC, a Georgia limited liability company, effective February 3, 2021, filed for record February 3, 2021, and recorded in Deed Book 17827, Page 334, in the Office of the Clerk of Superior Court, Henry County, Georgia;
- j) Notice of Acquisition Under ECR made by Carol H. Valdivieso (46% interest), dated March 24, 2022, filed for record March 25, 2022, and recorded in Deed Book 18989, Page 13, in the Office of the Clerk of Superior Court, Henry County, Georgia;
- k) Notice of Acquisition Under ECR made by Myra P. Cole (54% interest), dated March 24, 2022, filed for record March 25, 2022, and recorded in Deed Book 18989, Page 15, in the Office of the Clerk of Superior Court, Henry County, Georgia;
- l) Notice of Acquisition Under ECR made by MK 2 Hospitality, LLC, a Georgia limited liability company, dated May 16, 2022, filed for record May 17, 2022, and recorded in Deed Book 19115, Page 109, in the Office of the Clerk of Superior Court, Henry County, Georgia;
- m) Notice of Acquisition under ECR made by IPILG2 LLC, a Georgia limited liability company, dated July X, 2022, filed for record August 3, 2022, and recorded in Deed Book 19200, Page 1106, in the Office of the Clerk of Superior Court, Henry County, Georgia; and
- n) Notice of Acquisition under ECR made by IPILG3 LLC, a Georgia limited liability company, dated August 4, 2023, filed for record August 24, 2023, and recorded in Deed Book 19283, Page 2441, in the Office of the Clerk of Superior Court, Henry County, Georgia.

7. Memorandum of Joint Development and Cost Sharing Agreement by and among Shi Investments One, LLC, a Georgia limited liability company, STLC, L.L.C., a Georgia limited liability company, Locust Grove Medical Complex, LLC, a Georgia limited liability company, Zaxby's Holdings, LLC, a Georgia limited liability company, and Eric S. Zorn, as Trustee of Wal-Mart Real Estate Business Trust, a Delaware statutory trust, dated as of March 24, 2009, filed for record March 30, 2009, and recorded in Deed Book 11257, Page 124, in the Office of the Clerk of Superior Court, Henry County, Georgia; as affected by Acknowledgement made by Wal-Mart Real Estate Business Trust, a Delaware statutory trust, executed May 9, 2012, filed for record May 17, 2012, and recorded in Deed Book 12531, Page 47, in the Office of the Clerk of Superior Court, Henry County, Georgia.
8. All matters shown on the following plats:
  - a) Survey prepared by Joe Rowan, Jr., Georgia Registered Land Surveyor No. 2404, dated August 6, 1992, filed for record November 24, 1992, and recorded in Plat Book 21, Page 90, in the Office of the Clerk of Superior Court, Henry County, Georgia.
  - b) Initial Subdivision Plat of Market Place at Locust Grove prepared by Wolverton & Associates, Job No. 03-145, dated October 26, 2010, filed for record October 28, 2010, and recorded in Plat Book 51, Page 48, in the Office of the Clerk of Superior Court, Henry County, Georgia.
  - c) Final Subdivision Plat of Market Place at Locust Grove prepared by Wolverton & Associates, Job No. 03-145, dated January 20, 2012, filed for record January 30, 2012, and recorded in Plat Book 51, Page 247, in the Office of the Clerk of Superior Court, Henry County, Georgia.
  - d) Lot Division Survey prepared by Andy Williams Surveying, Inc., dated November 1, 2016, revised December 6, 2016, filed for record December 29, 2016, and recorded in Plat Book 55, Page 276, in the Office of the Clerk of Superior Court, Henry County, Georgia; as re-filed for record February 15, 2023, and re-recorded in Plat Book 63, Page 21, in the Office of the Clerk of Superior Court, Henry County, Georgia.



**PROJECT DATA**  
 PROJECT NAME: 4899 BILL GARDNER PARKWAY  
 SITE DATA: 2.24 AC.  
 ZONING: R-10  
 DATE: 11/10/2024  
 DRAWN BY: J. B. [unreadable]  
 CHECKED BY: [unreadable]  
 SCALE: 1" = 40'  
 SHEET NO. 1 OF 1



LINE	BEARING	DISTANCE
L1	N82°28'32"E	286.72
L2	S00°29'07"W	263.97
L3	S00°07'59"W	50.63
L4	S09°03'25"E	112.79
L5	S55°13'10"E	44.25
L6	N58°17'23"W	426.28
L7	S59°17'17"W	126.04
L10	N59°29'27"W	202.69

LINE	ASC.	RADIUS	CUR. BEG.	CUR. END
C1	79.67	400.00	304.43	79.71

**OWNER:** FORESITE Group  
 41700 34th Ave  
 Suite 100  
 Redwood City, CA 94061  
 Phone: (650) 967-1100  
 Fax: (650) 967-1101  
 Website: www.foresitegroup.com

**DEVELOPER:** LANDSAL ENTER PROPOSURE  
 201 NORTH COLUMBIA AVENUE SUITE C  
 RICHMOND, CA 94801  
 CONTACT: JACQUELYNE WHELAN

**PROJECT:** 4899 BILL GARDNER PARKWAY, LOCUST GROVE, GA 30248

**SCALE:** 1" = 40'

**DATE:** 11/10/2024

**TITLE:** VARIANCE PLAN

**PROJECT MANAGER:** VP-1

**COMMENTS:** 555.012



NO. 83000000 IN THE CITY OF ATLANTA, GEORGIA

### SUBJECT PROPERTY

OWNER: LOCUST GROVE MEDICAL COMPLEX, LLC  
SITE ADDRESS: 4070 BELL WAY, ATLANTA, GEORGIA 30341  
APN: 2002 20831 1  
2002 20831 1 (GENERAL OVERSEEN)  
REPRESENTS: BILL BROWN, CIVIL ENGINEER  
1441 BROWN ST, SUITE 200  
MARIETTA, GA 30067  
LAWYER: SCOTT B. HARRIS, ESQ. BY POWER OF ATTORNEY  
APN: 1001 REMONDO BUILDING 20-207

### GPS NOTES

THE FOLLOWING GPS CONTROL POINTS WERE USED IN THE SURVEY:  
POINT TO POINT CONTROL POINT NO. 1001  
POINT TO POINT CONTROL POINT NO. 1002  
POINT TO POINT CONTROL POINT NO. 1003  
POINT TO POINT CONTROL POINT NO. 1004  
POINT TO POINT CONTROL POINT NO. 1005  
POINT TO POINT CONTROL POINT NO. 1006  
POINT TO POINT CONTROL POINT NO. 1007  
POINT TO POINT CONTROL POINT NO. 1008  
POINT TO POINT CONTROL POINT NO. 1009  
POINT TO POINT CONTROL POINT NO. 1010  
POINT TO POINT CONTROL POINT NO. 1011  
POINT TO POINT CONTROL POINT NO. 1012  
POINT TO POINT CONTROL POINT NO. 1013  
POINT TO POINT CONTROL POINT NO. 1014  
POINT TO POINT CONTROL POINT NO. 1015  
POINT TO POINT CONTROL POINT NO. 1016  
POINT TO POINT CONTROL POINT NO. 1017  
POINT TO POINT CONTROL POINT NO. 1018  
POINT TO POINT CONTROL POINT NO. 1019  
POINT TO POINT CONTROL POINT NO. 1020

### LEGAL DESCRIPTION

ALL THE THAT TRACT OR PARCELS OF LAND LING AND BEING IN THE CITY OF ATLANTA, GEORGIA, DESCRIBED AS FOLLOWS:  
ALL THAT TRACT OR PARCELS OF LAND LING AND BEING IN THE CITY OF ATLANTA, GEORGIA, DESCRIBED AS FOLLOWS:  
LOCUST GROVE MEDICAL COMPLEX, LLC  
TRACT C 2011  
2.022 ACRES (88,096 SQ FT)  
APN: 2002 20831 1

### C-2 BUILDING SETBACK REQUIREMENTS

- (1) MINIMUM LOT AREA: 10000 SQUARE FEET
- (2) MINIMUM LOT WIDTH: 100 FEET
- (3) MINIMUM FRONT YARD SETBACK: 20 FEET FROM FRONT OR REAR
- (4) MINIMUM SIDE YARD SETBACK: 5 FEET OR 4 FEET IF A COURTYARD IS PROVIDED
- (5) MINIMUM REAR YARD SETBACK: 20 FEET OR 10 FEET IF A COURTYARD IS PROVIDED
- (6) MAXIMUM HEIGHT: 35 FEET OR 3 STORIES, WHICHEVER IS GREATER
- (7) SIDEWALKS OR MULTIPLE TRAILS: PROVIDED ON ALL STREET FRONTS INCLUDING INTERNAL STREET FRONTAGE
- (8) UTILITIES: ALL UTILITIES TO BE LOCATED AND DEEPENED AS NECESSARY

### SURVEYOR'S CERTIFICATE

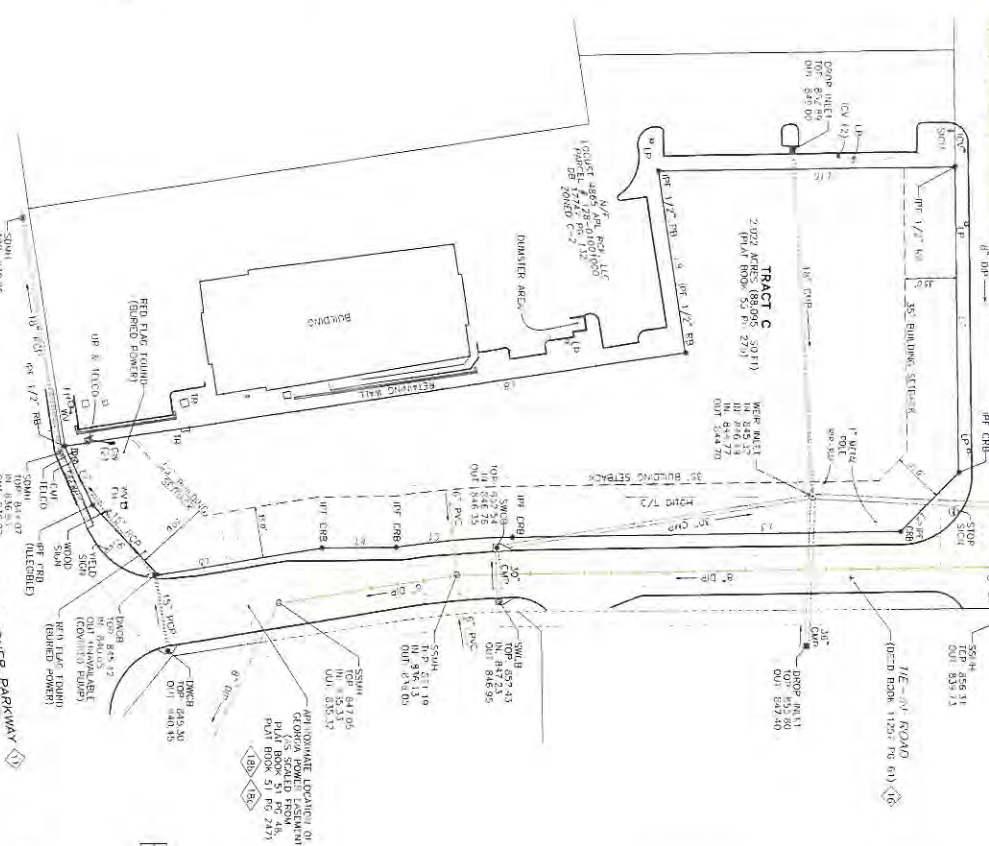
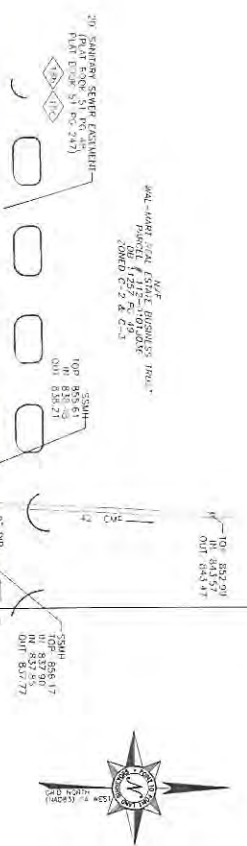
I, SCOTT B. HARRIS, CIVIL ENGINEER, LICENSE NO. 11592, DO HEREBY CERTIFY THAT THIS SURVEY WAS MADE BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A LICENSED PROFESSIONAL ENGINEER IN THE STATE OF GEORGIA. I HAVE REVIEWED THE PLANS AND SPECIFICATIONS AND AM Satisfied THAT THEY ACCURATELY REPRESENT THE FIELD CONDITIONS AND THAT THE SURVEY WAS MADE IN ACCORDANCE WITH THE PROFESSIONAL ENGINEERING ACT AND REGULATIONS OF THE BOARD OF PROFESSIONAL ENGINEERS AND SURVEYORS OF THE STATE OF GEORGIA.



DATE SURVEY MADE: 07/28/23  
DATE THESE PLANS SUBMITTED: 07/28/23  
PROJECT NO. 23000624

### LEGEND

- 1" = 20' HORIZONTAL SCALE
- 1" = 40' VERTICAL SCALE
- 1" = 20' HORIZONTAL SCALE
- 1" = 40' VERTICAL SCALE
- 1" = 20' HORIZONTAL SCALE
- 1" = 40' VERTICAL SCALE
- 1" = 20' HORIZONTAL SCALE
- 1" = 40' VERTICAL SCALE
- 1" = 20' HORIZONTAL SCALE
- 1" = 40' VERTICAL SCALE



### GENERAL NOTES

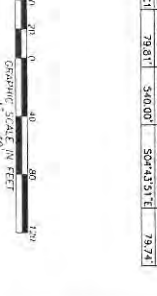
1. THE SURVEY WAS MADE IN ACCORDANCE WITH THE PROFESSIONAL ENGINEERING ACT AND REGULATIONS OF THE BOARD OF PROFESSIONAL ENGINEERS AND SURVEYORS OF THE STATE OF GEORGIA.  
2. THE SURVEY WAS MADE IN ACCORDANCE WITH THE PROFESSIONAL ENGINEERING ACT AND REGULATIONS OF THE BOARD OF PROFESSIONAL ENGINEERS AND SURVEYORS OF THE STATE OF GEORGIA.  
3. THE SURVEY WAS MADE IN ACCORDANCE WITH THE PROFESSIONAL ENGINEERING ACT AND REGULATIONS OF THE BOARD OF PROFESSIONAL ENGINEERS AND SURVEYORS OF THE STATE OF GEORGIA.  
4. THE SURVEY WAS MADE IN ACCORDANCE WITH THE PROFESSIONAL ENGINEERING ACT AND REGULATIONS OF THE BOARD OF PROFESSIONAL ENGINEERS AND SURVEYORS OF THE STATE OF GEORGIA.  
5. THE SURVEY WAS MADE IN ACCORDANCE WITH THE PROFESSIONAL ENGINEERING ACT AND REGULATIONS OF THE BOARD OF PROFESSIONAL ENGINEERS AND SURVEYORS OF THE STATE OF GEORGIA.  
6. THE SURVEY WAS MADE IN ACCORDANCE WITH THE PROFESSIONAL ENGINEERING ACT AND REGULATIONS OF THE BOARD OF PROFESSIONAL ENGINEERS AND SURVEYORS OF THE STATE OF GEORGIA.  
7. THE SURVEY WAS MADE IN ACCORDANCE WITH THE PROFESSIONAL ENGINEERING ACT AND REGULATIONS OF THE BOARD OF PROFESSIONAL ENGINEERS AND SURVEYORS OF THE STATE OF GEORGIA.  
8. THE SURVEY WAS MADE IN ACCORDANCE WITH THE PROFESSIONAL ENGINEERING ACT AND REGULATIONS OF THE BOARD OF PROFESSIONAL ENGINEERS AND SURVEYORS OF THE STATE OF GEORGIA.  
9. THE SURVEY WAS MADE IN ACCORDANCE WITH THE PROFESSIONAL ENGINEERING ACT AND REGULATIONS OF THE BOARD OF PROFESSIONAL ENGINEERS AND SURVEYORS OF THE STATE OF GEORGIA.  
10. THE SURVEY WAS MADE IN ACCORDANCE WITH THE PROFESSIONAL ENGINEERING ACT AND REGULATIONS OF THE BOARD OF PROFESSIONAL ENGINEERS AND SURVEYORS OF THE STATE OF GEORGIA.

### LINE TABLE

LINE	BEARING	DISTANCE
L1	N89°20'37"E	209.72
L2	S43°28'15"E	285.51
L3	S20°01'52"W	469.81
L4	S09°02'27"E	112.78
L5	S47°43'10"W	65.31
L6	S65°14'59"W	415.55
L7	N68°16'37"W	428.78
L8	N68°16'37"W	428.78
L9	N68°16'37"W	428.78
L10	N68°16'37"W	202.69

### CURVE TABLE

LINE	ARC	RADIUS	CHORD	CHORD BEARING	CHORD DISTANCE
C1	78.61	540.00	504.43	78.74	78.74



SHEET NUMBER: 1 OF 2 SHEETS



ALTA/NSPS SURVEY PREPARED BY:  
**POINT TO POINT LAND SURVEYORS**  
100 Governors Trce, Ste 103 Peachtree City, GA 30269  
(P) 678.565.4440 (F) 678.565.4497  
www.pointtopointsurvey.com

AN ALTA/NSPS SURVEY PREPARED FOR:  
**LOCUST GROVE MEDICAL COMPLEX, LLC, IPILGA LLC, & FIRST AMERICAN TITLE INSURANCE COMPANY**

DATE	RELEASE DESCRIPTION
07/28/23	ORIGINAL RELEASE
	COMMENTS-ZDDING



**EXHIBIT C**



# Henry Herald

38 Sloan Street  
McDonough, Georgia 30253

Phone (770) 951-9161  
Fax (770) 339-5869

## PUBLISHER'S AFFIDAVIT

STATE OF GEORGIA  
COUNTY OF HENRY

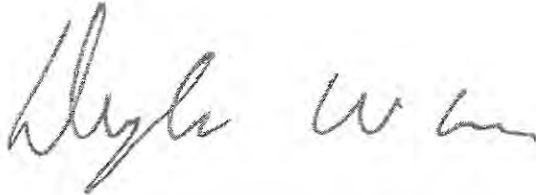
Personally appeared before the undersigned, a notary public within and for said county and state, Douglas W. Crow, Vice President of Operations, Times Journal Inc., which published the Henry Herald, Published at McDonough, County of Henry, State of Georgia, and being the official organ for the publication of legal advertisements for said county, who being duly sworn, states on oath that the report of

Ad No.: **394857**

Name and File No.: **PUBLIC HEARING 3/18/2024**

a true copy of which is hereto attached, was published in said newspaper on the following date(s):

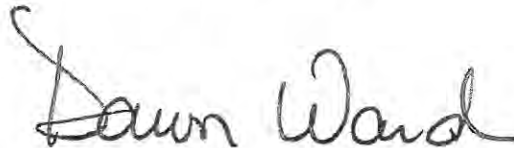
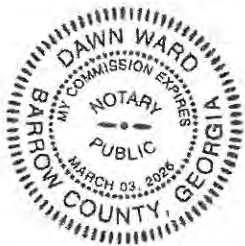
**02/28/2024**



---

Douglas W. Crow, Vice President of Operations, Times Journal Inc.

Sworn and subscribed to before me 28th day of February, 2024



---

Notary Public  
My commission expires 03/03/2026

Ad text :  
Hdh3699  
gpn16

Public Hearing Notice  
City of Locust Grove  
March 18, 2024, 6:00 PM  
Locust Grove Public Safety Building  
3640 Highway 42 South  
Locust Grove, GA 30248

Notice is hereby given as required by Chapter 66 of Title 36 of the Official Code of Georgia Annotated (?Zoning Procedures Law?) and Section 17.04 of the Code of Ordinances, City of Locust Grove, Georgia, that the Locust Grove City Council, on Monday, March 18, 2024, at 6:00 PM, will conduct public hearings for the purpose of the following:

#### VARIANCE

VR-24-01-01 Jacob Lang of Rincon, GA requests a variance to reduce the side yard setback from 35 feet to 20 feet on property located at 4939 Bill Gardner Parkway and Barker Drive (Private Easement) for a proposed commercial development.

The public hearing will be held in the Locust Grove Public Safety Building, located at 3640 Highway 42 South.

Daunt? Gibbs  
Community Development Director - City of Locust Grove  
2:28, 2024

**AFFIDAVIT OF SIGN POSTING**

Personally appeared, before the undersigned officer duly authorized to administer oaths, Brian Fornal, who, after being duly sworn, testifies as follows:

1.

My name is Brian Fornal. I am over twenty-one years of age and competent to give this, my affidavit, based upon my personal knowledge.

2.

Jacob Lang of Rincon, GA requests a variance to reduce the side yard setback from 35' to 20' located at 4939 Bill Gardner Parkway at Barker Drive (Private Easement).

3.

On the 27<sup>th</sup> day of February 2024, I, Brian Fornal, posted two double-sided sign notifications on the property advertising a public hearing on the above requests to be heard by the Locust Grove City Council on the 18<sup>th</sup> day of March 2024 at 6:00 p.m. at the Locust Grove Public Safety Building, 3640 Highway 42, Locust Grove, Georgia 30248. Photographs of same are attached hereto as Exhibit "A" and incorporated herein by reference. The public hearing signs were posted at the following locations:

1. Signs were posted at 9:20 on 2/27/24. It is posted along Bill Gardner Pkwy. Signs are facing East and Westbound traffic.
2. Signs were posted on Barker Drive at 9:15 on 2/27/24. Signs face the North and Southbound lanes of traffic.

FURTHER AFFIANT SAYETH NOT.

This is the 27<sup>th</sup> day of February 2024.

3 / [Signature] [Initials]  
Affiant

Sworn and subscribed before me  
this 27<sup>th</sup> day of February

[Signature]  
Notary Public



Exhibit "A"





Info

IMG\_1499

February 27 2024

9 19 AM

Add a description

Size Info

3264 x 2448 2.7 MB 72 dpi 24 bit

Device Info

Apple iPad (8th generation) 3.3 mm 1/24  
1/220 sec ISO 25 EXP 0 No flash function

Source

This PC

File Path

C:\Users\james\Desktop\james\IMG\_1499.jpg





Info

- IMG\_1500
- February 27 2024
- 9 19 AM
- Add a description
- Size Info  
3264 x 2448 3.4 MB 72 dpi 24 bit
- Device Info  
Apple iPad (8th generation) 3.3 mm f/2.4  
1/200 sec ISO 25 Exp 0 No flash function
- Source  
This PC
- File Path  
C:\Users\pawel\Downloads\IMG\_1500.jpg





Info

IMG\_1497

February 27 2024

9 15 AM

Add a description

Size Info

3264 x 2448 3.1 MB 72 dpi 24 bit

Device Info

Apple iPad (8th generation) 3.3 mm f/2.4

1/200 sec ISO 25 EXP 0 No flash function

Source

This PC

File Path

C:\Users\james\OneDrive\Photos\1497.jpg





Info

IMG\_1498

February 27 2024

9 15 AM

Add a description

Size Info

3,564 x 2,448 3.3 MB 72 dpi 24 bit

Device Info

Apple iPad (6th generation) 3.3 mm f/2.4  
 1/200 sec ISO 25 Exp 0 No flash function

Source

This PC

File Path

C:\Users\jpp\Downloads\IMG\_1498.jpg

**EXHIBIT D**





## Community Development Department

P. O. Box 900  
Locust Grove, Georgia 30248

Phone: (770) 957-5043  
Facsimile (770) 954-1223

## Item Coversheet

---

**Item:** Request to rezone property located at 3366 Highway 42 S. (Parcel: 128-01024000) in Land Lot 200 of the 2nd District from RA (Residential Agricultural) to OI (Office Institutional) for use as a medical office building.

**Action Item:**  Yes  No

**Public Hearing Item:**  Yes  No

**Executive Session Item:**  Yes  No

**Advertised Date:** March 02, 2024

**Budget Item:** N/A

**Date Received:** February 02, 2024

**Workshop Date:** March 18, 2024

**Regular Meeting Date:** April 01, 2024

### **Discussion:**

---

Michael Elliott of McDonough, GA requests a rezoning from R-A (Residential Agricultural) to OI (Office Institutional) for 1.61 +/- acres located at 3366 Highway 42 S Locust Grove, GA (Parcel 128-01024000) in Land Lot 200 of the 2<sup>nd</sup> District for the use as a medical office building.

### **Recommendation:**

---

Staff recommends **APPROVAL** of the applicant's request with the following conditions:

1. The owner/developer shall provide reasonable undisturbed buffering and or planted buffering between the subject property and abutting residential properties.

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE TO APPROVE A REZONING FROM RA (RESIDENTIAL AGRICULTURAL) TO OI (OFFICE INSTITUTIONAL) FOR 1.61+/- ACRES LOCATED AT 3366 HIGHWAY 42 S. (PARCEL: 128-01024000) IN LAND LOT 200 OF THE 2<sup>ND</sup> DISTRICT WITHIN THE CITY OF LOCUST GROVE, GEORGIA; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES**

**WHEREAS**, the City of Locust Grove (“City”) is a municipal corporation, duly organized and existing under the laws of the State of Georgia; and,

**WHEREAS**, Michael Elliott of McDonough, GA requests a rezoning from R-A (Residential Agricultural) to OI (Office Institutional) for 1.61 +/- acres located at 3366 Highway 42 S Locust Grove, GA (Parcel 128-01024000) in Land Lot 200 of the 2nd District for the use as a medical office building. (the “Property), attached hereto as **Exhibit A**; and,

**WHEREAS**, the Applicant filed a request for a Rezoning on February 5, 2024 as shown in the application attached hereto and incorporated herein by reference as **Exhibit B**; and,

**WHEREAS**, the Applicant’s request has been reviewed by the Mayor and City Council at a Public Hearing held on March 18, 2024, as well as by the City Community Development Director; and,

**WHEREAS**, the Applicant requests a Rezoning for the purpose of developing a medical office building; and,

**WHEREAS**, notice of this matter (as attached hereto and incorporated herein as **Exhibit C**) has been provided in accordance with applicable state law and local ordinances; and,

**WHEREAS**, the Mayor and City Council have reviewed and considered the Applicant’s request and both the recommendations of the public hearing and City staff as presented in the Staff Report.

**THEREFORE, THE COUNCIL OF THE CITY OF LOCUST GROVE HEREBY ORDAINS:**

1.

(X) That the request for rezoning from R-A to OI is hereby **APPROVED**.

( ) That the request for rezoning is hereby **DENIED**.

2.

That the use of the Property is subject to:

(X) The condition(s) set forth on **Exhibit D** attached hereto and incorporated herein by reference.

( ) The terms of the Development Agreement attached hereto as **Exhibit D** and incorporated herein by reference.

( ) If no **Exhibit D** is attached hereto, then the property is zoned without conditions.

If granted, this Ordinance shall become effective immediately subject to the corresponding annexation ordinance under consideration.

**SO ORDAINED** by the Council of this City this 1<sup>st</sup> of April 2024.

\_\_\_\_\_  
VINCENT WILLIAMS, Mayor Pro Tem

ATTEST:

\_\_\_\_\_  
MISTY SPURLING, City Clerk

(Seal) APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney



**EXHIBIT A**



**REZONING  
EVALUATION REPORT**  
FILE: RZ-24-02-01

**March 18, 2024**

**REZONING RA TO OI**

**Property Information**

Tax ID	128-01024000
Location/address	Land Lot 200 of the 2 <sup>nd</sup> District 3366 Highway. 42 S.
Parcel Size	1.6 +/- acres
Current Zoning	RA (Residential Agricultural)
Request	Rezoning to OI (Office Institutional)
Proposed Use	Medical Office Building
Existing Land Use	Single-family home
Future Land Use	Office
Recommendation	Approval with Conditions

**Summary**

Michael Elliott of McDonough, GA requests a rezoning from R-A (Residential Agricultural) to OI (Office Institutional) for 1.61 +/- acres located at 3366 Highway 42 S Locust Grove, GA (Parcel 128-01024000) in Land Lot 200 of the 2<sup>nd</sup> District for the use as a medical office building. The property abuts RA (Residential Agricultural) properties along Highway 42.

**Current Zoning**

The subject property is currently zoned RA (Residential Agricultural).



*Preserving the Past... ..Planning the Future*



## REZONING

March 18, 2024

## EVALUATION REPORT

FILE: RZ-24-02-01

REZONING RA TO OI

---

### Future Land Use

The subject property is contained within an area identified on the Future Land Use Map (FLUM) as Office. This FLUM designation includes small single-occupant office structures as well as large office parks with a variety of tenants in multi-story buildings. This classification includes property that accommodates business concerns that do not provide a product directly to customers on the premises, or do not, as primary activity, involve the manufacture, storage, or distribution of products. This classification also includes buildings and facilities used by private non-profit institutions such as places of worship, public and private schools, universities and technical colleges, and charitable organizations. Typical zoning districts under current ordinance would be OI (Office and Institutional, and/or Conditional Uses as appropriate for churches, schools, and other facilities.

### Livable Centers Initiative (LCI) Overlay

The subject property is not located in the 2016 City of Locust Grove Livable Centers Initiative (LCI) Study Area.

### Development of Regional Impact (DRI)

The subject property does not trigger the Georgia Department of Community Affairs (DCA) threshold for a Development of Regional Impact (DRI). For Office Developments in Rural and Developing Rural areas, the threshold is 400,000 square feet of new development.

### Service Delivery / Infrastructure

---

**Water and Sewer:** The subject property is located within the City's current water service delivery area and has access to adequate water supply. City sanitary sewer service is available within the immediate vicinity.

**Land Use:** If the requested rezoning to OI (Office Institutional) is approved, the site must be following the requirements set forth in the City's OI zoning ordinance as well as development standards established in Title 15 of the City Code, including Watershed Protection standards, as applicable to the site.





**REZONING  
EVALUATION REPORT  
FILE: RZ-24-02-01**

**March 18, 2024**

**REZONING RA TO OI**

**Police Services:** The subject property is in the existing city limits and will remain on a regular patrol route.

**Fire:** Fire and emergency services will be performed by Henry County as is similar with other portions of the city as defined by the Service Delivery Strategy.

**Transportation Impacts:** The proposed development is unlikely to cause any significant traffic increase on nearby streets. According to the *Institute of Transportation Engineers Trip Generation Manual, 7<sup>th</sup> Edition, Volume 3 of 3, Page 1173*, a single tenant office building generally contains offices, meeting rooms and space for file storage and data processing for a single business or company should generate fewer than 100 trips per average weekday typically.

## Criteria for Evaluation of Rezoning Request

### **Section 17.04.315 Procedure for Hearing before City Council.**

- (a) All proposed amendments to this chapter or to the official zoning map with required site plans shall be considered at public hearing. The City Council shall consider the following:
- (1) The possible effects of the change in the regulations or map on the character of a zoning district, a particular piece of property, neighborhood, a particular area, or the community. The proposed use maintains the character of the property and is consistent with other nearby adaptive uses.
  - (2) The relation that the proposed amendment bears to the purpose of the overall zoning scheme with due consideration given to whether or not the proposed change will help carry out the purposes of this Chapter. The proposed amendment is consistent with the City's Future Land Use Map and Comprehensive Plan. The current request retains the residential character of the area while allowing the property to transition to non-residential use as identified on the Future Land Use Map.
  - (3) Consistency with the Land Use Plan. The Applicant's rezoning request is consistent with the current FLUM designation of Office.

*Preserving the Past... .. Planning the Future*



# REZONING

# EVALUATION REPORT

FILE: RZ-24-02-01

March 18, 2024

## REZONING RA TO OI

- (4) **The potential impact of the proposed amendment on City infrastructure including water and sewerage systems.** Staff anticipates little impact on existing infrastructure. Any upgrade, extension, and/or tap into the existing City sanitary sewer will be at the property owner's expense.
- (5) **The impact of the proposed amendment on adjacent thoroughfares and pedestrian vehicular circulation and traffic volumes.** The proposed development will likely generate a small increase of fewer than 100 trips per workday in existing vehicular circulation on Highway 42.
- (6) **The impact upon adjacent property owners should the request be approved.** Immediate neighboring properties consist of R-A (Residential Agricultural) zoned vacant properties and single-family homes. Potential impacts to neighboring properties can be mitigated via buffering.
- (7) **The ability of the subject land to be developed as it is presently zoned.** The subject property can be used/developed as it is presently zoned, which is RA (Residential Agricultural).
- (8) **The physical conditions of the site relative to its capability to be developed as requested, including topography, drainage, access, and size and shape of the property.** There are no known physical conditions or limitations that could preclude the use of the site.
- (9) **The merits of the requested change in zoning relative to any other guidelines and policies for development which the Community Development Commission and City Council may use in furthering the objectives of the Land Use Plan.** The merits of the requested change are consistent with the City's overall vision for economic development, and land use within the Office FLUM designation.

## Recommendations

---

Staff recommends APPROVAL of the applicant's request with the following condition:

*Preserving the Past... .. Planning the Future*



# REZONING EVALUATION REPORT

March 18, 2024

FILE: RZ-24-02-01

REZONING RA TO OI

- 
1. The owner/developer shall provide reasonable undisturbed buffering and or planted buffering between the subject property and abutting residential properties.





**EXHIBIT B**

## Request for Zoning Map Amendment

Name of Applicant: TOMCO CONSTRUCTION SERVICES, LLC Phone: 770-683-2333 Date: 02-01-2024  
 Address Applicant: 20 OAK HILL BOULEVARD, SUITE 200 Cell # \_\_\_\_\_  
 City: NEWNAN State: GA Zip: 30265 E-mail: tom@tomcoconstruction.com  
 Name of Agent: MICHAEL H. ELLIOTT, JR., PE Phone: 770-707-0777 Date: 02-01-2024  
 Address Agent: 1469 HIGHWAY 20 WEST Cell # 770-527-9335  
 City: MCDONOUGH State: GA Zip: 30253 E-mail: melliott@metro-engineering.com

THE APPLICANT NAMED ABOVE AFFIRMS THAT THEY ARE THE OWNER OR AGENT OF THE OWNER OF THE PROPERTY DESCRIBED BELOW AND REQUESTS: [PLEASE CHECK THE TYPE OF REQUEST OR APPEAL AND FILL IN ALL APPLICABLE INFORMATION LEGIBLY AND COMPLETELY].

Concept Plan Review  Conditional Use  Conditional Exception  Modifications to Zoning Conditions

Variance  Rezoning  DRI Review/Concurrent  Amendment to the Future Land Use Plan

Request from R-A (RESIDENTIAL AGRICULTURAL) to O-I (OFFICE INSTITUTIONAL)  
(Current Zoning) (Requested Zoning)

Request from PROFESSIONAL/INSTITUTIONAL to PROFESSIONAL/INSTITUTIONAL  
(Current Land Use Designation) (Requested Land Use Designation)

For the Purpose of MEDICAL OFFICE BUILDING  
(Type of Development)

Address of Property: 3366 HIGHWAY 42 S, LOCUST GROVE, GA 30248

Nearest intersection to the property: 325 SOUTH OF THE INTERSECTION OF SR 42 & MARKET PLACE BOULEVARD

Size of Tract: 1.6 AC acre(s), Land Lot Number(s): 200 District(s): 2nd

Gross Density: N/A units per acre Net Density: N/A units per acre

Property Tax Parcel Number: 126-01024000 (Required)

[Signature]  
 Witness Signature

Stacy C. Lunsford  
 Printed Name of Witness

[Signature]  
 Signature of Owner/s

CLARENCE R & CAROL MCQUEEN  
 Printed Name of Owner/s

[Signature] Michael H. Elliott, Jr.  
 Signature of Agent



(For Office Use Only)

Application Fee: Cash Check # 1951 Received by: R. Fauth FEE'S ARE NON-REFUNDABLE!

Application checked by: P. Paul Date: 2/25/24 Map Number(s): \_\_\_\_\_

Use application meeting: \_\_\_\_\_ Date: \_\_\_\_\_

Public Hearing Date: \_\_\_\_\_

Council Decision: \_\_\_\_\_ Ordinance: \_\_\_\_\_

Date Mapped in GIS: \_\_\_\_\_ Date: \_\_\_\_\_



## Applicant Campaign Disclosure Form

Has the applicant<sup>1</sup> made, within two (2) years immediately preceding the filing of this application for rezoning, campaign contributions aggregating \$250 or more or made gifts having in the aggregate a value of \$250 or more to a member of the Locust Grove City Council and/or Mayor who will consider the application?

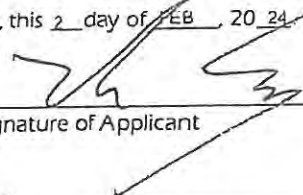
Yes \_\_\_ No x

If Yes, the applicant and the attorney representing the applicant must file a disclosure report with the Locust Grove City Clerk within ten (10) days after this application is first filed. Please supply the following information that will be considered as the required disclosure:

Council/Planning Commission Member Name	Dollar amount of Campaign Contribution	Description of Gift \$250 or greater given to Council/Planning Commission Member

We certify that the foregoing information is true and correct, this 2 day of FEB, 2024.

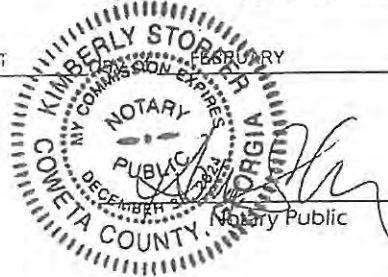
TOMCO CONSTRUCTION SERVICES, LLC  
Applicant's Name - Printed

  
\_\_\_\_\_  
Signature of Applicant

N/A  
Applicant's Attorney, if applicable - Printed

N/A  
\_\_\_\_\_  
Signature of Applicant's Attorney, if applicable

Sworn to and subscribed before me this 1ST day of FEBRUARY, 2024.



<sup>1</sup> Applicant means any individual or business entity (corporation, partnership, limited partnership, firm, enterprise, franchise, association, or trust) applying for rezoning or other action.

## City Water and Sewer Service Capacity Form:

Please fill out the necessary items above for determination of available capacity for water and sewer service.

Applicant: TOMCO CONSTRUCTION SERVICES, LLC

Address/Location of Request: 3366 HIGHWAY 42 S; LOCUST GROVE, GA 30248

Type of Project:                      Commercial                      Residential                      Mixed Use

For residential or mixed-use residential, number of lots or units: 0

For commercial, amount of square feet: 25,000 SF BUILDING

Estimated water usage: 2,000 gpd (GALLONS)

Estimated sewer usage: 4,000 gpd (GALLONS)

### STAFF ANALYSIS

Is this project within current water and sewer delivery area: YES

Does the project have access to adequate water supply: YES

Does city have adequate sewer treatment capacity for this project: YES

Are any improvements required as a result of this project: NO

If so, what types of improvements are necessary?



**METRO ENGINEERING &  
SURVEYING CO., INC.**

**SURVEYORS- ENGINEERS-PHOTOGRAMMETRISTS  
PROVIDING PROFESSIONAL SERVICE SINCE 1967  
1469 HIGHWAY 20 WEST – MCDONOUGH, GA 30253  
Phone: 770-707-0777 – Fax: 770-707-0755**

February 5, 2024

City of Locust Grove  
**ATTN: Mr. Daunte Gibbs; Director of Community Development**  
3644 Highway 42 S  
Locust Grove, Georgia 30248

**RE: Letter of Intent – 3366 Highway 42 South; 1.62 Acres  
Henry County Parcel: 128-01024000**

Dear Mr. Gibbs:

As the authorized agent for Tomco Construction Services, LLC of Newnan, Georgia; please note that our client intends to seek a rezoning from R-A (Residential Agricultural) to O-I (Office Institutional) for the property referenced above. Our client intends to develop a 25,000-sf medical office building on the subject property. We intend to utilize the proposed curb cut for the Delta Community Credit Union and the existing water tower owned by the City of Locust Grove. We also intend to enter into a long-term parking easement with the City of Locust Grove for the property that is owned by the City in order to meet the end user's parking criteria for the site. The site will be served by the existing 8" water line owned by the City of Locust Grove on the west side of State Route 42 and the existing City's sanitary sewer manhole located on the property to north that is being development by Tomco for the Delta Community Credit Union. For these reasons, you will notice that this rezoning packet does not have any documentation from the Henry County Water Authority or the Henry County Environmental Health Department as those agencies are not needed to develop the property. The facades of the buildings will be in similar design to that of the credit union that was recently approved by the City of Locust Grove's Architectural Review Board.

In summary, we humbly request that you bring this request to the next available meeting of the City of Locust Grove Council for consideration. Please let us know if you require any additional information to process this request and thank you and your staff in advance for your assistance with this matter.

Kindest Regards,

Michael H. Elliott, Jr., PE – President  
(Authorized Agent)





**METRO ENGINEERING &  
SURVEYING CO., INC.**

SURVEYORS-ENGINEERS-PHOTOGRAMMETRISTS  
PROVIDING PROFESSIONAL SERVICE SINCE 1967  
1469 HIGHWAY 20 WEST - MCDONOUGH, GA 30253  
Phone: 770-707-0777 - Fax: 770-707-0755

February 5, 2024

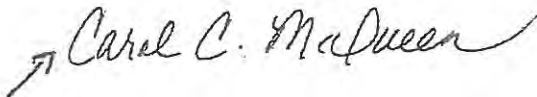
City of Locust Grove  
**ATTN: Mr. Daunte Gibbs; Director of Community Development**  
3644 Highway 42 S  
Locust Grove, Georgia 30248

**RE: Letter of Ownership - 336<sup>6</sup> Highway 42 South; 1.62 Acres**  
**Henry County Parcel: 128-01024000**

Dear Mr. Gibbs:

As the owner of the referenced property in the City of Locust Grove; please note that we are aware of the rezoning request being made to the City by Tomco Construction Services, LLC of Newnan, Georgia to develop a medical office building on the subject property.

Regards,



Ms. Carol C. McQueen

**AS-SURVEYED PROPERTY DESCRIPTION**  
**3366 HWY 42S; LOCUST GROVE, GA 30248**  
**HENRY CO. PARCEL ID: 128-01024000**

ALL OF THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 200, 2ND DISTRICT, CITY OF LOCUST GROVE, HENRY COUNTY, GEORGIA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE POINT FORMED BY THE MITRED CORNER INTERSECTION OF THE SOUTHERLY RIGHT OF WAY OF MARKET PLACE BOULEVARD (HAVING A VARIABLE RIGHT WAY) AND THE SOUTHWESTERLY RIGHT OF WAY OF STATE ROUTE 42 (HAVING AN 80 FOOT RIGHT OF WAY); THENCE ALONG SAID RIGHT OF WAY OF STATE ROUTE 42, S 35°49'44" E FOR A DISTANCE OF 387.16' TO A 1/2" REBAR FOUND AND BEING THE TRUE POINT OF BEGINNING; THENCE CONTINUING ALONG THE SOUTHEASTERLY RIGHT OF WAY OF SAID STATE ROUTE 42 S 35°20'04" E A DISTANCE OF 200.05' TO A 1/2" REBAR FOUND; THENCE LEAVING THE SOUTH EASTERLY RIGHT OF WAY LINE OF STATE ROUTE 42 S 56°49'32" W A DISTANCE OF 350.33' TO A 1/2" REBAR AND PLASTIC CAP PLACED; THENCE N 35°40'13" W FOR A DISTANCE OF 200.11' TO A 1/2" EYEBOLT FOUND; THENCE, N 56°49'32" E A DISTANCE OF 351.51' TO A 1/2" REBAR FOUND AND BEING THE TRUE POINT OF BEGINNING.

THE ABOVE-DESCRIBED PROPERTY CONTAINS 1.611 ACRES (70,155 SQ. FT.) AS DEPICTED ON THAT RETRACEMENT SURVEY PREPARED BY METRO ENGINEERING AND SURVEYING COMPANY, INC. OF MCDONOUGH, GEORGIA, DATED 02-02-2024 (JOB NO. 15648).

**EXHIBIT C**



**Public Hearing Notice  
City of Locust Grove  
March 18, 2024  
6:00 PM  
Locust Grove Public Safety Building  
3640 Highway 42 South  
Locust Grove, GA 30248**

Notice is hereby given as required by Chapter 66 of Title 36 of the Official Code of Georgia Annotated ("Zoning Procedures Law") and Section 17.04 of the Code of Ordinances, City of Locust Grove, Georgia, that the Locust Grove City Council, on Monday, March 18, 2024 at 6:00 PM, will conduct public hearings for the purpose of the following:

**REZONING**

**RZ-24-02-01** Michael Elliott Jr. of McDonough, GA requests a rezoning from R-A (Residential Agricultural) to OI (Office Institutional) for 1.6 +/- acres located at 3366 Highway 42 S. Locust Grove, GA (Parcel 128-01024000) in Land Lot 200 of the 2nd District for use as a medical office building.

The public hearing will be held in the Locust Grove Public Safety Building, located at 3640 Highway 42 South.

Daunté Gibbs  
Community Development Director - City of Locust Grove

PROOF O.K. BY: \_\_\_\_\_  O.K. WITH CORRECTIONS BY: \_\_\_\_\_

PLEASE READ CAREFULLY • SUBMIT CORRECTIONS ONLINE

**GP-396512 (100%)**

ADVERTISER: CITY OF LOCUST GROVE\_DI      PROOF CREATED AT: 2/28/2024 5:17:08 PM  
SALES PERSON: GPL04      NEXT RUN DATE: 03/02/24  
SIZE: 3X4      PROOF DUE: 02/29/24 12:00:00  
PUBLICATION: GP-HENRY HERALD

AFFIDAVIT OF SIGN POSTING

Personally appeared, before the undersigned officer duly authorized to administer oaths, Brian Fornal, who, after being duly sworn, testifies as follows:

1.

My name is Brian Fornal. I am over twenty-one years of age and competent to give this, my affidavit, based upon my personal knowledge.

2.

Michael Elliott of McDonough, GA requests a rezoning from R-A (Residential Agricultural) to OI (Office Institutional) for 1.61 +/- acres located at 3366 Highway 42 S Locust Grove, GA (Parcel 128-01024000) in Land Lot 200 of the 2<sup>nd</sup> District for use for a medical office building.

3.

On the 1<sup>st</sup> day of March 2024, I, Brian Fornal, posted one double-sided sign notifications on the property advertising a public hearing on the above requests to be heard by the Locust Grove City Council on the 18<sup>th</sup> day of March 2024 at 6:00 p.m. at the Locust Grove Public Safety Building, 3640 Highway 42, Locust Grove, Georgia 30248. Photographs of same are attached hereto as Exhibit "A" and incorporated herein by reference. The public hearing signs were posted at the following locations:

1. The sign was placed at 8:47 a.m. on March 01, 2024. A sign was placed in the front yard of 3366 Hwy. 42 S. It is facing north and southbound traffic on Hwy.42

FURTHER AFFIANT SAYETH NOT.

This is the 1<sup>st</sup> day of March 2024.

  
Affiant

Sworn and subscribed before me  
this 1<sup>st</sup> day of March, 2024

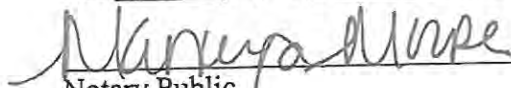
  
Notary Public





Exhibit "A"



Info

IMG\_1546

Size

3264 x 2448 3.7 MB 72 dpi 24 bit

Device Info

Apple iPhone6s (iPhone6s) 3.2 mm (72.4

1/60 sec ISO 64 EXIF No flash function

Source

This PC

File Path



# Info

IMG\_1547

March 1, 2024

8:48 AM

### Size Info

3264 x 2448 2.9 MB 72 dpi 24 bit

### Device Info

Apple iPad (8th generation) 3.3 mm f/2.4  
1/60 sec ISO 50 EXP 0 No flash function

### Source

This PC

### File Path



## **EXHIBIT D**

1. The owner/developer shall provide reasonable undisturbed buffering and or planted buffering between the subject property and abutting residential properties.





## Administration Department

P. O. Box 900  
Locust Grove, Georgia 30248

Phone: (770) 957-5043  
Facsimile: (866) 364-0996

## Item Coversheet

---

**Item:** Public Hearing – Chapter 15.36 Stormwater Ordinance

**Action Item:**  Yes  No

**Public Hearing Item:**  Yes  No

**Executive Session Item:**  Yes  No

**Advertised Date:** March 2, 2024, and March 6, 2024

**Budget Item:** N/A

**Date Received:** March 14, 2024

**Workshop Date:** March 18, 2024

**Regular Meeting Date:** April 1, 2024

### Discussion:

---

Attached is an Ordinance for adoption to come into compliance with the Metropolitan North Georgia Water Planning District (MNGWPD) and the Georgia DNR/EPD regulations on certain aspects of the post-development stormwater requirements on how sequencing is done for stormwater pond and other facility sizing that went into effect 2019 but required for adoption to remain in compliance with the General Stormwater Permit of the State of Georgia as a MS4 Phase II Community.

### Recommendation:

---

**Recommend Approval - Public Hearing March 18, 2024**

**ORDINANCE NO. \_\_\_\_\_**

**TO AMEND TITLE 15, CHAPTER 15.36 OF THE CITY OF LOCUST GROVE CODE OF ORDINANCES, WHICH PROVIDES FOR STORMWATER MANAGEMENT; TO REPEAL CHAPTER 15.36 IN ITS ENTIRETY AND INSERT ALL NEW CHAPTER 15.36 ENTITLED "POST-DEVELOPMENT STORMWATER MANAGEMENT FOR NEW DEVELOPMENT AND REDEVELOPMENT"; TO UPDATE ALL SECTIONS WITH THE STANDARDS OF THE 2019 MODEL ORDINANCE; TO PROVIDE FOR APPLICABILITY; TO PROVIDE FOR CODIFICATION; TO PROVIDE FOR SEVERABILITY; TO REPEAL INCONSISTENT PROVISIONS; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES**

**THE COUNCIL OF THE CITY OF LOCUST GROVE HEREBY ORDAINS**

**SECTION 1.** Chapter 15.36 Section 15.36.050 is hereby repealed in its entirety and inserting in lieu thereof the following:

**15.36.010 – General Provisions**

**A. Findings of fact. It is hereby determined that:**

Land development projects and other land use conversions – along with their associated changes to land cover - permanently alter the hydrologic response of local watersheds and increase stormwater runoff rates and volumes that increase flooding, stream channel erosion, and sediment transport and deposition;

Land development projects and other land use conversions also contribute to increased nonpoint source pollution and degradation of receiving waters;

The impacts of post-development stormwater runoff quantity and quality can adversely affect public safety, public and private property, drinking water supplies, recreation, fish and other aquatic life, property values and other uses of lands and waters;

These adverse impacts can be controlled and minimized through the regulation of stormwater runoff quantity and quality from new development and redevelopment by the use of both structural facilities (including green infrastructure) as well as nonstructural measures, such as the conservation of open space and greenspace areas and other low impact development. The preservation and protection of natural areas and greenspace for stormwater management benefits is encouraged through the use of incentives or "credits." The Georgia Greenspace Program provides a mechanism for the preservation and coordination of those greenspace areas which provide stormwater management quality and quantity benefits;

Localities in the state of Georgia are required to comply with a number of both state and federal laws, regulations and permits which require a locality to address the impacts of post-development stormwater runoff quality and nonpoint source pollution, including the Georgia Department of

Natural Resources – Environmental Protection Division (DNR, EPD) as well as the Metropolitan North Georgia Water Planning District (MNGWPD); and

Therefore, the city of Locust Grove has established this set of stormwater management policies to provide reasonable guidance for the regulation of post-development stormwater runoff for the purpose of protecting local water resources from degradation. It has determined that it is in the public interest to regulate post-development stormwater runoff discharges in order to control and minimize increases in stormwater runoff rates and volumes, post-construction soil erosion and sedimentation, stream channel erosion, and nonpoint source pollution associated with post-development stormwater runoff.

**B. Purpose and Intent.** The purpose of this article is to protect, maintain and enhance the public health, safety, environment and general welfare by establishing minimum requirements and procedures to control the adverse effects of increased post-construction stormwater runoff and nonpoint source pollution associated with new development and redevelopment. Proper management of post- construction stormwater runoff will minimize damage to public and private property and infrastructure, safeguard the public health, safety, environment and general welfare of the public, and protect water and aquatic resources. Additionally, the City of Locust Grove is required to comply with several State and Federal laws, regulations and permits and the requirements of the Metropolitan North Georgia Water Planning District’s regional water plan related to managing the water quantity, velocity, and quality of post- construction stormwater runoff.

**15.36.010 Definitions.** For this Chapter, the terms below shall have the following meanings:

“administrator” means the person appointed to administer and implement this Article on Post-Construction Stormwater Management for New Development and Redevelopment in accordance with Section 15.36.040

“applicant” means a person submitting a land development application for approval.  
“BMP” or “best management practice” means both structural devices to store or treat stormwater runoff and non-structural programs or practices which are designed to prevent or reduce the pollution of the waters of the State of Georgia.

“BMP landscaping plan” means a design for vegetation and landscaping that is critical to the performance and function of the BMP including how the BMP will be stabilized and established with vegetation. It shall include a layout of plants and plant names (local and scientific).

“channel” means a natural or artificial watercourse with a definite bed and banks that conveys continuously or periodically flowing water.

“detention” means the temporary storage of stormwater runoff in a stormwater detention facility for the purpose of controlling the peak discharge.

“detention facility” means a structure designed for the storage and gradual release of stormwater runoff at controlled rates.

“development” means new development or redevelopment.

“extended detention” means the storage of stormwater runoff for an extended period of time.

“extreme flood protection” means measures taken to prevent adverse impacts from large low-frequency storm events with a return frequency of 100 years or more.

“flooding” means a volume of surface water that exceeds the banks or walls of a BMP, or channel; and overflows onto adjacent lands.

“GSMM” means the latest edition of the Georgia Stormwater Management Manual, Volume 2: Technical Handbook, and its Appendices.

“hotspot” means a land use or activity on a site that has the potential to produce higher than normally found levels of pollutants in stormwater runoff. As defined by the administrator, hotspot land use may include gasoline stations, vehicle service and maintenance areas, industrial facilities (both permitted under the Industrial Stormwater General Permit and others), material storage sites, garbage transfer facilities, and commercial parking lots with high-intensity use.

“impervious surface” means a surface composed of any material that significantly impedes or prevents the natural infiltration of water into the soil.

“Industrial Stormwater General Permit” means the National Pollutant Discharge Elimination System (NPDES) permit issued by Georgia Environmental Protection Division to an industry for stormwater discharges associated with industrial activity. The permit regulates pollutant levels associated with industrial stormwater discharges or specifies on-site pollution control strategies based on Standard Industrial Classification (SIC) Code.

“infiltration” means the process of percolating stormwater runoff into the subsoil.

“inspection and maintenance agreement” means a written agreement providing for the long-term inspection, operation, and maintenance of the stormwater management system and its components on a site.

“land development application” means the application for a land development permit on a form provided by the City of Locust Grove along with the supporting documentation required in **Section [Y]-10(a)**.

“land development permit” means the authorization necessary to begin construction-related, land-disturbing activity.

“land disturbing activity” means any activity which may result in soil erosion from water or wind and the movement of sediments into state water or onto lands within the state, including but not limited to clearing, dredging, grading, excavating, and filling of land. Land disturbing activity does not include agricultural practices as described O.C.G.A. 12-7-17(5) or silvicultural



land management activities as described O.C.G.A. 12-7-17(6) within areas zoned for these activities.

“linear feasibility program” means a feasibility program developed by the City of Locust Grove and submitted to the Georgia Environmental Protection Division, which sets reasonable criteria for determining when implementation of stormwater management standards for linear transportation projects being constructed by the City of Locust Grove is infeasible.

“linear transportation projects” means construction projects on traveled ways including but not limited to roads, sidewalks, multi-use paths and trails, and airport runways and taxiways.

“MS4 Permit” means the NPDES permit issued by Georgia Environmental Protection Division for discharges from the City of Locust Grove’s municipal separate storm sewer (MS4) system.

“new development” means land disturbing activities, structural development (construction, installation or expansion of a building or other structure), and/or creation of impervious surfaces on a previously undeveloped site.

“nonpoint source pollution” means a form of water pollution that does not originate from a discrete point such as a wastewater treatment facility or industrial discharge, but involves the transport of pollutants such as sediment, fertilizers, pesticides, heavy metals, oil, grease, bacteria, organic materials and other contaminants from land to surface water or groundwater via mechanisms such as precipitation, stormwater runoff, and leaching. Nonpoint source pollution is a by-product of land use practices such as agricultural, silvicultural, mining, construction, subsurface disposal and urban runoff sources.

“overbank flood protection” means measures taken to prevent an increase in the frequency and magnitude of out-of-bank flooding (i.e. flow events that exceed the capacity of the channel and enter the floodplain).

“owner” means the legal or beneficial owner of a site, including but not limited to, a mortgagee or vendee in possession, receiver, executor, trustee, lessee or other person, firm or corporation in control of the site.

“person” means any individual, partnership, firm, association, joint venture, public or private corporation, trust, estate, commission, board, public or private institution, utility, cooperative, city, county or other political subdivision of the State, any interstate body or any other legal entity.

“post-construction stormwater management” means stormwater best management practices that are used on a permanent basis to control and treat runoff once construction has been completed in accordance with a stormwater management plan.

“post-development” means the conditions anticipated to exist on site immediately after completion of the proposed development.

“practicability policy” means the latest edition of the Metropolitan North Georgia Water Planning District’s Policy on Practicability Analysis for Runoff Reduction.

“pre-development” means the conditions that exist on a site immediately before the implementation of the proposed development. Where phased development or plan approval occurs (preliminary grading, roads and utilities, etc.), the existing conditions at the time before the first item being approved or permitted shall establish pre-development conditions.

“pre-development hydrology” means (a) for new development, the runoff curve number determined using natural conditions hydrologic analysis based on the natural, undisturbed condition of the site immediately before implementation of the proposed development; and (b) for redevelopment, the existing conditions hydrograph may take into account the existing development when defining the runoff curve number and calculating existing runoff, unless the existing development causes a negative impact on downstream property.

“previously developed site” means a site that has been altered by paving, construction, and/or land disturbing activity.

“redevelopment” means structural development (construction, installation, or expansion of a building or other structure), creation or addition of impervious surfaces, replacement of impervious surfaces not as part of routine maintenance, and land disturbing activities associated with structural or impervious development on a previously developed site. Redevelopment does not include such activities as exterior remodeling.

“routine maintenance” means activities to keep an impervious surface as near as possible to its constructed condition. This includes ordinary maintenance activities, resurfacing paved areas, and exterior building changes or improvements which do not materially increase or concentrate stormwater runoff, or cause additional nonpoint source pollution.

“runoff” means stormwater runoff.

“site” means an area of land where development is planned, which may include all or portions of one or more parcels of land. For subdivisions and other common plans of development, the site includes all areas of land covered under an applicable land development permit.

“stormwater concept plan” means an initial plan for post-construction stormwater management at the site that provides the groundwork for the stormwater management plan including the natural resources inventory, site layout concept, initial runoff characterization, and first round stormwater management system design.

“stormwater management plan” means a plan for post-construction stormwater management at the site that meets the requirements of Section 15.36.080 (D) and is included as part of the land development application.

“stormwater management standards” means those standards set forth in Section

15.36.070.

“stormwater management system” means the entire set of non-structural site design features and structural BMPs for collection, conveyance, storage, infiltration, treatment, and disposal of stormwater runoff in a manner designed to prevent increased flood damage, streambank channel erosion, habitat degradation and water quality degradation, and to enhance and promote public health, safety and general welfare.

“stormwater runoff” means flow on the surface of the ground, resulting from precipitation.

“subdivision” means the division of a tract or parcel of land resulting in one or more new lots or building sites for the purpose, whether immediately or in the future, of sale, other transfer of ownership or land development, and includes divisions of land resulting from or made in connection with the layout or development of a new street or roadway or a change in an existing street or roadway.

Other terms used but not defined in this Article shall be interpreted based on how such terms are defined and used in the GSMM and the City of Locust Grove’s MS4 permit.

15.36.030. Adoption and Implementation of the GSMM; Conflicts and Inconsistencies.

- A. In implementing this Article, the City of Locust Grove shall use and require compliance with all relevant design standards, calculations, formulas, methods, and other guidance from the GSMM as well as all related appendices.
- B. This Article is not intended to modify or repeal any other Article, ordinance, rule, regulation or other provision of law, including but not limited to any applicable stream buffers under state and local laws, and the Georgia Safe Dams Act and Rules for Dam Safety. In the event of any conflict or inconsistency between any provision in the City of Locust Grove’s MS4 permit and this Chapter, the provision from the MS4 permit shall control. In the event of any conflict or inconsistency between any provision of this Article and the GSMM, the provision from this Article shall control. In the event of any other conflict or inconsistency between any provision of this Article and any other ordinance, rule, regulation or other provision of law, the provision that is more restrictive or imposes higher protective standards for human health or the environment shall control.
- C. If any provision of this Article is invalidated by a court of competent jurisdiction, such judgment shall not affect or invalidate the remainder of this Article.

15.36.040 (Section [Y]-4.) Designation of Administrator. The city manager, or, in the absence of a city manager, the Mayor and City Council, may from time to time appoint someone to administer and implement this Article.

15.36.050 Section [Y]-5. Applicability Criteria for Stormwater Management Standards. This Article applies to the following activities:

- A. New development that creates or adds 5,000 square feet or greater of new impervious surface area or that involves land disturbing activity of 1 acre of land or greater;
- B. Redevelopment (excluding routine maintenance and exterior remodeling) that creates, adds, or replaces 5,000 square feet or greater of new impervious surface area or that involves land disturbing activity of 1 acre or more;
- C. New development and redevelopment if
  - (1) such new development or redevelopment is part of a subdivision or other common plan of development, and
  - (2) the sum of all associated impervious surface area or land disturbing activities that are being developed as part of such subdivision or other common plan of development meets or exceeds the threshold in (1) and (2) above;
- D. Any commercial or industrial new development or redevelopment, regardless of size, that is a hotspot land use as defined in this Article; and
- E. Linear transportation projects that exceed the threshold in A or B above.

15.36.060 Section [Y]-6. Exemptions from Stormwater Management Standards. This Article does not apply to the following activities:

- A. Land disturbing activity conducted by local, state, authority, or federal agencies, solely to respond to an emergency need to protect life, limb, or property or conduct emergency repairs;
- B. Land disturbing activity that consists solely of cutting a trench for utility work and related pavement replacement;
- C. Land disturbing activity conducted by local, state, authority, or federal agencies, whose sole purpose is to implement stormwater management or environmental restoration;
- D. Repairs to any stormwater management system deemed necessary by the administrator;
- E. Agricultural practices as described O.C.G.A. 12-7-17(5) within areas zoned for these activities with the exception of buildings or permanent structures that exceed the threshold in 15.036.050 (A) or (B) above;
- F. Silvicultural land management activities as described O.C.G.A. 12-7-17(6) within areas zoned for these activities with the exception of buildings or permanent structures that exceed the threshold in 15.036.050 (A) or (B) above;



- G. Installations or modifications to existing structures solely to implement Americans with Disabilities Act (ADA) requirements, including but not limited to elevator shafts, handicapped access ramps and parking, and enlarged entrances or exits; and
- H. Linear transportation projects being constructed by the City of Locust Grove to the extent the administrator determines that the stormwater management standards may be infeasible to apply, all or in part, for any portion of the linear transportation project. For this exemption to apply, an infeasibility report that is compliant with the City of Locust Grove linear feasibility program shall first be submitted to the administrator that contains adequate documentation to support the evaluation for the applicable portion(s) and any resulting infeasibility determination, if any, by the administrator.

15.36.070 Section [Y]-7. Stormwater Management Standards. Subject to the applicability criteria in Section 15.36.050 and exemptions in Section 15.36.060, the following stormwater management standards apply. Additional details for each standard can be found in the GSMM Section 2.2.2.2:

- A. Design of Stormwater Management System: The design of the stormwater management system shall be in accordance with the applicable sections of the GSMM as directed by the administrator. Any design which proposes a dam shall comply with the Georgia Safe Dams Act and Rules for Dam Safety as applicable.
- B. Natural Resources Inventory: Site reconnaissance and surveying techniques shall be used to complete a thorough assessment of existing natural resources, both terrestrial and aquatic, found on the site. Resources to be identified, mapped, and shown on the Stormwater Management Plan, shall include, at a minimum (as applicable):
  - (1) Topography (minimum of 2-foot contours) and Steep Slopes (i.e., Areas with Slopes Greater Than 15%),
  - (2) Natural Drainage Divides and Patterns,
  - (3) Natural Drainage Features (e.g., swales, basins, depressional areas),
  - (4) Natural feature protection and conservation areas such as wetlands, lakes, ponds, floodplains, stream buffers, drinking water wellhead protection areas and river corridors,
  - (5) Predominant soils (including erodible soils and karst areas), and
  - (6) Existing predominant vegetation including trees, high quality habitat and other existing vegetation.
- C. Better Site Design Practices for Stormwater Management: Stormwater management plans shall preserve the natural drainage and natural treatment systems and reduce the generation of additional stormwater runoff and pollutants to the maximum extent practicable. Additional details can be found in GSMM Section 2.3.
- D. Stormwater Runoff Quality/Reduction: Stormwater Runoff Quality/Reduction shall be provided by using the following:

- (1) For development with a stormwater management plan submitted before
    - (a) **June 5, 2023**, the applicant may choose either (A) Runoff Reduction or
    - (b) (B) Water Quality.
  
  - (2) For development with a stormwater management plan submitted on or after
    - (a) **June 5, 2023**, the applicant shall choose (A) Runoff Reduction and
    - (b) additional water quality shall not be required. To the extent (A) Runoff Reduction has been determined to be infeasible for all or a portion of the site using the Practicability Policy, then (B) Water Quality shall apply for the remaining runoff from a 1.2 inch rainfall event and must be treated to remove at least 80% of the calculated average annual post-development total suspended solids (TSS) load or equivalent as defined in the GSMM.
  
    - (c) Runoff Reduction - The stormwater management system shall be designed to retain the first 1.0 inch of rainfall on the site using runoff reduction methods, to the maximum extent practicable.
  
    - (d) Water Quality – The stormwater management system shall be designed to remove at least 80% of the calculated average annual post-development total suspended solids (TSS) load or equivalent as defined in the GSMM for runoff from a 1.2 inch rainfall event.
  
  - (3) If a site is determined to be a hotspot as detailed in Section 15.36.050, the City of Locust Grove may require the use of specific or additional components for the stormwater management system to address pollutants of concern generated by that site.
- E. Stream Channel Protection: Stream channel protection shall be provided by using all of the following three approaches:
- (1) 24-hour extended detention storage of the 1-year; 24-hour return frequency storm event;
  - (2) Erosion prevention measures, such as energy dissipation and velocity control; and
  - (3) Preservation of any applicable stream buffer.
- F. Overbank Flood Protection: Downstream overbank flood protection shall be provided by controlling the post-development peak discharge rate to the pre-development rate for the 25-year, 24-hour storm event.
- G. Extreme Flood Protection: Extreme flood protection shall be provided by controlling the 100-year, 24-hour storm event such that flooding is not exacerbated.
- H. Downstream Analysis: Due to peak flow timing and runoff volume effects, some structural components of the stormwater management system fail to reduce discharge peaks to pre-development levels downstream from the site. A downstream peak flow analysis

shall be provided to the point in the watershed downstream of the site or the stormwater management system where the area of the site comprises 10% of the total drainage area in accordance with Section 3.1.9 of the GSMM. This is to help ensure that there are minimal downstream impacts from development on the site. The downstream analysis may result in the need to resize structural components of the stormwater management system.

- I. Stormwater Management System Inspection and Maintenance: The components of the stormwater management system that will not be dedicated to and accepted by the City of Locust Grove, including all drainage facilities, best management practices, credited conservation spaces, and conveyance systems, shall have an inspection and maintenance agreement to ensure that they continue to function as designed. All new development and redevelopment sites are to prepare a comprehensive inspection and maintenance agreement for the on-site stormwater management system. This plan shall be written in accordance with the requirements in Section [Y]-16.

15.36.080 Section [Y]-8. Pre-Submittal Meeting, Stormwater Concept Plan, and Stormwater Management Plan Requirements.

- A. Before a land development permit application is submitted, an applicant may request a pre-submittal meeting with the City of Locust Grove. The pre-submittal meeting should take place based on an early step in the development process such as before site analysis and inventory (GSMM Section 2.4.2.4) or the stormwater concept plan (GSMM Section 2.4.2.5). The purpose of the pre-submittal meeting is to discuss opportunities, constraints, and ideas for the stormwater management system before formal site design engineering. To the extent applicable, local and regional watershed plans, greenspace plans, trails and greenway plans, and other resource protection plans should be consulted in the pre-submittal meeting. Applicants must request a pre-submittal meeting with the City of Locust Grove when applying for a Determination of Infeasibility through the Practicability Policy.
- B. The stormwater concept plan shall be prepared using the minimum following steps:
  - (1) Develop the site layout using better site design techniques, as applicable (GSMM Section 2.3).
  - (2) Calculate preliminary estimates of the unified stormwater sizing criteria requirements for stormwater runoff quality/reduction, channel protection, overbank flooding protection and extreme flood protection (GSMM Section 2.2).
  - (3) Perform screening and preliminary selection of appropriate best management practices and identification of potential siting locations (GSMM Section 4.1).
- C. The stormwater concept plan shall contain:
  - (1) Common address and legal description of the site,
  - (2) Vicinity map, and
  - (3) Existing conditions and proposed site layout mapping and plans (recommended scale of 1" = 50'), which illustrate at a minimum:

- (a) Existing and proposed topography (minimum of 2-foot contours),
- (b) Perennial and intermittent streams,
- (c) Mapping of predominant soils from USDA soil surveys,
- (d) Boundaries of existing predominant vegetation and proposed limits of clearing and grading,
- (e) Location and boundaries of other natural feature protection and conservation areas such as wetlands, lakes, ponds, floodplains, stream buffers and other setbacks (e.g., drinking water well setbacks, septic setbacks, etc.),
- (f) Location of existing and proposed roads, buildings, parking areas and other impervious surfaces,
- (g) Existing and proposed utilities (e.g., water, sewer, gas, electric) and easements,
- (h) Preliminary estimates of unified stormwater sizing criteria requirements,
- (i) Preliminary selection and location, size, and limits of disturbance of proposed BMPs,
- (j) Location of existing and proposed conveyance systems such as grass channels, swales, and storm drains,
- (k) Flow paths,
- (l) Location of the boundaries of the base flood floodplain, future- conditions floodplain, and the floodway (as applicable) and relationship of site to upstream and downstream properties and drainage, and
- (m) Preliminary location and dimensions of proposed channel modifications, such as bridge or culvert crossings.

D. The stormwater management plan shall contain the items listed in this part and be prepared under the direct supervisory control of either a registered Professional Engineer or a registered Landscape Architect licensed in the state of Georgia. Items (3), (4), (5), and (6) shall be sealed and signed by a registered Professional Engineer licensed in the state of Georgia. The overall site plan must be stamped by a design professional licensed in the State of Georgia for such purpose. (GSMM Section 2.4.2.7)

- (1) Natural Resources Inventory
- (2) Stormwater Concept Plan
- (3) Existing Conditions Hydrologic Analysis



- (4) Post-Development Hydrologic Analysis
  - (5) Stormwater Management System
  - (6) Downstream Analysis
  - (7) Erosion and Sedimentation Control Plan
  - (8) BMP Landscaping Plan
  - (9) Inspection and Maintenance Agreement
  - (10) Evidence of Acquisition of Applicable Local and Non-Local Permits
  - (11) Determination of Infeasibility (if applicable)
- E. For redevelopment and to the extent existing stormwater management structures are being used to meet stormwater management standards the following must also be included in the stormwater management plan for existing stormwater management structures
- (1) As-built Drawings
  - (2) Hydrology Reports
  - (3) Current inspection of existing stormwater management structures with deficiencies noted
  - (4) BMP Landscaping Plans

15.36.090 Section [Y]-9. Application Fee. The fee for review of any land development application shall be based on the fee structure established by the City of Locust Grove, and payment shall be made before the issuance of any land disturbance permit or building permit for the development.

15.36.100 Section [Y]-10. Application Procedures. Land development applications are handled as part of the process to obtain the land disturbance permit pursuant to **Chapter 15.28 , Chapter 16.04 or Chapter 17.04 for building permit** , as applicable. Before any person begins development on a site, the owner of the site shall first obtain approval in accordance with the following procedure:

- A. File a land development application with the City of Locust Grove on the City’s form of application with the following supporting materials:
  - (1) the stormwater management plan prepared in accordance with Section 15.36.080 (D),
  - (2) a certification that the development will be performed in accordance with the stormwater management plan once approved,
  - (3) a [Preliminary Determination of Infeasibility, as applicable, prepared in accordance with the practicability policy], and
  - (4) an acknowledgement that applicant has reviewed the City’s form of inspection and maintenance agreement and that applicant agrees to sign and record such inspection and maintenance agreement before the final inspection.
- B. The administrator shall inform the applicant whether the application and supporting materials are approved or disapproved.
- C. If the application or supporting materials are disapproved, the administrator shall

notify the applicant of such fact in writing. The applicant may then revise any item not meeting the requirements hereof and resubmit the same for the administrator to again consider and either approve or disapprove.

- D. If the application and supporting materials are approved, the City of Locust Grove may issue the associated land disturbance permit or building permit, provided all other legal requirements for the issuance of such permits have been met. The stormwater management plan included in such applications becomes the approved stormwater management plan.

15.36.110 Section [Y]-11. Compliance with the Approved Stormwater Management Plan. All development shall be:

- A. consistent with the approved stormwater management plan and all applicable land disturbance and building permits, and
- B. conducted only within the area specified in the approved stormwater management plan.

No changes may be made to an approved stormwater management plan without review and advanced written approval by the administrator.

15.36.120 Section [Y]-12. Inspections to Ensure Plan Compliance During Construction. Periodic inspections of the stormwater management system during construction shall be conducted by the staff of the City of Locust Grove or conducted and certified by a professional engineer who has been approved by the City. Inspections shall use the approved stormwater management plan for establishing compliance. All inspections shall be documented with written reports that contain the following information:

- A. The date and location of the inspection;
- B. Whether the stormwater management system is in compliance with the approved stormwater management plan;
- C. Variations from the approved stormwater management plan; and
- D. Any other variations or violations of the conditions of the approved stormwater management plan.

15.36.130 Section [Y]-13. Final Inspection; As-Built Drawings; Delivery of Inspection and Maintenance Agreement. Upon completion of the development, the applicant is responsible for:

- A. Certifying that the stormwater management system is functioning properly and was constructed in conformance with the approved stormwater management plan and associated hydrologic analysis,
- B. Submitting as-built drawings showing the final design specifications for all

components of the stormwater management system as certified by a professional engineer,

- C. Certifying that the landscaping is established and installed in conformance with the BMP landscaping plan, and
- D. Delivering to the City of Locust Grove a signed inspection and maintenance agreement that has been recorded by the owner in the property record for all parcel(s) that make up the site.

The required certification under part (a) shall include a certification of volume, or other performance test applicable to the type of stormwater management system component, to ensure each component is functioning as designed and built according to the design specifications in the approved stormwater management plan. This certification and the required performance tests shall be performed by a qualified person and submitted to the City with the request for a final inspection. The **City of Locust Grove** shall perform a final inspection with applicant to confirm applicant has fulfilled these responsibilities.

15.36.140 .Section [Y]-14. Violations and Enforcement. Any violation of the approved stormwater management plan during construction, failure to submit as-built drawings, failure to submit a final BMP landscaping plan, or failure of the final inspection shall constitute and be addressed as violations of, or failures to comply with, the underlying land disturbance permit pursuant to **Chapter 15.28, Chapter 16.04 or the underlying building permit pursuant to Chapter 17.04.** To address a violation of this Article, the City of Locust Grove shall have all the powers and remedies that are available to it for other violations of building and land disturbance permits, including without limitation the right to issue notices and orders to ensure compliance, stop work orders, and penalties as set forth in the applicable ordinances for such permits.

15.36.150 Section [Y]-15. Maintenance by Owner of Stormwater Management Systems Predating Current GSMM. For any stormwater management systems approved and built based on requirements predating the current GSMM and that is not otherwise subject to an inspection and maintenance agreement, such stormwater management systems shall be maintained by the owner so that the stormwater management systems perform as they were originally designed.

15.36.160 Section [Y]-16. Inspection and Maintenance Agreements.

A. The owner shall execute an inspection and maintenance agreement with the City of Locust Grove obligating the owner to inspect, clean, maintain, and repair the stormwater management system; including vegetation in the final BMP landscaping plan. The form of the inspection and maintenance agreement shall be the form provided by the City of Locust Grove. After the inspection and maintenance agreement has been signed by the owner and the City, the owner shall promptly record such agreement at the owner's cost in the property record for all parcel(s) that make up the site.

B. The inspection and maintenance agreement shall identify by name or official title the person(s) serving as the point of contact for carrying out the owner's obligations under the inspection and maintenance agreement. The owner shall update the point of

contact from time to time as needed and upon request by the City. Upon any sale or transfer of the site, the new owner shall notify the City of Locust Grove in writing within 30 days of the name or official title of the new person(s) serving as the point of contact for the new owner. Any failure of an owner to keep the point of contact up to date shall, following 30 days' notice, constitute a failure to maintain the stormwater management system.

C. The inspection and maintenance agreement shall run with the land and bind all future successors-in-title of the site. If there is a future sale or transfer of only a portion of the site, then:

- (1) The parties to such sale or transfer may enter into and record an assignment agreement designating the owner responsible for each portion of the site and associated obligations under the inspection and maintenance agreement. The parties shall record and provide written notice and a copy of such assignment agreement to the City of Locust Grove.
- (2) In the absence of a recorded assignment agreement, all owners of the site shall be jointly and severally liable for all obligations under the inspection and maintenance agreement regardless of what portion of the site they own.

15.36.170 Section [Y]-17. Right of Entry for Maintenance Inspections. The terms of the inspection and maintenance agreement shall provide for the **[local jurisdiction's]** right of entry for maintenance inspections and other specified purposes. If a site was developed before the requirement to have an inspection and maintenance agreement or an inspection and maintenance agreement was for any reason not entered into, recorded, or has otherwise been invalidated or deemed insufficient, then the **[local jurisdiction]** shall have the right to enter and make inspections pursuant to the **[local jurisdiction's]** general provisions for property maintenance inspections pursuant to **[insert reference to existing local ordinance providing for right of entry and inspections for general property maintenance obligations, whether under the local administration procedures for the Georgia Statewide Minimum Construction Codes or other local property maintenance ordinance]**.

15.13.180 Section [Y]-18. Owner's Failure to Maintain the Stormwater Management System. The terms of the inspection and maintenance agreement shall provide for what constitutes a failure to maintain a stormwater management system and the enforcement options available to **[local jurisdiction]**. If a site was developed before the requirement to have an inspection and maintenance agreement or an inspection and maintenance agreement was for any reason not entered into, recorded, or has otherwise been invalidated or deemed insufficient, then:

A. An owner's failure to maintain the stormwater management system so that it performs as it was originally designed shall constitute and be addressed as a violation of, or failure to comply with, owner's property maintenance obligations pursuant to **[insert reference to existing local ordinance on violations of general property maintenance obligations, whether under the local administration procedures for the Georgia Statewide Minimum Construction Codes or other local property**



**maintenance ordinance** and

B. To address such a failure to maintain the stormwater management system, the City of Locust Grove shall have all the powers and remedies that are available to it for other violations of an owner's property maintenance obligations, including without limitation prosecution, penalties, abatement, and emergency measures.

**15.36.200 - Violations, enforcement and penalties.**

Any action or inaction which violates the provisions of this chapter or the requirements of an approved stormwater management plan or permit, may be subject to the enforcement actions outlined in this section. Any such action or inaction which is continuous with respect to time is deemed to be a public nuisance and may be abated by injunctive or other equitable relief. The imposition of any of the penalties described below shall not prevent such equitable relief.

A. Notice of violation. If the city and/or its designee determines that an applicant or other responsible person has failed to comply with the terms and conditions of a permit, an approved stormwater management plan or the provisions of this chapter, it shall issue a written notice of violation to such applicant or other responsible person. Where a person is engaged in activity covered by this chapter without having first secured a permit therefor, the notice of violation shall be served on the owner or the responsible person in charge of the activity being conducted on the site.

The notice of violation shall contain:

- (1) The name and address of the owner or the applicant or the responsible person;
- (2) The address or other description of the site upon which the violation is occurring;
- (3) A statement specifying the nature of the violation;
- (4) A description of the remedial measures necessary to bring the action or inaction into compliance with the permit, the stormwater management plan or this ordinance and the date for the completion of such remedial action;
- (5) A statement of the penalty or penalties that may be assessed against the person to whom the notice of violation is directed; and,
- (6) A statement that the determination of violation may be appealed to the city council and/or its designee by filing a written notice of appeal within thirty days after the notice of violation (except, that in the event the violation constitutes an immediate danger to public health or public safety, twenty-four hours' notice shall be sufficient).

B. Penalties. In the event the remedial measures described in the notice of violation have not been completed by the date set forth for such completion in the notice of violation, any one or more of the following actions or penalties may be taken or assessed against the person to whom the notice of violation was directed. Before taking any of the following actions or imposing any of the following penalties, the city and/or its designee shall first notify the applicant or other responsible person in writing of its intended action, and shall provide a reasonable opportunity, of not less than ten days (except, that in the event the violation constitutes an immediate danger to public health or public safety, twenty-four hours' notice shall be sufficient) to cure such violation. In the event the applicant or other responsible person fails to cure such violation after such notice and cure period, the city and/or its designee may take any one or more of the following actions or impose any one or more of the following penalties.

- (1) Stop work order - The city and/or its designee may issue a stop work order which shall be served on the applicant or other responsible person. The stop work order shall remain in effect until the applicant or other responsible person has taken the remedial measures set forth in the notice of violation or has otherwise cured the violation or violations described therein, provided the stop work order may be withdrawn or modified to enable the applicant

- or other responsible person to take the necessary remedial measures to cure such violation or violations.
- (2) Withhold certificate of occupancy - The city and/or its designee may refuse to issue a certificate of occupancy for the building or other improvements constructed or being constructed on the site until the applicant or other responsible person has taken the remedial measures set forth in the notice of violation or has otherwise cured the violations described therein.
  - (3) Suspension, revocation or modification of permit - The city and/or its designee may suspend, revoke or modify the permit authorizing the land development project. A suspended, revoked or modified permit may be reinstated after the applicant or other responsible person has taken the remedial measures set forth in the notice of violation or has otherwise cured the violations described therein, provided such permit may be reinstated (upon such conditions as the city and/or its designee may deem necessary) to enable the applicant or other responsible person to take the necessary remedial measures to cure such violations.
  - (4) Civil penalties - In the event the applicant or other responsible person fails to take the remedial measures set forth in the notice of violation or otherwise fails to cure the violations described therein within ten days, or such greater period as the city and/or its designee shall deem appropriate (except, that in the event the violation constitutes an immediate danger to public health or public safety, twenty-four hours' notice shall be sufficient) after the city and/or its designee has taken one or more of the actions described above, the city and/or its designee may impose a penalty not to exceed one thousand dollars (depending on the severity of the violation) for each day the violation remains unremedied after receipt of the notice of violation.
  - (5) Criminal penalties - For intentional and flagrant violations of this chapter, the city and/or its designee may issue a citation to the applicant or other responsible person, requiring such person to appear in municipal court to answer charges for such violation. Upon conviction, such person shall be punished by a fine not to exceed one thousand dollars or imprisonment for a period of up to sixty days or both. Each act of violation and each day upon which any violation shall occur shall constitute a separate offense.
- C. Holds on occupation permits. Occupation permits will not be granted until corrections to all stormwater practices have been made and accepted by the city and/or its designee.

**SECTION 2. Codification.** This ordinance shall be codified in a manner consistent with the laws of the State of Georgia.

**SECTION 3. 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 Ordinance.
- D. 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.

**SECTION 4. Repeal of Conflicting Provision.** Except as otherwise provided herein, all ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

**SECTION 5. Effective Date.** This ordinance shall become effective immediately upon its adoption by the Mayor and Council of the City of Locust Grove.

**SO ORDAINED** this 1<sup>st</sup> day of April, 2024.

---

Robert S. Price, Mayor

ATTEST:

APPROVED TO FORM:

---

Misty Spurling, City Clerk

---

City Attorney

(seal)



**Administration Department**

P. O. Box 900  
Locust Grove, Georgia 30248

Phone: (770) 957-5043  
Facsimile: (866) 364-0996

**Item Coversheet**

---

**Item:**            **Public Hearing – Chapter 15.08 Plumbing Code Revisions**

**Action Item:**                        Yes                        No

**Public Hearing Item:**                Yes                        No

**Executive Session Item:**            Yes                        No

**Advertised Date:**        **March 2, 2024, and March 6, 2024**

**Budget Item:**                **N/A**

**Date Received:**            **March 14, 2024**

**Workshop Date:**            **March 18, 2024**

**Regular Meeting Date:**        **April 1, 2024**

**Discussion:**

---

Attached is a RESOLUTION (with included Ordinance for adoption once submitted to DCA) for the City to come into compliance with the Metropolitan North Georgia Water Planning District (MNGWPD) regulations on the Minimum Plumbing Code for certain appliances, fixtures and other items for better water conservation to meeting region’s goals for the long term sustainability of the 15-County area.

**Recommendation:**

---

**Recommend Approval - Public Hearing March 18, 2024**



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

**RESOLUTION 24-4-xxx**

RESOLUTION TO AMEND TITLE 15, CHAPTER 15.08 OF THE CODE OF ORDINANCES OF THE CITY OF LOCUST GROVE TO PROVIDE FOR LOCAL AMENDMENTS TO THE GEORGIA STATE MINIMUM STANDARD PLUMBING CODE FOR CONSISTENCY WITH THE METROPOLITAN NORTH GEORGIA WATER PLANNING DISTRICT REGULATING PLANS; TO PROVIDE FOR CODIFICATION; TO PROVIDE FOR SEVERABILITY; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

**WHEREAS**, the current minimum water efficiency requirements for buildings in the City of Locust Grove’s jurisdiction is the Georgia State Minimum Standard Plumbing Code (“Georgia Plumbing Code”) as approved and adopted by the Georgia Department of Community Affairs (“DCA”) from time to time;

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

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

**WHEREAS**, the “Local Amendments to Plumbing Code” are more stringent than the Georgia Plumbing Code on water efficacy because the amendments require even more efficient uses of water and provide clarifications on existing allowable practices;

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

**WHEREAS**, the *City of Locust Grove* has become aware that more water efficient technologies have become widely available at comparable prices and performance to the water efficient technologies currently required as the minimum in the Georgia Plumbing Code;

**NOW, THEREFORE, BE IT RESOLVED THAT:**

1. The Mayor and City Council of the City of Locust Grove finds that, based on local climatic, geographic, topographic, and public safety factors included in the Metro Water District’s plans, it is justified in adopting local water efficiency requirements more stringent than the Georgia Plumbing Code;

2. The City of Locust Grove is considering codifying these water efficiency requirements in local code as an amendment to Georgia Plumbing Code in the form of the Local Amendments to Plumbing Code shown in the redline in Exhibit A; and

3. The Mayor and Council of the City of Locust Grove is directing its staff to submit this resolution and the Local Amendments to the Plumbing Code to DCA for review and comment within 60 days as required by O.C.G.A. § 8-2-25(c)(1).

## Exhibit A

**CHAPTER 15.08 OF TITLE 15 OF THE CODE OF ORDINANCES OF THE CITY OF LOCUST GROVE IS HEREBY AMENDMENDED BY INSERTING NEW SECTION 15.08.020 ENTITLED “GEORGIA STATE MINIMUM STANDARD PLUMBING CODE AMENDMENTS” AND INSERTING BELOW THE FOLLOWING:**

### **15.08.020 GEORGIA STATE MINIMUM STANDARD PLUMBING CODE AMENDMENTS**

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

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

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

#### **LANDSCAPE IRRIGATION.**

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

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

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

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

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

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

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

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

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

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

**Exceptions:**

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

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

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

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

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

b. Consumption tolerances shall be determined from referenced standards.

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

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

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

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

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

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

#### **604.4.2 Cooling Tower Water Efficiency.**

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

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

**604.4.2.3 Cooling Tower Makeup Water.** Water used for air conditioning, cooling towers shall not be discharged where the hardness of the basin water is less than 1500 mg/L. **Exception:** Where any of the following conditions of the basin water are present: total suspended solids exceed 25 ppm, CaCO<sub>3</sub> exceeds 600 ppm, chlorides exceed 250 ppm, sulfates exceed 250 ppm, or silica exceeds 150 ppm.

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

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

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

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



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

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

**1304.3.2 Connections to water supply.** Reclaimed water provided from a reclaimed wastewater treatment system permitted by the Environmental Protection Division may be used to supply water closets, urinals, trap primers for floor drains and floor sinks, water features and other uses approved by the Authority Having Jurisdiction, in motels, hotels, apartment and condominium buildings, and commercial, industrial, and institutional buildings, where the individual guest or occupant does not have access to plumbing. Also, other systems that may use a lesser quality of water than potable water such as water chillers, carwashes or an industrial process may be supplied with reclaimed water provided from a reclaimed wastewater treatment facility permitted by the Environmental Protection Division. The use of reclaimed water sourced from any new private reclaimed wastewater treatment system for outdoor irrigation shall be limited to golf courses and agriculture operations as defined in the Official Code of Georgia Section 1-3-3, and such reclaimed water shall not be approved for use for irrigating any other outdoor landscape such as ground cover, tree, shrubs, or other plants. These limitations do not apply to reclaimed water sourced from existing private reclaimed water systems or from existing or new, governmentally-owned reclaimed wastewater treatment systems.

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

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

---

## **Model Adoption Resolution**

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

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

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

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

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

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

#### **NOW, THEREFORE, BE IT RESOLVED THAT:**

1. The governing body of the *[Local Government]* finds that, based on local climatic, geographic, topographic, and public safety factors, it is justified in adopting the water efficiency requirements in the Local Amendments to Plumbing Code that are more stringent than the Georgia Plumbing Code;
2. The *[Local Government]* has followed the required procedures in O.C.G.A. § 8-2-25(c).
3. The *[Local Government]* hereby adopts the Local Amendments to Plumbing Code, which will take effect on June 1, 2024.



## Administration Department

P. O. Box 900  
Locust Grove, Georgia 30248

Phone: (770) 957-5043  
Facsimile: (866) 364-0996

## Item Coversheet

---

**Item:** Intergovernmental Agreement / ARC TIP Design on SR 42

**Action Item:**  Yes  No

**Public Hearing Item:**  Yes  No

**Executive Session Item:**  Yes  No

**Advertised Date:** N/A

**Budget Item:** Yes, SPLOST and / or T-SPLOST

**Date Received:** March 14, 2024

**Workshop Date:** March 18, 2024

**Regular Meeting Date:** N/A (April 1, 2024)

### Discussion:

---

Henry County is seeking to include a project to begin Preliminary Engineering Design on the entire section of Highway 42 between SR 155 and Bill Gardner Parkway. The application is set to go to the Atlanta Regional Commission as part of overall solicitation for the entire region and is seeking to fund the project 80% with Federal Funds with the 20% local match coming from Henry County (61%) and Locust Grove (39%) based on the overall length of the project within the two jurisdiction limits. Total outlay would be approximately \$660,000 and will be set aside in the SPLOST VI project listing. Overall project costs are at \$8.5 million, so the contribution is highly leveraged to get the proverbial “foot in the door” for widening to begin into the early 2030s so as not to fall more behind.

### Recommendation:

---

### Recommend Approval

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY OF LOCUST GROVE TO ACCEPT THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF LOCUST GROVE AND THE HENRY COUNTY BOARD OF COMMISSIONERS REGARDING APPLICATION TO THE ATLANTA REGIONAL COMMISSION FOR FEDERAL FUNDING ON THE WIDENING OF HIGHWAY 42 BETWEEN SR 155 AND BILL GARDNER PARKWAY; TO REPEAL INCONSISTENT RESOLUTIONS; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.**

**W I T N E S S E T H:**

**WHEREAS**, the City of Locust Grove (“City”) is a municipal corporation duly organized and existing under the laws of the State of Georgia; and

**WHEREAS**, Henry County (“County”) is a county duly organized and existing under the laws of the State of Georgia; and

**WHEREAS**, the County seeks to apply for federal funding with the Atlanta Regional Commission (ARC) in the current Transportation Improvement Plan (TIP) solicitation period for the Design (PE) for the widening of State Route 42 between State Route 155 and Bill Gardner Parkway; and,

**WHEREAS**, the project would lie within 39% of the current portion of the incorporated city limits with the remainder in unincorporated Henry County (or other); and,

**WHEREAS**, the City is aware that this Project is critical in the repair and maintenance of this important thoroughfare within the City and County; and,

**WHEREAS**, the City and County are authorized to enter into an Intergovernmental Agreement “IGA” pursuant to O.C.G.A. §32-4-61 and O.C.G.A. §32-4-110 respectively ; and,

**WHEREAS**, the City seeks to leverage local funding wherever feasible with state or federal money to provide necessary transportation improvements at the lowest costs to local residents; and,

**WHEREAS**, the Mayor and Council believe that acceptance of the IGA with the County to advance this Project in the best interest of the County and the City, and their citizens;

**THEREFORE, IT IS NOW RESOLVED BY THE CITY COUNCIL OF THE CITY OF LOCUST GROVE, GEORGIA, AS FOLLOWS:**

1. **Acceptance of the Intergovernmental Agreement (IGA).** The Mayor, by and with the advice and consent of the City Council, hereby accepts the IGA as attached hereto and incorporated herein as **Exhibit “A.”**
2. **Contribution to Project.** The City of Locust Grove will fund up to 39% of the local match required for the project to be considered for inclusion in the upcoming ARC TIP selection process with anticipated funding source coming from SPLOST VI and/or remainder SPLOST or T-SPLOST funding.
3. **Severability.** To the extent any portion of this Resolution is declared to be invalid, unenforceable, or nonbinding, that shall not affect the remaining portions of this Resolution.
4. **Repeal of Conflicting Provisions.** All City resolutions are hereby repealed to the extent they are inconsistent with this Resolution.
5. **Effective Date.** This Resolution shall take effect immediately.

**THIS RESOLUTION** adopted this 18<sup>th</sup> day of March, 2024.

\_\_\_\_\_  
ROBERT S. PRICE, Mayor

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Misty Spurling, City Clerk

\_\_\_\_\_  
City Attorney

(seal)



**EXHIBIT A**  
**INTERGOVERNMENTAL AGREEMENT**



**INTERGOVERNMENTAL AGREEMENT  
BETWEEN HENRY COUNTY AND THE CITY OF LOCUST GROVE**

This Intergovernmental Agreement (“IGA”) is entered into on this \_\_\_\_ day of \_\_\_\_\_, by and between Henry County, Georgia, a political subdivision of the State of Georgia, (hereinafter, “County” and the City of Locust Grove, also a political subdivision of the State of Georgia, (hereinafter, “City”).

**RECITALS**

**WHEREAS,** State Route 42 is located within the City limits of Locust Grove and within the County limits; and

**WHEREAS,** Henry County is applying for federal transportation funds for the preliminary engineering phase of State Route 42 widening from Bill Gardner Parkway to State Route 155 in response to a solicitation by the Atlanta Regional Commission; and

**WHEREAS,** State Route 42 widening from Bill Gardner Parkway to State Route 155 is located thirty-nine percent (39%) within the City limits of Locust Grove, and sixty-one percent (61%) is located within the County limits; and

**WHEREAS,** the City and the County desire to both contribute financially to the preliminary engineering of State Route 42 widening; and

**WHEREAS,** the estimate for the preliminary engineering cost is \$8,500,000; and

**WHEREAS,** the federal transportation funds require a twenty percent (20%) local match; and

**WHEREAS,** if State Route 42 widening preliminary engineering is awarded federal transportation funds by the Atlanta Regional Commission, the City of Locust Grove shall be responsible for 39%, and Henry County shall be responsible for 61% of the above-mentioned 20% local match, by execution of this Intergovernmental Agreement; and

**NOW, THEREFORE,** in consideration of the mutual benefits to both parties, it is hereby agreed as follows:

**ARTICLE I: DUTIES**

A. County’s Duties:

1. The County agrees to provide the bid specifications and bid letting for the Work.
2. The County shall enter an agreement with a contractor to perform the preliminary engineering of State Route 42 from Bill Gardner Parkway to State Route 155.
3. The County agrees to handle prior local resident work notification within their respective county as they deem appropriate.

## B. City's Duties

1. The City shall pay to the County thirty-nine percent (39%) of the monthly amounts invoiced to the County for the Project. The County shall submit to the City monthly invoices evidencing the City's monthly share of any invoiced Project costs.
2. The City agrees to handle prior local resident work notification within their respective city as they deem appropriate.

## **ARTICLE II: AMENDMENT**

Either party may initiate a request for modification to the Agreement. Such modifications shall be in writing. This agreement constitutes the entire agreement between the parties, and actions by parties other than those identified or designated within the Agreement, shall not serve to bind, or incur liability on behalf of either party.

## **ARTICLE III: NOTICE**

Official notices and correspondence to the County shall be delivered in person, transmitted by regular mail or by certified mail, postage prepaid to the following:

Henry County  
Attention: Cheri Matthews  
County Manager  
140 Henry Parkway  
McDonough, GA 30253

Official notices and correspondence to the City shall be delivered in person, transmitted by regular mail or certified mail, postage prepaid to the following:

City of Locust Grove  
Attention: Tim Young  
City Manager  
PO Box 900  
Locust Grove, GA 30248

## **ARTICLE IV: GENERAL CONDITIONS**

- A. Entire Agreement: This agreement constitutes the sole agreement between the parties. No representations oral or written, not incorporated herein, shall be binding to the parties.
- B. Severability: In the event any provision of this agreement is held to be unenforceable for any reason, the remainder of the agreement shall be in full force and effect and enforceable in accordance with its terms.
- C. Georgia Law Governs: This agreement shall be governed by and construed and enforced in accordance with the laws of Georgia.
- D. Venue: This agreement shall be deemed to have been made and performed in Henry County, Georgia. For the purpose of the venue, all suits or causes of action arising out of this agreement shall be brought in the courts of Henry County, Georgia.

**IN WITNESS THEREFORE**, parties have hereunto set their hands and affixed their seals the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Henry County, Georgia

City of Locust Grove, Georgia

\_\_\_\_\_  
Carlotta Harrell, Chair  
Henry County Board of Commissioners

\_\_\_\_\_  
Robert Price, Mayor/Vince Williams Mayor Pro  
Tem  
City of Locust Grove

**ATTEST:**

**ATTEST:**

\_\_\_\_\_  
Stephanie Braun  
Clerk of Commissioners  
(Affix County Seal)

\_\_\_\_\_  
Misty Spurling  
City of Locust Grove  
(Affix City Seal)

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Serena Nowell  
Henry County Attorney



## Community Development Department

P. O. Box 900  
Locust Grove, Georgia 30248  
Phone: (770) 957-5043  
Facsimile (770) 954-1223

# Item Coversheet

---

**Item:** A special event permit request for Locust Grove Day and the sell of alcohol by licensed vendors on April 20, 2024.

**Action Item:**  Yes  No

**Public Hearing Item:**  Yes  No

**Executive Session Item:**  Yes  No

**Advertised Date:** N/A

**Budget Item:** N/A

**Date Received:** February 28, 2024

**Workshop Date:** N/A

**Regular Meeting Date:** March 18, 2024

### Discussion:

---

Staff received a request for a Special Event Permit from Collen Cook, for Locust Grove Day event to be held at Claude Gray Park and Locust Grove City Hall on April 20, 2024.

- Music and entertainment
- No food is to be sold without obtaining proper permits from the Health Dept.
- Event location(s)
  - Claude Gray Park  
99 Frances Ward Dr, Locust Grove, GA 3024
  - City of Locust Grove (City Hall front lawn)  
3644 Highway 42, Locust Grove, GA 30248



- The duration of the event (including set up and break down)
  - **Saturday, April 20, 2024, from 9:00 a.m. until 3:00 p.m. and 6:00 p.m. until 9:30 p.m.**
- Contact information for the person who will be onsite during the event.
  - **Collen Cook – 470-891-1163**
- Which merchants will have booths at the event?
  - **Vendors for arts/crafts and one beer/wine vendor**
- Permission from property owner?
  - **Yes**

**Comments:**

---

N/A

**Recommendation:**

---

Staff recommends **APPROVAL** of the applicant's request with the following conditions:

1. Vendors serving alcohol shall provide the Community Development Department with a copy of current business and alcohol license from local/state for our records.



## SPECIAL EVENTS PERMIT APPLICATION

Applicant: Colleen Cook	Submittal Date: 2/28/2024
Organization: LG Events Committee	Event Date(s)*: 4/20/2024
Type of Event: Locust Grove Day festival	Event Time(s): 10a.-2pm & 7pm-9pm

\*Please provide the following information a **minimum of thirty (30) days** prior to the event date.

This request will be placed on the next available City Council agenda for a hearing.

**The applicant (or designated representative) must attend this hearing.**

Applicant's local address:	3644 Hwy 42 S, Locust Grove
Applicant's e-mail address:	ccook@locustgrove-ga.gov
Location of the Event:	LG City Hall front lawn and Claude Gray Park
Name and telephone number of onsite contact who will be onsite for the duration of the event.	Colleen Cook, Event Coordinator, 470-891-1163
Description of the nature of the special event:	Request to allow the sale of alcoholic beverages at the Locust Grove Day festival and street dance.
Identify sponsors and/or merchants participating in the event.	One beer/wine vendor
Identify types of goods to be sold*, if any <i>*Additional permits may be required</i>	beer and wine
Duration of the event (including setup and take down) *	9:00am-3:00pm and 6:00pm-9:30pm
Description of music/entertainment*: <i>*City's Noise Ordinance prohibits loud music/voices after midnight.</i>	n/a

**Additional required information:**

- Written permission from the property owner
- Legible copy of the applicant's driver's license (or other State issued ID)
- If the event is a road race, parade, march, running or cycling along public streets, attach a proposed route for review and approval.
  - List number of police officers/public works staff requested – additional fees may apply
- All fees\* are payable to the City of Locust Grove in the amount of \$150  
*\*If the event is for a non-profit organization wishing to waive the fees, proof of the organization's non-profit status must be submitted.*
- **FOR PROFIT EVENTS ONLY:** Complete the "Georgia Bureau of Investigation – Georgia Crime Information Center Consent Form" for a background check.
- **FOR PROFIT EVENTS ONLY:** Complete the attached "E-Verify Affidavit"
- **FOR PROFIT EVENTS ONLY:** Complete the attached "Affidavit Verifying Status for Receipt of Public Benefits"

Signature: Colleen Cook Date: 2/28/2024



AFFIDAVIT VERIFYING STATUS for RECEIPT OF PUBLIC BENEFITS  
O.C.G.A. § 50-36-1(e)(2) AFFIDAVIT

By executing this affidavit under oath, as an applicant for the City of Locust Grove, Georgia public benefit (defined below), as supplemented by resolution of the City Council, and as referenced in O.C.G.A. § 50-36-1, I am stating the following with respect to my application to the City of Locust Grove:

\_\_\_\_\_ I am a United States citizen.

OR

\_\_\_\_\_ I am a legal permanent resident 18 years of age or older, or I am an otherwise qualified alien or non-immigrant under the Federal Immigration and Nationality Act 18 years of age or older and lawfully present in the United States.\*

I understand that "public benefit" includes but is not limited to: Adult education; Authorization to conduct a commercial enterprise or business; Authorization to conduct activities regulated by local government such as flea markets, peddlers, sidewalk vendors, massage therapy, bingo games, adult entertainment, pawn shops, day cares, etc.; Business certificate, license, or registration; Business loan; Cash allowance; Contract for materials or services; Disability assistance or insurance; Down payment assistance; Energy assistance; Food stamps; Gaming license; Health benefits; Housing allowance, grant, guarantee, or loan; Home occupation certificate, license, license and registration; Loan guarantee; Medicaid; Occupational license; Professional license; Registration of a regulated business; Rent assistance or subsidy; Retirement benefits; State grant or loan; State identification card; Tax certificate required to conduct a commercial business; Temporary assistance for needy families (TANF); Unemployment insurance; Vehicles for Hire certificate or license; and Welfare to work.

\_\_\_\_\_  
Name of natural person applying on behalf of individual, business, corporation, partnership or other private entity

\_\_\_\_\_  
Address of applicant named above

\_\_\_\_\_  
Telephone Number

\_\_\_\_\_  
Name of individual, business, corporation, partnership or other private entity for whom application is being made

\_\_\_\_\_  
Category of Public Benefit

In making the above representations under oath, I understand that any person who knowing and willfully makes a false, fictitious or fraudulent statement or representation in an affidavit shall be guilty of a violation of O.C.G.A. § 16-10-20.

SUBSCRIBED AND SWORN  
BEFORE ME ON THIS THE

\_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_

NOTARY PUBLIC

MY COMMISSION EXPIRES: \_\_\_\_\_

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
\*Alien Registration Number for Non-citizens





# CITY OF LOCUST GROVE SPECIAL EVENT PERMIT

APPLICANT:

Collen Cook

EVENT LOCATION:

99 Frances Ward Dr, Locust Grove, GA 30248 (Claude Gray Park)  
3644 Highway 42, Locust Grove, GA 30248 City of Locust Grove (City  
-Hall)

EVENT DESCRIPTION:

Locust Grove Day

DATE AND TIME:

April 20, 2024 (10:00AM – 2:00PM) and (7:00PM - 9:00PM)

COUNCIL APPROVAL DATE:

March 18, 2024

\_\_\_\_\_  
Issued by the Community Development Director

\_\_\_\_\_  
Date Issued

\_\_\_\_\_  
Applicant's Signature

\_\_\_\_\_  
Date



## Community Development Department

P. O. Box 900  
Locust Grove, Georgia 30248  
Phone: (770) 957-5043  
Facsimile (770) 954-1223

# Item Coversheet

---

**Item:** A special event permit request for Praise in the Park to hold a Gospel Event on March 23, 2024.

**Action Item:**  Yes  No

**Public Hearing Item:**  Yes  No

**Executive Session Item:**  Yes  No

**Advertised Date:** N/A

**Budget Item:** N/A

**Date Received:** February 19, 2024

**Workshop Date:** N/A

**Regular Meeting Date:** March 18, 2024

### Discussion:

---

Staff received a request for a Special Events Permit from Andrea Johnson, for Praise in the Park event to be held at Claude Gray Park on March 23, 2024.

- Music and entertainment
- No food is to be sold without obtaining proper permits from the Health Dept.
- Event location(s)
  - Claude Gray Park  
99 Frances Ward Dr, Locust Grove, GA 30248 Locust Grove, GA 30248
- The duration of the event (including set up and break down)
  - Saturday, March 23, 2024, from 1 p.m. until 8 p.m.



- Contact information for the person who will be onsite during the event
  - **Andrea Johnson – 678-935-8738 or 470-597-2496**
  
- Which merchants will have booths at the event?
  - **To be determined**
  
- Permission from property owner?
  - **Yes**

**Comments:**

---

N/A

**Recommendation:**

---

**STAFF RECOMMENDS APPROVAL OF THE SPECIAL EVENT PERMIT REQUEST FOR THE PRAISE IN THE PARK EVENT ON MARCH 23, 2024.**

Waive the fees  
attached  
(non-profit fees)



## SPECIAL EVENTS PERMIT APPLICATION

Applicant: <u>Andrea Johnson</u>	Submittal Date:
Organization: <u>Locust Grove Masonic Lodge</u>	Event Date(s)*: <u>03-23-24</u>
Type of Event:	Event Time(s):

\*Please provide the following information a minimum of thirty (30) days prior to the event date.  
 This request will be placed on the next available City Council agenda for a hearing.  
**The applicant (or designated representative) must attend this hearing.**

Applicant's local address:	<u>400 MLK Drive, Locust Grove</u>	
Applicant's e-mail address:	<u>akbarnes2000@yahoo.com</u>	
Location of the Event:	<u>Claude Gray Park</u>	
Name and telephone number of onsite contact who will be onsite for the duration of the event.	<u>678-935-8738</u>	<u>470-597-2496</u>
Description of the nature of the special event:	<u>Praise in the Park</u>	
Identify sponsors and/or merchants participating in the event.	<u>MIA</u>	
Identify types of goods to be sold*, if any <i>*Additional permits may be required</i>	<u>crafts, + shirts,</u>	
Duration of the event (including setup and take down)	<u>12-8pm</u>	
Description of music/entertainment*: <i>*City's Noise Ordinance prohibits loud music/voices after midnight.</i>	<u>Gospel music</u>	

**Additional required information:**

- Written permission from the property owner
- Legible copy of the applicant's driver's license (or other State issued ID)
- If the event is a road race, parade, march, running or cycling along public streets, attach a proposed route for review and approval.
  - List number of police officers/public works staff requested – additional fees may apply
- All fees\* are payable to the City of Locust Grove in the amount of \$150  
*\*If the event is for a non-profit organization wishing to waive the fees, proof of the organization's non-profit status must be submitted.*
- **FOR PROFIT EVENTS ONLY:** Complete the "Georgia Bureau of Investigation – Georgia Crime Information Center Consent Form" for a background check.
- **FOR PROFIT EVENTS ONLY:** Complete the attached "E-Verify Affidavit"
- **FOR PROFIT EVENTS ONLY:** Complete the attached "Affidavit Verifying Status for Receipt of Public Benefits"

Signature: Andrea Johnson Date: 03-12-24



E-VERIFY AFFIDAVIT  
Locust Grove, GA

E-verify Private Employer Affidavit Pursuant to O.C.G.A. § 36-60-6(d)

By executing this affidavit, the undersigned private employer verifies its compliance with O.C.G.A. § 36-60-6(d), stating affirmatively that the individual, firm or corporation has registered with and utilizes the federal work authorization program commonly know as E-Verify, or any subsequent replacement in O.C.G.A. § 36-60-6(d). Furthermore, the undersigned applicant verifies one of the following with respect to my application for the above mentioned document:

- 1. (a) \_\_\_\_\_ The individual, firm or corporation employed more than ten (10) employees.
- (b)  The individual, firm or corporation employed ten (10) or fewer employees.

*If the employer selected 1(a) please fill out Section 2 below.*

- 2. The undersigned private employer attests that its federal work authorization user identification number and date of authorization are listed below:

\_\_\_\_\_ Federal Work Authorization User Identification Number

\_\_\_\_\_ Date of Authorization

I hereby declare under penalty of perjury that the foregoing is true and correct.

\_\_\_\_\_  
Signature of Authorized Officer or Agent

\_\_\_\_\_  
Printed Name and Title of Authorized Officer or Agent

SUBSCRIBED AND SWORN BEFORE ME ON THIS THE

28th DAY OF February, 2024

Cynthia Joan Cook

NOTARY PUBLIC

My Commission Expires: 9-5-2027







AFFIDAVIT VERIFYING STATUS for RECEIPT OF PUBLIC BENEFITS  
O.C.G.A. § 50-36-1(e)(2) AFFIDAVIT

By executing this affidavit under oath, as an applicant for the City of Locust Grove, Georgia public benefit (defined below), as supplemented by resolution of the City Council, and as referenced in O.C.G.A. § 50-36-1, I am stating the following with respect to my application to the City of Locust Grove:

I am a United States citizen.

OR

I am a legal permanent resident 18 years of age or older, or I am an otherwise qualified alien or non-immigrant under the Federal Immigration and Nationality Act 18 years of age or older and lawfully present in the United States.\*

I understand that "public benefit" includes but is not limited to: Adult education; Authorization to conduct a commercial enterprise or business; Authorization to conduct activities regulated by local government such as flea markets, peddlers, sidewalk vendors, massage therapy, bingo games, adult entertainment, pawn shops, day cares, etc.; Business certificate, license, or registration; Business loan; Cash allowance; Contract for materials or services; Disability assistance or insurance; Down payment assistance; Energy assistance; Food stamps; Gaming license; Health benefits; Housing allowance, grant, guarantee, or loan; Home occupation certificate, license, license and registration; Loan guarantee; Medicaid; Occupational license; Professional license; Registration of a regulated business; Rent assistance or subsidy; Retirement benefits; State grant or loan; State identification card; Tax certificate required to conduct a commercial business; Temporary assistance for needy families (TANF); Unemployment insurance; Vehicles for Hire certificate or license; and Welfare to work.

Andrea Johnson

Name of natural person applying on behalf of individual, business, corporation, partnership or other private entity

400 MLK Blvd Locust Grove - 478-597-2496

Address of applicant named above

Telephone Number

Locust Grove Masonic Lodge

Non profit

Name of individual, business, corporation, partnership or other private entity for whom application is being made

Category of Public Benefit

In making the above representations under oath, I understand that any person who knowing and willfully makes a false, fictitious or fraudulent statement or representation in an affidavit shall be guilty of a violation of O.C.G.A. § 16-10-20.

SUBSCRIBED AND SWORN  
BEFORE ME ON THIS THE

28th DAY OF February 24

Andrea Johnson 2.21.24

Signature of Applicant

Date

Andrea Johnson

Printed Name



9-5-2027

\*Alien Registration Number for Non-citizens



# CITY OF LOCUST GROVE SPECIAL EVENT PERMIT

**APPLICANT:**

Andrea Johnson

**EVENT LOCATION:**

99 Frances Ward Dr, Locust Grove, GA 30248  
Locust Grove, GA 30248. (Claude Gray Park)

**EVENT DESCRIPTION:**

Gospel Music/Event

**DATE AND TIME:**

March 23, 2024 (1:00PM – 8:00PM)

**COUNCIL APPROVAL DATE:**

March 18, 2024

\_\_\_\_\_

Issued by the Community Development Director

Date Issued

\_\_\_\_\_

Applicant's Signature

Date