



Community Development Department

P. O. Box 900
Locust Grove, Georgia 30248

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

Item Coversheet

Item: Request to amend the City of Locust Grove Future Land Use Map from Service Commercial and Parks, Recreation, Conservation to Industrial for property located on Highway 42 (Parcels: 111-01012000, 111-01012001, 111-01011000, and 111-01010000) in Land Lot 233 of the 2nd District for the purpose of developing a gravel-surfaced truck/tractor-trailer parking lot.

Action Item: Yes No

Public Hearing Item: Yes No

Executive Session Item: Yes No

Advertised Date: September 27, 2023

Budget Item: N/A

Date Received: September 5, 2023

Workshop Date: October 16, 2023

Regular Meeting Date: November 6, 2023

Discussion:

Rob Franks of McDonough, GA requests an amendment to the City of Locust Grove Future Land Use Map from Service Commercial and Parks, Recreation, Conservation to Industrial for 23.25+/- acres located on Highway 42 (Parcels: 111-01012000, 111-01012001, 111-01011000, & 111-01010000) in Land Lot 233 of the 2nd District for the purpose of developing a gravel truck parking lot.

Recommendation:

Staff recommends APPROVAL of the applicant's request to amend the

Future Land Use Map from Service Commercial and Parks, Recreation, Conservation to Industrial. The request is consistent with the character area of neighboring and surrounding properties designation or use as Industrial and or Commercial.

ORDINANCE NO. _____

AN ORDINANCE TO APPROVE A FUTURE LAND USE MAP AMENDMENT FROM SERVICE COMMERCIAL AND PARKS, RECREATION, CONSERVATION TO INDUSTRIAL FOR 23.25+/- ACRES LOCATED ON HIGHWAY 42 (PARCELS: 111-01012000, 111-01012001, 111-01011000, & 111-01010000) IN LAND LOT 233 OF THE 2ND 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, Rob Franks of McDonough, GA requests a Future Land Use Map Amendment from Service Commercial and Parks, Recreation, Conservation to Industrial for 23.25 +/- acres located on Highway 42 (Parcels: 111-01012000, 111-01012001, 111-01011000, & 111-01010000) in land lot 233 of the 2nd District (the “Property), attached hereto as **Exhibit A**; and,

WHEREAS, the Applicant filed a request for a Future Land Use Map Amendment on September 5, 2023 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 October 16, 2023, as well as by the City Community Development Director; and,

WHEREAS, the Applicant requests a Future Land Use Map Amendment for the purpose of developing a gravel truck parking lot; 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 amendment the Future Land Use Map from Service Commercial and Parks, Recreation, Conservation to Industrial is hereby **APPROVED**.
- () That the request for rezoning 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.

4.

That, 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 6th day of November 2023.

ROBERT S. PRICE, Mayor

ATTEST:

MISTY SPURLING, City Clerk

(Seal)

APPROVED AS TO FORM:

City Attorney

EXHIBIT A

EXHIBIT B

EXHIBIT C

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 on Highway 42 (Parcels: 111-01012000, 111-01012001, 111-01011000, and 111-01010000) in Land Lot 233 of the 2nd District from RA (Residential Agricultural) to M-1 (Light Manufacturing) for the purpose of developing a gravel-surfaced truck/tractor-trailer parking lot.

Action Item: Yes No

Public Hearing Item: Yes No

Executive Session Item: Yes No

Advertised Date: September 27, 2023

Budget Item: N/A

Date Received: September 5, 2023

Workshop Date: October 16, 2023

Regular Meeting Date: November 6, 2023

Discussion:

Rob Franks of McDonough, GA requests a rezoning from RA (Residential Agricultural) to M-1 (Light Manufacturing) for 23.25+/- acres located on Highway 42 (Parcels: 111-01012000, 111-01012001, 111-01011000, & 111-01010000) in Land Lot 233 of the 2nd District for the purpose of developing a gravel truck parking lot.

Recommendation:

Staff recommends DENIAL of the request.

However, if after hearing the concurrent future land use map amendment requests pertaining to the subject property, the City Council chooses to approve the applicant's Rezoning Request, the following amended conditions are recommended:

1. Plain painted, baked or acrylic finish corrugated metal panels shall be prohibited on all exterior walls unless otherwise approved by the Architectural Review Board, and then only as an accent feature. Primary facades shall be tilt-up concrete, brick, natural stone, glass with proper fenestration using color, materials and design to break up large expanses of wall space.
2. A lighting plan shall be submitted and approved prior to the issuance of a Certificate of Occupancy. This lighting plan shall detail cutoff-type fixtures on all buildings and in parking lots as well as a photometric plan.
3. The applicant shall submit a stand-alone landscape plan for review by the City of Locust Grove Community Development Department.
4. As many mature trees as possible will be preserved and protected during construction, under the direction and supervision of a certified arborist, and remain preserved.
5. Twelve (12) feet of additional right-of-way beyond that which is required by Georgia Department of Transportation shall be dedicated to the City of Locust Grove, Georgia for future road improvements along S. R. 42.
6. The owner/developer shall coordinate with the abutting property owner(s) entry/access to the subject property from the future Industrial Road improvements to the west of the subject property with enhanced vegetative screening along State Route/Highway 42.
7. The owner/developer shall complete a traffic study and implement all required improvements from the finding of the traffic at the owners/developer's expense.

ORDINANCE NO. _____

AN ORDINANCE TO DENY A REZONING FROM RA (RESIDENTIAL AGRICULTURAL) TO M-1 (LIGHT MANUFACTURING) FOR 23.25+/- ACRES LOCATED ON HIGHWAY 42 (PARCELS: 111-01012000, 111-01012001, 111-01011000, & 111-01010000) IN LAND LOT 233 OF THE 2ND 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, Rob Franks of McDonough, GA requests a Rezoning from RA (Residential Agricultural) to M-1 (Light Manufacturing) for 23.25 +/- acres located on Highway 42 (Parcels: 111-01012000, 111-01012001, 111-01011000, & 111-01010000) in land lot 233 of the 2nd District (the “Property), attached hereto as **Exhibit A**; and,

WHEREAS, the Applicant filed a request for a Rezoning on September 5, 2023 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 October 16, 2023, as well as by the City Community Development Director; and,

WHEREAS, the Applicant requests a Rezoning for the purpose of developing a gravel truck parking lot; 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.

- That the request for Rezoning from RA to M-1 is hereby **APPROVED**.
- That the request for rezoning 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.
- If no **Exhibit D** is attached hereto, then the property is zoned without conditions.

4.

That, 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 6th day of November 2023.

ROBERT S. PRICE, Mayor

ATTEST:

MISTY SPURLING, City Clerk

(Seal)

APPROVED AS TO FORM:

City Attorney

EXHIBIT A

EXHIBIT B

EXHIBIT C

EXHIBIT D

ORDINANCE NO. _____

AN ORDINANCE TO APPROVE A REZONING FROM RA (RESIDENTIAL AGRICULTURAL) TO M-1 (LIGHT MANUFACTURING) FOR 23.25+/- ACRES LOCATED ON HIGHWAY 42 (PARCELS: 111-01012000, 111-01012001, 111-01011000, & 111-01010000) IN LAND LOT 233 OF THE 2ND 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, Rob Franks of McDonough, GA requests a Rezoning from RA (Residential Agricultural) to M-1 (Light Manufacturing) for 23.25 +/- acres located on Highway 42 (Parcels: 111-01012000, 111-01012001, 111-01011000, & 111-01010000) in land lot 233 of the 2nd District (the “Property), attached hereto as **Exhibit A**; and,

WHEREAS, the Applicant filed a request for a Rezoning on September 5, 2023 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 October 16, 2023, as well as by the City Community Development Director; and,

WHEREAS, the Applicant requests a Rezoning for the purpose of developing a gravel truck parking lot; 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.

- That the request for Rezoning from RA to M-1 is hereby **APPROVED**.
- That the request for rezoning 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.
- If no **Exhibit D** is attached hereto, then the property is zoned without conditions.

4.

That, 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 6th day of November 2023.

ROBERT S. PRICE, Mayor

ATTEST:

MISTY SPURLING, City Clerk

(Seal)

APPROVED AS TO FORM:

City Attorney

EXHIBIT A

EXHIBIT B

EXHIBIT C

EXHIBIT D

1. Plain painted, baked or acrylic finish corrugated metal panels shall be prohibited on all exterior walls unless otherwise approved by the Architectural Review Board, and then only as an accent feature. Primary facades shall be tilt-up concrete, brick, natural stone, glass with proper fenestration using color, materials and design to break up large expanses of wall space.
2. A lighting plan shall be submitted and approved prior to the issuance of a Certificate of Occupancy. This lighting plan shall detail cutoff-type fixtures on all buildings and in parking lots as well as a photometric plan.
3. The applicant shall submit a stand-alone landscape plan for review by the City of Locust Grove Community Development Department.
4. As many mature trees as possible will be preserved and protected during construction, under the direction and supervision of a certified arborist, and remain preserved.
5. Twelve (12) feet of additional right-of-way beyond that which is required by Georgia Department of Transportation shall be dedicated to the City of Locust Grove, Georgia for future road improvements along S. R. 42.
6. The owner/developer shall coordinate with the abutting property owner(s) entry/access to the subject property from the future Industrial Road improvements to the west of the subject property with enhanced vegetative screening along State Route/Highway 42.
7. The owner/developer shall complete a traffic study and implement all required improvements from the finding of the traffic at the owners/developer's expense.



Community Development Department

P. O. Box 900
Locust Grove, Georgia 30248

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

Item Coversheet

Item: Conditional Use Request to allow gravel-surfaced truck/tractor-trailer parking on Highway 42 (Parcels: 111-01012000, 111-01012001, 111-01011000, and 111-01010000).

Action Item: Yes No

Public Hearing Item: Yes No

Executive Session Item: Yes No

Advertised Date: September 27, 2023

Budget Item: N/A

Date Received: September 5, 2023

Workshop Date: October 16, 2023

Regular Meeting Date: November 6, 2023

Discussion:

Rob Franks of McDonough, GA requests a Conditional Use for 23.25+/- acres located on Highway 42 (Parcels: 111-01012000, 111-01012001, 111-01011000, & 111-01010000) in Land Lot 233 of the 2nd District for the purpose of developing a gravel truck parking lot.

Recommendation:

Staff recommends DENIAL of the request.

However, if after hearing the concurrent rezoning and future land use map amendment requests pertaining to the subject property, the City Council chooses to approve the applicant's Conditional Use Request, the following amended conditions are recommended:

1. All entry/exit points to the truck parking area shall be secured with fencing, gates, and/or security.

2. In addition to required buffering, the applicant shall install opaque privacy fencing eight (8) feet in height around the perimeter of the parking lot.
3. The applicant shall coordinate with the LGPD for the installation of flock cameras.
4. The gravel surface shall be kept in a neat and orderly fashion at all times and is subject to an annual inspection from the City Code Enforcement Officer.
5. No tractor-trailer or any other vehicle shall be occupied overnight.
6. Security cameras shall be installed with occasional checks by the City of Locust Grove Code Enforcement to ensure compliance with no overnight sleeping is maintained. Camera recordings shall be maintained on record for no less than 30 days.
7. The owner/developer shall coordinate with the abutting property owner(s) entry/access to the subject property from the future Industrial Road improvements to the west of the subject property with enhanced vegetative screening along State Route/Highway 42.
8. The owner/developer shall complete a traffic study and implement all required improvements from the finding of the traffic at the owners/developer's expense.

ORDINANCE NO. _____

AN ORDINANCE TO DENY A CONDITIONAL USE FOR 23.25+/- ACRES LOCATED ON HIGHWAY 42 (PARCELS: 111-01012000, 111-01012001, 111-01011000, & 111-01010000) IN LAND LOT 233 OF THE 2ND 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, Rob Franks of McDonough, GA requests a Conditional Use for 23.25 +/- acres located on Highway 42 (Parcels: 111-01012000, 111-01012001, 111-01011000, & 111-01010000) in land lot 233 of the 2nd District (the “Property), attached hereto as **Exhibit A**; and,

WHEREAS, the Applicant filed a request for a Conditional Use on September 5, 2023 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 October 16, 2023, as well as by the City Community Development Director; and,

WHEREAS, the Applicant requests a Conditional Use for the purpose of developing a gravel truck parking lot; 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.

- That the request for Conditional Use is hereby **APPROVED**.
- That the request for rezoning 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.
- If no **Exhibit D** is attached hereto, then the property is zoned without conditions.

4.

That, 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 6th day of November 2023.

ROBERT S. PRICE, Mayor

ATTEST:

MISTY SPURLING, City Clerk

(Seal)

APPROVED AS TO FORM:

City Attorney

EXHIBIT A

EXHIBIT B

EXHIBIT C

EXHIBIT D

ORDINANCE NO. _____

AN ORDINANCE TO APPROVE A CONDITIONAL USE FOR 23.25+/- ACRES LOCATED ON HIGHWAY 42 (PARCELS: 111-01012000, 111-01012001, 111-01011000, & 111-01010000) IN LAND LOT 233 OF THE 2ND 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, Rob Franks of McDonough, GA requests a Conditional Use for 23.25 +/- acres located on Highway 42 (Parcels: 111-01012000, 111-01012001, 111-01011000, & 111-01010000) in land lot 233 of the 2nd District (the “Property), attached hereto as **Exhibit A**; and,

WHEREAS, the Applicant filed a request for a Conditional Use on September 5, 2023 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 October 16, 2023, as well as by the City Community Development Director; and,

WHEREAS, the Applicant requests a Conditional Use for the purpose of developing a gravel truck parking lot; 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.

- That the request for Conditional Use is hereby **APPROVED**.
- That the request for rezoning 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.
- If no **Exhibit D** is attached hereto, then the property is zoned without conditions.

4.

That, 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 6th day of November 2023.

ROBERT S. PRICE, Mayor

ATTEST:

MISTY SPURLING, City Clerk

(Seal)

APPROVED AS TO FORM:

City Attorney

EXHIBIT A

EXHIBIT B

EXHIBIT C

EXHIBIT D

1. All entry/exit points to the truck parking area shall be secured with fencing, gates, and/or security.
2. In addition to required buffering, the applicant shall install opaque privacy fencing eight (8) feet in height around the perimeter of the parking lot.
3. The applicant shall coordinate with the LGPD for the installation of flock cameras.
4. The gravel surface shall be kept in a neat and orderly fashion at all times and is subject to an annual inspection from the City Code Enforcement Officer.
5. No tractor-trailer or any other vehicle shall be occupied overnight.
6. Security cameras shall be installed with occasional checks by the City of Locust Grove Code Enforcement to ensure compliance with no overnight sleeping is maintained. Camera recordings shall be maintained on record for no less than 30 days.
7. The owner/developer shall coordinate with the abutting property owner(s) entry/access to the subject property from the future Industrial Road improvements to the west of the subject property with enhanced vegetative screening along State Route/Highway 42.
8. The owner/developer shall complete a traffic study and implement all required improvements from the finding of the traffic at the owners/developer's expense.



Community Development Department

P. O. Box 900
Locust Grove, Georgia 30248

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

Item Coversheet

Item: A resolution to adopt the annual update of the Capital Improvement Element for the City.

Action Item: Yes No

Public Hearing Item: Yes No

Executive Session Item: Yes No

Advertised Date: September 27, 2023

Budget Item: N/A

Date Received: September 5, 2023

Workshop Date: October 16, 2023

Regular Meeting Date: November 6, 2023

Discussion:

These reports will be submitted to the ARC in accordance with the Georgia Planning Act and with requirements set by the Georgia DCA. The reports include:

1. The Capital Improvement Element Update for the City of Locust Grove. This update is required because the City collects Development Impact fees.
2. Report of Accomplishments for 2022/2023.

A Short-Term Work Program report is NOT included in this transmittal to the State due to the fact that those particular items are included in the Comprehensive Plan Update that will be reviewed by the ARC and adopted by the City Council later in the year.

Acceptance of these reports by the ARC and DCA will allow the City to retain its Qualified Local Government status thus keeping the City eligible for State and Federal funds.

Recommendation:

Staff recommends APPROVAL of the resolution to adopt the annual update of the Capital Improvement Element for the City of Locust Grove and to forward copies of this resolution to the Atlanta Regional Commission.

RESOLUTION NO. _____

A RESOLUTION TO ADOPT AN UPDATE TO THE CITY OF LOCUST GROVE 2023 COMPREHENSIVE LAND USE PLAN; TO AUTHORIZE THE MAYOR AND CITY CLERK TO EXECUTE AND DELIVER ANY DOCUMENTS NECESSARY TO CARRY OUT THIS ORDINANCE; TO REPEAL INCONSISTENT PROVISIONS; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

WHEREAS, the City of Locust Grove (“City”) held open meetings beginning February 6, 2023 to announce intent to update the Comprehensive Land Use Plan; and,

WHEREAS, the City has prepared an update in accordance with the Rules of the Georgia Department of Community Affairs Minimum Planning Standards and Procedures for Local Comprehensive Planning, as shown in **Exhibit A**; and,

WHEREAS, the City held several presentations and public meetings to gather public input throughout the planning process through the Community Participation Program; and,

WHEREAS, the said amendment has been reviewed by the Mayor and Council of the City of Locust Grove in a public hearing on October 16, 2023 for transmittal to the Atlanta Regional Commission (ARC) for Regional and State review, as per the requirements of Minimum Planning Standards by the Georgia Department of Community Affairs (DCA); and,

WHEREAS, said amendment has been found generally consistent with the requirements of the Minimum Planning Standards by both ARC and DCA; and,

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

WHEREAS, the Mayor and City Council in the exercise of their sound judgment and discretion, after giving thorough thought to all implications involved, and keeping in mind the

public interest and welfare to the citizens of the City, have determined this amendment to be in the best interests of the citizens of the City, that this Resolution be adopted.

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

1. **Authorization.** That the Locust Grove City Council hereby adopts Exhibit "A" as the updated City of Locust Grove Comprehensive Land Use Plan and seeks to notify the Atlanta Regional Commission of said adoption, as per the requirements of the Minimum Planning Standards of the Georgia Department of Community Affairs. Further, that the Locust Grove City Council hereby authorizes the Mayor to submit the Community Agenda to the Atlanta Regional Commission as per the requirements of the Minimum Planning Standards of the Georgia Department of Community Affairs.
2. **Public Purpose.** The City finds that the foregoing actions constitute a major stem in preserving the health, safety, well-being and economic vitality of the community and are, therefore, consistent with its public purposes and powers.
3. **Attestation.** That the Locust Grove City Council hereby authorizes the City Clerk to attest the signature of any City official appearing on documents necessary to carry out this Resolution, to affix the official seal of the City thereto, as necessary, and to place this Resolution and any related documents among the official records of the City for future reference.
4. **Severability.** To extent any portion of this Resolution is declared to be invalid, unenforceable, or nonbinding, that shall not affect the remaining portions of this Resolution.
5. **Repeal of Conflicting Provisions.** All City resolutions are hereby repealed to the extent they are inconsistent with this Resolution.
6. **Effective Date.** This Resolution shall take effect immediately.

THIS RESOLUTION adopted this 6th day of November, 2023.

ROBERT S. PRICE, Mayor

ATTEST:

MISTY SPURLING, City Clerk

(Seal)

APPROVED AS TO FORM:

City Attorney

EXHIBIT A

EXHIBIT B



Community Development Department

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

Item Coversheet

Item: **An Ordinance to amend Section 17.04.090 *Residential Growth Regulation* to update residential growth limitations**

Action Item: Yes No

Public Hearing: Yes No

Executive Session Item: Yes No

Budget Item: N/A

Date Received: N/A

Workshop Date: **October 16, 2023**

Regular Meeting Date: **November 6, 2023**

Discussion:

The City’s Residential Growth Ordinance (the “Ordinance”) was implemented to address trends in the City’s housing stock. The Ordinance is designed to be a proactive step towards accommodating and controlling the amount of single-family housing, multi-family housing and mobile home developments within the City.

Currently, the Ordinance establishes the following thresholds:

- Single-family housing (low and medium density residential) under an RA, R-1, R-2 or R-3 zoning classification shall not be less than 77% of the City’s overall housing stock.
 - R-3 (single-family residential) shall not exceed 30% of the single-family housing stock.
 - RA, R-1 and R-2 (single-family residential) shall not be less than 47% of the single-family housing stock.

- Multi-family housing (duplexes and high density residential) under an RD or RM (RM-1, RM-2 and RM-3) designation shall not be more than 20% of the City’s overall housing stock.
- Mobile homes (manufactured houses) under the RMH designation shall not be more than 3% of the City’s housing stock.

As discussed during the Planning Retreat in March 2022 and again during a workshop meeting in July of 2022, and the most recent Retreat in July of 2023, the amendments to the Ordinance are in the attached document.

The purpose of amendment is to reflect current housing trends in the City more accurately. Housing supply and demand has ebbed and flowed in a cyclical pattern subject to economic conditions over the last 20 years. Since the establishment of the Ordinance, the City has adopted, modified, and removed several versions of an R-3 zoning district, added and removed residential zoning designations such as PR-4 and PR-5 and developed projects through Development Agreements which often times vary from established development requirements.

The Ordinance will provide the City with a means to track housing options by type and relative quantities to provide an adequate supply of various housing types to establish a better quality of life for our residents and ensure that the City’s infrastructure is not overwhelmed.

Finally, quantities of housing types (single-family, multi-family, mobile home) are indexed to the overall number of dwellings as a set percentage. Indexing will allow the Council and Staff to track whether there is too much (or too little) focus on one particular type of housing especially in light of new requests for rezoning that come before the Council for consideration.

The proposed Ordinance contemplates the following thresholds:

	TOTAL LOTS	OVERALL %	PROPOSED	DEVELOPED LOTS	% OF DEV TO TOTAL LOTS
MULTI-FAMILY	1169	13%	15%	327	28%
RMH - MOBILE HOME	395	4%	3%	381	96%
HIGH-DENSITY SINGLE-FAMILY	3988	43%	32%	2486	62%
LOW-DENSITY SINGLE-FAMILY	3726	40%	50%	789	21%
TOTAL	9278	100%	100%	3983	

ORDINANCE NO. _____

TO AMEND TITLE 17 “ZONING”, CHAPTER 17.04 “ZONING CODE ADOPTED”, OF THE CITY OF LOCUST GROVE CODE OF ORDINANCES WHICH PROVIDES FOR ZONING; TO AMEND SECTION 17.04.090 “RESIDENTIAL GROWTH REGULATION”, TO PROVIDE DEFINITIONS; TO UPGRADE RESIDENTIAL GROWTH LIMITATIONS; PROVIDE FOR CODIFICATION; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

THE COUNCIL OF THE CITY OF LOCUST GROVE HEREBY ORDAINS

SECTION 1. Chapter 17.04 of the Code of Ordinances of the City of Locust Grove is hereby amended by deleting Section 17.04.090 in its entirety and inserting new Section 17.04.090 to be entitled Residential Growth Regulation.

17.04.090 - Residential growth regulation.

A. Purpose and Intent.

Henry County has grown at a rate of nine percent per year between the years 2010 and 2020. Atlanta's burgeoning southeastern population growth follows the path of U.S. Interstate 75 ("I-75") through Henry County. The city of Locust Grove ("City") is located in Henry County on I-75. Although the city sits on the boundary of the ARC planning region, it has experienced and is expected to continue to experience increased residential growth.

Single-family housing has continued to dominate the housing market while multifamily housing developments have increased at significant rates in particular areas. Areas where multifamily development continues to grow is where land is located outside the perimeter of U.S. Interstate 285 ("I-285") and in close proximity and with good accessibility to interstates and highways. The City is located outside the I-285 perimeter and is bisected by I-75 and Georgia State Highway 42. As of 2023, the city's housing stock consisted of approximately eighty-three percent single-family housing with the remainder in the form of multifamily units (13%) and mobile homes (4%).

To address these growth trends, the mayor and city council wish to continue taking proactive steps to accommodate and control the amount of single-family housing, multifamily housing, and mobile home development within its boundaries. Thus, it is the intention of the mayor and city council and purpose of this section to encourage continued diversification of residential uses in the city as well as accommodate its fair share of the region's residential growth in a manner consistent with both the remote proximity of the city to the center of regional growth and the history of residential land uses developed in the city.

B. Definitions.

Acreage, gross: all land located within an established boundary.

Acreage, net: land located within an established boundary not including lands dedicated for public use, required infrastructure, open space and environmentally protected areas.

City: the City of Locust Grove, Georgia.

Density, gross: the number of dwellings per acre of land included within an established boundary.

Density, net: the number of dwellings possible on net acreage of land.

Dwelling unit: a building or portion thereof which is designed or used exclusively for residential purposes, constructed in compliance with the *International Residential Code*, as amended, including single-family, two-family, multi-family, modular (including all residential industrialized buildings under O.C.G.A. Title 8, Chapter 2, Article 2, Part 1), and manufactured housing structures, but not including hotels or motels.

Dwelling unit per acre (DUA): the number of possible dwelling units per net acre.

High-density residential housing: single-family housing developments that equal or exceed a net density of 2.50 DUA. Such units are typically located in areas zoned RD, R-2(CRSO/CRS), R-3, RM-Single family (prior Zoning Code allowance for cluster housing), PD (R-3), PR-4 and PR-5.

Housing stock: The total number of dwelling units as determined under subsection (D)(1) of this Chapter “Residential Housing Inventory”.

Low-density residential housing: single-family housing developments that do not exceed a net density of 2.49 dwelling units per acre. Such units are typically located in areas zoned RA, R-1, and R-2.

Mobile-home residential housing: transportable single-family units in segments of at least 320 square feet in size with a permanent chassis built in accordance with HUD's construction and safety standards and includes all Manufactured Homes built under the Manufactured Home Construction and Safety Standards, effective June 15, 1976. Such units are typically located in areas zoned RMH and grandfathered RM-75 (constructed prior to the adoption of the existing Zoning Code with initial effective date of 1986, as amended).

Multi-family residential housing: a residential housing development consisting of attached dwelling units with a DUA of at least 4.0 dwelling units per acre. Such units are typically located in areas zoned RM-1, RM-2, RM-3, PD(RM) and PR-5.

C. Residential Growth Limitation.

1. This paragraph establishes the residential growth limitation for the City within the city of Locust Grove, single-family housing, which consists of low-density residential housing shall not be less than fifty percent (50%) of the city housing stock. High-density residential housing shall not be more than thirty-two percent (32%) of the city housing stock. Multifamily residential housing shall not be more than fifteen percent (15%) of the city housing stock. Mobile home residential housing shall not be more than three percent (3%) of the city housing stock.

2. In order to account for water and sanitary sewer infrastructure impacts for the period of 2023 – 2026, within the category of multifamily housing as described in subparagraph 1, no more than fifty percent (50%) of the available total permissible multifamily housing units may be permitted for construction in a single calendar year.

D. Administration.

1. Residential Housing Inventory. For purposes of determining whether or not a proposed development in the city will violate the residential growth limitations set forth in this section, the city manager or his or her designee, shall determine the residential housing inventory for the city. The residential housing inventory shall be based on the net density of housing units that could be built on land zoned for residential use and in accordance with the particular zoning district regulations applicable to such land. The residential housing inventory shall then be converted into percentages of high-density residential housing, low-density residential housing, multi-family residential housing, and mobile-home residential housing to determine compliance with the residential growth limitations set forth in subsection (C) of this section.
2. Quarterly Residential Growth Report. The city manager, or his designee, shall document all information required under subsection (D)(1) of this section in a quarterly residential growth report, and such report shall be presented to the city council at the first meeting of the council for each quarter. The quarterly residential growth report and this section shall be considered by the city council whenever they must decide on any amendment to the zoning ordinance, including the zoning map, use variance, and any development agreements entered into for residential development of property in the city. The quarterly residential growth report shall be available to the public at the city clerk's office.
3. No proposed rezoning of property for residential use shall be approved unless the DUA for the property will not violate the residential growth limitations set forth in subsection C

of this section, unless the developer agrees to cap the number of units to a level which would not violate this section.

4. At least once every five (5) years after adoption of the ordinance codified in this section, the mayor and city council shall reconsider, and adjust, if necessary, the residential growth limitations set forth in subsection C of this section in light of regional and local growth trends and residential uses.
5. This section shall not be construed, in any way, to limit the city's authority to annex property in accordance with the laws of the state of Georgia.

E. Variances.

Each quarter, the city council shall have the authority to grant variances for up to a maximum of one hundred residential units in excess of the residential growth limitations set forth in subsection C of this section upon a showing of undue hardship in accordance with the criteria set forth under Title 17, Chapter 17.04 of the Code of Ordinances, City of Locust Grove, Georgia as adopted and amended by the city. No administrative variances to this section shall be granted.

F. Appeal.

1. Any person may appeal a quarterly residential growth report within ten calendar days of its presentation to the city council. Such an appeal shall be submitted to the city manager and shall explain the basis for the appeal in writing. Appeals of quarterly residential growth reports shall be heard by the city council at its next regularly scheduled meeting, and a decision shall be made by the city council no later than at the next regularly scheduled council meeting after hearing an appeal.
2. A decision by the city council made pursuant to this section may be appealed by writ of certiorari to Superior Court of Henry County, Georgia, in accordance with the laws of the State of Georgia.

3. Any finding of or penalty imposed by the municipal court of the city pursuant to this section may be appealed by writ of certiorari to Superior Court of Henry County, Georgia, in accordance with the laws of the State of Georgia.

G. Penalty.

1. A violation of this residential growth limitation set forth in subsection C of this section shall result in a fine not to exceed one thousand dollars and/or imprisonment not to exceed thirty days or a combination thereof after a cited person, persons or entity is found guilty or such person, persons or entity pleads guilty or nolo contendere. Such violations shall be assessed on a per dwelling unit per day basis. Each violation shall constitute a separate offense and shall be punishable as such.

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 this Ordinance.

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

SECTION 4. Repeal of Conflicting Provisions.

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 adoption.

**SO ORDAINED THIS 6th DAY OF NOVEMBER 2023
CITY OF LOCUST GROVE, GEORGIA**

ROBERT S. PRICE, Mayor

ATTEST:

APPROVED AS TO FORM:

MISTY SPURLING, City Clerk

City Attorney

(Seal)

EXHIBIT "A"
PUBLIC NOTICE OF HEARING

TIMES JOURNAL, INC.
P.O. BOX 1633
ROME GA 30162-1633
(770) 795-3050

ORDER CONFIRMATION (CONTINUED)

Salesperson: DAWN WARD

Printed at 09/28/23 12:01 by dward-tj

Acct #: 238991

Ad #: 368551

Status: New

Hdh2489
9pn16

Public Hearing Notice
City of Locust Grove
October 16, 2023
6:00 PM
Locust Grove Public
Safety Building
3640 Highway 42 South
Locust Grove, GA 30248

Notice is hereby given
that the Locust Grove
City Council, on Monday,
October 16, 2023 at 6:00
PM, will conduct public
hearings for the purpose
of the following:

ORDINANCE
TO AMEND CHAPTER
17.04 ZONING CODE
ADOPTED OF THE
CITY OF LOCUST
GROVE CODE OF OR-
DINANCES WHICH
PROVIDES FOR ZON-
ING; TO AMEND SEC-
TION 17.04.090 RESI-
DENTIAL GROWTH
REGULATION TO PRO-
VIDE DEFINITIONS;
TO UPDATE RESIDEN-
TIAL GROWTH LIMITA-
TIONS; TO PROVIDE
FOR CODIFICATION;
TO PROVIDE FOR SEV-
ERABILITY; TO RE-
PEAL CONFLICTING
ORDINANCES; TO
PROVIDE FOR AN EF-
FECTIVE DATE; AND
FOR OTHER PURPOS-
ES.

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

Bert Foster
Assistant City Manager
City of Locust Grove
9:30, 2023

RESIDENTIAL GROWTH REPORT - 2023 (as of 11/1/23)

Subdivision Name	Zoning	Total Lots (Units)	Developed Lots (Units)	Undeveloped Lots (Units)
Multi-Family Residential				
RangeWater	RM-1	288	0	288
Shoal Creek Manor / LGS Apts	PD(RM-1)	226	66	160
Continental - Meier tract	PD (RM 1 & RM2)	388	0	388
Towne Park at Patriot's Point	RM-2	40	40	0
Havenwood Grove Apartments	PR-5	56	56	0
Duplexes -- Nest in the Grove	PR-5	6	0	6
Carriage Gate	RM (RM-2)	165	165	0
Subtotal Multi-Family		1169	327	842
High-Density Single-Family Residential (>2.5 dua)				
Duplexes -- Ridge St.	RD	8	8	0
Duplexes -- Square Cir.	RD	1	1	0
Al-Jannah @ LGS	PD(R-3)	74	74	0
Amber Ridge	R-2/CRSO	50	50	0
Berkeley Lakes, Phase 1	R-2/CRSO	160	160	0
Berkeley Lakes, Phase 2	PR-4	111	50	61
Berkshire @ Linden Park	R-3	77	77	0
Briarcliff @ Linden Park	R-3	46	46	0
Bridle Creek - Phase 1	R-3	52	52	0
Bridle Creek - Phase 2	R-3	150	0	150
Brookdale @ LGS	PD(R-3)	51	51	0
Bunn Farms, Phase 1	R-2/CRS	127	127	0
Carleton Cove @ LGS	PD(R-3) & PR-4	56	56	0
Cedar Ridge @ LGS - POD D	PR-4	225	0	225
Club Drive Commons	R-3	42	42	0
Collinswood @ LGS, Phase 1	PR-4	79	79	0
Collinswood @ LGS, Phase 2	PR-4	12	0	12
Copperfield	R-3	26	0	26
Cottage Grove	R-3	43	43	0
Coulter Woods	R-3	30	30	0
Dawson Creek	R-3	38	0	38
Derrington Manor @ LGS	PR-4	77	77	0
Elmstone Commons @ LGS, Ph 1	PR-4	50	50	0
Elmstone Commons @ LGS, Ph 2	PR-4	55	55	0
Evergreen Crossing @ LGS	PR-4*	176	0	176

Grove Creek	R-3	30	30	0
Grove Park - R-3 portion only	R-3	94	94	0
Grove Village	R-3	250	250	0
Hawthorne @ Linden Park	R-3	93	93	0
HLC tracts	R-2/CRS	100	0	100
Indian Grove	R-3	87	87	0
Jubilee	R-3	138	138	0
Liberty Grove @ LGS	PR-4	60	60	0
Oak Ridge @ LGS (Sprayfield)	PR-5	362	0	362
Patriot's Point	RM-SF	134	134	0
Peeksville Landing	R-3	49	0	49
Pine Valley @ LGS	PR-4	52	0	52
Pristine Forest	R-3	99	99	0
Richmond Park	R-3	124	124	0
River Oaks @ LGS (Wills Tract)	PR-4	151	0	151
Tanger Ridge, Phase 1	RM-SF	69	69	0
Water's Edge	RM-SF	144	144	0
Wentworth @ LGS	PD(R-3)	45	45	0
FUTURE DEVELOPMENTS				
Tanger Ridge - Phase 2	R-3	100	0	100
Subtotal High Density SF		3988	2486	1502
MOBILE HOMES				
Skyland -- Phases 1-9	RMH	381	381	0
Skyland -- Phase 10	RMH	14	0	14
Subtotal Manufactured Home		395	381	14
Subtotal High Density		4383	2867	1516
Low-Density Single-Family Residential (>2.49 dua)				
David Standard - MLK Blvd	R-2	5	0	5
Barnes Station	R-2	96	92	4
Barnes Station, Phase 3	R-2	22	22	0
Bunn Farms, Phase 2	R-2	133	133	0
Bunn Farms, Phase 3	R-2	116	0	116
Flakes Mill	R-2	48	48	0
Grove Park - R-2 portion only	R-2	83	83	0
Leesburg Plantation	R-2	53	53	0
Madison Acres	R-2	84	84	0
Nine Oaks	R-2	77	77	0
SR 42/Brown Ave	R-2	22	9	13
Bowden St	R-2	4	3	1
Davis Lake Rd	R-2	2	2	0
Club Dr/Combs St	R-2	28	23	5

Peeksville Rd/Jackson St	R-2	6	5	1
Arnold St	R-2	10	7	3
Sims St/Miller St	R-2	15	14	1
Grove Rd	R-2	14	12	2
Fuller Dr/Sunshine Cir	R-2	18	13	5
Maddox Rd	R-2	28	15	13
Jackson St South	R-2	58	46	12
Woodland Dr	R-2	8	0	8
Carter Ln	R-2	4	0	4
Smith St	R-2	9	0	9
Indian Creek Rd	R-2	9	0	9
Gwen Ellen St	R-2	13	0	13
Ridge St	R-2	31	28	3
Rosser Ln	R-2	7	4	3
Cleveland St	R-2	3	2	1
MLK Blvd	R-2	4	3	1
Roberts Rd	R-2	12	11	1
Potential Lots	RA	2450	0	2450
FUTURE DEVELOPMENTS				
Singley Dr - David Black	R-2	254	0	254
Subtotal Low Density		3726	789	2937
Total Residential Lots/Units				
		9278	3983	5295

	TOTAL LOTS	OVERALL %	PROPOSED	DEVELOPED LOTS
MULTI-FAMILY	1169	13%	15%	327
RMH - MOBILE HOME	395	4%	3%	381
HIGH-DENSITY SINGLE-FAMILY	3988	43%	32%	2486
LOW-DENSITY SINGLE-FAMILY	3726	40%	50%	789
TOTAL	9278	100%	100%	3983



Community Development Department

P. O. Box 900
Locust Grove, Georgia 30248

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

Item Coversheet

Item: A resolution to adopt the annual update of the Capital Improvement Element for the City.

Action Item: Yes No

Public Hearing Item: Yes No

Executive Session Item: Yes No

Advertised Date: September 27, 2023

Budget Item: N/A

Date Received: September 5, 2023

Workshop Date: October 16, 2023

Regular Meeting Date: November 6, 2023

Discussion:

These reports will be submitted to the ARC in accordance with the Georgia Planning Act and with requirements set by the Georgia DCA. The reports include:

1. The Capital Improvement Element Update for the City of Locust Grove. This update is required because the City collects Development Impact fees.
2. Report of Accomplishments for 2022/2023.

A Short-Term Work Program report is NOT included in this transmittal to the State due to the fact that those particular items are included in the Comprehensive Plan Update that will be reviewed by the ARC and adopted by the City Council later in the year.

Acceptance of these reports by the ARC and DCA will allow the City to retain its Qualified Local Government status thus keeping the City eligible for State and Federal funds.

Recommendation:

Staff recommends APPROVAL of the resolution to adopt the annual update of the Capital Improvement Element for the City of Locust Grove and to forward copies of this resolution to the Atlanta Regional Commission.

RESOLUTION NO. _____

A RESOLUTION TO ADOPT AN ANNUAL UPDATE OF THE CAPITAL IMPROVEMENT ELEMENT FOR THE CITY OF LOCUST GROVE COMPREHENSIVE PLAN TO THE ATLANTA REGIONAL COMMISSION FOR REGIONAL AND STATE REVIEW; TO AUTHORIZE THE MAYOR AND CITY CLERK TO EXECUTE AND DELIVER ANY DOCUMENTS NECESSARY TO CARRY OUT THIS RESOLUTION; TO REPEAL INCONSISTENT PROVISIONS; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

W I T N E S S E T H :

WHEREAS, the City of Locust Grove, Georgia (“City”) held a public hearing on August 21, 2023 to transmit an update of the CIE for the City of Locust Grove Comprehensive Plan;

WHEREAS, the City has prepared an amendment in accordance with the guidance of the latest Minimum Standards under the Georgia Planning Act and the Rules and Regulations by the Georgia Department of Community Affairs as shown in **Exhibit “A”**;

WHEREAS, the amendment of the CIE was approved by the Atlanta Regional Commission and the Georgia Department of Community Affairs, as per the requirements of the Minimum Planning Standards by the Georgia Department of Community Affairs, as shown in **Exhibit “B”**; and,

WHEREAS, notice of this matter has been provided in accordance with applicable state law and local ordinances;

WHEREAS, the Mayor and City Council wish to adopt the amendment of the CIE to the Atlanta Regional Commission for Regional and State review, as per the requirements of Minimum Planning Standards by the Georgia Department of Community Affairs; and,

WHEREAS, the Mayor and City Council wish to adopt a Statement of Accomplishments of the CIE, including all elements of land use changes within the reporting year, to the Atlanta Regional Commission for Regional and State review, as per the requirements of Minimum Planning Standards by the Georgia Department of Community Affairs; and,

WHEREAS, the Mayor and City Council in the exercise of their sound judgment and discretion, after giving thorough thought to all implications involved, and keeping in mind the public interest and welfare to the citizens of the City, have determined this amendment to be in the best interests of the citizens of the City, that this Resolution be adopted.

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

1. **Authorization.** That the Locust Grove City Council hereby adopts this annual CIE

update (as attached hereto and incorporated herein as **Exhibit “A”**) and authorizes the Mayor to notify the Atlanta Regional Commission of said adoption, as per the requirements of the Minimum Planning Standards of the Georgia Department of Community Affairs.

2. **Public Purpose.** The City finds that the foregoing actions constitute a major stem in preserving the health, safety, well-being and economic vitality of the community and are, therefore, consistent with its public purposes and powers.
3. **Attestation.** That the Locust Grove City Council hereby authorizes the City Clerk to attest the signature of any City official appearing on documents necessary to carry out this Resolution, to affix the official seal of the City thereto, as necessary, and to place this Resolution and any related documents among the official records of the City for future reference.
4. **Severability.** To extent any portion of this Resolution is declared to be invalid, unenforceable, or nonbinding, that shall not affect the remaining portions of this Resolution.
5. **Repeal of Conflicting Provisions.** All City resolutions are hereby repealed to the extent they are inconsistent with this Resolution.
6. **Effective Date.** This Resolution shall take effect immediately.

THIS RESOLUTION adopted this 6th day of November, 2023.

ROBERT S. PRICE, Mayor

ATTEST:

MISTY SPURLING, City Clerk

(Seal)

APPROVED AS TO FORM:

City Attorney

EXHIBIT “A”

**AMENDMENT TO CAPITAL IMPROVEMENT ELEMENT FOR THE CITY OF
LOCUST COMPREHENSIVE PLAN AS PER STATE MINIMUM PLANNING
STANDARDS, REVISED 2023**

EXHIBIT "B"

APPROVAL OF STWP/CIE FROM ATLANTA REGIONAL COMMISSION



Community Development Department

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

Item Coversheet

Item: A Resolution to create a streetlight district in the Peeksville Landing residential subdivision

Action Item: Yes No

Public Hearing Item: Yes No

Executive Session Item: Yes No

Advertised Date: NA

Budget Item: NA

Date Received: October 6, 2023

Workshop Date: October 16, 2023

Regular Meeting Date: November 6, 2023

Discussion:

Staff received an application to create a streetlight district in Peeksville Landing, a residential subdivision.

- Number of Lots: 45
- Number of Lights: 16
- Type of Lights: Post-Top LED
- Cost per Light: \$20.48
- Cost per Month: \$327.68
- Cost per Year: \$3,932.16
- Administrative Cost: 15% of annual cost = \$589.82
- Pro Rata Cost per Lot: $\$3,932.16 + \$589.82 / 45 = \underline{\$100.49}$ per year

Comments:

The City's Street Light Tax District Ordinance permits the Council to create streetlight districts by resolution. The City will pay the electricity usage fees on the lights each month then be reimbursed annually for these fees by way of an annual fees that is added to each property tax statement of the lots located within the streetlight district plus reimbursement for administrative costs.

Staff recommends approval of the Resolution to create a new streetlight district in Peeksville Landing.

Recommendation:

**I MOVE TO (approve/deny/table) THE RESOLUTION TO
CREATE A STREETLIGHT DISTRICT IN PEEKSVILLE
LANDING SUBDIVISION AND TO AUTHORIZE THE
MAYOR AND CITY CLERK TO EXECUTE THE NECESSARY
DOCUMENTS TO APPROVE THE REQUEST**

RESOLUTION NO. _____

A RESOLUTION TO APPROVE A REQUEST TO CREATE A STREET LIGHT TAX DISTRICT IN PEEKSVILLE LANDING IN ACCORDANCE WITH CHAPTER 3.10 OF THE CITY OF LOCUST GROVE CODE OF ORDINANCES; TO PROVIDE CONDITIONS FOR APPROVAL; TO IDENTIFY A PUBLIC PURPOSE; TO AUTHORIZE THE MAYOR AND CITY CLERK TO EXECUTE ANY DOCUMENTS NECESSARY TO CARRY OUT THIS RESOLUTION; TO PROVIDE FOR SEVERABILITY; TO REPEAL INCONSISTENT PROVISIONS; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

W I T N E S S E T H :

WHEREAS, the City of Locust Grove, Georgia (“City”) adopted Article II, Chapter 3.10 (“Chapter”) entitled “Street Light Tax Districts”; and,

WHEREAS, the purpose of the Chapter is to provide the City with a procedure for the installation, maintenance and operation of street lights in certain public rights-of-way in the City of Locust Grove and for the promotion of health, safety, prosperity and general welfare of the citizens of Locust Grove; and,

WHEREAS, Rhoda Usher, agent for Capshaw Development Company (“Owner”) submitted an *Application for Special Tax District – Street Lighting* and a *Petition for Special Tax District – Street Lighting* (“Application”) on May 9, 2023 attached as **Exhibit “A”**; and,

WHEREAS, the Application indicates support from one-hundred percent (100%) of the property owners in Peeksville Landing, subdivision in accordance with the Chapter; and,

WHEREAS, the Owner submitted a copy of the Georgia Power Lighting Services Agreement for Peeksville Landing, subdivision (“Request”) outlining the costs, quantities, locations, terms and conditions associated with the Request attached as **Exhibit “B”**; and,

WHEREAS, the City agrees to pay the monthly streetlight fee of \$327.68 (\$3,932.16 annually) to Georgia Power and to be reimbursed for such payments by way of assessments imposed upon all property owners within this subdivision in the amount of \$100.49 (includes a 15% administrative fee) per lot annually; and,

WHEREAS, the Mayor and City Council (“Council”) reviewed the Application and Request during a workshop meeting held on October 16, 2023; and,

WHEREAS, the Request was found to be generally consistent with the purpose and intent of the Chapter; and,

WHEREAS, the Council, in the exercise of their sound judgment and discretion, after giving thorough thought to all implications involved, and keeping in mind the public interest and welfare to the citizens of the City, have determined this request for the creation of a street light tax district to be in the best interests of the citizens of the City, that this Resolution be adopted.

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

1. **Finding.** That the Council hereby finds that the Application submitted by the Owner generally conforms to the requirements of Chapter 3.10 of City of Locust Grove Code.
2. **Public Purpose.** The Council finds that the foregoing actions constitute a major stem in preserving the health, safety, well-being and economic vitality of the community and are, therefore, consistent with its public purposes and powers.
3. **Authority.** That the Council hereby authorizes the Mayor to execute the *Georgia Power Lighting Services Agreement* for Peeksville Landing and any other documents necessary to carry out this Resolution, and to place this Resolution and any related documents among the official records of the City for future reference.
4. **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.
5. **Repeal of Conflicting Provisions.** All Council resolutions are hereby repealed to the extent they are inconsistent with this Resolution.
6. **Effective Date.** This Resolution shall take effect immediately.

THIS RESOLUTION adopted this 6th day of November 2023.

ROBERT S. PRICE, MAYOR

ATTEST:

MISTY SPURLING, CITY CLERK

(seal)

EXHIBIT "A"

*Application for Special Tax District – Street Lighting and
Petition for Special Tax District – Street Lighting*

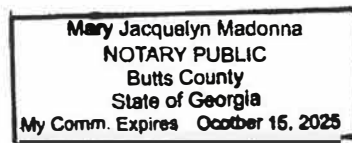
Application For Special Tax District - Street Lighting

We, the undersigned, all being property owners of the City of Locust Grove Special Tax District for Street Lighting, being the Peeksville Landing (Subdivision) in Land Lot(s) 186 x , and x of the 2nd Land District at Peeksville Road (road), do hereby petition the Mayor and City Council of the City of Locust Grove "City" for the placement of streetlights through our subdivision or street(s).

Each of us do hereby pledge and consent to levying of a lien by the City against property we own for the purpose of payment for the cost of maintenance and operation of the streetlights. There are 45 (number) lots currently existing in the Special Tax District Peeksville Landing (Subdivision), and each owner as shown on the tax records has affirmatively signed this petition or their indication for disapproval is noted herein. The petition represents 45 (number) affirmative votes, representing 100 % of this district to be affected in this request. Your signature on this petition indicates that you have read and fully understand all information contained with Chapter 3.10 of the Code of Ordinances of the City of Locust Grove.

Personally appeared before me, a Notary Public, the undersigned affiance, who says on oath that Rhoda Usher (name) is one of the subscribing witnesses to the within instrument; and, that each said witnesses saw the execution and delivery of the same by each grantor therein for the purpose set forth; and, that each of said witnesses signed the same as supported. Sworn to and subscribed to me, this 8th day of May, 2023

Rhoda Usher
SUBSCRIBING WITNESS



Mary Jacquelyn Madonna
NOTARY PUBLIC

(SEAL)

PLEASE INDICATE WHICH UTILITY COMPANY SERVICES YOUR PROPOSED STREET LIGHT DISTRICT:

- GEORGIA POWER CENTRAL GEORGIA OTHER _____
- NEW STREETLIGHT DISTRICT ADDING STREETLIGHTS TO EXISTING DISTRICT

EXHIBIT "B"

*Georgia Power
Lighting Services Agreement*

Lighting Services Agreement



Project # LP78414

Customer Legal Name CAPSHAW DEVELOPMENT CO DBA _____
 Service Address 121 PEEKSVILLE RD LOCUST GROVE GA 30248 County Henry - GA
 Mailing Address 450 RACETRACK RD MCDONOUGH GA 30252
 Email Rhoda@capshawhomes.com Tel # 678-782-5200 Alt Tel # _____
 Tax ID# 6972 Business Description _____ Subdivision _____

Existing Customer Yes No If Yes (and if possible), does customer want the Service added to an existing account? Yes No If Yes, which Account Number? _____

Selected Components				
Action	Qty	Wattage	Type	Description
INS	16	70	LED	Post Top

Service Cost (\$)	Regulated Cost (\$)*	Monthly Cost (\$)*	Term (Months)	24
\$288.80	\$38.88	\$327.68		

* The actual Regulated Cost will be calculated using the tariffs approved by Georgia Public Service Commission at the time of billing. The estimate is based on Summer Rates in effect at the time of this proposal. Excludes applicable sales tax.

Project Notes:
 Install complete streetlighting system to include all poles, fixtures, & conductor for new subdivision on Peeksville Rd in Locust Grove, GA.

Customer agrees to this Lighting Services Agreement with Georgia Power Company under the attached terms and conditions and authorizes all actions noted on this agreement.

Customer also agrees to allow removal of existing lights Yes N/A

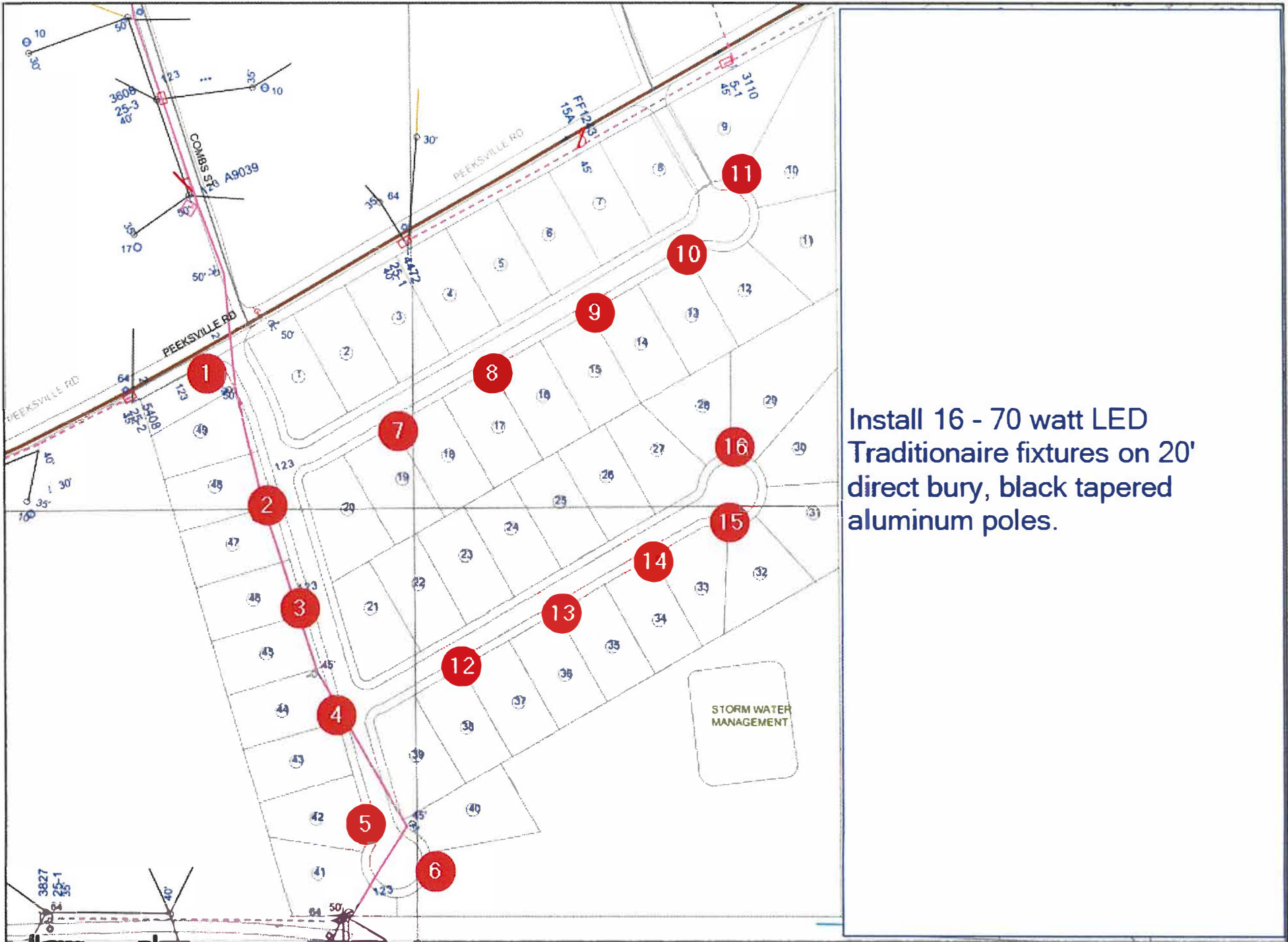
Type	Customer	Tariff	Content
NESC	Non-Gov	EOL	NLC

Pre-Payment (\$)
\$52,498.00

Customer recognizes that the individual signing this Agreement on its behalf has authority to do so

Customer Authorization		Georgia Power Authorization	
Signature:	<i>[Signature]</i>	Signature:	<i>[Signature]</i>
Print Name:	Kevin Baird	Print Name:	Joe Cobb
Print Title:	Managing Member	Print Title:	Account Exec
Date:	9/27/23	Date:	9/27/23

Capshaw Homes - Peeksville Rd. Locust Grove, GA



Install 16 - 70 watt LED
Traditionaire fixtures on 20'
direct bury, black tapered
aluminum poles.

This map or data, including, without limitation, any and all information and systems made available on this map or data, is provided "AS IS". Southern Company does not warrant the accuracy, completeness or reliability of this map or data and disclaims any and all liability that results from the use of this map or data. Any subsequent disclosure of this map or data is forbidden without the express authorization of Southern Company.



Community Development Department

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

Item Coversheet

Item: A Resolution to create a streetlight district in the River Oaks, Phase 1, residential subdivision

Action Item: Yes No

Public Hearing Item: Yes No

Executive Session Item: Yes No

Advertised Date: NA

Budget Item: NA

Date Received: August 23, 2023

Workshop Date: October 16, 2023

Regular Meeting Date: November 6, 2023

Discussion:

Staff received an application to create a streetlight district in River Oaks, Phase 1, a residential subdivision.

- Number of Lots: 78
- Number of Lights: 14
- Type of Lights: Colonial LED
- Cost per Light: (10) \$11.75 and (4) \$9.75
- Cost per Month: \$156.60
- Cost per Year: \$1,879.20
- Administrative Cost: 15% of annual cost = \$281.88
- Pro Rata Cost per Lot: $\$1,879.20 + \$281.88 / 78 = \underline{\$27.71 \text{ per year}}$

Comments:

The City's Street Light Tax District Ordinance permits the Council to create streetlight districts by resolution. The City will pay the electricity usage fees on the lights each month then be reimbursed annually for these fees by way of an annual fees that is added to each property tax statement of the lots located within the streetlight district plus reimbursement for administrative costs.

Staff recommends approval of the Resolution to create a new streetlight district in River Oaks, Phase 1.

Recommendation:

**I MOVE TO (approve/deny/table) THE RESOLUTION TO
CREATE A STREETLIGHT DISTRICT IN RIVER OAKS,
PHASE 1 SUBDIVISION AND TO AUTHORIZE THE MAYOR
AND CITY CLERK TO EXECUTE THE NECESSARY
DOCUMENTS TO APPROVE THE REQUEST**

RESOLUTION NO. _____

A RESOLUTION TO APPROVE A REQUEST TO CREATE A STREET LIGHT TAX DISTRICT IN RIVER OAKS, PHASE 1, IN ACCORDANCE WITH CHAPTER 3.10 OF THE CITY OF LOCUST GROVE CODE OF ORDINANCES; TO PROVIDE CONDITIONS FOR APPROVAL; TO IDENTIFY A PUBLIC PURPOSE; TO AUTHORIZE THE MAYOR AND CITY CLERK TO EXECUTE ANY DOCUMENTS NECESSARY TO CARRY OUT THIS RESOLUTION; TO PROVIDE FOR SEVERABILITY; TO REPEAL INCONSISTENT PROVISIONS; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

W I T N E S S E T H :

WHEREAS, the City of Locust Grove, Georgia (“City”) adopted Article II, Chapter 3.10 (“Chapter”) entitled “Street Light Tax Districts”; and,

WHEREAS, the purpose of the Chapter is to provide the City with a procedure for the installation, maintenance and operation of street lights in certain public rights-of-way in the City of Locust Grove and for the promotion of health, safety, prosperity and general welfare of the citizens of Locust Grove; and,

WHEREAS, Francis Downey of River Oaks Land, LLC (“Owner”) submitted an *Application for Special Tax District – Street Lighting* and a *Petition for Special Tax District – Street Lighting* (“Application”) on August 23, 2023 attached as **Exhibit “A”**; and,

WHEREAS, the Application indicates support from one-hundred percent (100%) of the property owners in River Oaks, Phase 1, subdivision in accordance with the Chapter; and,

WHEREAS, the Owner submitted a copy of the Central Georgia Electric Membership Corporation Underground Wiring / Outdoor Lighting Agreement for River Oaks, Phase 1, subdivision (“Request”) outlining the costs, quantities, locations, terms and conditions associated with the Request attached as **Exhibit “B”**; and,

WHEREAS, the City agrees to pay the monthly streetlight fee of \$156.50 (\$1,879.20 annually) to Central Georgia EMC and to be reimbursed for such payments by way of assessments imposed upon all property owners within this subdivision in the amount of \$27.71 (includes a 15% administrative fee) per lot annually; and,

WHEREAS, the Mayor and City Council (“Council”) reviewed the Application and Request during a workshop meeting held on October 16, 2023; and,

WHEREAS, the Request was found to be generally consistent with the purpose and intent of the Chapter; and,

WHEREAS, the Council, in the exercise of their sound judgment and discretion, after giving thorough thought to all implications involved, and keeping in mind the public interest and welfare to the citizens of the City, have determined this request for the creation of a street light tax district to be in the best interests of the citizens of the City, that this Resolution be adopted.

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

1. **Finding.** That the Council hereby finds that the Application submitted by the Owner generally conforms to the requirements of Chapter 3.10 of City of Locust Grove Code.
2. **Public Purpose.** The Council finds that the foregoing actions constitute a major stem in preserving the health, safety, well-being and economic vitality of the community and are, therefore, consistent with its public purposes and powers.
3. **Authority.** That the Council hereby authorizes the Mayor to execute the *Underground Wiring / Outdoor Lighting Agreement* for River Oaks, Phase 1, and any other documents necessary to carry out this Resolution, and to place this Resolution and any related documents among the official records of the City for future reference.
4. **Severability.** To extent any portion of this Resolution is declared to be invalid, unenforceable, or nonbinding, that shall not affect the remaining portions of this Resolution.
5. **Repeal of Conflicting Provisions.** All Council resolutions are hereby repealed to the extent they are inconsistent with this Resolution.
6. **Effective Date.** This Resolution shall take effect immediately.

THIS RESOLUTION adopted this 6th day of November 2023.

ROBERT S. PRICE, MAYOR

ATTEST:

MISTY SPURLING, CITY CLERK

(seal)

EXHIBIT "A"

*Application for Special Tax District – Street Lighting and
Petition for Special Tax District – Street Lighting*

Application For Special Tax District - Street Lighting

We, the undersigned, all being property owners of the City of Locust Grove Special Tax District for Street Lighting, being the RIVEROAKS PH1 POD F (Subdivision) in Land Lot(s) 136, 121, and _____ of the 2nd Land District at LOCUST GROVE GRIFIN (road), do hereby petition the Mayor and City Council of the City of Locust Grove "City" for the placement of streetlights through our subdivision or street(s).

Each of us do hereby pledge and consent to levying of a lien by the City against property we own for the purpose of payment for the cost of maintenance and operation of the streetlights. There are 78 (number) lots currently existing in the Special Tax District RIVEROAK - PH1 POD F (Subdivision), and each owner as shown on the tax records has affirmatively signed this petition or their indication for disapproval is noted herein. The petition represents 78 (number) affirmative votes, representing 100 % of this district to be affected in this request. Your signature on this petition indicates that you have read and fully understand all information contained with Chapter 3.10 of the Code of Ordinances of the City of Locust Grove.

Personally appeared before me, a Notary Public, the undersigned affiance, who says on oath that FRANCIS BAUNEY (name) is one of the subscribing witnesses to the within instrument; and, that each said witnesses saw the execution and delivery of the same by each grantor therein for the purpose set forth; and, that each of said witnesses signed the same as supported. Sworn to and subscribed to me, this 23 day of AUGUST, 2023.

[Signature]
SUBSCRIBING WITNESS

[Signature]
NOTARY PUBLIC



(SEAL)

PLEASE INDICATE WHICH UTILITY COMPANY SERVICES YOUR PROPOSED STREET LIGHT DISTRICT:

- GEORGIA POWER CENTRAL GEORGIA OTHER _____
- NEW STREETLIGHT DISTRICT ADDING STREETLIGHTS TO EXISTING DISTRICT

EXHIBIT "B"

*Central Georgia Electric Membership Corporation
Underground Wiring / Outdoor Lighting Agreement*

CENTRAL GEORGIA ELECTRIC MEMBERSHIP CORPORATION
923 SOUTH MULBERRY STREET
JACKSON, GEORGIA 30233

UNDERGROUND WIRING / OUTDOOR LIGHTING AGREEMENT

Name: LOCUST GROVE CITY OF Acct. No.: 12223- Loc. No.: 1111-11-702
(Print Name as Listed on Bill Card)

Address: Lights for River Oaks Phase 1

I (we) hereby apply for a lease of outdoor lighting equipment to Central Georgia EMC under the terms and conditions set forth below:

1. INFORMATION AND COST

Lights, Fixtures, and Poles:

Quantity	<u>10</u>	Rate	<u>12</u>	Class	<u>5</u>	Cost Per Month \$	<u>11.75</u>	each	Total Cost \$	<u>117.50</u>	per month	Description:	<u>COLONIAL LED</u>
Quantity	<u>4</u>	Rate	<u>13</u>	Class	<u>5</u>	Cost Per Month \$	<u>9.75</u>	each	Total Cost \$	<u>39.00</u>	per month	Description:	<u>DISCOUNTED COLONIAL LED</u>
Quantity	___	Rate	___	Class	___	Cost Per Month \$	___	each	Total Cost \$	___	per month	Description:	___
Quantity	___	Rate	___	Class	___	Cost Per Month \$	___	each	Total Cost \$	___	per month	Description:	___

TOTAL COST PER MONTH \$ 156.50

Total CIAC (Contribution in Aid of Construction)= \$ 0.00

3. The corporation reserves the right to increase or decrease rates of outdoor lighting without prior written notice to each individual lessee.

4. Fixtures served by underground wiring will be available at these rates when the underground cable is buried in the same trench with the underground distribution system and the excess trench required does not exceed thirty (30) feet per fixture for a small LED fixture or eighty (80) feet per fixture for a large LED fixture or post top LED fixture. A contribution in aid of construction shall be paid in advance for the footage in excess of the base allowance.

5. I (we) will perform all trenching, install duct furnished by the Corporation, backfill, and complete the paving to the mutual satisfaction of all parties concerned where underground wiring is desired and paving or other obstacles exist.

6. I (we) will pay in advance a contribution in aid of construction in the amount of the current installed cost of additional pole(s) if more than one pole must be installed. The additional pole(s) will remain the property of the Corporation.

7. All lighting equipment, wiring, etc. will be furnished by the Corporation.

8. The Corporation will perform ordinary maintenance of light and equipment which will be done during normally scheduled working hours. Current overtime fee per service call shall be paid to the serviceperson making the repairs when requested at any time other than the normal working hours.

9. I (we) will pay for replacement of any equipment damaged or destroyed by vehicle collision or vandalism.

10. I (we) will pay the lease for the light(s) at the rates above according to current billing procedures. The Corporation may discontinue service without further notice if the bill is not paid.

11. The corporation shall use reasonable care to maintain constant service but shall not be liable for interruption through acts of God, strikes, labor troubles, or any other causes beyond the control of the Corporation.

12. I (we) will pay a Membership or Additional Service fee and be bound by the provisions of the Articles of Incorporation, Bylaws, and rules of the Corporation that may be adopted from time to time.

13. This agreement shall become effective on the date of service is first delivered and shall remain in effect for 5 years and thereafter until terminated by either party's giving three month notice.

14. This agreement shall be binding upon the successors, legal representative, and assigns of the respective parties hereto.

15. The Corporation reserves the right to shield the light or relocate the pole and light if objected by the adjacent landowners.

16. I (we) will grant, bargain, sell, and convey unto the Corporation, its successors, and assign an easement and right-of-way for the purpose of constructing, inspecting, maintaining, operating, repairing, or replacing its facilities. The Corporation shall have the right to egress to and egress from the easement over the lands of the lessee adjacent to the easement and lying between public and private roads and easements.

Signature: _____

Print Name: _____

Title: _____

Date: _____

