



**CITY COUNCIL OF PEACHTREE CITY  
REGULAR MEETING AGENDA  
JUNE 17, 2021  
6:30 p.m.**

**Peachtree City  
Mayor & City Council**  
Vanessa Fleisch, Mayor  
Phil Prebor – Post 1  
Mike King – Post 2  
Kevin Madden – Post 3  
Terry Ernst – Mayor Pro Tem  
Post 4

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- I. Call to Order**
  - II. Pledge of Allegiance**
  - III. Announcements, Awards, Special Recognition**
  - IV. Public Comment**
  - V. Agenda Changes**
  - VI. Minutes**
    - June 3, 2021 – Regular Meeting Minutes
    - June 3, 2021 – Executive Session Minutes
  - VII. Consent Agenda**
    - 1. Ordinance Building Permit Requirements for Window and Door Replacement Update
    - 2. Debris Clearing, Removal and Disposal- RFP
    - 3. Debris Monitoring- RFP
    - 4. 2021 Municipal Election IGA
    - 5. FY22 Budget Amendment- Protective Inspections
    - 6. FY22 Budget Amendment- Special Revenue Funds
    - 7. FY22 Budget Amendment- CVB Grant
    - 8. Appointment of Jim Kuo to Fayette County Development Authority Board
    - 9. American Rescue Plan Local Fiscal Recovery Funds
    - 10. 2021 Chris Conti Memorial Grant
    - 11. Restructure Fire Department Command Staff Officer
  - VIII. Old Agenda Items**
  - IX. New Agenda Item**
    - 06-21-01 Public Hearing – Variance for Fence Requirements at 128 Soundview Trace
    - 06-21-02 Public Hearing – Rezoning of 1211 Highway 74 S to remove conditions of GC General Commercial applied to property
    - 06-21-03 Public Hearing – Airport Protection Overlay Zoning District Text Amendments and Zoning Map
  - X. Council/Staff Topics**
  - XI. Executive Session**
  - XII. Adjourn**

**City Council of Peachtree City  
Meeting Minutes  
Thursday, June 3, 2021  
6:30 p.m.**

The Mayor and Council of Peachtree City met in regular session on Thursday, June 3, 2021. Mayor Vanessa Fleisch called the meeting to order at 6:30 p.m. Others attending: Terry Ernst, Mike King, Kevin Madden, and Phil Prebor.

**Announcements, Awards, Special Recognition**

None

**Public Comment**

None

**Agenda Changes**

None

**Minutes**

King moved to approve the May 20, 2021, regular meeting and the May 20, 2021, executive session minutes as written. Madden seconded. Motion carried unanimously.

**Consent Agenda**

- 1. FY2022 Non-Profit Funding - Fayette Senior Services**
- 2. FY2021 Budget Amendment and Intent to Finance (2) Police Vehicles**
- 3. Waterproof Coating of Library Exterior Walls, MMR Grant Application for 50% Match and FY2021 Budget Amendment**
- 4. Authorization of RFP and Selection of a Management Consulting Firm to Conduct an Employee Compensation and Benefits Study**
- 5. Addition of On-Call Part-Time Recreation Leader at Kedron Fieldhouse & Aquatic Center**

Ernst moved to approve Consent Agenda items 1-5. Madden seconded. Motion carried unanimously.

**Old Agenda items**

None

**New Agenda items**

None

**Council/Staff Topics**

**1. Building Permit Requirements for Window and Door Replacement**

City Manager Jon Rorie said this was a pre-read of a change to the ordinances regarding when a permit was required. Currently, a permit was not required for repairs or improvements of \$2,500 or less. They were proposing raising that amount to \$5,000 in light of recent price increases for building materials. The current amount was adopted in 2011. This change would be on the Consent Agenda at the next City Council meeting.

**2. 2021 Budget Survey Presentation**

City Clerk Yasmin Julio said the budget survey was conducted April 29 to May 19, with a total of 911 responses. The survey was available through social media, which reached 5,430 individuals. Other means of distributing the survey included the City website, email blasts, text messages, and through flyers with scannable QR codes. About 88% of the respondents were property owners. Julio noted



that some people believed renters did not pay taxes, but she pointed out that they did pay sales taxes and fuel taxes. Most of the questions in the survey, however, were related to property taxes. Julio also pointed out that the survey was solely opinion-based. They had never had 900 people at a Council meeting to voice their views on City services, so the survey was an opportunity to find out their thoughts. Nearly half of the respondents, 455, were age 60 or older, which was about what they expected, Julio noted. Just seven were 29 or younger. Respondents came from all over the City, and there were several responses from people who actually lived outside the City limits. A Wordle showed that Terrane Ridge provided the most feedback.

The survey questions were based on an appraised home value of \$400,000. The survey included a chart that showed taxes on a home of that value in Peachtree City and compared them to the tax bills in unincorporated Fayette County, Tyrone, Brooks, and Fayetteville. Peachtree City homeowners paid \$5,017 in total property taxes, with \$997 going to the City. Based on these figures, 52% of the respondents said they paid the right amount of City taxes for the services provided. About 4% said taxes were too low, while 29% said they were too high. The remainder said they were not sure.

Julio noted there were 909 responses to this question. That was because they removed the answers of those who did not live in the City. Also, she pointed out, the number of respondents dropped as the survey went on because people lost interest in answering or got too busy to complete it.

The survey asked respondents to rank five service areas—Police, Fire, Public Works, Recreation, and Library—from most to least important. Police came in as most important, with 511 selections, while Fire was second, with 185. The Library was ranked lowest, with 462 selections. That was interesting, Julio remarked, because the Library got the most number of clicks on the City website, followed by Carts and Paths. She asked Assistant Police Chief Matt Myers to explain weighted averages, and he said a department could get the most number of 5s (high importance), but everyone else could rate it a 1. That made a difference in how the information was interpreted. A weighted average looked at the total numbers in a survey and how they were distributed across 1 through 5. It then assigned a number that was a fairer representation of the ranking.

Fleisch asked if they could tell if the clicks on the website came from citizens or from outside Peachtree City? Julio said there was a way to evaluate that, but they were just looking at the overall clicks when she said the Library got the most.

Rorie commented that, even though 52% ranked the Library as least important, none of the other departments had 250,000 people walk through their doors annually. Foot traffic was another way to measure importance, and these survey responses were opinions and based on the respondents' experiences. He went on to say that the earlier question could have asked "were taxes too high for the services they currently used?" and the answers might have been different. Julio noted that most of the respondents were older and did not use the Library or the Recreation Department or have children who did.

The next question looked at whether respondents thought the City spent too much on particular services. It broke down the \$997 into spending by departments. Police got \$189; Fire, \$219; Library, \$30; Public Works, \$109; Recreation/Special Events, \$50. Nearly 55% felt the amounts were correct. Rorie asked if Council remembered the outcry from the public when they reduced the Library's budget by \$25,000?

Then they asked if respondents felt the City spent too little on these departments? About 42% said the amounts were just right.

The survey stated that the City employed 65 sworn Police officers, each with an annual salary and benefits cost of \$88,000. Should they hire an additional four officers for a total annual cost of \$352,000? The question did not specify a reason why they might hire these officers. Nearly 25% said they should hire all four, while about 30% said they should hire some. So, more than 50% thought the hiring would be a good idea. However, 37% said they should not hire any additional officers, and nearly 8% thought the number of officers should be reduced.

Rorie said it was interesting to think about why 50% thought they needed additional officers. Crimes were low and not trending up. If they hired more officers, they would have to look at how to best utilize them. It was a nuanced question.

Fleisch reflected on an email she had received asking for more officers to patrol Drake Field and look for people from outside the county who were using it. It was an interesting view, but that would be a difficult thing to police, she noted, and Council agreed.

They asked the same question about firefighters. They currently had 22 per shift at an average annual cost of \$83,000. Should they hire four more at a total of \$332,000? Again, about 50% said the City should hire all four or some additional firefighters. About 45% felt they should not hire any additional firefighters, while 3% thought they should reduce the number of current personnel.

Julio pointed out that 847 people responded to this question, down from the 911 who started the survey.

The next question looked at funding the rebuilding of 18 courts at the Tennis Center, estimated at \$1 million. This cost exceeded the budgeted amount. Almost 87% responded that user fees should be increased to do this. Julio said Finance Director Paul Salvatore would be quick to point out there was no way user fees could sustain the program.

Another facility in need of maintenance or upgrades was the Kedron pool bubble, which could be replaced for about \$700,000 or covered with a permanent structure at a cost of about \$3 million. Again, this exceeded the amount allotted in the 2021 budget.

The survey asked for opinions on what should be done. About 65% felt that user fees should increase to sustain the program. About 12% thought property taxes should be increased to pay for a permanent structure, while 8% thought taxes should be increased to pay for another bubble. On this question, respondents were asked what they thought could be cut from another department to pay for the repairs, and 57 provided suggestions ranging from cutting Police, Public Works and Fire budgets, to reducing salaries, and funding it through Special Purpose Local Option Sales Tax (SPLOST). Other suggestions included taking the money from the City Manager and Planning Department, paying for it with revenues from Police tickets, and not replacing the covering at all. Rorie said it was good to see all these opinions, noting there was no single right answer, but that they had a responsibility to maintain the City's assets.

The survey included the 2020 Multi-Use Path Master Plan, noting that completing it would cost about \$8 million. How much in additional property taxes would respondents be willing to pay to complete these projects? If they raised taxes by \$30, the projects could be completed in 30 years, and almost 9% agreed with that. Raising taxes by \$35 meant it could be done in 20 years, which was acceptable to almost 17% of respondents. About 46% would be okay with a \$60 per year tax hike, which would

enable the Master Plan to be completed in 10 years. Around 28% were not agreeable with any tax increase to fund these projects.

About 36% of the respondents said they would be willing to accept a property tax increase of up to \$50 to improve City services; another 41% would accept a \$100 increase. The remainder wanted taxes cut, with the understanding that it would come with a reduction in services.

Rorie said if they increased the millage rate by half a mill, it would increase the taxes on a \$400,000 home by about \$70 a year. More than 77% of the respondents said that was acceptable if services were increased.

John Dufresne commented from the audience that these questions sounded like those on the Needs Assessment Survey, and Rorie said that was indeed where some came from.

The survey asked which service area they would reduce the budget of, if they had to? About 34% chose Recreation; 37% said the Library. Police was the choice of 12%; Fire and Public Works both got around 8%. Respondents were allowed to choose up to three departments if they had to spend additional money, and the Police and Public Works were the choice of about 55%.

A one mill increase in property taxes would provide an additional \$2.8 million in revenue. The survey asked if the City should consider an increase? Of the 760 respondents at this point in the survey, around 37% said there should be a tax increase, while 43% said "no." However, 20% said the City should consider other forms of revenue and asked for suggestions, which included user fees (mentioned by 54 respondents) and SPLOST (29 mentions). Other ideas included asset monetization, higher fees for infractions, and bond issues. Julio said there were 153 responses, more than she could fit in her presentation. Rorie pointed out that someone suggested a car wash.

Another question asked "if you were given \$100 to spend on services provided by the City, how would you allocate the funds?" The responses averaged out to giving the Police \$32, followed by \$27 to Fire/EMS, \$26 to Public Works, \$21 to Recreation/Special Events, and \$12 to the Library. These were averages, Julio emphasized; some people could have given the entire \$100 to one department.

It would cost about \$60 million to build an underpass or an overpass at the SR 54/74 intersection, the next question explained. Peachtree City would probably pay about 20% (\$12 million) of that; the Georgia Department of Transportation (GDOT) would cover the rest. They asked citizens if they thought the City should acquire a \$12 million bond debt to be paid off in a 10-year time frame or would they be willing to pay a lump sum one year in order not to take on the bond debt? Another option said the intersection improvement should not be the City's responsibility at all, and that was what 62% of the respondents said. About 32% said they would be willing to pay an additional \$50 in property taxes over 10 years to pay off the bond, and around 5% stated they would pay \$685 as a lump sum to avoid debt.

City Hall constantly got calls about adding street lights, so the survey included a question about paying for them. Currently, the City paid \$424,000 annually to power 3,400 street lights, which came to about \$124 per street light. That didn't mean they paid for every street light in the City; some were funded by the subdivisions. About 15% of respondents said they would be willing to pay an extra 70 cents of property taxes each year to power an additional 100 street lights, and 9% agreed they would add \$1.40 to their taxes to fund 200 lights. It would take an additional \$2.10 to pay for 300 more lights, which 4% agreed to, and around 20% said they would be willing to pay an extra \$2.80 in property taxes to pay for 400 more street lights. However, about 50% said they didn't support raising taxes to pay for more street lights. Even though the numbers might add up to 50% in favor of more lights, Julio said she did not consider it an affirmation that 50% of the residents wanted to pay for more street lights. If they

added the 400 lights, it not only would make the 50% who did not want any new taxes for lights unhappy, it would displease the people who were willing to pay only 70 cents.

Julio noted they were down to 763 respondents by this final question in the survey. She again noted that it was all opinion-based. There were 19 questions, which was a long survey, but all were important. They had never had opinions from 900 people before.

Rorie stated that they did citizen satisfaction surveys about every two years, but this was the first time he could remember that they had narrowed it down to focus on the dollars. It showed the complexity and nuances of the issues staff dealt with during the budget process. What if, instead of increasing the millage rate to hire four Police officers at \$88,000 each, they cut out 2,800 street lights? It required a different thought process to weigh things that way.

They had held fast to the ad valorem tax with goals of building up the cash reserves and financing more projects with cash. That put them in the position that they were likely to recommend some level of rollback in the millage rate. They had a responsibility to maintain City assets and look at millage rate stabilization. These surveys were valuable, even if they provided no conclusive answers, Rorie went on. There had never been 900 people in the room to talk about the budget.

King moved to convene in executive session at 7:16 p.m. to discuss the acquisition or sale of real estate. Prebor seconded. Motion carried unanimously.

King moved to reconvene in regular session at 7:23 p.m. Madden seconded. Motion carried unanimously. There being no further business, Madden moved to adjourn the meeting at 7:24 p.m. Ernst seconded. Motion carried unanimously.

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**Martha Barksdale, Recording Secretary**

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**Vanessa Fleisch, Mayor**

# CITY OF PEACHTREE CITY

## INTEROFFICE MEMORANDUM

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**TO:** Mayor and City Council

**VIA:** Jonathan N. Rorie, City Manager 

**FROM:** Robin Bechtel Cailloux, AICP  
Planning and Development Director 

**DATE:** May 17, 2021

**SUBJECT:** Ordinance Amendment to Eliminate Requirement for Replacement Windows Permit  
*June 17, 2021, City Council Meeting*

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**Recommendation:**

Adopt ordinance to eliminate the requirement for a building permit for replacement windows and doors.

**Discussion:**

The City has the ability to limit when building permits are required. We currently do not require permits for minor repair work that is less than \$2,500 with the building official's approval. Staff recommends that we increase the minimum amount to account for growing construction costs. In addition, staff recommends adding and exemption for replacement windows and doors where no structural work is required. Eliminating this permit type will not affect the applicant's requirement to comply with the state of Georgia's minimum code standards.

The current cost of a permit for replacement windows is \$150. Year to date, the City has issued 46 permits of this type.

The proposed ordinance changes are attached to this memo. The underlined red text is text that is added; the red strikeout text is text that is removed.

**Budget Impact:**

The City's projected revenue from these types of permits (about \$2,000) has negligible impact on the City's budget.

ATTACHMENTS



Ordinance Number 1191

**AN ORDINANCE TO AMEND THE  
PEACHTREE CITY CODE OF ORDINANCES,  
CHAPTER 18 – BUILDINGS AND CONSTRUCTION,  
TO LIMIT WHEN A BUILDING PERMIT IS REQUIRED FOR  
MINOR REPAIRS AND NON-STRUCTURAL ALTERATIONS,  
AND FOR OTHER PURPOSES**

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF PEACHTREE CITY, AND IT IS HEREBY ORDAINED by authority of the same that:

**Section 1.** The Peachtree City Code of Ordinances Chapter 18 – Buildings and Construction, Article XII, Building Department, Permits and Procedures, Section 18-111(a)(3), Minor repairs, be amended as follows:

- (3) Minor repairs and other exempted projects. Ordinary minor repairs, with a value of less than ~~\$2,500.00~~ \$5,000.00, may be made with the approval of the building official without a permit, provided that such repairs shall not violate any of the provisions of the construction codes. Other exempted projects include window and door replacements where no structural alteration occurs, provided that such work shall not violate any of the provisions of the construction codes.

**Section 2.** All ordinances or parts thereof which conflict with the provisions of this ordinance are, to the extent of such conflict and except as hereinafter provided, hereby repealed.

**Section 3.** Should any provision of this ordinance be declared invalid by a Court of competent jurisdiction, such decision shall not affect the validity of this ordinance as a whole or any provision thereof other than the provisions specifically declared to be invalid. The City Council declares that it would have passed this ordinance and each subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more subsections, sentences, clauses or phrases may be declared invalid.

**Section 4.** This ordinance shall be in full force and effect upon its official adoption by the City Council.

Done, Ratified, and Passed this 17<sup>th</sup> day of June, 2021.

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Vanessa Fleisch, Mayor

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Phillip E. Prebor, Post 1

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Mike King, Post 2

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Kevin Madden, Post 3

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Terry Ernst, Mayor Pro Tem  
Post 4

Attest:

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Yasmin Julio, City Clerk

# CITY OF PEACHTREE CITY

## INTEROFFICE MEMORANDUM

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**TO:** Mayor and Council Members

**VIA:** Jonathan Rorie, City Manager *JR*  
Justin Strickland, Assistant City Manager & Public Services Director *JS*  
Paul Salvatore, Financial Services Director *PS*  
Angela Egan, Purchasing Agent *(ae)*

**FROM:** Scott Hicks, Public Services Superintendent *SH*

**DATE:** June 7, 2021

**SUBJECT:** Contract Award for Debris Removal Services to Ceres Environmental Services, Inc.  
*June 17, 2021 Consent Agenda, City Council Meeting*

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**Recommendation:**

Approve a "pre-event" contract award to Ceres Environmental Services, Inc. for disaster debris clearing, removal and disposal.

**Discussion:**

Fayette County published a request for proposals soliciting proposals for disaster debris clearing, removal and disposal, as federally defined, in the case of a natural or manmade disaster. The request for proposal met all FEMA requirements in effect at the time of publication. The request for proposal was sent to known vendors and advertised in the Fayette News and the County's website. Nine proposals were received. A proposal evaluation team comprised of county and municipal staff, including Peachtree City, scored the vendors' proposals and recommended Ceres Environmental Services, Inc. The Fayette County Board of Commissioner will consider this contract at their June 24, 2021 meeting. No action will be taken by Peachtree City until Fayette County considers.

The contract is for one year beginning on July 1, 2021 with a renewable option in accordance with City policy.

**Budget Impact:**

There is no cost to the City for this service at this time; cost would only be incurred in the event of contract activation following a natural or manmade disaster.



# CITY OF PEACHTREE CITY

## INTEROFFICE MEMORANDUM

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**TO:** Mayor and Council Members

**VIA:** Jonathan Rorie, City Manager *JR*  
Justin Strickland, Assistant City Manager & Public Services Director *JS*  
Paul Salvatore, Financial Services Director *PS*  
Angela Egan, Purchasing Agent *ae*

**FROM:** Scott Hicks, Public Services Superintendent *SH*

**DATE:** June 7, 2021

**SUBJECT:** Contract Award for Debris Monitoring Services to Tetra Tech Inc.  
June 17, 2021 Consent Agenda, City Council Meeting

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**Recommendation:**

Approve a "pre -event" contract award to Tetra Tech Inc. for disaster debris monitoring.

**Discussion:**

Fayette County published a request for proposals soliciting proposals for disaster debris monitoring, as federally defined, in the case of a natural or manmade disaster. The request for proposal met all FEMA requirements in effect at the time of publication. The request for proposal was sent to known vendors and advertised in the Fayette News and the County's website. Five proposals were evaluated. A proposal evaluation team comprised of county and municipal staff, including Peachtree City, scored the vendor's proposals and recommended Tetra Tech Inc. The Fayette County Board of Commissioner will consider this contract at their June 24, 2021 meeting. No action will be taken by Peachtree City until Fayette County considers.

The contract is for one year beginning on July 1, 2021 with a renewable option in accordance with City policy.

**Budget Impact:**

There is no cost to the City for this service at this time; cost would only be incurred in the event of contract activation following a natural or manmade disaster.

# CITY OF PEACHTREE CITY

## INTEROFFICE MEMORANDUM

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**TO:** Mayor and Council

**VIA:** Jonathan N. Rorie, City Manager 

**FROM:** Yasmin Julio, City Clerk/Administrative Coordinator 

**DATE:** June 8, 2021

**SUBJECT:** Municipal Elections Intergovernmental Agreement  
June 17, 2021, City Council Meeting

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### Recommendation:

Authorize the Mayor to execute the attached intergovernmental agreement with Fayette County for the 2021 municipal election.

### Discussion:

In January, Council approved the formal resolution calling for the November 2 Municipal election and the designation of the Fayette County Board of elections as the Elections superintendent and Absentee Ballots Clerk. The attached contract finalizes that arrangement. Fayette County owns as well as maintains voting equipment. The County's election staff attends trainings and conducts annual elections, which ensures that Peachtree City's municipal elections are held in accordance with State and Federal Law.

The attached agreement gives the Fayette County Board of Elections the authority to conduct the November election and subsequent run-off if necessary. The City will reimburse the County for all expenses incurred in the managing of the election.

These are the standard terms under which the County conducts our elections every two years.

### Budget Impact:

The proposed FY 2022 Budget will include funding for the 2021 Municipal elections and run-off election if necessary.

STATE OF GEORGIA

COUNTY OF FAYETTE

**INTERGOVERNMENTAL AGREEMENT FOR CONDUCTING MUNICIPAL  
ELECTION**

This Agreement entered this 1 day of June between the CITY OF PEACHTREE CITY, a municipal corporation lying wholly or partially within Fayette County, Georgia, hereinafter referred to as "The City" and Fayette County, Georgia, a political subdivision of the State of Georgia hereinafter referred to as "The County".

W I T N E S S E T H:

WHEREAS the City in the performance of its governmental functions will hold the Election hereinafter described; and,

WHEREAS, under the provisions of the Georgia Election Code, particularly O.C.G.A. §21-2-45 of the Official Code of Georgia Annotated, the city may, by ordinance, authorize the County to conduct such election and the City has heretofore adopted such an ordinance; and

WHEREAS, the County has staff and equipment to conduct such election; and WHEREAS, the County desires to assist said City in the conduct of its municipal Election.

NOW THEREFORE, for and in consideration of the premises contained herein, it is hereby agreed as follows:

1.

This Agreement shall govern the conduct of the City of Peachtree City municipal election to be held on November 2, 2021, and any and all run-offs which may be necessary and any special elections that may occur within twelve (12) months of this Agreement.

2.

Fayette County through the Fayette County Board of Elections shall operate as superintendent of the aforementioned election and shall perform any and all functions of the City or any of the City's officials in connection with the conduct of such election with the exception of duties pertaining to the qualification of candidates and pertaining to the Responsibility of acting as the Qualifying Officer and providing notification to the State Elections Commission concerning candidacy compliance.

3.

A City official shall operate as the Superintendent with respect to qualifications of candidates. Such official shall perform any and all functions of the City or any of its officials. In connection with the qualifications of candidates in accordance with O.C.G.A. § 21-2-45(C) (2). Further, such official shall be responsible for acting as the Qualifying Officer and for notification to the State Elections Commission concerning candidacy compliance.

4.

The County shall supply all of the necessary manpower and transportation to pick up, deliver, set up, store and return to the County all of the voting equipment used in the election along with all ancillary equipment and necessary supplies.

5.

All the voting equipment shall be programmed by the County in conjunction with the office of the Secretary of State.

6

All absentee ballots shall be ordered, issued, mailed, and accounted for by the County.

7.

Staffing of the polling locations and training of the staff shall be provided by the County.

8.

All expenses and charges incurred in the performance of said election (except for the actual cost of the State-owned voting system and State-owned ancillary equipment) shall be the responsibility of the City. Said expenses and charges shall include but not be limited to the following: all costs of training and providing personnel for the election, costs of printing, mailing, and processing absentee ballots, the costs of expendable supplies and a pro-rated maintenance cost for the voting equipment. An invoice for the costs and expenses of the election shall be submitted to the City and the City shall remit payment of the invoice to Fayette County within 30 days of receipt of the invoice.

9.

To the extent permitted by law, the City shall indemnify, defend, and hold harmless the County from any liability and/or litigation expenses to which the County may be subjected as a consequence of or as a result of the election for the City. The City will furthermore, to the extent permitted by law, reimburse the County for any and all necessary legal representation, by counsel chosen by the County, in any action arising from the conduct of the City election. Said reimbursement shall be paid by the City within thirty days of invoice by the County.

10.

This intergovernmental contract is a full and complete statement of the agreement of the parties as to the subject matter hereof and has been authorized by proper action of the respective parties.

11.

Should any provision of this Agreement or application thereof to any person or circumstance be held invalid or unenforceable, the remainder of this Agreement or the application of such provision to any person or circumstance, other than those to which it is held invalid or unenforceable, shall not be affected thereby, and each provision of this Agreement shall be valid and enforceable to the full extent permitted by law.

12.

Should it be necessary to comply with any legal requirements, the necessary members of the County's personnel may be temporarily sworn in as officers and employees of the City.

[SIGNATURES FOLLOW ON NEXT PAGE]



FAYETTE COUNTY, GEORGIA

By: \_\_\_\_\_

Lee Hearn, Chairman  
Board of Commissioners

Attest:

\_\_\_\_\_

Tameca Smith, County Clerk

CITY OF PEACHTREE CITY

By: \_\_\_\_\_

Vanessa Fleisch, Mayor

Attest:

\_\_\_\_\_

Yasmin Julio, City Clerk

FAYETTE COUNTY ELECTIONS &  
VOTER REGISTRATION

By: \_\_\_\_\_

Darryl Hicks, Chairman

Attest:

\_\_\_\_\_

Brian W. Hill, Director of Elections

# CITY OF PEACHTREE CITY

## INTEROFFICE MEMORANDUM

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**MEMO TO:** Mayor and City Council

**VIA:** Jonathan N. Rorie, City Manager *OK*

**FROM:** Paul J. Salvatore, Financial Services Director *P.S.*  
Kelly Bush, Assistant Finance Director *KB*  
Robin Cailloux, Planning & Development Director

**DATE:** June 9, 2021

**SUBJECT:** Budget Amendments and extension on contract – Protective Inspections  
*June 17, 2021 City Council Consent Agenda*

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**Recommendation:**

Approve the attached budget amendment to the 2021 budget resolution and extend the Safebuilt contract through the end of this fiscal year.

**Discussion:**

Attached please find the budget amendment for fiscal year FY21 submitted for your approval.

The requested amendment increases both the revenue and the expenditures for building permits. The City has a contract with Safe Built Georgia, Inc. for certain Building Department Services. This contract outlines the services provided and the payment for those services are based on 75% of the collected permit fees. To date revenues and expenditures are exceeding the budget. The requested increase is based on current year-to-date activity. Staff would also like to continue the Safebuilt agreement through the end of the fiscal year.

**Budget Impact:**

The proposed budget amendment will increase both revenues and expenditures and reduce use of fund balance in the General Fund amending the Fiscal Year 2021 Budget Resolution.

Attachment: Budget Amendment

**NUMBER** 21-13

**DATE** 06/17/2021

**NOW, THEREFORE, BE IT RESOLVED** that this Council hereby amends the Fiscal Year 2021 Budget Resolution for increased revenue and expense for protective inspections (building permits).

**Entered**

**Approved**

# CITY OF PEACHTREE CITY

## INTEROFFICE MEMORANDUM

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**MEMO TO:** Mayor and City Council

**VIA:** Jonathan N. Rorie, City Manager 

**FROM:** Paul Salvatore, Director of Financial Services   
Kelly Bush, Assistant Finance Director   
Janet Moon, Chief of Police

**DATE:** June 9, 2021

**SUBJECT:** FY 2021 Budget Amendments –  
*June 17, 2021 City Council Consent Agenda*

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**Recommendation:**

It is Staff's recommendation that City Council accept the Kiwanis Club of PTC donation and approve the attached budget amendment to the fiscal year 2021 budget resolution.

**Discussion:**

The City received a donation from the Kiwanis Club of Peachtree City in the amount of \$1,248.65 for the Police Department's DARE. program. The DARE Program Fund was established to account for the purchase of materials for the DARE programs in the Peachtree City schools.

**Budget Impact:**

The attached budget amendment will increase both the revenue and expenditure accounts in the DARE Program Fund by \$1,248.65.

Attachments: Budget Amendment.

kb: council reports/Budget Amendments FY21

**NUMBER** 21-17

**DATE** 06/17/2021

**NOW, THEREFORE, BE IT RESOLVED** that this Council hereby amends the Fiscal Year 2021 Budget Resolution increasing both Revenue and Expense in the DARE Program Fund for donation from the Kiwanis Club of Peachtree City for the purchase of materials.

**Entered**

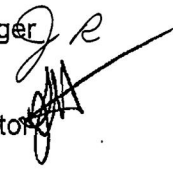
**Approved**

# CITY OF PEACHTREE CITY

## INTEROFFICE MEMORANDUM

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**MEMO TO:** Mayor and City Council

**VIA:** Jonathan N. Rorie, City Manager 

**FROM:** Kym Hughes, Executive Director 

**DATE:** June 11, 2021

**SUBJECT:** FY 2021 Budget Amendments –  
*June 17, 2021 City Council Consent Agenda*

---

**Recommendation:**

Approve the attached budget amendment to the Convention and Visitors Bureau (CVB) fiscal year 2021 budget which was approved by the CVB Board of Directors on June 9, 2021.

**Discussion:**

The CVB has been awarded a Tourism Recovery Marketing Grant from Explore Georgia, the state tourism office within the Georgia Department of Economic Development (GDEcD) in the amount of \$59,135. The Explore Georgia Tourism Recovery Marketing Grant program supports marketing efforts to bolster the recovery of Georgia's tourism industry from the COVID-19 pandemic. The Peachtree City CVB was among 34 tourism entities across 27 counties who received a combined total of nearly \$1.5 million in recovery marketing funding as part of this one-time grant program.

**Budget Impact:**

The attached budget amendment will increase both the revenue and expenditure accounts in the CVB Budget.

Attachments: Budget Amendment.

kb: council reports/Budget Amendments FY21

## BUDGET AMENDMENT

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|                                                            |
|------------------------------------------------------------|
| To Record Explore Georgia Tourism Recovery Marketing Grant |
|------------------------------------------------------------|

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# CITY OF PEACHTREE CITY

## INTEROFFICE MEMORANDUM

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**TO:** Mayor and Council

**VIA:** Jonathan N. Rorie, City Manager 

**FROM:** Yasmin Julio, City Clerk/Administrative Coordinator 

**DATE:** June 3, 2021

**SUBJECT:** Appointment of Jim Kuo to Fayette County Development Authority Board  
June 17, 2021, City Council Meeting

---

### Recommendation:

Appoint Jim Kuo to the Fayette County Development Authority Board to fill the unexpired term of Sean McMillan.

### Discussion:

The Fayette County Development Authority (FCDA) board is governed by nine board members. Peachtree City's current FCDA appointment Sean McMillan has resigned. Mr. Jim Kuo currently serves as the Senior Vice President of Manufacturing Operations at Hoshizaki America, Inc. If appointed, Mr. Kuo will fill the unexpired term of Sean McMillan which ends on October 1, 2021.

### Discussion:

There is no budgetary impact.



# PEACHTREE CITY

## INTEROFFICE MEMORANDUM

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**TO:** Mayor and City Council

**VIA:** Jonathan Rorie, City Manager 

**FROM:** Paul J. Salvatore, Financial Services Director P.S.  
Kelly Bush, Assistant Finance Director ICB

**DATE:** June 9, 2021

**SUBJECT:** American Rescue Plan Act (ARPA) Local Fiscal Recovery Funds  
*June 17, 2021, City Council Consent Agenda*

---

**Recommendation:**

Ratify the execution of the ARPA Local Fiscal Recovery Funds terms and conditions agreement and authorize the acceptance and administration of grant payments.

**Discussion:**

The Fiscal Recovery Funds are intended to provide support to State, local, and Tribal governments in responding to the impact of COVID-19 and in their efforts to contain COVID-19 on their communities, residents, and businesses. The Fiscal Recovery Funds build on and expand the support provided to governments over the last year through the Coronavirus Relief Fund (CRF). The Federal government will make payments to the States to allocate and disburse to smaller units of general local governments. The funding is determined based on population and allocated in phases.

In order to apply for these funds, the Mayor, as the authorized representative, signed the Award terms and conditions agreement and Assurances of compliance with Title VI of the Civil Rights Act of 1964.

**Budget Impact:**

As funds are made available, budget amendments will be brought to Council to increase both revenue and expenditures in the appropriate funds.

# CITY OF PEACHTREE CITY

## INTEROFFICE MEMORANDUM

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**TO:** Mayor and Council Members

**VIA:** Jon Rorie, City Manager *JR*  
Paul Salvatore, Financial Services Director *PS*  
Kelly Bush, Assistant Financial Director *KB*

**FROM:** Janet L. Moon, Chief of Police *Janet Moon*

**DATE:** June 5, 2021

**SUBJECT:** 2021 Chris Conti Memorial Grant  
*June 17, 2021, City Council Meeting*

---

### **Recommendation:**

That the Police Department be authorized to apply for, and accept, if awarded, a grant from the Chris Conti Memorial Grant (CCMG) and Innovative Fitness to provide for an enhanced fitness center.

### **Discussion:**

If awarded, the CCMG would provide a complete fitness center at no cost to the Peachtree City Police Department. No dollar amount is specified for the grant, the CCMG and Innovative Fitness will consult and design the fitness room to best fit the department's needs and demands of the space. All expenses associated with the project are covered by the grant.

This grant would be awarded to the Peachtree City Police Department on behalf of the Chris Conti Memorial Grant. This grant would help support the overall health and wellness of the police department.

Under the guidelines for this grant, CCMG will provide a fitness center for an existing space to an organization in need: including consultation, design, fitness equipment, delivery and installation. If this grant is approved and received, the fitness gym will be located in a pre-existing space at the Peachtree City Police Department.

### **Budget Impact:**

There are no matching funds required on behalf of the City.

JLM/mh

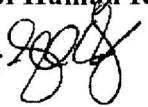
# CITY OF PEACHTREE CITY

## INTEROFFICE MEMORANDUM

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**TO:** Mayor & Council Members

**VIA:** Jonathan N. Rorie, City Manager   
Ellece Brown, Director of Human Resources

**FROM:** Joe O'Connor, Fire Chief 

**DATE:** June 10, 2021

**SUBJECT:** Restructure Fire Department Command Staff Officer  
*City Council Meeting, June 17, 2021*

---

**Recommendation:**

Authorize the appointment of a second Fire Department Operations Officer in place of the currently authorized Assistant Fire Marshal position.

**Discussion:**

The demands on the command staff continue to evolve as the department has grown and call volume has increased. The department seeks to assign a second Operations Officer to address administrative issues in lieu of appointing an Assistant Fire Marshal. Both the Assistant Fire Marshal and Operations Officer positions fall within paygrade 21. We believe this adjustment will improve our efficiency as we continue to adapt to meet the changing needs of the community.

**Budget Impact:**

This adjustment would have no impact on budget or department head count.

## CITY OF PEACHTREE CITY

### INTEROFFICE MEMORANDUM

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**TO:** Mayor and City Council

**VIA:** Jonathan N. Rorie, City Manager 

**FROM:** Robin Bechtel Cailloux, AICP  
Planning and Development Director 

**DATE:** June 9, 2021

**SUBJECT:** Public Hearing: Consider Variance Request, 6-foot privacy fence along a public road frontage, 128 Soundview Trace  
June 17, 2021 City Council Meeting

---

#### **Discussion:**

The Applicant is requesting relief in the form of a variance from Sections 18-165(e) and 18-165(f) of the Building Ordinance. Section 18-165(e) prohibits fencing in excess of 4-feet within a residential front yard. Section 18-165(f) states the view through a fence located in a residential front yard may not be restricted more than 50 percent as viewed from the street.

A front yard as defined in Section 18-162 of the Ordinance is that area between the main structure and the public right-of-way. The subject property located at 128 Soundview Trace is surrounded on three sides by public streets (Soundview Trace, Daker Drive, and Bartlett Way) and therefor has (3) front yards.

The Applicant proposes to construct a 6-foot privacy fence within two of the residential front yards located on the subject property. As part of the application, the Applicant has included a detailed justification narrative, a site plan showing the proposed fence location, site photos, and approval from adjacent property owners.

#### **Variance Consideration**

In accordance with Section 1202 of the Zoning Ordinance, variances shall only be granted if:

- (a) Relief, if granted, would be in harmony with, or could be made to be in harmony with, the general purpose and intent of the zoning ordinance; or
- (b) The application of the particular provision of the zoning ordinance to a particular piece of property, due to extraordinary and exceptional conditions pertaining to that property because of its size, shape, or topography, would create an unnecessary hardship for the owner while causing no detriment to the public.

## 128 Soundview Trace Variance Request

Page 2

### Variance Criteria

Section 1207 of the Peachtree City Zoning Ordinance/ states the City Council shall not grant a variance unless all of the following findings can be made

- (a) *There are special circumstances applicable to the property, including location, shape, size, surroundings, or topography so that the strict application of this ordinance denies the property of privileges enjoyed by other property in the vicinity and under identical zoning district classification;*

**Staff Comment: The subject property has (3) front yards with a slope down from one of the side streets and several neighboring properties that face the backyard.**

- (b) *The strict or literal interpretation and application of this ordinance would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of the Building Ordinance, or would deprive the Applicant of privileges granted to others in similar circumstances;*

**Staff Comment: Several of the surrounding homes on Bartlett Way and Daker Drive face the subject property's backyard which hinders the privacy of the residents of the subject property. In addition, the setback required for a 6-foot privacy fence, 43-feet along Bartlett Way and 31-feet along Daker Drive, would impact the size of the area available for a private backyard.**

- (c) *There are exceptional or extraordinary circumstances or conditions applicable to the property involved or the intended development of the property which preclude the applicant from complying with this ordinance and that do not apply generally to other property in the same zoning district and which prevent the applicant from complying with existing regulations;*

**Staff Comment: Other than the three (3) front yards, there are no applicable conditions.**

- (d) *The granting of such variance will not constitute the granting of special privileges inconsistent with the limitations on other property in the same zoning district;*

**Staff Comment: Only one other lot in the neighborhood has three (3) front yards. As such, granting the variance would not constitute a special privilege inconsistent with the property's unique limitations.**

- (e) *The granting of such variance will not be materially detrimental to the public health, safety, or general welfare nor injurious to property or improvements in the zone or neighborhood in which the property is located; and*

**Staff Comment: Granting of a variance in this case would not be detrimental to public health, safety, or general welfare. The proposed fence will not create sight distance hazards for automobiles or pedestrians. The applicant has the**

## 128 Soundview Trace Variance Request

Page 3

**support of adjoining property owners that would be most impacted should the fence be constructed as proposed.**

*(f) The granting of such variance will not create inconsistencies with any objective of the Comprehensive Plan.*

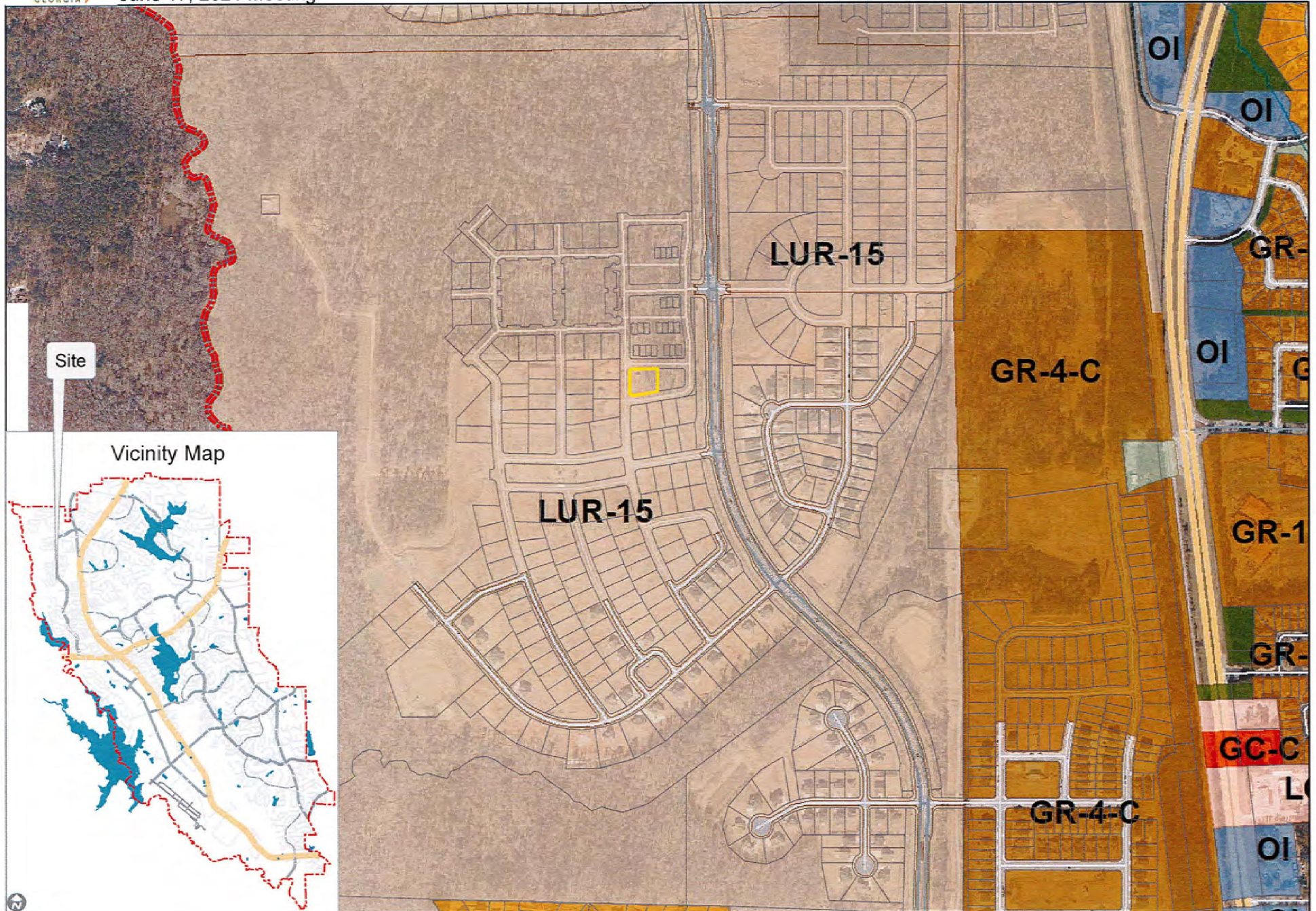
**Staff Comment: Granting of the variance would not create any significant inconsistencies with the Comprehensive Plan.**

### **Budget Impacts:**

The variance does not create any impacts on the City's budget.

ATTACHMENTS







### **DETAILED REPORT**

Mr. and Mrs. James Chung are the owners of property located at 128 Soundview Trace, Peachtree City, Georgia in the Everton-Creekside subdivision. It is a part of the LUR-15 zoning district. The property is bordered by three streets – one along the front of the property and two on either side. In addition, the property slopes downward from one side street (Bartlett Way) by approximately 3.5 feet and from the property located to the rear in excess of six feet. Also, the houses that front on Bartlett Street, along with the houses that front on Daker Street (the other side street) face the Chungs' backyard, making privacy an even more important issue. Ordinance 18-165(e) prevents the erection of a fence in excess of four feet within the "required setback area that adjoins a street right-of-way". In order to have any semblance of privacy and to look aesthetically pleasing, the fence needs to be six feet in height. The fence also needs to be a privacy fence and not a 50% see-through fence. Mr. and Mrs. Chung have been able to receive the written support of their neighbors and that document is included with this application for a variance.

Mr. and Mrs. Chung seek a variance from this ordinance for the following reasons:

- (a) There are special circumstances due to the small size of the lot, the double side streets that border the property, the typography of the property, and its location in the neighborhood. The property is located in the Everton-Creekside Subdivision on a double corner lot. It is approximately 1/5 of an acre in size. The required setback from the side streets is 40 feet. These setbacks would result in an exclusion of almost 2/3's of the backyard area for any fence in excess of four feet. Because of the 3.5-foot slope of one side of the backyard and the sloop in excess of six feet from the property located to the rear, a four-foot fence will provide little to no privacy for the house or the backyard. The houses located on Bartlett and Daker Street face the Chungs' backyard, making privacy an important issue. In addition, restricting the fence height to four feet will look out of place considering the slope of the land. In order to look aesthetically pleasing and to provide some privacy, the fence needs more height. The height of the fence should be uniform around the entire perimeter – not some portions at six feet and others at four feet.
- (b) A strict and literal interpretation of the ordinance results in an unnecessary hardship. The small lot does not permit the use of landscaping to provide screening

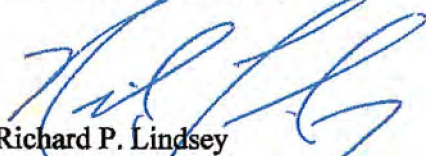


for the backyard or the house. The City has previously granted variances for fences in excess of four feet when those are along the sides of houses which are on corner lots.

- (c) There are exceptional and extraordinary circumstances that support the variance request. As stated above, the small size of the lot and the fact that it is on a double corner lot present a unique challenge to provide privacy for the occupants of the home and users of the backyard. There is no other lot of similar size in Everton, and probably all of Peachtree City, that is surrounded on three sides by streets with such topographical issues.
- (d) The granting of this variance will not constitute a special privilege since the need for a six-foot fence is the result of the topography surrounding the property. The double corner lot, coupled with the small size of the lot, presents a hardship in light of the forty-foot setbacks from the side streets. In addition, the small size of the lot does not permit an alternative means to provide screening. Only homes that are located on a such a similar double corner, small lot, which have significant topographical issues would be in a similar situation as the applicants. As stated above, to the applicants' knowledge, there is no other similar lot in Everton or in Peachtree City.
- (e) The applicants have received support from their neighbors to permit the fence to remain. Granting of the variance will not be materially detrimental to the public health, safety or general welfare nor injurious to property or improvements in the neighborhood. Both Bartlett Street and Daker Street are not "pass through streets" but are really only designed for travel by those vehicles going to and from the few houses that surround the perimeter of the Chungs' property.
- (f) The granted variance will not create any inconsistencies with any objective of the Comprehensive Plan.

For the above stated reasons, Mr. and Mrs. Chung request a variance from the height restrictions found in Ordinance No. 18-165(e) so that they may erect a six-foot high fence as shown in the attached drawing.

Respectfully submitted,



Richard P. Lindsey  
Attorney for Applicants





## CITY OF PEACHTREE CITY

### INTEROFFICE MEMORANDUM

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**TO:** Mayor and City Council

**VIA:** Jonathan N. Rorie, City Manager 

**FROM:** Robin Bechtel Cailloux, AICP  
Planning and Development Director 

**DATE:** June 9, 2021

**SUBJECT:** Rezoning request to remove conditions of GC zoning for 1211 HWY 74 S  
*June 17, 2021 City Council Meeting*

---

#### **Request**

Darrell Baker, the Applicant, is requesting the removal of two conditions of zoning for 1211 Highway 74 S. When the property was rezoned to GC General Commercial, it was approved with conditions. The Applicant is requesting to remove conditions 1006C.1.2.g, which prohibits "establishments whose primary business is the sale of gasoline or diesel", and 1006C.1.4.f, which requires buildings to comply with the Wilshire Pavilion design standards.

#### **Location**

The subject property, currently undeveloped, is located on the southwest corner of Hwy 74 S and Rockaway Road and is the final frontage lot within the Wilshire Village development. The property is generally flat and cleared of mature vegetation. Two overhead utility lines run along Highway 74 at the front of this property.

#### **Proposed Development**

The proposed development is a 9,000 square foot (sf) retail building and four (4) gas pumps. The retail building will consist of a 3,000 sf convenience store and 6,000 sf of restaurant/retail spaces with a drive thru for a coffee and donut shop.

Access to the site is provided by Wilshire Village Drive, an existing internal street for the development that currently connects to both Hwy 74 S and Rockaway Road.

The applicant is also requesting to create an iconic gateway building. The proposed structures meet the City's architectural standards for materials, but does not satisfy the zoning condition requiring the property to conform to the Wilshire Pavilion Design Guidelines, which only allow for brick and stucco. Design approval is not under consideration at this time; however, removal of the zoning condition will allow the Planning Commission to consider the proposed design during the normal architectural review process step.

## 1211 ST 74 S Rezoning Request

Page 2

### **Evaluation Criteria:**

Staff has reviewed the proposal based on the criteria established in Section 1304(d) of the City's Zoning Ordinance:

**(1) *Whether the zoning proposal is in conformity with the policy and intent of the land use plan;***

The proposal does not change the underlying commercial land use of the property, which conforms with the future land use plan designation of Commercial.

Staff is of the opinion that the proposal complies with the Comprehensive Plan policy to promote the location of commercial uses in the village centers. The Comprehensive Plan defines village centers as being places of high community activity and can be a collection of commercial developments, large institutional uses and other uses.

**(2) *Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property;***

The proposed use is compatible with the surrounding commercial development.

**(3) *Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property;***

The proposed commercial use will not adversely affect the existing use or usability of adjacent properties, which include restaurants, vacant lots, banks, a 55+ residential development, retail stores and professional offices.

**(4) *Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned;***

The property appears to have a reasonable economic use as currently zoned.

**(5) *Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools;***

Fayette County Water System, Peachtree City Water and Sewerage Authority and Coweta-Fayette Electric Membership Corporation will provide utilities. All utilities have provided letters stating that there is adequate capacity to service the proposed uses.

The use of a small-scale gas station will not significantly alter the traffic generated from typical commercial uses. The retail use will not add students to the local school system.

**(6) *Whether there are other existing or changing conditions affecting the use and development of the property which give supportive grounds for either approval or disapproval of the zoning proposal.***

Staff is unaware of any changing conditions that impact the applicant's request.

## **1211 ST 74 S Rezoning Request**

*Page 3*

### **Workshop Format**

During the workshop, staff will provide a general overview of the proposal. The applicant will then be able to present their project. The Chairperson will open up discussion to the general public asking for comments, suggestions, and questions. Afterward, the Chair will ask the applicant or staff to respond to the questions, and allow Commissioners to make their comments. A summary of these comments will be provided to City Council for their review prior to the public hearing, which will be held on June 3, 2021 at 6:30 pm in City Hall.

### **Planning Commission Workshop**

The Peachtree City Planning Commission conducted a public workshop on this request at their May 10, 2021 regular meeting. At that meeting, the majority of Commissioners voiced their concern about the lack of public attendance at the workshop. Because of this, they expressed their opinion that both conditions should remain. One Commissioner supported the approval.

### **Recommendation**

Staff is of the opinion that the request meets a majority of the criteria for rezoning, and recommends the removal of the zoning conditions that pertain to the sale of fuel and the architectural material and colors.

## NARRATIVE

**PARCEL #:** 0609021

**ADDRESS:** 1211 S 74 HWY, OUTLOT #5  
PEACHTREE CITY, GA 30269

**SCOPE:** REZONING TO REMOVE A CURRENT CONDITION

**OVERVIEW:** The subject property is located on the southwest corner of Hwy 74 S and Rockaway Road and is the final frontage lot within the Wilshire Village Development. The property is already zoned CG, with a Land Use Map designation of COM. The purpose of the rezoning, after meeting with staff, is to remove two (2) conditions, 1006C.1.2.g and 1006C.1.4.f which eliminates uses not permitted. Condition 1006C.1.2.g deals with: "Establishments whose primary business is the sale of gasoline or diesel." Condition 1006C.1.4.f deals with architectural concept and design standards established for the City and Wilshire Pavilion Development specifically. Since the building will be reviewed in this process and again at Concept Approval with the City, we are requesting removal of this specific condition. The proposed project for this site is one multi-tenant building consisting of 9,000 sf – a 3,000 sf convenience store with 4 gas pumps (8 actual fueling stations) and 6,000 sf of restaurant / retail space with a drive through on the end of the farthest space from HWY 74 S. The developers want the building to be iconic in design and have asked Jefferson Brown Gresham Architects to design the facility to this end. The contracted users purchasing the land for this development have existing locations already in Peachtree City and have owned said locations and been merchants in Peachtree City for many years. The building will be oriented predominately towards Rockaway Road with key design features for the convenience store and gas pumps with canopy on the Hwy 74 S end of the building (see attached engineered Concept Site Plan and Elevation Concept Drawings).

### EVALUATION CRITERIA FROM SECTION 1304(d):

**(1) *Whether the zoning proposal is in conformity with the policy and intent of the land use plan:***

The zoning proposal is in conformity and currently zoned GC. It also conforms to uses within the future land use designation of COM. Regarding community design, the proposed building will conform to City requirements with the owner's desiring an iconic design that will blend well with the existing area, while fitting in with the overall village concept of the City (concept elevation drawings are attached). The overall development is already joined to the multi-use path system and will accommodate golf cart and pedestrian path traffic. All design criteria, once the



design condition is removed, will meet or exceed the code requirements for Peachtree City. All design consultants are local and already work closely with the City and its staff.

**(2) *Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property:***

The use is suitable and is part of an already master planned area and development. Similar uses exist in the various villages across Peachtree City. Uses are similar to what is existing in the balance of this development and the Wilshire Pavilion development across HWY 74. The introduction of the fuel component is needed in the Wilshire Village since the closest fuel for the local residents is as far as the intersection of Barnard Rd and HWY 85 S in Fayetteville, Hwy 16 and HWY 85 S in Senoia, HWY 74 and Crosstown Rd in Peachtree City and Robinson Rd and Peachtree Parkway. The design of the fuel use here is more residential in nature with only four pumps proposed and is not designed as a national gas retailer. The operator / owners are existing business owners in Peachtree City as previously stated.

**(3) *Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property:***

No, once this parcel is developed, there are only two remaining parcels within the Wilshire Village remaining and they are located on the rear access road off of Rockaway between the subject property and the Somerby Development. The uses proposed are in keeping with the other village centers in Peachtree City.

**(4) *Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned:***

The property is already zoned GC and has a reasonable economic use. The proposed addition of the fuel component will not negatively impact said reasonable economic use but should enhance the retail environment that already exists and adds a use component that doesn't exist but provides a convenience for the local residents.

**(5) *Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools:***

**Existing Streets:** No burdensome impact in that the parcel / uses are part of an existing development and entrances and exits to Hwy 74 S and Rockaway were predetermined, approved and previously installed by the Master Developer, Columbia Properties. Access to the proposed site are all cross access drives within the balance of the existing development.

**Transportation Facilities:** There will be no burdensome impact to transportation facilities and proposed development is part of a larger planned development almost completely built out.

**Utilities:** There will be no burdensome impact to utilities. Storm is part of a master detention program and was pre-planned and installed for the entire site previously. Within this rezoning package there are service letters from the primary utilities (Fayette Co Water / WASA / EMC) stating that capacity for this site / use are available and sufficient.

**Schools:** There will be no burdensome impact to the schools since the parcel doesn't require classroom capacity. The schools will however reap the benefit of increased property and sales tax revenue.

**Services:** There will be no burdensome impact to services (police, fire). The internal drives will conform to standard fire code requirements and the building will be sprinkled and constructed of primarily non-combustible components.

***(6) Whether there are other existing or changing conditions affecting the use and development of the property which give supportive grounds for either approval or disapproval of the zoning proposal:***

Expansive and explosive residential growth has supported the continued expansion of the commercial market in the area. The removal of the fuel condition will allow for the final use component for this area consistent with the other villages in Peachtree City.







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## CITY OF PEACHTREE CITY

### INTEROFFICE MEMORANDUM

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**TO:** Mayor and City Council

**VIA:** Jonathan N. Rorie, City Manager 

**FROM:** Robin Bechtel Cailloux, AICP  
Planning and Development Director 

**DATE:** June 8, 2021

**SUBJECT:** Airport overlay zones  
*June 17, 2021 City Council Meeting*

---

#### **Recommendation**

Adopt the Airport Overlay Ordinance and Airport Overlay Zoning Map as presented.

#### **Background**

Peachtree City has had airport zoning overlays since 1988. The city's ordinance was based on a model ordinance provided by the Federal Aviation Administration (FAA) and included definitions of the airport protection zones as they existed at that time. The FAA updated the definitions of protected airspace around airports in the late 2000s; however, the City's ordinance was not updated at that time to reflect these changes.

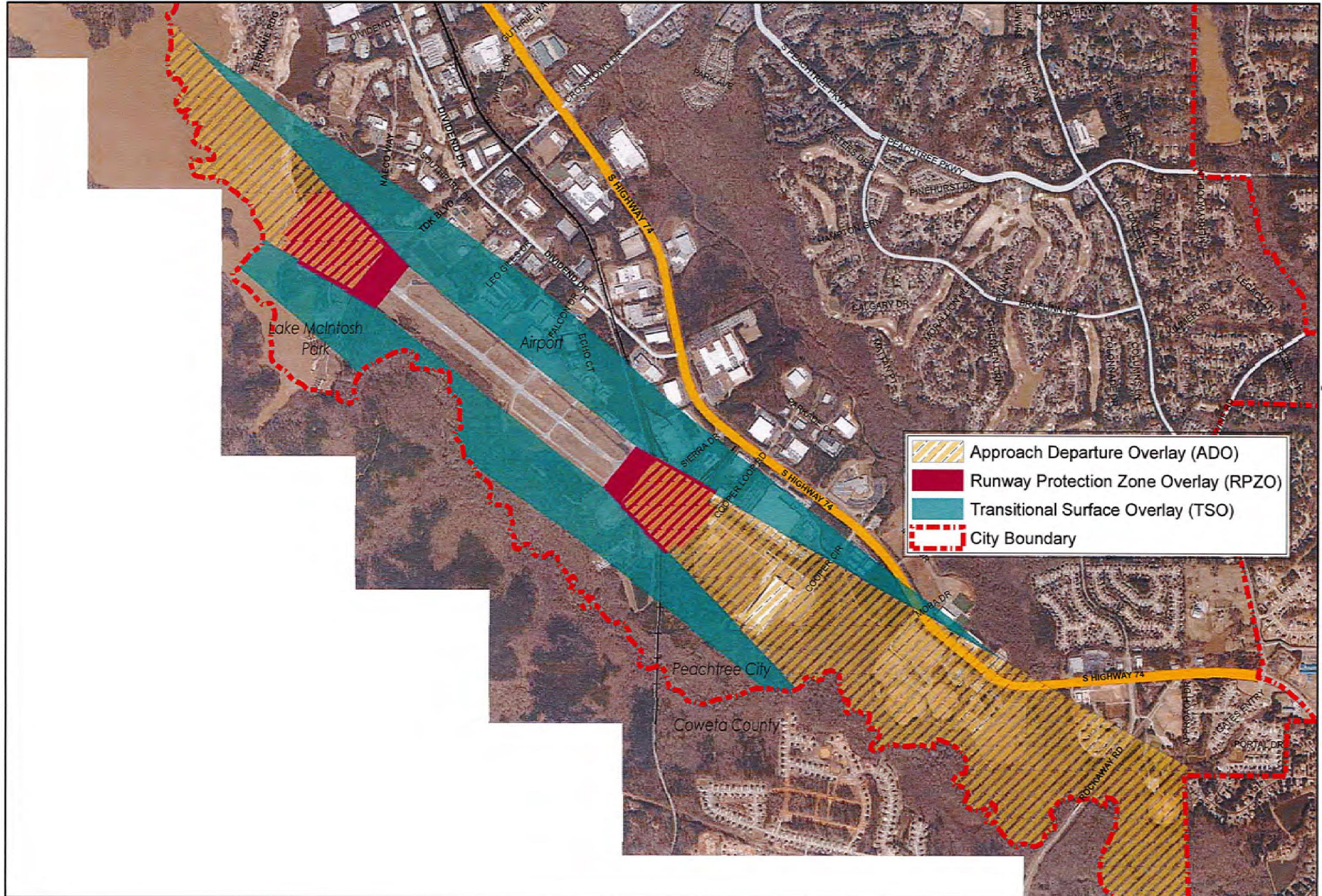
The proposed airport overlay ordinance updates the definitions of the protected airport zones and is based on the model ordinance provided by the FAA. The ordinance has been reviewed and approved by the City Attorney and the Airport.

#### **Location**

Figure 1 depicts the location of the proposed airport overlays. Historically, the airport overlays were not mapped on the Official Zoning Map. Because of this, city staff were tasked with the interpretation of highly-technical definitions to determine if a property was impacted by the zone. If adopted, the proposed airport overlay zones will be mapped on the city's Official Zoning Map, which will assist both city staff and property owners to understand which properties are affected by the airport zones.

The only airport zone that has changed definition between the city's 1988 ordinance and the proposed ordinance is the Runway Protection Zone (RPZ). The RPZ size and area is determined by the FAA dependent upon the type of aircraft using a runway. Since 1988, the Airport has seen a change in the types of aircraft, and as a result, the RPZs have changed. Figure 2 shows the previous 1988 RPZs and the current RPZs.







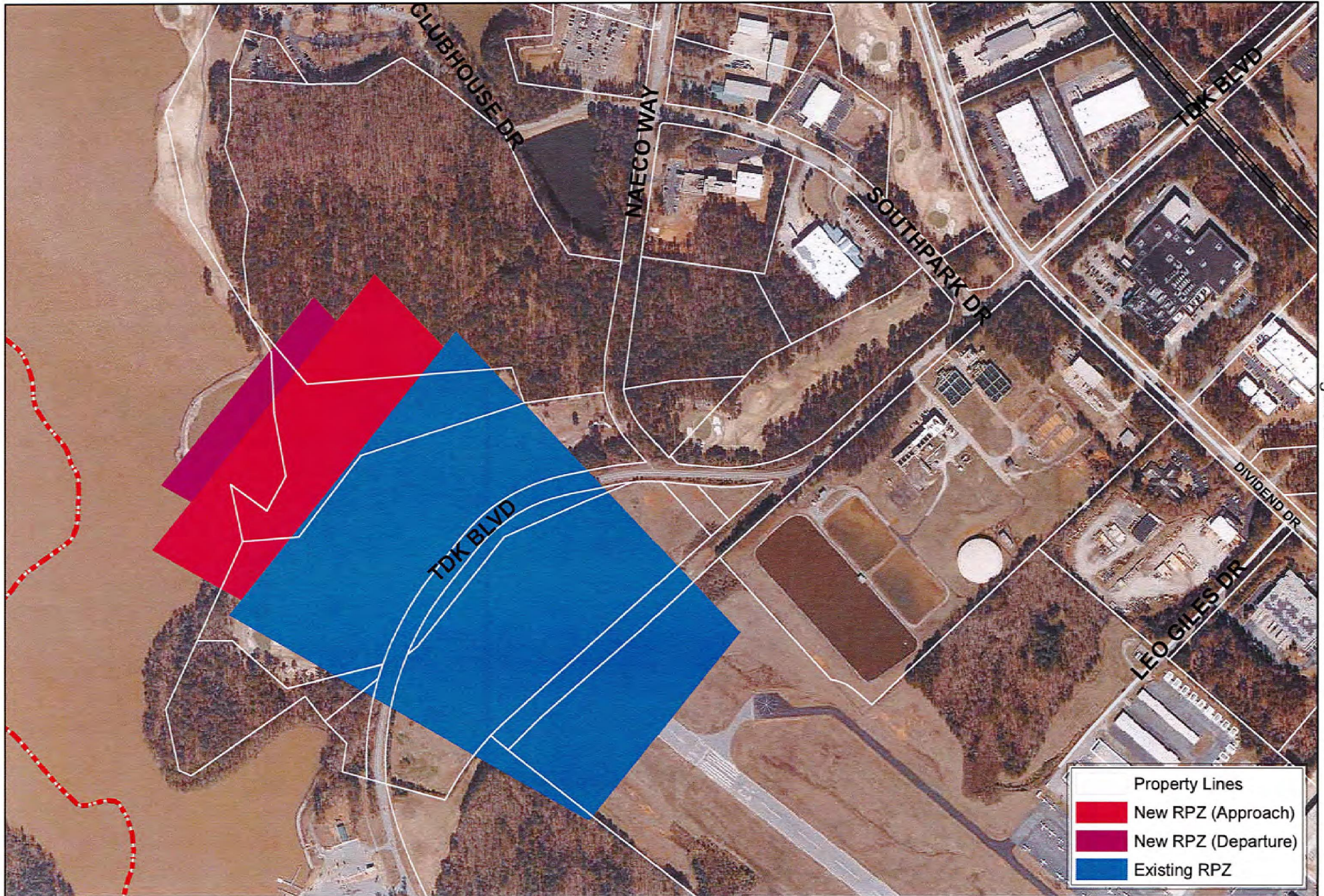


Figure 2



## Airport Overlay Zones

Page 2

### Ordinance Summary

A zoning overlay is an additional layer of requirements placed on a property. The proposed Airport overlay districts do not change the existing underlying zoning category of any property.

There are three types of airport overlay districts proposed:

- Approach/ Departure Overlay (ADO)
- Transitional Surface Overlay (TSO)
- Runway Protection Zone Overlay (RPZO)

The ADO adds height restrictions based on proximity to the runway. The closer a property is located to the runway, the more restrictive height limitations are. As a result of the public meeting, staff recommends that only fuel tank farms be prohibited in the ADO. The original draft proposal included the prohibition of any above-ground fuel tank; however, property owners and the Airport itself commented that these types of tanks are currently used to support industrial and airport users.

The TSO only restricts height of structures. Similar to the ADO, the closer a property is located to the runway, the more restrictive height limitations are on that property.

The RPZO is located at the very end of runways. All above-ground structures, including trees and utility lines are prohibited. Public assembly is prohibited within the RPZO, but this does not include uses where people may gather for a short period of time such as at cemeteries, on golf courses, or in parking lots.

### Planning Commission Public Workshop

The Planning Commission hosted a public workshop on the proposed ordinance at their May 10<sup>th</sup> regular meeting. The table below summarizes the comments and how they are addressed in the revised proposed ordinance:

| <b>COMMENT/ CONCERN</b>                                          | <b>RESPONSE</b>                                                                                                                                                                          |
|------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| The airport name is incorrect                                    | The airport name has been corrected.                                                                                                                                                     |
| Noise impacts are not addressed in the proposed ordinance        | The airport has not performed a noise study. If or when a noise study is completed, the proposed ordinance can be updated at that time.                                                  |
| Conflicting language about the maintenance of nonconforming uses | The word "maintained" was removed from Section 1012.6.<br><br>Language to Section 1012.7 was added to clarify that existing legally nonconforming uses and structures may be maintained. |

**Airport Overlay Zones**

Page 3

| <b>COMMENT/ CONCERN</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | <b>RESPONSE</b>                                                                                                                                                                                                                                                                                                                                                                                                                   |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Storage of fuel in above-ground tanks is a common use on industrial properties. Prohibition of these will be detrimental to operations and threaten our ability to grow.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Reference to above-ground fuel storage is removed, and only large fuel tank farms are prohibited.                                                                                                                                                                                                                                                                                                                                 |
| Not in support of placing a Displaced Threshold on the runways                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | The proposed ordinance does not place a Displaced Threshold on the runways.                                                                                                                                                                                                                                                                                                                                                       |
| <p>Our company is planning on growing in the near future. The FAA already requires that they review all construction projects around the airport. If a project encroaches into the protected airspace, the FAA decides what lighting and marking must be made to mitigate the impact. This process can take anywhere from 45-120 days.</p> <p>The proposed ordinance would require that we go through the variance process if our construction project encroaches into the airport airspace. We feel that this adds an additional step and time to our timeline, and is unnecessary since we have to comply with the FAA conditions of approval already.</p> | <p>Administrative exceptions to the height restrictions were added. The exception can only be granted if the conditions of the FAA determination notice are satisfied. Therefore, the variance process is only required when a property owner does not wish to comply with the FAA conditions.</p> <p>In addition, definitions and references to the FAA Determination Notices have been added to clarify the review process.</p> |
| General support of the airport                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | No changes made to ordinance.                                                                                                                                                                                                                                                                                                                                                                                                     |

The proposed ordinance is attached to this memo. The red text highlights the changes that have occurred since the first draft presented at the Planning Commission workshop. Strikeout text is to be removed, underlined text is to be added.

**Ordinance Number 1192**

**AN ORDINANCE REGULATING AND RESTRICTING THE HEIGHT OF  
STRUCTURES AND OBJECTS OF NATURAL GROWTH,  
AND OTHERWISE REGULATING THE USE OF PROPERTY IN THE  
VICINITY OF THE ATLANTA REGIONAL AIRPORT FALCON FIELD  
BY CREATING THE AIRPORT ZONING DISTRICTS AND AMENDING  
THE OFFICIAL ZONING MAP TO INCLUDE THE  
AIRPORT OVERLAY DISTRICTS, AND FOR OTHER PURPOSES**

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF PEACHTREE CITY, AND IT IS HEREBY ORDAINED by authority of the same that:

I would consider adding a WHEREAS clause here about how the standards set forth in this Ordinance are based upon regulations, guidance, etc. from the FAA (assuming that is true).

**Section 1.** The Peachtree City Zoning Ordinance Article X, Requirements by District, Section 1012, Airport Zoning, be removed in its entirety and replaced with the following:

Sec. 1012. – Airport overlay districts

(1012.1) *Intent of district.* The general purpose of this district is to protect the existing and future operations of the Atlanta Regional Airport Falcon Field (the Airport) and the public investment therein; and to promote the health, safety, and general welfare of the public and aviation users. The specific purpose and intent of this district is to:

- 1) Impose additional overlay regulations, which are in addition to those underlying zoning regulations, that will maintain a compatible relationship between airport operations and existing and future land uses around the Airport.
- 2) Regulate and restrict the height of structures and objects of natural growth, placement of buildings, visual obstructions (smoke, steam, dust, etc.) electrical and navigational interference, noise sensitive land uses, and wildlife and bird attractants around the Airport.
- 3) Regulate and restrict building sites, uses, and concentrations of people to protect life and property in case of accident.
- 4) Provide a quality environment for human habitation and for encouraging the most appropriate land uses around the Airport.

(1012.2) *Applicability*

The Airport overlay districts shall apply only to those parcels of land shown on the Official Zoning Map designated within or partially within the Airport overlay districts.

(1012.3) *Definitions*

- 1) Airport: Falcon Field Peachtree City Airport.

- 2) Airport elevation: The highest point of an airport's usable landing area measured in feet above mean sea level (msl) which, for under this Section 1012, shall be 808.0 msl.
- 3) Airport Hazard: Any structure, tree, or use of land that obstructs the air space required for the flight of aircraft and landing or take-off at an airport, is otherwise hazardous to such landing or taking off of aircraft, or places significant number of people or property at risk from airport operations.
- 4) Airspace: the space lying above the earth or above a certain area of land or water that is necessary to conduct aviation operations.
- 5) FAR Part 77: A regulation established by the Federal Aviation Administration entitled, in full, "Objects Affecting Navigable Airspace – Part 77" that (a) establishes standards for determining obstructions in navigable airspace; (b) defines the requirements for notice to the FAA Administrator of certain proposed construction or alteration; (c) provides for the aeronautical studies of obstructions to air navigation to determine their effect on the safe and efficient use of airspace; (d) provides for public hearings on the hazardous effect of proposed construction or alteration on air navigation; and (e) provides for establishing antenna farm areas.
- 6) FAA: Federal Aviation Administration, an operating administration of the United States Department of Transportation
- 7) FAA Determinations: Per the Code of Federal Regulations, all construction within any airport imaginary surface must submit a request for review to the FAA (i.e. Form 7480) at least 45 days before commencement of construction. The FAA will perform an aeronautical study and issue a Determination letter regarding the proposed project's impact on air navigation. One of the three typical responses are issued:
  - a) Determination of No Hazard: the proposed construction/alteration did not exceed obstruction standards and marking/lighting is not required.
  - b) Determination of No Hazard with Conditions: the proposed construction/alteration would be acceptable contingent upon implementing mitigating measures such as the marking and lighting of the structure.
  - c) Determination of Hazard: The proposed construction/alteration is determined to be a hazard to air navigation.
- 8) Height: For the purpose of determining the height limits in all zones set forth in this article and shown on the official zoning map, height shall be measured as the highest point of a structure, tree, or other object of natural growth, measured from the mean sea level elevation (msl) unless otherwise specified.
- 9) Imaginary surfaces. Those areas established in relation to the airport and to each runway consistent with FAR Part 77, as amended time to time, in which any object extending above these imaginary surfaces, by definition, is an obstruction.
  - a) Approach surface – longitudinally centered on the extended runway centerline and extends outward and upward from the end of the runway primary surface. The approach slope of a runway is a ratio of 20:1, 34:1, or 50:1/40:1 depending on the approach type. The length of the approach surface varies from 5,000 to 50,000 feet and also depends upon the approach type.
  - b) Conical surface – extends upward and outward from the periphery of the horizontal surface at a slope of 20 feet horizontally for every one foot vertically (20:1) for a horizontal distance of 4,000 feet.
  - c) Horizontal surface – a horizontal plane located 150 feet above the established airport elevation and encompasses an area from the transitional surface to the conical surface. The perimeter is constructed by generating arcs from the center



of each end of the primary surface and connecting the adjacent arcs by lines tangent to those arcs.

- d) Primary Surface: The surface longitudinally centered on a runway. Then the runway has a specially prepared hard surface, the primary surface extends 200 feet beyond the end of that runway. The width of the primary surface is 1,000 ft. at the Airport.
  - e) Transitional surface- extends outward and upward at right angles to the runway centerline and extends at a slope of seven feet horizontally for each one foot vertically (7:1) from the sides of the primary and approach surfaces. The transitional surfaces extend to the point at which they intercept the horizontal surface at a height of 150 feet above the established airport elevation (808.0 + 150 feet = 958 msl)
- 10) Incompatible Land Use: The use of land that is normally incompatible with the aircraft and airport operations (such as, but not limited to, homes, schools, nursing homes, hospitals, and libraries.)
  - 11) Mean sea level: Abbreviated msl, the mean sea level is an average level of the surface of one of more of Earth's bodies of water from which heights are measured.
  - 12) Noise Sensitive Land Use: A use where airport noise typically interferes with normal activities associated with the use. Examples of noise sensitive land uses include, but are not limited to, residential, educational, health, religious, wildlife refuges, and cultural sites where a quiet setting is a recognized attribute.
  - 13) Public Assembly Uses: This definition shall apply to this Section of the ordinance only. An activity or daily use of a structure or outdoor facility where concentrations of people gather for purposes such as deliberation, education, shopping, business, entertainment, amusement, special events, sporting events, but excluding air shows. A public assembly use does not include places where people congregate for relatively short periods of time such as parking lots, cemeteries, golf courses, or uses approved by the FAA in an adopted airport master plan.
  - 14) Runway Protection Zone (RPZ): A trapezoidal-shaped area centered about the extended runway centerline that is used to enhance the protection of people and property on the ground. The RPZ dimensions are functions of the design aircraft, type of operation, and visibility minimums, and therefore may be amended from time to time.
  - 15) Structure: This definition shall apply to this Section of the ordinance only. An object anchored, constructed, attached, erected, gathered, located, placed, piled, or installed by humans, either on the ground or in or over a body of water, either moveable or immovable, and either temporary or permanent. The term structure includes, but is not limited to, antennae, buildings, cranes, fences, overhead transmission lines, patios and decks, man-made ponds, signs and sign structures, smokestacks, towers, utility poles, wires, and anything attached to any of the foregoing either temporarily or permanently.
  - 16) Wildlife attractants: any human-made structure, land-use practice, or human-made or natural geographic that can attract or sustain wildlife within the landing or departure airspace or the airport's air operations area. These attractants include, but are not limited to, open bodies of water, surface mining, waste disposal sites, wastewater treatment facilities, or wetlands.

(1012.4) *Establishment and Delineation of Airport Overlay Districts.* The following overlay districts are created and mapped on the official zoning map, which may be updated as determined by city council following the map amendment process stipulated in Article XIII of the Zoning Ordinance:

- 1) *Height Limitations Overlay (HLO):* The boundary of the HLO zone shall be the full extent of all the Imaginary Surfaces described in Part 77 of the FAA guidance and mapped on the Peachtree City official zoning map. The HLO protected airspace on a property begins at 150 feet over 808 msl (958 msl).
- 2) *Approach/Departure Overlay (ADO):* The boundary of the ADO shall be the full extent of the Approach and Departure surfaces for the Airport, as described in FAR Part 77 of the FAA guidance and mapped on the Peachtree City official zoning map. The protected airspace within the northern ADO follows a 34:1 slope for 10,000 feet. The protected airspace within the southern ADO follows a slope of 50:1 for 10,000 feet, then a slope of 40:1 for the remaining 40,000 feet.
- 3) *Transitional Surface Overlay (TSO):* The boundary of the TSO shall be the full extent of the Transitional surface as described in FAR Part 77 of the FAA guidance and as mapped on the Peachtree City official zoning map. The protected airspace within the TSO follows a slope of 7:1 from the primary and approach surfaces to the point at which it intercepts the HSO.
- 4) *Runway Protection Zone Overlay (RPZO):* The boundary of the RPZO shall be the full extent of the RPZ for the Airport, as described in FAR Part 77 of the FAA guidance and mapped on the Peachtree City official zoning map.

(1012.5) *General Provisions for all airport overlay districts.* The following restrictions apply to all land within any of the airport overlay districts.

- 1) *Applicability of regulations.* If a single parcel is located in more than one Airport overlay district, the applicable overlay district use restrictions shall apply only to the portion of the property located in that overlay district. A parcel may be partially or fully within two or more overlay districts.
- 2) *Glare restrictions.* No glare-producing materials or architectural design shall be used that will result in glare that could impeded a pilot's vision.
- 3) *Lighting restrictions.* No lighting shall project directly onto an existing runway or taxiway or into existing airport approach and landing paths except where necessary for safe and convenient air travel, as determined by the FAA or the Airport. Lighting for any new or expanded use shall incorporate shielding in their designs to reflect light away from airport approach and landing paths. No use shall imitate airport lighting or impeded the ability of pilots to distinguish between airport lighting and other lighting.
- 4) *Communications facilities and electrical interference.* No structure or use shall create electrical or electronic interference with navigational signals, or radio or radar communications between the aircraft and a ground station. Proposals for the location of new or expanded radio, radio-telephone, and television transmission facilities and electrical transmission lines shall be coordinated with FAA prior to approval.
- 5) *Visibility.* No structure or use shall cause emissions of smoke, dust, or steam that could obscure visibility of pilots. Nor shall any emissions be permitted that are injurious to the public in use of the Airport.

- 6) *Waste disposal facilities.* No new waste disposal facilities shall be permitted within the Airport Overlay Districts unless approval is obtained from the Federal Aviation Administration.
- 7) *Other hazards and aircraft operations.* In addition to the specific prohibitions stated in this article, no use or structure shall otherwise endanger the landing, taking off, or maneuvering of aircraft.

(1012.6) Regulations by Districts.

- 1) Height Limitation Overlay (HLO)
  - a) No structure or tree shall be constructed, altered, ~~maintained~~, or allowed to grow into or project within the HLO, which is 958 msl or greater.
  - b) When the height limitations of the applicable zoning district are more restrictive than those of imaginary surface restrictions, the applicable zoning district height limitations shall apply and control.
  - c) Exceptions to the height restrictions may be administratively approved by the Planning Director subject to conditions ~~and terms as recommended by the FAA, and other conditions as determined by the Director of the FAA Determination of No Hazard or the FAA Determination of No Hazard with Conditions. Applicants objecting to the finding of the Director may follow the appeals process outlined in Article XII of the Zoning Ordinance.~~
- 2) Approach Departure Overlay (ADO). In addition to the requirements of the underlying zoning district and the general provisions of the airport overlay districts, areas designated within the ADO shall comply with the following restrictions. In the event of a conflict between the following restrictions and the provisions of the underlying zoning district for each parcel, the more restrictive provision shall control. The provisions for the ADO are as follows:
  - a) No structure or tree shall be constructed, altered, ~~maintained~~, or allowed to grow into or project within the ADO protected airspace.
  - b) All development applications ~~shall~~ may be required to provide proof that the proposed development will not project within the ADO protected airspace. Documentation satisfying this shall be as determined by the Planning Director and or the Airport sponsor, and may include an elevation certificate or other similar survey.
  - c) Exceptions to the height restrictions may be administratively approved by the Planning Director subject to the conditions of the FAA Determination of No Hazard or the FAA Determination of No Hazard with Conditions.
  - d) ~~Uses that represent significant fire or explosion hazards, including~~ Fuel storage tank farms, ~~above-ground fuel tanks, and gasoline stations~~ are prohibited.
- 3) Transitional Surface Overlay (TSO). In addition to the requirements of the underlying zoning district and the general provisions of the airport overlay districts, areas designated within the TSO shall comply with the following restrictions. In the event of a conflict between the following restrictions and the provisions of the underlying zoning district for each parcel, the more restrictive provision shall control. The provisions of the TSO are as follows:
  - a) No structure or tree shall be constructed, altered, ~~maintained~~, or allowed to grow into or project within the TSO protected airspace.
  - b) All development applications ~~shall~~ may be required to provide proof that the proposed development will not project within the TSO. Documentation satisfying



this section shall be as determined by the Planning Director and or the Airport sponsor, and may include an elevation certificate or other similar survey.

- c) Exceptions to the height restrictions may be administratively approved by the Planning Director if the conditions of the FAA Determination of No Hazard or the FAA Determination of No Hazard with Conditions are satisfied.

- 4) Runway Protection Zone Overlay (RPZO). In addition to the requirements of the underlying zoning district and the general provisions of the airport overlay districts, areas designated as RPZO shall comply with the following use restrictions:

- a) Above-ground structural hazards are prohibited, including buildings, temporary structures, exposed transmission lines, and other similar above-ground structures. No tree or shrub shall be maintained or allowed to grow within the RPZO.
- b) Public assembly uses as defined by this ordinance are prohibited.

(1012.7) Nonconforming uses.

- 1) *Regulations are not retroactive.* The regulations prescribed by this section shall not be construed to require the removal, lowering, or other change or alteration of any structure, tree, or use of land not conforming to the regulations as of the effective date of this section or otherwise interfere with the continuance of nonconforming use. Nothing contained herein shall require any change in the construction, alteration, or intended use of any structure, the construction or alteration of which was begun proper to the effective date of this section, and is diligently prosecuted and completed within two years of the construction or alteration start date.
- 2) Any lawfully existing nonconforming use may be continued, repaired, and maintained.
- 3) Lawfully existing nonconforming uses shall not be enlarged or extended unless the project satisfies the conditions of the FAA Determination of No Hazard or the FAA Determination of No Hazard with Conditions, subject to the conditions of Section 906 of the Zoning Ordinance. The burden of establishing that a nonconformity lawfully exists is on the owner.

(1012.8) Permits and Procedures.

- 1) All permits and procedures for building permits or zoning approvals within the airport overlay districts shall comply with the Peachtree City code of ordinances.
- 2) Additional documentation may be required by the Planning Director before permits can be issued or as a condition of permit approval. These may include elevation certificates showing the structure does not violate the maximum height requirements, FAA Determination statements, statements of approval from the ~~FAA~~ or Airport, or other documents as required.
- 3) Any permit or variance granted may be conditioned as to require the owner of the structure or tree in question to install, operate, and maintain, at the owner's expense, such markings and lights as may be necessary to indicate to pilots the presence of an airport hazard.

(1012.9) Variances.

- 1) Any person desiring to erect or increase the height of any structure, permit the growth of any tree, or use property not in accordance with the regulations prescribed in this article may apply to the city council for a variance from such regulations. The variance and public hearing process shall comply with Article XII of the Zoning Ordinance.
- 2) The application for a variance shall be accompanied by an FAA Determination as to the effect of the proposal on the operation of the Airport and air navigation.



- 3) Upon determining the completeness of the application, the variance application shall be referred to the Airport for review, comments, and recommendations prior to the public hearing on the variance application.

**Section 2.** The Peachtree City Zoning map is amended to show the Approach/Departure Overlay, The Transitional Surface Overlay, and the Runway Protection Zone Overlay, as shown in Attachment A.

**Section 3.** All ordinances or parts thereof which conflict with the provisions of this ordinance are, to the extent of such conflict and except as hereinafter provided, hereby repealed.

**Section 4.** Should any phrase, clause, sentence, section, or provision of this ordinance be declared invalid by a Court of competent jurisdiction, such invalidation shall not affect the validity of the remaining portion of this ordinance, which remaining portion shall remain in full force and effect. The City Council declares that it would have passed this ordinance and each subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more subsections, sentences, clauses or phrases may be declared invalid.

**Section 6.** This ordinance shall be in full force and effect upon its official adoption by the City Council.

Done, Ratified, and Passed this 17<sup>th</sup> day of June, 2021.

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Vanessa Fleisch, Mayor

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Phil Prebor, Post 1

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Mike King, Post 2

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Kevin Madden, Post 3

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Terry Ernst, Post 4

Attest: \_\_\_\_\_  
City Clerk

