

**Planning Commission of Peachtree City
Meeting Minutes
Monday, October 9, 2023
6:30 PM**

Pledge of Allegiance

Vice Chairman Scott Ritenour opened the meeting with the Pledge of Allegiance. Other commissioners in attendance included Kenneth Hamner, Mitzi Johnston, Felicia Reeves, Andrew Kriz, and new Alternate Raymond Liotta. Also present were Planning Director Robin Cailloux, Senior Planner Lora Hooks, Recording Secretary Martha Barksdale, and IT Specialist Caleb Thompson.

Additions or Deletions

NONE

Announcements and Reports

1. Introduction of new Planning Commissioner Alternate

Cailloux noted this was the first Planning Commission of the term. Reeves, who had been filling Paul Gresham's unexpired term, had been appointed to a full term, and Kriz, the former alternate, had moved up to become a voting member. Liotta was new alternate. Cailloux asked if any of them wanted a City-owned laptop to use during the Planning Commission meetings, and Liotta said he would.

Ritenour welcomed Liotta and said he was glad to have Reeves and Kriz re-joining them.

Approval of Minutes

1. Planning Commission Meeting September 25, 2023 Minutes

Kriz moved to approve the September 25, 2023, Planning Commission meeting minutes. Reeves seconded. Motion carried unanimously.

Public Hearing

NONE

Old Agenda Items

NONE

New Agenda Items

1. 23-10-01 Elections for Chairperson and Vice-Chairperson

Hamner nominated Ritenour to serve as Planning Commission Chairperson for the coming year. Kriz seconded. Motion carried unanimously.

Kriz nominated Hamner to serve as Planning Commission Vice Chairman for the coming year. Reeves seconded. Motion carried unanimously.

2. 23-10-02 Conceptual Site Plan, 1401 MOBA Drive, Moon Valley Nursery

Southtree Commercial had submitted a conceptual site plan for a tree and plant nursery at 1401 Moba Drive, which was lot 6 of the MOBA Industrial Park. The property was zoned General Industrial (GI) and was 3.16 acres. This use was permitted in GI as long as there were no sales to the general public, Hooks explained.

Site improvements included a small sales building with an outdoor seating area, but it was mostly an open-air business with a product yard of compacted gravel and a concrete workers' yard where equipment would be stored. A parking area was planned for the front.

Hooks said the property was previously granted two variances. The first decreased the front setback along Moba Drive from 50 feet to 30 feet, while the other allowed parking to encroach into the front setback 25 feet adjacent to Moba Way. The side setback was 20 feet, and they were meeting the requirement of a 60-foot landscape buffer along SR 74.

The parking requirement for an open yard business was based on floor area, number of employees, and number of company vehicles parked on-site. In this case, the building would be about 2,000 square feet; they would have 30 employees, and about 10 company vehicles would be parked on-site. This meant that 41 parking spaces would be required, and they were providing 44. Because this property had frontage on SR 74, they would have to come back before the Planning Commission for an architectural review, Hooks noted.

Staff was of the opinion that the proposed conceptual site plan met the ordinances and recommended approval with the condition that the project engineer must confirm that existing stormwater ponds were designed for the development of lot 6, otherwise the lot would have to comply with current requirements.

Cailloux explained more about why this use was allowed in the GI zoning. A person could come to the nursery and pick out a tree, and the nursery staff loaded it up and delivered it to the job site. While the public would visit there, it wouldn't be the same volume as at a retail nursery.

Hooks presented some photos that showed some of the plants were in very large containers, which was why machinery was needed to move them. She said those pictures were from the closest location, in Franklin, Tennessee. This would be the first Moon Valley in Georgia.

Ritenour said he was glad to hear how it worked, and Cailloux again said the consumer visited and picked out something, and their contractor or the Moon Valley staff would deliver it. Johnston wanted to know where the sale took place; was it between the consumer and the nursery or the contractor and the nursery? Cailloux directed the question to the applicant.

Southtree's Chuck Ogletree clarified that these trees were in containers up to 600 gallons, which equated to a six- to eight-inch caliper tree. The customer went there and picked out a tree, then the Moon Valley staff delivered and planted it. The customer purchased and paid for the tree on-site. Ogletree explained that Moon Valley had about 15,000 acres of tree farm around the country. They were based in Arizona and were expanding into the southeast.

Liotta wanted to know what was the maximum for impervious surface coverage in this zoning district. He noted that the aggregate gravel would become an impervious surface over time. Would the regional stormwater facility accommodate that much impervious surface?

Only the Commercial zoning district had a limit on the amount of impervious surface, Cailloux replied. Staff's recommended condition was about this, she said, saying they were asking the developer to answer the question Liotta had just asked. Was the pond built with the assumption that this much impervious surface would exist on that lot? If not, they would have to do some type of stormwater maintenance on the site.

Liotta said this seemed to be a good project. He noted that it sat below SR 74, so it really wasn't visible from the highway.

Staff had discussed asking the Planning Commission to waive the elevation review, given the fact that this yard would be stacked with landscaping material, and it was lower, with a building of small size, Cailloux remarked, and said that was something the Commission could discuss.

Ogletree said the building elevation would be for a wood-framed structure, all brick, with a hipped roof. It was very basic, and he, too, said it wouldn't be visible because of the trees.

Kriz asked when the engineering survey would be done? It had to be done before they could get a land disturbance permit, Cailloux stated. No one else had questions, but Reeves wanted to know if they would have pecan trees and other nut trees. Ogletree said he was sure they would. Johnston said it was exciting to get a new type of business, and Hamner and Kriz agreed, along with Ritenour.

Did they need to bring back the building elevations? Ogletree asked. Kriz said he was okay with waiving that requirement because it would be almost impossible to see the building from the street. Cailloux assured them that Staff would make sure they met the minimum ordinance requirements. The other Commissioners agreed that it would be okay to waive that review.

Reeves moved to approve New Agenda item 23-10-02, Conceptual Site Plan, 1401 MOBA Drive, Moon Valley Nursery with Staff's condition and waiving the review of

the elevations. Kriz seconded. Motion carried unanimously.

Workshop Items

1. PW23-10-01 Continuation of discussion for zoning text amendment to create Short Term Rental permit and process

This workshop was a continuation of the discussion from the public hearing held at the previous meeting. Ritenour said they would allow citizens to speak, but their time would be limited to five minutes. The goal was to pass on to Council a document that they could review and make a decision on.

Cailloux said the purpose of the short-term rental (STR) regulation was to protect the health and safety of visitors and residents of Peachtree City and to preserve the residential character of the neighborhoods. This had been a long process, starting in April 2022. City Council had held three workshops before starting this public comment and adoption process. There was a public hearing at the September 25 Planning Commission meeting, and now this public workshop. The City Council public hearing was scheduled for its November 2 meeting.

This proposed ordinance created an STR permitting process, which did not currently exist. All existing STRs would be required to get a permit; none would be grandfathered in. Any residential property could be an STR; the whole house could be rented or just bedrooms or a basement. It did not have to be owner-occupied.

Recreational vehicles or detached structures, such as pool houses or guest houses, could not be used as STRs. Subleasing would not be permitted. The ordinance would cap the number of STRs at 1.5% of the homes in the city, which would be 200. At last check, there were currently 96 or 98, so there was plenty of room for more, Cailloux remarked. The permits would be issued on a first-come, first-serve basis.

As the draft ordinance was written now, a local contact person must be designated. That person must be at least 21 years old, available at all times, and able to be on the property within one hour if requested by the City. They could be a licensed managing agent but did not have to be. As now proposed, information on the local contact would be mailed to all residences within 500 feet of the property and also would be posted at the property.

This draft ordinance set some minimum standards for STRs, Cailloux continued. Parties or special events would not be permitted at an STR. Parking must be off the street on a paved surface, and garbage must be screened from public view. Only bedrooms could be used for sleeping, with a maximum of three persons per bedroom. Noise and parking regulations must be posted on-site, along with the phone number for that local contact person.

The application process required a criminal background check on all property

owners and LLC agents. The homes would have to pass inspections by the Fire Marshal and Code Enforcement. A copy of the guest agreement had to be submitted with the application. There was a \$400 application fee, and the permit would be good for 365 days. There would be a \$75 late fee if the permit was allowed to expire past 30 days.

The enforcement policy was “three strikes and you’re out” over a 12-month period. Each violation resulted in citations and \$1,000 fines, while the third violation also meant that the permit for that location was revoked for 24 months and the owner or local contact (whoever was found guilty) could not apply for another STR permit within 24 months. It would not affect that person’s other STRs, just the property which it was cited.

Cailloux said she would go over the highlights of the items mentioned by the public at the last meeting, noting that many of these were items also specifically discussed by City Council. The first was if an existing STR should be grandfathered in, and Cailloux said Staff did not recommend this change because it was not as simple as them just looking to see what was listed the day before the ordinance was passed and comparing it to the day after. People took STRs on and off the listings, so they could claim they had one two years ago, and it should be allowed without a permit. Staff wanted to simplify it by saying everyone would need a permit.

Other comments regarded the prohibition on detached structures, such as pool houses or guest houses, being used as STRs. That would create a conflict in the ordinance, Cailloux noted, pointed out that guest houses, where overnight occupancy was permitted, were allowed only in Residential-43, which had one-acre minimum lots, and Estate Residential, which had three acres or more.

There were a lot of conditions tied to structures, one of which forbade permanent residency. They also could not be rented to permanent residents, so they couldn’t allow them to be rented as an STR, either. Detached structures were allowed in other zoning districts where there were smaller lots, but overnight occupancy was not legal. Again, she noted, there would be a conflict if they had an ordinance that allowed renting those for short-term, but not long-term. She noted Council did discuss this extensively at least twice during their workshops.

Several citizens contended that an Airbnb or other online platform had sufficient requirements, and the City shouldn’t ask for anything more. Staff agreed that it might be intrusive to ask for the guest’s home address, but a vehicle and tag number would be helpful to the Police.

Some people thought there shouldn’t be any Fire Marshal or building code inspections, but Cailloux said Staff supported those because they went back to the purpose of the ordinance, which was to keep visitors safe.

Other commenters wondered why things such as garbage and parking had requirements only at STRs and not in the City as a whole. Staff did not disagree with that, Cailloux remarked, but right now they were tasked with focusing on the STR ordinance. She said her research showed that noise, garbage, and parking were the top complaints in cities with higher percentages of STRs.

An item that had received much discussion was the notification letter to be mailed to all homes within 500 feet of the STR. The Planning Commission had asked if any other cities did this, and Cailloux said she found that jurisdictions in the metro Atlanta area that required this had a much leaner area, requiring notification only if it was a multi-unit building with shared walls or only for properties directly adjacent to the STR.

There was a comment about reducing the minimum age of the local contact person from 21 to 18. Cailloux said she had doubts that an 18-year-old would be available at all hours of the day to communicate with Code Enforcement. She thought a little bit older would not be a bad thing, saying there was a big difference between someone who was 18 and someone who was 21.

Another comment was that fees and fines were too high and would negatively impact income. Cailloux said she came up with the fee by considering all the different costs involved. There was \$100 each for the Fire Marshal and Code Enforcement inspections, and \$42.25 for the notification mailings; Cailloux noted that the average home in Peachtree City had 65 other homes within 500 feet. She allotted \$22.50 for the half hour it would take to create a mail merge with Word. The background check and administrative time to review it came to \$75. There was a \$70 per permit annual cost share for the third-party monitoring service, which was \$7,000 a year. This was figured with the assumption that 100 STR permits would be issued.

That added up to \$409.75, Cailloux reported. Some jurisdictions charged more, some less. In general, fees were higher in destination cities, such as beach or ski towns.

Another objection was that background checks were not required for most other businesses, although they were for massage services and pawn shops. There were general concerns over restriction of private property ownership rights and the lack of Police and Code Enforcement calls to existing STRs.

Cailloux said they would ask for public comments and questions, then the Planning Commission would have an informal discussion. She said she didn't expect perfect consensus, but she hoped they could approve an ordinance that she could take to City Council for a public hearing on November 2.

Ritenour opened the meeting for public comments and questions. Kathy Valencia introduced herself as one of Fayette County's four Magistrate Judges. She said

she dealt with STRs on a regular basis in court, not only on a criminal level, but also on civil day. Right now, there were four people in jail that she had personally taken warrants on who were firing guns at STRs in the county, and there were others who were bringing in young boys and raping them.

Valencia said she would go over what she had learned, both as a judge and in classes, adding that she was very much in favor of making this ordinance as restrictive as possible. She mentioned the needs of the community, saying a condo in Florida was probably set up from the beginning to be rented as an STR, while neighborhoods in Peachtree City were not. They also did not want a whole lot of houses in Fayette County to be sold to corporations that intended them only for STRs, taking the market away from families who wanted to move here. She mentioned that Atlanta and Savannah were having to go back and tighten up restrictions on STRs. Atlanta had few homes that were available to families, and Savannah had seen a surge in crime as a result of STRs.

Peachtree City was an aging city, she noted, and most subdivisions were built without covenants regarding STRs. This was the case in Smokerise, where she lived. One of the objections, she observed, had been that they didn't want to stifle property rights, but some courts were saying that you could do what you were currently doing. So if you bought a house that was being used as a permanent residence, whether as a long-term rental or a residence for the owner, you shouldn't be able to use it as an STR. A business license should be required so the City could contact the owners. Valencia also mentioned that squatters were becoming a problem in some STRs.

She said she was affected by an STR situation in her neighborhood over the course of two years. There was prostitution, party buses, noise, and rowdy behavior. Peachtree City was a prime spot for these types of renters because of its proximity to the airport and to Atlanta. Child trafficking was going on in STRs in Fayette County, Valencia said, noting that this was easier to hide in an STR than in a hotel. She concluded by saying she knew there were responsible owners, and it was unfortunate that they would be caught up in rules they did not need. But these restrictions were needed.

Glenn Valencia described the situation several years ago at the party house in Smokerise, saying it went on from Thursday through Sunday nights most weeks. He had confronted the guests, called the Police, and videoed the activity. A neighbor sold their home and moved because they couldn't take it.

Valencia said they knew the owner, and he let them go inside where they saw beds in every room. The owner did not understand what was happening until Valencia showed him the videos. Valencia also noted they had 11 break-ins in the neighborhood during that period. One of the people arrested was a gangster out of Chicago, and Valencia said there had been cases of bullets going through the walls of nearby homes. This was a problem all over the country, and they needed to

figure out a way to stop it.

Hamner said it was his understanding that the Smokerise situation was a non-authorized reuse of a sublet and not a traditional STR situation. Kathy Valencia said it was an authorized Airbnb sublet, with a contract. If it was done under the proposed ordinance, Cailloux said, some things would have been permitted, but beds in dining rooms would not. However, it would not be allowed for a person to lease the home, then sublet it through Airbnb.

Chris Anderson said he owned an STR. The online rental platforms had banned parties for the past couple of years, he remarked, adding that he vetted all his guests. He commented that it was offensive that Peachtree City government felt they were irresponsible and needed letters sent out to every person within 500 feet telling them how they could file a complaint.

He said it was treating them as if they were not law-abiding citizens. He knew of no one who did STRs who would risk damage to their house by allowing parties. He said it was not reasonable, and there was no data that showed calls to other STRs. The Smokerise situation was more than two years ago, and now the platforms had banned parties. The people of Peachtree City were good people and good people wanted to come here, he said. There shouldn't be an ordinance put in place for fear of what might happen.

Mark Bronson said criminals should be prosecuted, but crime happened at all types of businesses. He also didn't agree that the city would be subsidizing STRs if they didn't charge more, saying they brought in more than \$44,000 of tax revenue from STRs over 10 months.

He thought the ordinance was too vague. The forms indicated a more stringent inspection than required by fire codes, and Bronson wanted to know if the inspections would include the entire house or just the STR portion. He also didn't think it was right to target one group, such as with garbage requirements. He thought laws should be tailored to problems that were actually occurring. Bronson also said his STR was on two acres, so 500 feet from the property line would mean notifying homes that were very far away from the actual building.

Suzanne Brown wanted to talk about the restrictions on the number of STRs and how that could impact the neighborhoods that did not have homeowners associations (HOAs). If they limited the STRs to 1.5% of the homes in the city, then all the HOAs that had a limit on rentals and were already capped out would push the others out into neighborhoods without HOAs. No one could stop a real estate investment trust from taking over a neighborhood that didn't have an HOA or where the HOA had lapsed. It was very difficult to establish an HOA, she noted, because 100% of residents had to agree. While 1.5% might not sound like a lot, they would be looking at neighborhoods like hers for investments.

Squatters were also a concern. She recalled news reports recently about STR guests who just wouldn't leave and the difficulty in getting them out. What if that happened in someone's household where they were renting out just one bedroom? She closed with a question: was it better to be more restrictive up front, then loosen things up if all went well or was it better to write an ordinance that was not very restrictive, and then, when there were problems, have to make it more strict?

No one else wished to speak, and Ritenour opened up the conversation to the Commissioners. Liotta said he had read all the information available about this ordinance and had watched videos of the meetings. He was in favor of regulations.

Looking at it from a zoning perspective, he said his opinion was that an STR was a for-profit business in a neighborhood. In any other situation where there was a change in use, such as a variance or a rezoning, a notice was posted so neighbors would be aware. Liotta remarked that he had seen notices posted for things like this at a distance of 200 feet, and Cailloux told him that was the distance they used for zoning notices. Liotta said he thought more than just the adjacent homes should be notified, but 500 feet was too much; 200 feet would be correct. Registration was important, he continued, because it was a business in a residential area.

Kriz thanked the residents for voicing their concerns. The issue here was striking a balance between responsible and irresponsible property owners. He felt all the owners who had addressed them were responsible, but he was in favor of some sort of regulation. There was an STR on his block and had seen some negative consequences. Property owners should be held accountable when they did not have control.

Kriz thought the fines were too high; saying they should be reduced to \$750 or \$500. He agreed that 500 feet was too large an area for notification, especially after learning that this would encompass 62 properties on average. He thought 200 to 250 feet would be more than reasonable. He, too, believed regulation was needed to create that balance and prevent problems like they had seen in the past and throughout the country.

Hamner said he appreciated Brown asking what was the right approach because there was no right answer to determine too much or too little regulation. He was concerned about individual property rights, but agreed that registration made sense because they needed to have an idea of what was going on with STRs. The Smokerise incident was awful, but he noted that the Police had reported no incidents with STRs in the last year. There were good owners and bad ones, but property owners had the right to do what was allowed in their zoning as long as they didn't break any laws. He had neighbors who ran businesses out of their homes. He didn't want to impact people who were doing something that he thought should be allowed.

He didn't think there should be any notification to neighbors. This wasn't a zoning

request; it was people using their property in an allowed manner. Annual fire inspections might be too much, Hamner continued. He didn't see how they could set a time limit on how soon the agent had to be on site. Other jurisdictions used miles because traffic was unpredictable. His point was that they needed to strike a balance and allow people to use their property in a way that was legal and not be so punitive as to disrupt those businesses.

Johnston asked if an ordinance had been discussed prior to April 2022, and Cailloux said it had been discussed, but this was the first time it made it this far. Johnston also wondered about detached buildings used as dwellings, such as "granny pods." Cailloux told her the City was very strict on that, and, although guest houses were allowed in large-lot zoning districts, they were not intended as permanent residences or to be rented out.

Johnston agreed there needed to be regulation, but also expressed the need for a balance. She thought the existing STRs should not be grandfathered in; this would be a new regulation, and they should start from scratch. She thought the age of the local contact person should be higher and asked if the ordinance set a minimum age for renting at an STR? It did not, Cailloux remarked, saying there was no way the City could enforce that.

The permit fees should be higher, Johnston said, proposing \$500, but the fines should be lower. If someone was serious about having this business, they would pay a higher permit fee. She thought mailed notifications should be limited only to the adjacent properties.

Reeves said she and her husband owned a condo in Florida that they rented out full time. She asked if City Council had seen this draft, and Cailloux said they had. Reeves wondered about violations, using the example of the contact person being called but not showing up within an hour. Was that a violation that would incur a \$1,000 fine?

Cailloux explained the difference between a violation and a citation, using a situation where someone's grass was too high. Code Enforcement would issue a notice of violation saying the owner had 48 hours to take care of it. If they did not, a citation would be issued. In this case, after two failures to respond, the local contact could then be cited.

She went on to talk about non-compliance with the ordinance. If there was a complaint from a neighbor saying there were more than the allowed number of overnight guests, Code Enforcement would have the right to visit the house and see how it was set up for sleeping. Depending on the severity of the violation, the City could issue a notice of violation and give them 48 hours to rectify the situation or directly issue a citation. It would be left up to the discretion of the responding officer.

The ordinance said complaints about the property might result in a notice of violation, but complaints had to be made by two different property owners within a certain amount of time. The complaint had to be substantiated and from more than one property owner.

Kathy Valencia made the point that some people would not report complaints for fear of retaliation. In the case of her neighborhood, Valencia said the neighbors would ask her to make a report, so it may have seemed like all the complaints were coming from her. She asked them not to think it was reasonable that everyone would be willing to call the police. Reeves said she could understand the fear of retaliation.

She went on to say she firmly believed they should have a permitting system. They would know where the STRs were, and she asked Cailloux if there would be additional policing of those areas? Cailloux said they could talk with the Police Chief, but that had not been discussed so far.

Reeves wanted to know more about business licenses, but Cailloux first wanted to make it clear the City could not issue a business license; only the State did that. What the City issued was an occupational tax certificate, and every business was required to have one, whether issued by Peachtree City or elsewhere they did business. However, the way the ordinance was written now, they were not requiring one for an STR. City Council discussed it and decided it was not necessary. The Planning Commission could recommend otherwise.

Where did the County Attorney fall in this? Reeves wondered. Cailloux said he had read every revision, and this was number 10.

Reeves noted that everyone with a business in Peachtree City had to have an occupational tax certificate. What was the difference between STRs and other ways of making money from your home? Cailloux said she couldn't answer that, and Reeves said it was worth discussing.

Peachtree City assessed the occupational tax differently from most jurisdictions, Cailloux pointed out. Other cities based it on income, but Peachtree City based it on the number of employees. She believed the minimum fee was \$112, so the cost for an STR would be that or not much more.

Reeves also asked if they could require the owner of the house to be a resident of Peachtree City? Council had asked the City Attorney to look into this, and he said they could not, Cailloux replied. They could not regulate who owned property, whether a person or a company. They were addressing that issue by requiring the local contact person within a certain distance or time frame.

Reeves said she understood an owner could have only two STR permits, but Cailloux said there was no limit on how many permits a person could have, just on

how many were issued citywide. Were there provisions that would stop a corporation from coming into Peachtree City and buying up five houses to use as STRs? There was nothing, Cailloux remarked, noting that this was a huge national issue. The State did not allow regulating the ownership of property or the number of rentals overall.

Going back to Suzanne Brown's comments, Reeves asked Cailloux how many subdivisions did not have HOAs? It was a lot, she replied, saying any subdivision created before 1993 probably had expired HOA covenants. The City Clerk maintained a list of all the active HOAs, and Cailloux said it was surprisingly small.

Reeves said she liked the \$1,000 fines and could support higher permit fees. She believed 500 feet was reasonable for notification.

Their task was to send something back to City Council, Ritenour noted. He thought a mark-up or redline of the ordinance as drafted currently would be useful. He asked Cailloux for her thoughts on the best way to get information back to Council.

They had a broad range of opinions, so it was unlikely they would get unanimous agreement on any one issue, she remarked. That was not a bad thing, and her job was to reflect that to Council. Rather than go through it line by line, she believed it would be best to look at the issues they had debated and give their opinions. She could then go back to Council and say something like "three Commissioners thought the distance should be reduced to 200 feet, but two were in favor of keeping it at 500."

Kriz said he had made a list of things he thought they should address. There were the permit fees, fine amount, age of the manager, the manager's time or location away from the property, and the notification radius. The other Commissioners agreed, with Ritenour saying he wanted to add the occupational tax certificate. He noted that his wife had a business, and she had to have an occupational tax certificate, as did people who had home businesses. It provided an additional level of oversight.

He said he had given much thought to the issue of notification and at first was not in favor of it at all, thinking maybe the City could set up an online database like there used to be with tree companies that were approved to do business in the city.

Ritenour said he believed they should have more of a tiered fine system, but he would be okay with keeping them at \$1,000 each if that was the consensus. He did approve of revocation of the STR license after the third violation. He felt the permit fee was fair.

Ritenour also said he considered background checks and what information they should get from guests. He said he felt it was no different than checking into a hotel and having to show his driver's license. The owners should have that information

about renters in case the Police ever needed it.

They were not going to please everyone, he concluded, but they needed to find a happy medium. He thought it would be good to go through each of the issues Kriz suggested, with the addition of the occupational tax certificate.

The approximate cost of the services provided to get a permit was \$409, Kriz noted. He said he would be in favor of raising the fee to \$500. The other Commissioners were unanimous in their approval.

Johnston said she liked the tiered approach to the fines, and Kriz agreed. Ritenour proposed \$500, \$750, and \$1,000, while Reeves said she thought they should all be \$1,000. Liotta said he didn't have strong feelings about the numbers but felt there should be fines to give the ordinance some teeth. Ritenour recalled that the first offense was often a warning, so no fine was involved, and he acknowledged that mistakes did happen. They also had the penalty of revocation and loss of income for 24 months for repeated violations.

Johnston, Kriz, and Ritenour voted in support of \$500, \$750, and \$1,000 fines. Hamner and Reeves voted against. Hamner said he supported a tiered system but felt \$500 was too high.

Johnston said if the manager was 18, they would still be in high school, and probably couldn't leave and get to a property within an hour. Ritenour said he would be uncomfortable sending his 19-year-old, or maybe even his 23-year-old, over to handle a problem. He remarked that 21 seemed to be an age a lot of things were based on, so he could live with that. Kriz said many Airbnbs required renters to be at least 25, and he thought that was an acceptable number.

Hamber asked if there was a minimum age the online rental companies required, and they said it was probably up to the owner. One said that a licensed real estate property manager could be as young as 18.

Reeves mentioned that most of the people she rented her condo to had alcohol on the premises, and she didn't think an 18-year-old should deal with that. She supported age 25 as a minimum. Johnston said she agreed with 25, while Hamner said 18. Kriz was okay with 25, as was Hamner. Cailloux acknowledged that there were 18-year-olds who were responsible enough for this.

Did they want to change the response period from a time period to a distance? Hamner said a distance, but keep the one-hour requirement, too. It was hard to define an hour when considering traffic. Cailloux suggested 45 miles. Hamner suggested 20 but said that was a guess. The Commissioners agreed on 20 miles or one hour of travel time. Cailloux said the goal was to set a line in the sand so that somebody was responsible for a prompt response.

At first, Kriz remarked, he favored the 500 feet notification radius, but decided it was too much when he saw that meant 62 homes. Johnston said that was her opinion, too. Kriz said he thought 200 or 250 feet would be sufficient. He still believed it was a good thing to send out to the neighboring properties. Liotta said expanding it beyond adjacent property owners did not put the burden of complaining on just a few property owners.

Johnston proposed they notify everyone on the same street, but Cailloux said that would be difficult for her office to do. While 500 feet was a number picked at random, Cailloux pointed out that 200 feet complied with other notifications they did, so it had a basis in practice and policies.

Were the notifications done annually? Reeves asked. It was part of the annual permit renewal process, Cailloux told her. Or if there was a change in the contact person, Liotta added.

All agreed on the 200 feet, except Hamner, who wanted no notification. Ritenour said he was still wondering if it could just be online, and Cailloux said they could do that anyway. It would be simple to link it to an online map.

Ritenour felt all business owners should obtain an occupational tax certificate. Hamner said some home businesses, such as his neighbor who taught piano lessons, did not need a tax certificate, but both Valencia and Cailloux said he was mistaken. Was it a tax or a fee? Johnston asked, and Cailloux said it was a fee of about \$100 to \$115. Would it be part of the permitting process? Kriz asked, and Ritenour said it would. Cailloux said it would be written that they could not issue the STR permit if the occupational tax had not been paid. All the Commissioners agreed with this stipulation.

Suzanne Brown asked if there was anywhere in the ordinance that stated what would happen to an STR that was operating without a permit? They would be issued a citation, Cailloux replied, and Peachtree City ordinance required a double fee. This applied to all types of permits.

Kriz moved that they recommend approval of the STR ordinance with their stipulations. Ritenour asked if that was how they should do it? Cailloux said they could recommend approval with these conditions: the fee being increased to \$500, the fines tiered at \$500/\$750/\$1,000, the minimum age raised to 25, the response deadline changed to 20 miles or within one hour, a notification radius of 200 feet, and that all STRs must obtain an occupational tax certificate. She said she would summarize those in her Staff report to Council and also note the differing opinions. They could vote on the issues individually, but the Commission decided to vote as a block. Either way, Cailloux said the information would be communicated to Council.

Kriz again made the motion with the agreed on changes. Johnston seconded.

Motion carried 4-1, with Johnston, Kriz, Reeves, and Ritenour voting in favor, and Hamner opposed.

Ritenour thanked everyone for their input, again saying there was no perfect answer; they were just trying to work out what was best for Peachtree City. He said he was sure it would not be an easy decision for Council. Cailloux said Council would hold its public hearing on November 2.

2. PW23-10-02 Planning Commission 101

Due to the late hour, the Commissioners decided to postpone the Planning 101 workshop, and Hooks warned they should be mindful that there were two public hearings and two building elevation reviews on the agenda for the next meeting on October 23.

Cailloux said she could provide them with the Planning 101 presentation, and they could review it before the next meeting and then decide how to proceed. She noted that Liotta had a planning and landscape architect background, so he was familiar with the land development process.

Ritenour mentioned training courses, and Cailloux said to get in touch with her if anyone wanted to take them. Ritenour said he recommended them.

There being no further business, Reeves moved to adjourn at 8:49 p.m. Hamner seconded. Motion carried unanimously.



Martha Barksdale (Recording Secretary)



Scott Ritenour (Chairman)