

CITY OF WALNUT GROVE
April 13, 2023 7:00 PM
1021 PARK STREET MUNICIPAL BUILDING
MAYOR AND COUNCIL

Council Meeting Minutes

ELECTED OFFICIALS PRESENT:

Mayor - Mark Moore
Mayor Pro Tem - Stephanie Moncrief
Council Members-
Linda Pilgrim
Erica Miles

STAFF PRESENT:

City Clerk - Dawn Lummus
Public Works - Brian Pilgrim
City Attorney - Tony Powell
Asst. City Attorney - Jay Crowley
P & Z Chairman - Don Cannon
P & Z Administrator - Joe Walter

OTHERS PRESENT: Ashley & David Johnson, Maxine McClanahan, Karen Reagin, Keith Thompson, Chris & Amie Johnson, Jon Dial & Kristy, Chris McCrary, Sarah Tuchscherer

- I. **CALL TO ORDER** - Mayor Mark Moore
- II. **INVOCATION** - Tony Powell
- III. **PLEDGE OF ALLEGIANCE** - All Participated
- IV. **ROLL CALL** - Everyone Present
- V. **AGENDA APPROVAL** - Mayor Moore wanted to amend the agenda to include item #2 under New Business - employee increases. The Mayor called for a motion to approve the agenda as modified. Council member Linda Pilgrim made the motion, Council member Stephanie Moncrief seconded the motion. Passed unanimously.
- VI. **CONSENT AGENDA** - Council member Pilgrim made a motion to accept the consent agenda, council member Erica Miles seconded. There was discussion from council member Moncrief regarding the Southern Sanitation invoice be moved to the agenda for review. Council member Pilgrim amended her motion to move Southern Sanitation to number 3 under New Business. Council member Miles seconded. Passed unanimously. Passed unanimously.
 1. **Minutes**
 - A. March 2, 2023, Council Work Session Minutes
 - B. March 9, 2023, Council Meeting Minutes
 - C. March 30, 2023, Council Work Session Minutes
 2. **Financials**
 3. **Invoices over \$5000**
 - A. Southern Sanitation
- VII. **COMMITTEE REPORTS**
 1. **Community Involvement Committee** - Linda Pilgrim Council

member Pilgrim reported that Friday April 21st is the employee appreciation lunch. May 13th is the first Park Market of the year.

2. **DDA Report** - Erica Miles Council member Miles reported the next DDA will have a meeting on Monday. They did discuss marketing, a website, continuing education, procedures for land acquisition, and tags.
3. **Education Involvement Committee** - Stephanie Moncrief Council member Moncrief had nothing to share. There was discussion between Ms. Moncrief and the Mayor regarding no other members of the committee than herself. She stated she was the only member.

VIII. PLANNING AND ZONING COMMISSION - Chairman Don Cannon reported the council would be dealing with somethings the commission handled in their last meeting. They have two or three public hearings scheduled for next week and one proposal regarding the master plan.

IX. LIBRARY REPORT - Dana Segers reported they have 5 programs gearing up for the summer reading program. They are still looking for sponsors for programs or making a donation. She will be at the park market on May 13th for early reading sign up. They did hire one new employee. Mr. William Oglesby crafted and donated a dual functioning table.

X. PUBLIC COMMENT - None

XI. OLD BUSINESS

1. **Emerald Cove Paving** - Council member Moncrief said, "it was my understanding that we were bringing it back to the council to make a motion to put it back out with the new parameters of fixing the road with milling it and repaving it." The mayor commented that they needed a list of committee members (street committee) and a written report of what is being proposed. There was discussion regarding if there was a requirement for the committee to post their agenda, keep minutes and provide a written report. City Attorney Tony Powell does not believe if it is just a committee of two council members then those items are not required. Council member Moncrief stated, "that's what was done at the last work session. We came back and discussed with the neighbors, and the experts and brought it back to council and stated that the suggested solution of paving the gutters was not a viable long term cost effective solution based on our experts. And we said it needed to be milled and repaved correctly. I was told at that time that we needed to go ahead and make a new motion, because I didn't. When we had the meeting I said why can't we just go ahead and

contact the engineers who had already been contacted , suggest to them the parameters of the job and move forward with that. And mayor, Mr. Mayor, you said that we needed to come back and make a formal motion." Mayor Moore said, "the motion was given, and please correct me if I'm wrong, was to reject the agreement back in December of paving the gutters and then once that motion has been rejected, then we can move forward with other options, is that not correct?" City attorney Powell said, "if council has formally approved the construction project that includes overlapping the gutters, then rescinding that would be a good thing to do as part of the motion, and then have a motion to move forward in another way. The options were to pave the gutter, or mill the whole thing. One's the less expensive option, and the second one is a more expensive option. To make a motion to do one of those tonight would rescind the other, if that's what you're going to do, and then it would be put in place. The Mayor is right, we're not in a place where somebody can go out and start work. There's got to be an engineer involved so that we don't do the same thing we just did. It requires somebody being responsible to draw up what the bidders are bidding on and then put that out to bid. So, to make a motion to move through that process is certainly something council could do with the agenda item." The Mayor said, "so with that, is there a motion to rescind the council approval in December to remove the agreed upon paving of the gutters and move forward with the process of hiring engineers to create a RFP for repaving the whole subdivision." Council member Moncrief replied, "Mayor, I'd like to make a motion that we send out to engineers a request of what their cost would be to engineer the project and give the parameters of what our expectation is for the milling and repaving of the street done correctly. That's what I'd like to do. Send it out to engineers, ask them what their cost would be to over see it, create an RFP and quality control, bring them back and choose one." The mayor asked if she was making a motion to rescind. Council member Moncrief explained that no, she was making a motion because the attorney said they didn't have to rescind it, by making a motion to go forward with a different option automatically rescinds the old option. Mayor Moore replied that they both do the same thing but to make sure it's done in writing. Council member Moncrief replied, "ok I'm rescinding a motion , it that's what you'd like, I'm rescinding, just don't see the point of it. I'm making a motion, this is what I'm doing, I'm making a motion to send out to engineers a request for their engineering cost, the cost to create a RFP and the costs to oversee the completion and quality control of milling and repaving the Emerald Cove subdivision. That's my motion." The Mayor said, "and removing the one back in December, is that correct?" Council member Moncrief replied, "No that's not what's on my mind." The mayor called for a second and council member Miles seconded. Council member Miles said, "I don't believe that rescinding the motion is necessary because if for some reason we need to go back to that option, it's still on the table." City attorney

Powell replied, "if you go in a different direction, I think you could always go back, if the council changed it's mind to go back to the other option." Council member Moncrief requested that herself and council member Miles be a part of the process of sending out the RFP's to different engineers. The Mayor will take that into consideration. City attorney Powell explained that they could participate in the suggestion as to how the RFP should be issued but the implementation is within the Mayor's authority to actually decide what the final of that looks like and implementing that. Then what comes back, comes back to council for approval. Council member Miles asked if herself and Stephanie (council member Moncrief) could look over the RFP before it was sent out. It was agreed they could. No further discussion. Council member Moncrief and Miles votes yes, with council member casting a no vote.

2. **Sign Ordinance** - First reading - Assistant Attorney Jay Crowley stated the planning commission recommends approval, and this is the first read. Assistant attorney Crowley said, " so it would be an ordinance to basically delete the current sign ordinance, replace with the new ordinance which has all new definitions and takes out definitions that are father up. It defines signs and what's the specific zoning class, the kind of sign can go in and the permitting process to get those signs." Council member Miles made a motion to accept the first reading of the sign ordinance. Council member Moncrief seconded. Passed unanimously.

3. **Matt Rutledge Rezone** - Council member Miles recused herself. Representative Chris McCrary was present for the rezone. Mr. McCrary stated he didn't think he had anything to present and he was here to answer any questions. Zoning administrator Joe Walter reported that the planning commission recommends approval. He stated that there were a couple of conditions, and those were incorporated into the ordinance. Mr. Walters reported that there was a change under 2A. He wanted to make sure the wording was correct in the condition that it allowed for one building to allow retail commercial but at the same time it would not allow industrial. So this is the second reading as the first reading was on March 9th. The Mayor said, "so to clarify service oriented commercial and office warehouses will be permitted. No retail commercial business or uses listed in the industrial or manufacturing uses portion of the table of permitted and conditional uses Section 900 of the zoning ordinance will be permitted with the exception of 1 building limited to 20,000 square foot substantially located shown in Exhibit B." City attorney verified that to leave the first sentence alone and add notwithstanding the one retail commercial vision section, absolutely no industrial or manufacturing uses shall be allowed. The Mayor asked for any public comment in favor of the ordinance, there was none. Then he called for any

public comment in opposition of the ordinance. Citizens Maxine McClanahan, living at 481 Habersham Parkway said, "I am in opposition to this. My main opposition at this time is the driveway that comes thorough the overlay district of the downtown. I don't like the idea of that sort of traffic coming into our parkway and there is no clear plan for any other aspects of ingress or egress and that's a concern for me at to where we might land with all of that. Thank you." The Mayor said, "I am going to make the recommendation to approve this as amended, adding the line on page two, section a, absolutely no manufacturing or industrial will be allowed. I think this is important to our community. I think this is the first of two parts that Mr. Rutledge is bringing to the city. I think it's important and so with that being said, I'm going to make the motion to approve this ordinance with a modification of adding section a of the last sentence, absolutely no manufacturing or industrial will be allowed and then the rest can be kept as is. Is there a second?" Council member Pilgrim seconded. Council member Moncrief said, "I could be absolutely wrong and I will stand corrected. I'd like clarification from our attorneys. Can the Mayor make a motion?" City attorney Powell said, "there's not anything in your charter, and the mayor sits as a member of the legislative group. There's no restriction on this. There's a restriction on voting. He can make a motion and he can make a second." The Mayor asked for any further discussion, there was none. The Mayor asked for all in favor say aye, council member Pilgrim voted aye. Then he asked for all opposed and council member Moncrief needed a moment. Council member Moncrief voted in opposition. Mayor Moore said, "seeing as a tie, the mayor breaks the tie. I vote to approve this and so the motion passes." Council member Miles rejoined the council.

4. **Johnson Variance** - The applicant David Johnson, 876 Forrester Cemetery Rd., was in attendance. He read a letter in favor of granting his hardship variant for the driveway easement. Zoning administrator Joe Walter commented that the planning commission met on March 16 and recommends to Mayor and council to approve the variance. He discussed several conditions for the council to consider. The Mayor asked the city attorney to weigh in on this because there are 3 property owners affected by the easement to the Johnson's property. City attorney Mr. Powell said, "most important thing is that you're not being asked to or can you give an opinion as a city council over the legitimacy of the easement. That is an issue between the 3 parties. I would encourage council to allow a written variance to get executed coming out of the motion where what I just said is put in the variance itself, that we're not giving an opinion or can we grant any rights to give access. The Johnson's are going to be on their own to secure the easement rights or to enforce the easement rights. There is one maintenance component in the easements which I think the Johnson's were probably talking about the 30 foot

easement area that comes into the sewer plant. The city does have to maintenance responsibility with regard to that, to keep it to the point where we can use it for our sewer facility. So, that's the only maintenance issue that's of record." During the public hearing several citizens spoke in favor of the council granting the variance. The Mayor made a recommendation to accept and approve the variance. Council member Moncrief made a motion to approve the hardship variance while attaching the recommended verbiage from the city attorney regarding the easement agreements. Council member Miles seconded. Passed unanimously.

5. **Forest Glen Rezone** - Planning administrator Joe Walter stated there were two matters before the council related to Forest Glen. There is a map amendment to rezone Forest Glen from R2 to R3. The second matter is accompanying text amendments to adjust some of the minimum widths and requirements for dwellings, changing the roof pitch from 5 to 4, change the wording from in excess of 28 feet width to just say a minimum width of 28 feet, adjust the overhang from 12 inches to 8 inches, and reduce the minimum size from 1800 square foot to 1400 square foot. Council member Miles commented that she would like to look at reducing the square footage to 1000 and to not allow any manufactured or industrialized homes. Council member Pilgrim made a motion to waive the first read of the Forest Glen rezone. Council member Miles seconded. Passed unanimously. The Mayor called for a motion to waive the first read of the text amendments. Council member Miles made a first and council member Pilgrim seconded. Passed unanimously.

XII. NEW BUSINESS

1. **Bids for Public Works Building** - Discussion included the 3 bids that were received for the renovation. Council member Miles made a motion to reject all three bids and rewrite the RFP. Council member Moncrief seconded. Council member Pilgrim said, "if we reject all bids, which I don't think we should do, what is the purpose?" Council member Miles said, "I feel like they should be rejected because the RFP wasn't as detailed as it should be in order for anyone to even place a bid on it. I feel like there needs to be more details in the RFP before looking at the bids." The Mayor asked the zoning administrator for his opinion. He commented that it could be done either way, they could reject all bids, or pick one and put them under contract to provide sufficient assurances that they're going to complete the work as promised. Council member Moncrief expressed that she agrees with council member Miles that all bids need to be rejected. She said, "the RFP should have been a lot more comprehensive, not to mention that fact that is it really necessary, at this point to create that kind of deckings and porch on the front of the building when two separate smaller decks could have sufficiently meet the needs of what is necessary."

After more discussion, a vote was taken. Council member Miles and Moncrief voted aye, council member Pilgrim voted against.

2. **Employee Pay Increase** - The Mayor recommended to council to follow Walton County in an across the board 6% raise for all employees. Council member Pilgrim made a motion to approve the pay increases. Council member Moncrief said, "sorry, I would like to ask for clarification on something. In this situation where we have somebody on council voting on whose family member, is that appropriate?" City attorney Powell said, "I thought we had looked at that as an area that we would recuse ourselves. So you know there is a little bit of concern. Normally in the process of evaluating salary increases come with the budget process and so it may be easier to construe it all in a group rather than seeing a change in pay increase." The Mayor explained that the budget was included last year and in 2023 and it's included in the 2024 budget, so it's already been dealt with. He explained that the city is below the standards and needs to catch up. Council member Pilgrim resented her motion. The Mayor made a motion to approve employee pay increase by 6%. There was no second, so the motion dies.

XII. REPORTS

1. **Public Works** - Director Brian Pilgrim reported there has been general maintenance in the park, keeping up the bathrooms, and picking up trash. The ball field rental has really picked up, and the street light at the round about is on schedule.
2. **Clerk's Report** - Dawn Lummus reported there were 11 citations from Walton County and 12 from the GSP. There were 7 ball field rentals and one pavilion rental. The first park market of the year is on May 13th, and there are 20 vendors already signed up. City clerk Lummus said, "I have something to hand out to the Mayor and council. This is my resignation, it is effective as of April 28th. When I took this job, I did plan to stay until I retire but my life has changed. I've been extremely blessed the last few months. I was going to try to stay till the end of the year to get us through the election and stuff, but I'm being 100% honest, the turmoil and the stress of this council not being and working with the Mayor and pulling together for the citizens and the good of the city, I can't take anymore. This man right here (mayor) is a blessing to this city. He has been good to me. He's been easy to work with. I appreciate Brian, Ms Sonya, Ms Linda, y'all have been great to me, but I just, I'm sorry, I just can't take the stress anymore. I hate to leave before the end of the year, with the election coming up and stuff, but I can't do it anymore. It's just too much, but I wish everybody in the city the very best."
3. **Mayor's Report** - The Mayor reported that he is still working on

becoming a city of ethics. The city should comply with, not only the minimum legal requirements, but moral and ethical requirements as well. He said, "during this statement of the Matt Rutledge rezoning, I had someone stand up to me and say that I wasn't ethical. As the period between when I had to resign as city council member and run for mayor, that I stood up in front of the, that time council, and opposed this city to spend millions of dollars to expand the sewer plant, with no council per-discussion, no planning and zoning, with an acting mayor and with just two city council members I did oppose. I'll stand up and say I opposed it, because there was no planning done, there was no planning to pay for that, and there was not any council discussion, as far as work sessions to discuss exactly how this expansion of a sewer plant that actually had no sewer going to it should be justified in expanding. The following month in December on the agenda there was also a proposal of a rezoning of a property from agriculture to a PUD consisting of 400 plus homes consisting of town homes, duplexes and etc. I opposed that as well. Now due to the illness of a council member, I understand that one council member had a wife that had cancer, that meeting didn't not take place, so I think that was a grace of God that that particular item didn't come up for discussion. Now understand I love this city and I will stand up and oppose and make that statement. Now, I'm surprised that there was no spreading of information across social media regarding that, and so I feel that is very odd, but to say that I was unethical or I was saying two different things was incorrect." The mayor stated that the city has a new gas station, on the opposite side of the liquor store, coming in. Also, there is a John's style supermarket in the process. Regarding the Dial Farms amenities, he had stated no permits but they have the pavilion up, the parking lot is being repaved and there is going to be a basketball court and playground.

IXV. TOWN HALL

XV. COUNCIL COMMENTS - Council members Miles pointed out that in the last work session there was talk about denying permits for Dial Farms and she was surprised about the permit for the gas station. Council member Pilgrim had no comments. Council member Moncrief also pointed out she was shocked and floored that permits had been given.

XVI. EXECUTIVE SESSION - Council member Linda Pilgrim made a motion to enter into executive session. Council member Erica Miles seconded. Passed unanimously.

1. Roles of Public Officials

2. Ethics Complaint

IV. **ADJOURN** - Council member Linda Pilgrim made a motion to adjourn.
Erica Miles seconded. Passed unanimously.

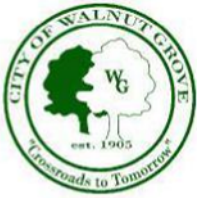
Respectfully submitted,



Dawn Lummus,
City Clerk

Approved

Mark Moore,
Mayor



CITY OF WALNUT GROVE
April 27, 2023 10:00 AM
1021 PARK STREET MUNICIPAL BUILDING
MAYOR AND COUNCIL

Council Work Session Minutes

ELECTED OFFICIALS PRESENT:

Mayor - Mark Moore
Mayor Pro Temp - Stephanie Moncrief
Council Members-
Erica Miles
Linda Pilgrim- Absent

STAFF PRESENT:

Deputy Clerk - Sonya Cox
City Attorney - Tony Powell
Asst. City Attorney - Jay Crowley
P & Z Administrator - Joe Walter

OTHERS PRESENT: Jon Dial & Christie, Joe Mason, Mark Beatty,
Tom Bartlett & Rachel Davis & Chris Thomas.

I. CALL TO ORDER - Mayor Mark Moore

II. INVOCATION - Tony Powell

III. PLEDGE OF ALLEGIANCE - All Participated

IV. ROLL CALL-

V. AGENDA APPROVAL - Mayor Moore asked that under new business item B, Codification of Ordinances be added. Council member Miles made a motion to approve. Council member Moncrief seconded. Passed unanimously.

VI. OLD BUSINESS

- A. Town Center Concept- NEGRC** - Mark Beatty with North East Georgia Regional Commission presented the updated Walnut Grove Town Center Concept. Mr. Beatty answered questions from Mayor and Council.
- B. Sewer Recommendations** - Zoning administrator Joe Walters presented his recommendations for sewer expansion. Chris Thomas with Lake view Environmental explained that he could operate either plant. Tom Bartlett with Aqua Tech discussed his sewer expansion system.
- C. Sign Ordinance-** Assistant City Attorney Jay Crowley handed out an updated/ final copy of the sign ordinance. The second reading will be held during the next council meeting on May 11th.
- D. Forest Glen Rezone-** Zoning administrator Joe Walters discussed some changes to the rezoning. Discussion was had concerning the changes. The second reading will be held at the next council meeting on May 11th.
- E. Employees Benefits-** Mayor Moore discussed employee benefits concerning the budget. The budget will be presented at the next council meeting on May 11th.

VII. NEW BUSINESS

- A. Downtown Development Authority Appointments-** Mayor Moore stated Russ Butcher and Sarah Tuchscherer needs to be reappointed. There is a vacant seat open within the DDA.
- B. Codification of Ordinances-** City Attorney Tony Powell discussed modifications that are being made concerning the codification process.

VIII. EXECUTIVE SESSION - None

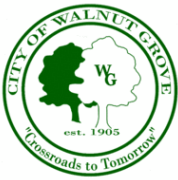
- IX. ADJOURN** - Council Member Moncrief made a motion to adjourn. Council Member Miles seconded. Motion passed unanimously.

Respectfully submitted,

Sonya Cox,
Deputy Clerk

Approved

Mark Moore,
Mayor



City of Walnut Grove

Budget vs. Actuals: FY 2023 - FY23 P&L Classes

July 2022 - June 2023

	TOTAL			
	ACTUAL	BUDGET	OVER BUDGET	% OF BUDGET
Income				
31.1000 Property Taxes	270,839.61	210,000.00	60,839.61	128.97 %
31.1310 Title Ad Valorem - TAVT	33,090.07	35,000.00	-1,909.93	94.54 %
31.1315 Motor Vehicle Tax	1,749.82	2,500.00	-750.18	69.99 %
31.1340 Intangible Tax	5,775.04	6,000.00	-224.96	96.25 %
31.1600 Real Estate Transfer Tax	2,898.51	1,250.00	1,648.51	231.88 %
31.1710 Franchise Tax - Electric	71,611.98	60,000.00	11,611.98	119.35 %
31.1730 Franchise Tax - Gas	0.00	3,000.00	-3,000.00	0.00 %
31.1750 Franchise Tax - Cable	8,934.71	9,000.00	-65.29	99.27 %
31.1760 Franchise Tax - Telephone	1,146.11	2,500.00	-1,353.89	45.84 %
31.3100 Local Option Sales Tax	198,913.09	220,000.00	-21,086.91	90.42 %
31.4200 Alcohol Excise Tax	64,977.02	80,000.00	-15,022.98	81.22 %
31.6200 Insurance Premium Tax	110,376.86	105,000.00	5,376.86	105.12 %
31.8000 Other Taxes		500.00	-500.00	
31.9000 Penalties and Interest on Delinquent Taxes	232.28		232.28	
32.1110 Alcohol Licenses - Beer	1,000.00	1,250.00	-250.00	80.00 %
32.1120 Alcohol Licenses - Wine	1,000.00	1,000.00	0.00	100.00 %
32.1130 Alcohol Licenses - Liquor	1,700.00	3,400.00	-1,700.00	50.00 %
32.1200 Business License	12,552.50	10,000.00	2,552.50	125.53 %
32.2200 Building Permits and Inspections	10,056.62	50,000.00	-39,943.38	20.11 %
32.2990 Other Permits	2,235.00	500.00	1,735.00	447.00 %
32.4000 Late Fees	550.00		550.00	
33.1000 Intergovernmental Revenue - Federal	18,985.68		18,985.68	
34.1100 Court Services	1.00		1.00	
34.7000 Recreation Income	2,380.00	5,000.00	-2,620.00	47.60 %
34.9999 Other Charges	577.19	850.00	-272.81	67.90 %
35.1000 Fines and Forfeitures	32,993.00	35,000.00	-2,007.00	94.27 %
35.1010 Fines and Forfeitures - Other	4,345.00		4,345.00	
35.1020 Court Fees - Other	7,961.50	1,500.00	6,461.50	530.77 %
36.1000 Interest Revenue	339.52	500.00	-160.48	67.90 %
37.1000 Contribution	660.00		660.00	
38.9999 Miscellaneous Revenue	3,724.69	1,000.00	2,724.69	372.47 %
Total Income	\$871,606.80	\$844,750.00	\$26,856.80	103.18 %
GROSS PROFIT	\$871,606.80	\$844,750.00	\$26,856.80	103.18 %
Expenses				
51.1100 Salaries and Wages	151,726.75	196,900.00	-45,173.25	77.06 %
51.2100 Group Insurance	8,796.00	21,000.00	-12,204.00	41.89 %
51.2200 Payroll Taxes - Social Security	14,199.93	11,500.00	2,699.93	123.48 %
51.2210 Payroll Taxes - Medicare		3,150.00	-3,150.00	
51.2215 Payroll Taxes - Federal Unemployment	201.55	300.00	-98.45	67.18 %



City of Walnut Grove

Budget vs. Actuals: FY 2023 - FY23 P&L Classes

July 2022 - June 2023

	TOTAL			
	ACTUAL	BUDGET	OVER BUDGET	% OF BUDGET
51.2220 Payroll Taxes - State Unemployment		4,250.00	-4,250.00	
52.1100 Court Software	1,472.94	3,000.00	-1,527.06	49.10 %
52.1300 IT Services	8,575.10	10,000.00	-1,424.90	85.75 %
52.2110 Solid Waste Collection	59,612.40	85,000.00	-25,387.60	70.13 %
52.2200 Repairs and Maintenance	7,487.04	15,000.00	-7,512.96	49.91 %
52.2210 Repairs and Maintenance - Vehicles	2,351.61	15,000.00	-12,648.39	15.68 %
52.2220 Repairs and Maintenance - Streets, Roads and Bridges	2,200.92	10,000.00	-7,799.08	22.01 %
52.2240 Professional Services		15,500.00	-15,500.00	
52.2241 Professional Services - Engineering		90,000.00	-90,000.00	
52.2241 - Code Enforcement	12,230.00		12,230.00	
52.2241 - Engineering Services	22,596.35		22,596.35	
52.2241 - Inspections	13,582.50		13,582.50	
52.2241 - Storm Water	18,678.75		18,678.75	
52.2241 - Zoning Administration	9,268.37		9,268.37	
Total 52.2241 Professional Services - Engineering	76,355.97	90,000.00	-13,644.03	84.84 %
52.2242 Professional Services - Accounting	15,604.98	35,000.00	-19,395.02	44.59 %
52.2243 Professional Services - Legal	40,283.84	51,000.00	-10,716.16	78.99 %
52.2244 Professional Services - Security	8,883.87	2,000.00	6,883.87	444.19 %
52.2250 Facility and Grounds Maintenance	5,580.05	15,000.00	-9,419.95	37.20 %
52.2260 Liability Insurance		25,000.00	-25,000.00	
52.3000 Cleaning Services	225.00		225.00	
52.3200 Communications - Wireless Telephone	7,476.65	1,000.00	6,476.65	747.67 %
52.3300 Advertising	2,901.00	2,500.00	401.00	116.04 %
52.3500 Travel	1,210.20	1,500.00	-289.80	80.68 %
52.3600 Dues and fees	2,929.03	3,000.00	-70.97	97.63 %
52.3610 Bank Charges	453.56	750.00	-296.44	60.47 %
52.3700 Training and Education	6,465.88	20,000.00	-13,534.12	32.33 %
52.3850 Contract Labor	1,575.00	5,000.00	-3,425.00	31.50 %
52.3900 Other Expenses	3,558.44	3,500.00	58.44	101.67 %
53.1100 Cleaning Supplies	71.98	500.00	-428.02	14.40 %
53.1110 Office Supplies	5,400.50	3,600.00	1,800.50	150.01 %
53.1115 Pavilion Rental Expenses		650.00	-650.00	
53.1120 Postage	834.00	1,000.00	-166.00	83.40 %
53.1130 General Supplies - Other	1,728.57	3,000.00	-1,271.43	57.62 %
53.1140 Community Support/Events	4,397.57	5,000.00	-602.43	87.95 %
53.1210 Utilities - Water	2,615.42	1,500.00	1,115.42	174.36 %
53.1220 Utilities - Gas	977.29	1,000.00	-22.71	97.73 %
53.1230 Utilities - Electricity	34,873.18	35,000.00	-126.82	99.64 %
53.1240 Utilities - Cable	8,625.63	13,300.00	-4,674.37	64.85 %
53.1270 Gas, Oil, Diesel	6,182.48	10,000.00	-3,817.52	61.82 %



P23-032 - Walnut Grove Zoning Administration Services

City of Walnut Grove, Georgia

Detailed Breakdown for April 2023 Invoicing Period

TASK	TITLE	HOURS	COST
Answering general permitting questions; coordination with City staff on zoning/variance processes	Principal Planner	9.0	\$1,125.00
General Planning Discussions and coordination with Mayor	Principal Planner	3.0	\$375.00
Meeting with Mayor and Don Cannon to discuss Planning and Zoning matters	Principal Planner	3.5	\$437.50
Meeting with Mayor and Billy Coleman to discuss Enclave PUD future phases	Principal Planner	3.0	\$375.00
Building permit and business license application review	Principal Planner	8.0	\$1,000.00
Attended April 13, 2023 Council Meeting, including preparation time	Principal Planner	4.0	\$500.00
Attended April 27, 2023 Work Session Including preparation time	Principal Planner	4.5	\$562.50
Preparation of Reliant Homes, LLC sewer variance analysis	Principal Planner	4.0	\$500.00
Coordination with Walton County Environmental Health on Septic Tank siting matters - Forest Glen rezoning	Principal Planner	2.0	\$250.00
Jones PUD Application - preparation of staff analysis and follow up	Principal Planner	3.5	\$437.50
Updates to Official Zoning Map of Walnut Grove – map markup	Principal Planner	2.0	\$250.00
Updates to Official Zoning Map of Walnut Grove	CADD Designer	18.0	\$1,080.00
Total Labor Cost		64.50	\$6,892.50



400 Pike Blvd
 Lawrenceville, GA 30046
 (770) 338-8000

City of Walnut Grove
 Mayor Mark Moore
 2581 Leone Ave
 Walnut Grove, GA 30052

Invoice number 69404
 Date 04/30/2023

Project **P23032 Walnut Grove - Zoning Administration Services**

Bill thru April 30, 2023

Professional Services

Description	Total Billed	Prior Billed	Current Billed
ZONING ADMINISTRATION	14,361.25	7,468.75	6,892.50
DIRECT EXPENSES	0.00	0.00	0.00
Total	14,361.25	7,468.75	6,892.50

Zoning Administration

	Hours	Rate	Billed Amount
CADD Designer	18.00	60.00	1,080.00
Principal Planner	46.50	125.00	5,812.50
Phase subtotal			6,892.50

Invoice total 6,892.50

Approved by: _____



City of Walnut Grove

Budget vs. Actuals: FY 2023 - FY23 P&L Classes

July 2022 - June 2023

	TOTAL			
	ACTUAL	BUDGET	OVER BUDGET	% OF BUDGET
53.1700 Other Supplies	1,342.89		1,342.89	
53.9999 Miscellaneous Expenditures	767.93	2,500.00	-1,732.07	30.72 %
54.1400 Capital outlay - Roads Streets and Bridges		13,000.00	-13,000.00	
54.2500 Equipment	65.98	3,500.00	-3,434.02	1.89 %
54.2600 New Construction		70,000.00	-70,000.00	
57.1000 Other Business Expenses	29.23	500.00	-470.77	5.85 %
57.3000 Library	60,000.00	60,000.00	0.00	100.00 %
57.3300 Peace Officer Annuity/Benefit Fund	2,112.89	2,500.00	-387.11	84.52 %
57.3320 Crime Lab Fees		50.00	-50.00	
57.3340 Drivers Ed/Training Fund		50.00	-50.00	
57.3370 Drug Abuse Treatment and Education	372.38	1,750.00	-1,377.62	21.28 %
57.3375 County Jail Fund	1,226.12	2,000.00	-773.88	61.31 %
57.3380 Peace Officer - Prosecutor's Fund		1,500.00	-1,500.00	
57.3385 Local Victim Assist. Fund	963.93	1,500.00	-536.07	64.26 %
57.3390 GA Crime Victims Assist. Program		500.00	-500.00	
57.3391 Peace Officer - Prosecution Indigent Fund		3,500.00	-3,500.00	
57.3392 Sheriff's Retirement Fund of GA	165.75	500.00	-334.25	33.15 %
57.3393 GSCCCA Payouts	4,603.92	6,000.00	-1,396.08	76.73 %
57.4000 Walton County Board of Commissioners	6,762.40		6,762.40	
58.1000 Debt Service - Principal	29,946.10	36,000.00	-6,053.90	83.18 %
Reimbursements	10,911.04		10,911.04	
Total Expenses	\$615,104.89	\$925,750.00	\$ -310,645.11	66.44 %
NET OPERATING INCOME	\$256,501.91	\$ -81,000.00	\$337,501.91	-316.67 %
Other Expenses				
61.3121 Transfer Out	20,000.00		20,000.00	
Total Other Expenses	\$20,000.00	\$0.00	\$20,000.00	0.00%
NET OTHER INCOME	\$ -20,000.00	\$0.00	\$ -20,000.00	0.00%
NET INCOME	\$236,501.91	\$ -81,000.00	\$317,501.91	-291.98 %

SOUTHERN SANITATION
P.O. BOX 815
GRAYSON, GA. 30017
770-554-6450

City of Walnut Grove
2581 Leone Avenue
Loganville, Ga. 30052

4-28-2023

Residential Monthly Waste Service

April	2023	589 (\$12.00)	\$7068.00
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Total Amount Due \$7068.00

Account due by 5-15-2023
Thank you for your business.

RECEIVED
MAY 02

May 2, 2023

Mayor Moore,

On behalf of the Emerald Cove Neighborhood, we respectfully submit the following information:

Original petition filed with the City of Walnut Grove at the City Council meeting on Thursday, September 8, 2022, at 7:00 p.m.

The Emerald Cove Homeowner's Association Board of Directors have received many concerns, and complaints, from homeowners in Emerald Cove regarding the road paving project in Emerald Cove which was done by the City of Walnut Grove. As a result, a petition has been created to address these concerns, and complaints. It is our hope that enough homeowners sign the petition to be able to bring it to the next Walnut Grove Council meeting on Thursday, September 8th, at 7:00 p.m. in the City's Municipal Building on Park Street. In this petition, the concerns and complaints have been stated, and corrective action has been requested. If you feel strongly about the stated concerns and complaints, and agree with the corrective actions suggested, please join your neighbors by signing this petition.

Concerns & Complaint:

-The transitions from the road going into the homeowner's driveways is over three inches in most locations. This is causing car undercarriages and fenders to scrape on the driveway or roadway. Additionally, since the edges were not smoothed out, these areas will break down over time, more readily than if the edges of the paving had been smoothed out.

-The edges of the road, where it meets the rain gutters, creates a safety hazard. Vehicles driving down the road, if they veer too far to the right-hand side of the road, may catch this edge. In this situation, the driver may react, and overcorrect causing accidents, or going off into a yard. This also creates a road hazard for bicyclists, runners, parents with strollers, walkers, etc. If cars are driving down the street, there is nowhere for these travelers and pedestrians to safely move to. Additionally, this is a complication for anyone in a wheelchair, and a tripping hazard for the elderly, or anyone checking their mailboxes.

-The paving company left behind a mess. There are areas along the roadway, including some grassy areas, where they blew out the tar-like material used to adhere the asphalt to the surface road. The rain gutters are filled with loose asphalt material. We encourage all homeowners to leave the amenity areas in better condition in which they find them, and we believe that this should also stand for any company doing work in Emerald Cove. Currently, the appearance of the road in Emerald Cove and Crystal Court is not what we would like to see in our neighborhood.

-The road has not had any markings painted on it where needed, or where the road turns on to S.R. 81.

-We were told by The Mayor, that the paving company would pave seven (7) feet into the private drive leading to the Emerald Cove Clubhouse, for which we were very thankful. This did not happen.

Requested Corrective Action:

-Please mill down the edges of the roadway, the full length of Emerald Cove & Crystal Court, and repave these areas to create smooth edges along the roads and leading to homeowner driveways.

-Please remove the loose asphalt from the roadway rain gutters and clean up any driveways, curbs, or grassy areas, where the tar-like material was over-sprayed, or where the machine blew out the material.

-Please make the road in Emerald Cove safe for all traffic, whether on wheels or on foot, and beautiful, once again.

-Please pave seven (7) feet into the private drive leading to the Emerald Cove Clubhouse.

-Please place pavement markings in appropriate places.

Many of the homeowners in Emerald Cove have visited the neighborhoods of Magnolia Springs and Cambridge Chase, both repaved in the past 2-3 years by the City of Walnut Grove. In these neighborhoods, the edges of the roads transition smoothly into the rain gutters, which also allows for smooth transition to driveways. We realize that sometimes mistakes are made. But, when a mistake is made, it is important to correct it. Please hear our concerns and take corrective action.

Thank you

Since that petition was filed with the Mayor and City Council, seven months ago, the neighbors have been told that the City will “make it right.” On March 9, 2023, two members of the City Council and five homeowners in Emerald Cove, met with Chad Woods, from Allied Paving, to go over the viable solutions to the resurfacing issues in Emerald Cove. Mr. Woods was the same expert who you met on another occasion to speak of viable solutions for Emerald Cove once the project was completed. It was discussed that the proposed plan of paving in the gutters to reduce the “bump” was not a satisfactory solution. Although it could be done, it was not recommended because the paving in the gutter would deteriorate at a much faster rate than the road and the material would wash into the drainage system, causing further issues. Adherence of the new pavement material in the gutter, to the old, would also be an issue. Additionally, if paving were to happen into the gutter, there are many places along the road, especially at the sewer drains, that the flow of water would be deterred because of the height of the necessary paving to make the road level. And finally, when it was time to pave Emerald Cove again, years down the road, there would be an added expense to the project because the paving material in the gutters would have to be removed, and then the road milled down and repaved.

Also discussed:

-The idea of milling down the edges of the new paving, one foot from the edge, heating the 1’ area and smoothing it out.

-Milling out the road several feet on each side, next to the gutters, and repaving.

Due to either the viability of these ideas, or the aesthetics of the result, these were not good options.

The neighbors asked Mr. Woods, “What is the best solution?” He recommends milling down the road below the gutter line, and repaving, as the best solution.

The issue of cost was also discussed. The members of Council pointed out the difference in costs and what it would mean to The City, and the citizens. It was pointed out that while they could understand what it would mean, it was still stated that if a job is going to be done, it should be done correctly. They did not want to see a quick-fix measure that would not hold up over time because then more money would just have to be spent, again.

What the neighbors in Emerald Cove would like to see for their road:

- A smooth road without hazard for pedestrians, cyclists, and vehicles of all kinds.
- An aesthetically pleasing roadway.

- A roadway that does not cause jolting to passengers and drivers when entering or leaving their driveway.
- A roadway with undeterred drainage.

Thoughts of the Paving Committee:

- An engineer should draft the RFP and be hired to look over the project and any future projects within the city.
- We would like to set a precedence for future developers as we are in the middle of a large development stage. If a developer came in and paved a new road to the current standard of Emerald Drive and Crystal Court City Officials and Citizens would be upset because of aesthetics and safety concerns for pedestrians, bicyclist, and disabled people.
- We recently received a letter from Mr. Bill McMullen, who has been at quite a few council meetings and shared his dissatisfaction of the paving of the neighborhood. He also attended the meeting in the subdivision with the developer. Mr. McMullen is a disabled veteran who served in Vietnam, the only way he was able to attend that meeting was by a battery-operated scooter. Neighbors had to stand on each side of his scooter and pray it did not flip over as he entered and exited any driveway on the road. Previously the driveways did have a hump however, that one hump did not put him in fear of his scooter flipping as he would hit it head on and both wheels would go up the bump at the same time. Now the road is completely unlevel and has two bumps where the wheels of a scooter get stuck and are unlevel. I see this issue as a liability for the city and would like to see the issue fixed this paving season.
- The Paving Committee has also received another letter from an Emerald Cove Homeowner. Please see attached.

 Delete  Archive  Report  Reply  Reply all  Forward  Read / Unread

Emerald Cove Paving Issue



Rachel Abernathy • -- [View profile](#)



RA

Rachel Abernathy <rachel.hillenbrand@gmail.com>

To:  Erica Miles;  Stephanie Moncrief



Tue 5/2/2023 12:57 PM

Good afternoon Emerald Cove Paving Committee,

Another disabled veteran in Emerald Cove has brought up the issue of safe accessibility and use of property due to the issues with the paving.

While the intent of the paving by the city was to improve upon current road conditions, it has caused issues that are in direct violation of the American's with Disabilities Act, specifically Title II.

" Title II requires that State and local governments give people with disabilities an equal opportunity to benefit from all of their programs, services, and activities (e.g. public education, employment, transportation, recreation, health care, social services, courts, voting, and town meetings)."

<https://www.ada.gov/resources/disability-rights-guide/>

Guide to Disability Rights Laws

A guidance document that provides a brief overview of ten Federal laws that protect the rights of people with disabilities and provides information about the Federal agencies to contact for more information.

www.ada.gov

At this time there are several Veterans and Americans with disabilities residing within Emerald Cove who wish to have the issues resolved in a timely manner. At the last community meeting concerning paving, March 21, 2023, we were hopeful the Mayor would allow the paving recommendations to be on the agenda and a vote held to remedy the issues. While unaware of any current filings for ADA violations, it is an imminent risk to our city.

If there is anything I can do to be of assistance in expediting or drafting the letter now required by the mayor to begin discussions of the remedy for the Emerald Cove paving issue please let me know as soon as possible.

Thank you both for all you do for our community. You are needed and appreciated.

Thanks,

ARTICLE XII. SIGNS

Sec. 1300. Purpose and Intent.

The City of Walnut Grove finds that signs are a proper use of private property, are a means of personal free expression and a necessary component of a commercial environment. As such, signs are entitled to the protection of the law. In the absence of regulation, however, the number of signs tends to proliferate, with property owners desiring ever-increasing numbers and sizes of signs, leading to cluttered and aesthetically blighted thoroughfares. In addition, the competition among competing sign owners for visibility of their signs contributes to safety hazards for both vehicles and pedestrians and undermines the sign owners' original purpose of presenting a clear message of its idea or identification of its premises.

Regulation of the location, size, height, placement, number, spacing and certain content neutral features of signs is necessary to protect the public safety, to assure compatibility of signs with surrounding land uses, to enhance the business and economy of the city, to enable the public to locate goods, services, and facilities in the city without difficulty and confusion, to provide for the orderly and reasonable display of advertising for the benefit of all the city's citizens, to protect the public investment in the streets and highways, to maintain the tranquil environment of residential areas, to promote industry and commerce, to eliminate visual clutter and blight, to provide an aesthetically appealing environment, to improve the general attractiveness of the community, to take advantage of the beauty of the community's environment, and to protect property values. The goal of this article is to avoid being an impermissible content-based regulation, and instead to be a permissible content neutral time, place and manner restriction. More communication is desirable during the election cycle, so that all citizens may freely express their viewpoints during the election campaigns, and therefore this ordinance allows increased opportunities for signs during these periods, without limiting content. At all times, any sign permitted under this regulation can carry any legal message, political or non-political, commercial or non-commercial. However, it is not the intent of this article that all signs are built to the maximum size. The city encourages use of the minimum signage necessary to meet the purposes required. Accordingly, it is the intention of the city to establish regulations governing signs which will:

1. Promote and protect the public health, safety, and general welfare;
2. Protect the character of the city's historic commercial district and residential neighborhoods;
3. Enhance the economy of the city by promoting the reasonable, orderly and effective display of signs;
4. Balance the rights of persons to convey their messages through signs and the right of the public to be protected against the unrestricted proliferation of signs;

-
5. Restrict signs and lights which increase clutter or which increase the probability of traffic accidents by obstructing vision;
 6. Promote signs compatible with their surroundings;
 7. Protect property values by minimizing the possible adverse effects and visual blight caused by signs; and
 8. Improve pedestrian and traffic safety and reduce traffic and pedestrian hazards.

Further, recognizing that the aesthetic, cultural, and historic qualities of the city are unique and, therefore, vital to the community's interest, it is the objective of this article to protect these and to ensure that these are not compromised. It is an objective of this article to protect and preserve the aesthetic qualities of the community by regulating the number, size, placement, installation and maintenance of signs. The fact that such signs are intended to command visual contact, grants to signs a proportionally greater role than other structures in determining the overall aesthetic quality of the community. The aesthetic impact of signs has an economic factor that can bear heavily upon the enjoyment and value of property; therefore, the regulation of signs is validly justified on the basis of conserving the value of property and encouraging the most appropriate use of land throughout the community. It is both rational and important for a community's citizens to plan their physical surroundings so unsightliness is minimized. Signs can detract from the beauty of a neighborhood and lower property values.

Further, in seeking to comply with federal and Georgia law, the city council has determined the following: large billboards are, as the U.S. Supreme Court has recognized, an aesthetic harm and potential traffic safety hazard; the Georgia Supreme Court has upheld sign regulations on the basis of aesthetics and preserving the beauty of environment; and, judicial decisions of the Eleventh Circuit have recognized that portable signs are visual clutter and a potential traffic hazard. These holdings support the constitutionality of this article, as intended by the City. It is not the intent of this Article to regulate the content of speech through signage controls. To the extent any court of competent jurisdiction interprets any provision of this Article to restrict the content of speech; it is the intent of the mayor and council that all allowable signs may display a noncommercial message in addition to, or in lieu of, any other message.

Sec. 1301. Authority.

This Article is enacted pursuant to Article IX, Section II, Paragraph IV of the Georgia Constitution of 1983, the Charter of the City of Walnut Grove, the general police powers of Walnut Grove and other authority provided by federal, state or local laws applicable hereto.

Sec. 1302. Applicability.

These sign regulations shall be valid throughout the city limits. Signs shall be erected, placed, established, painted, created and maintained in accordance with the physical standards outlined in this Article. Sign placement and size regulations shall vary between districts. To determine which district a proposed sign will be located in, see the official zoning map in city hall. Nothing herein shall be construed to permit display of any message which is obscene, illegal or speech which is otherwise unprotected under the First Amendment of the United States Constitution. Nothing herein shall be construed to prohibit a prosecution for violation of a

criminal statute by the city or other duly constituted government authority or a civil action by the city or other private person or entity.

Sec. 1303. Definitions.

For the purpose of the regulations set forth in this Article, the following definitions shall apply. Words and phrases not defined by this Article, but defined in other city ordinances, shall be given the meanings set forth in such ordinances. All other words and phrases shall be given their common, ordinary meaning, unless the context clearly requires otherwise. Words used in the singular shall include the plural; and the plural the singular; and the words used in the present tense shall include the future tense. Article, division, and section headings or captions are for reference only and shall not be used in the interpretation of this Article.

The word "shall" is mandatory, not discretionary. The word "may" is permissive. The word "lot" include the words "piece," "plot," and "parcel." The words "zone," "zoning district" and "district" have the same meaning. The phrase "used for" shall include the phrases "arranged for," "designed for," "intended for," and "occupied for." The word "structure" shall include the words "building" and "sign." The word "he" shall include the word "she." The word "erected" includes the word "constructed," "moved," "located" or "relocated"

A-Frame sign. See sandwich sign.

Aggregate sign area means the combined sign surface area of all signs on a lot, excluding the area of one face of all double-faced signs.

Animated sign means a sign that has moving parts or includes action, motion, blinking, flashing, scrolling, rotation, varying light intensity, or color changes, or the optical illusion of action, motion, blinking, flashing, scrolling, rotation, or color changes, provided that electronic changeable copy meeting the standards of this article are excluded from the definition of animated sign.

Awning means a structure projecting from and supported by the exterior wall of a building constructed of rigid or non-rigid materials such as cloth, plastic or metal.

Awning sign: See canopy sign. Awning signs are considered building signs.

Banner means a piece of fabric or similar material, intended to be temporary in nature, that is attached to a pole, enclosed in a frame, or mounted in some manner as a temporary sign. Flags meeting the definition and standards of this article are excluded from the definition of the term "banner."

Beacon means any light with one or more beams directed into the atmosphere or directed at one or more points not on the same zoned lot as the light source; also, any light with one or more beams that rotate or move. This term is not intended to include any kind of lighting device which is required or necessary under the safety regulations described by the Federal Aviation Administration or similar agencies.

Building facade means for a single occupancy building, the portion of any exterior elevation of a building extending from grade to the top of a parapet wall or eaves and the entire width of the building elevation fronting a public street, excluding alleys and lanes; for a planned center with multiple occupants, the portion of any exterior elevation of a building extending from grade to the top of a parapet wall or eaves and the width between the left most wall and the right most

wall of an occupied building space along the exterior elevation fronting a public street, excluding alleys and lanes.

Building front means the length of an outside building wall facing a street.

Building sign: Any sign attached to any part of a building, as contrasted to a freestanding sign. For the purpose of this article, any sign face that is affixed flat against the sloping surface of a mansard roof shall be considered a wall sign. Any sign that is affixed to the building marquee, building awning, a building canopy or a fence shall be considered a wall sign.

Canopy means a non-retractable structure, other than an awning, made of cloth, metal or other material, with frames attached to the building and/or carried by a frame supported by the ground.

Canopy sign means any sign that is a part of or attached to an awning, canopy, or other fabric, plastic or structural protective cover over a door, entrance, window, or outdoor service area. A marquee is not a canopy. Canopy signs are considered building signs.

Changeable copy sign: That portion of a sign that is capable of changing the position or format of word messages or other displays on the sign face or change the visible display of words, numbers, symbols and graphics by the use of a matrix of electric lamps, movable discs, movable panels, light apertures or other methods, provided these changes are actuated by either a control mechanism or manually on the face of the sign. Tri-vision signs and LED signs are specifically excluded from the definition of changeable copy sign.

Double-faced sign means a sign which has two display areas against each other or where the interior angle formed by the display areas is 60 degrees or less, where one face is designed to be seen from one direction and the other face from another direction. A sandwich sign or an a-frame sign is a double face sign.

Electronic sign. See changeable copy sign.

Externally-illuminated sign means any sign that is partially or completely illuminated at any time by an artificial light source that directly or indirectly illuminates the face of the sign from outside the sign structure.

Flag means a piece of cloth varying in size, color, and/or design and used as a symbol, standard, signal, or emblem used as the symbol of an organization or entity.

Flashing sign. See animated sign.

Ground sign means a sign securely affixed to an independent support structure that is permanently attached to the ground and wholly independent of any building or any other structure, whether portable or stationary, for support.

Sign height means the vertical distance between the highest part of the sign or its supporting structure, whichever is higher, and a level plane going through the nearest point of the vehicular traffic surface of the adjacent improved public right-of-way, other than an alley. In the event a sign is equal distance from more than one improved public right-of-way, none of which are alleys, the highest point shall be used.

Indirectly illuminated sign means a sign illuminated by an external light source directed primarily toward such sign.

Internally illuminated sign means a sign illuminated by an internal light source.

LED sign means any sign or portion thereof that uses light emitting diode technology or other similar semiconductor technology to produce an illuminated image, picture, or message of any kind to form part of the sign face, whether the image, picture, or message is moving or stationary. This type of sign includes any sign that uses LED technology of any kind, whether conventional (using discrete LEDs), surface mounted (otherwise known as individually mounted LEDs), transmissive, organic light emitting diodes (OLED), light emitting polymer (LEP), organic electro polymer (OEL), or any other similar technology. For purposes of this article, a sign that includes electronic changeable copy meeting the standards of this article is not considered an LED sign. Use of LED lighting behind an opaque panel face for the purpose of internal illumination of the sign face that is contained on the panel is not included within the definition of LED sign.

Mansard roof: Any roof that has an angle greater than forty-five (45) degrees and which derives part of its support from the building wall and is attached to (but not necessarily a part of) a low slope roof and which extends along the full length of the front building wall or three-quarters ($\frac{3}{4}$) of the length of a side building wall. For purposes of this article, a low slope roof shall mean any roof with a pitch less than three (3) inches rise per twelve (12) inches horizontal.

Monument-style sign means a permanent ground sign mounted directly upon the ground and not attached to or a part of or supported by a building and designed in such a manner that the base of the sign face is flush with the supporting solid base which is flush with the ground. The base shall be at least as wide as the sign.

Multi-faced sign means a sign structure with more than two sign faces situated so that each sign face is facing a different direction.

Neon sign means an internally illuminated sign containing a glass tube filled with neon or phosphorous, which is bent to form letters, symbols or other shapes and which tubing forms all of a portion of the visible element of the message. Neon tubes hidden behind opaque sign faces and utilized for internal illumination of the sign face do not constitute neon signs.

Nonconforming sign means any sign lawfully existing on the effective date of the ordinance from which this article is derived, or any amendment thereto, but that would not be permitted under the terms of this article or any subsequent amendment.

Parapet means the extension of a false front or wall above a roof line.

Pennant means pieces of cloth or plastic joined together, uniform or varying in size, color and/or design, suspended from a structure to the ground or additional structure and designed to move in the wind.

Person means any person, firm, partnership, association, corporation, company or organization of any kind.

Planned center means a contiguous area or subdivision of land, planned and maintained as a single entity and containing one or more structures to accommodate retail, service, commercial, office or industrial uses, or a combination of such uses, and appurtenant common areas and accessory uses incidental to the predominant uses (i.e., office park, shopping center, industrial park).

Portable sign means any sign not permanently attached to the ground or other permanent structure, or a sign designed to be transported, including, but not limited to, signs designed to be transported by means of wheels, signs posted on the roofs or truck beds of vehicles, signs converted to "A" or "T" frames, umbrellas used for advertising, and signs attached to or painted on vehicles parked and visible from the public right-of-way, unless said vehicle is used in the normal day-to-day operation of the business for purposes other than signage.

Prohibited sign means any sign prohibited in section 1306.

Projecting sign means a sign projecting more than six inches from the outside wall or walls of any building upon which it is located.

Right-of-way means a strip of land over which the city has a right by ownership or easement, to construct a public street, sidewalk or location for public utilities.

Roof sign means a sign erected and constructed wholly on or over the roof of a building, supported by the roof structure, or extending vertically above the highest portion of the roof.

Rotating sign means a sign which is designed to revolve by means of electrical power.

Sail sign means a piece of cloth, varying in size, shape, color, and design, attached at one edge to a staff or cord for the entire vertical length of the cloth, and used as a means of conveying a message.

Sandwich sign means a freestanding portable sign, also referred to as an "A-frame sign" that has two sides, hinged or otherwise fastened together at the top and supported by opening the sides from one another at the base, similar to a ladder, so that the sign, when opened, becomes self-supporting.

Setback means the distance from a property line to the nearest part of a building structure or sign, as measured perpendicularly to the property.

Sign means any surface, fabric, device, or display which bears lettered, pictorial, or sculptured matter designed to convey information visually and which is exposed for public view on the exterior of a building or on surrounding property. For purposes of this article, the term "sign" shall include all structural members. A sign shall be construed to be a display surface or device containing organized and related elements composed to form a single unit. In cases where matter is displayed in a random or unconnected manner without an organized relationship of components, each component shall be considered to be a single sign.

Sign face means the surface or plane of the sign upon, against, or through which a message is displayed or illustrated, including the message display surface and any framing, trim or molding.

Sign structure means poles, beams, columns, posts, foundations, or other means providing structural support for the sign surface area to which the sign is affixed and excluding those portions of any such structure the primary purpose of which is to serve an architectural function (i.e., building wall, freestanding wall, entrance wall, fence, gate, etc.).

Sign area means the smallest square, rectangle, triangle, circle or combination thereof, which encompasses the entire sign inclusive of any border and trim, but excluding the base, apron, supports, and other structural members.

Stanchion sign: A ground sign that is mounted on a pole or other vertical support such that the bottom of the sign face is more than six (6) feet above the ground and there is no visual obstruction other than the vertical support between the ground and the bottom of the sign face.

Standard informational sign means a sign intended for temporary use measuring not more than 4½ square feet in sign area and sign height comprised of rigid plastic, cardboard, or wood with no reflective elements, flags or projections and erected on a wooden stake or metal frame with a thickness or diameter not greater than 1½ inches in residential districts or placed within the window of a building in non-residential districts.

Streamers. See definition of *Pennant*.

Street frontage means the length of a property line along the street on which it borders.

Temporary sign means a sign of a non-permanent nature, including but not limited to portable signs and sandwich signs, as defined by this section.

Tenant space frontage means the horizontal distance in feet between the left side wall and right side wall or building end of a tenant space fronting a street or common parking area.

Trailer sign, see portable sign.

Tri-vision sign means a sign designed with a series of triangular slats that mechanically rotate in sequence with one another to show three different sign messages in rotation. For purposes of this article, a tri-vision sign is not a changeable copy sign.

Wall sign means a sign applied to or mounted to the wall or surface of a building or structure, the display surface which does not project more than six inches from the outside wall of such a building or structure.

Window sign means a sign installed flush with the interior or exterior of a window and intended to be viewed from the outside.

permit

Zoning district means any geographic area defined by the official zoning map for the purpose of regulating use.

Zoning ordinance means the official zoning ordinance of the city.

Sec. 1304. General Provisions.

- A. All signs must be in compliance with the provisions of this article, the Standard Building Code, the zoning ordinance, and the National Electric Codes as adopted.
- B. Where the Historic Commission has adopted standards for signage within the City of Walnut Grove Historic District, any sign proposed for erection in that district shall be reviewed for compliance with those standards.
- C. All signs must be placed on private property, except signs erected on public property by an authorized governmental unit. No sign shall be located closer than ten feet from the back of the curb of a public roadway, nor be located closer than ten feet from the public right-of-way.

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- D. No sign shall be attached to or painted on a telephone pole or power pole, or any tree, rock or other natural object.
 - E. Any sign allowed under this article may contain any commercial or noncommercial message except that such messages cannot be obscene, as defined by the courts.
 - F. For the purposes of determining the number of signs, ground signs shall be equal to the number of sign structures. All other non-ground signs shall be considered to be a single display surface or display device containing elements organized, related and composed to form a unit. Where matter is displayed in random manner without organized relationship of elements, each such element shall be considered to be a single sign.
 - G. No sign or sign structure (above a height of three feet) shall be maintained within 15 feet of the intersection of the extended right-of-way lines of two streets, of an intersection of a street right-of-way with a railroad right-of-way, or otherwise placed in a location that limits sight distance as determined by the city manager and/or designee.
 - H. No sign or sign structure may be erected or maintained which obstructs any fire escape, window, ventilation, door or hydrant; nor shall any sign or sign structure be attached to a fire escape.

Sec. 1305 Signs regulated by zoning district.

Types of signs and regulatory aspects of those signs, allowed per zoning district shall be as follows:

- A. *Signs in the AG zoning districts.*
 - 1. *Standard Informational Signs.* The aggregate sign area of all standard informational signs on a lot shall not exceed 16 square feet in sign area. Standard informational signs shall not be located within the public street right-of-way and shall be no closer than ten feet to the back of curb of a public roadway. Notwithstanding the foregoing, during the period from opening of qualifying for elections until the final determination of all contests and issues resolved by that election, there shall be no limit on the aggregate sign area of standard informational signs and an unlimited number of standard informational signs shall be permitted on any property in the City.
 - 2. *Ground signs.* Ground signs shall be limited to a quantity of one per road frontage per lot with an aggregate sign area of no more than 35 square feet and a sign height of no more than five feet.
 - 3. *Monument signs.* Two single-faced, monument signs or one double-faced monument sign shall be permitted at every entrance to a residential subdivision or development. Monument signs at the entrances to residential subdivisions or developments shall not exceed five feet in height and 24 square feet in sign area per sign face. All sign structures shall be constructed of brick, stone, textured concrete masonry units or equivalent architectural material. Internal illumination is prohibited.
 - 4. *Temporary residential development sign.* Residential lot developers and residential lot development companies may apply for a sign permit to put up a

temporary sign at the entrance of residential subdivisions if there are currently lots for sale in the subdivision. The temporary sign must be displayed within 100 feet of the entrance of the subdivision on private property or common area of the subdivision. Permission must be obtained from the owner of the property. The temporary signs are limited to one per public road entrance to the subdivision and shall only be allowed for a maximum of three years or until lots are sold, whichever is less. The temporary sign may be in the form of a simple pole sign with the maximum dimensions of four feet by six feet and a maximum height of five feet from the ground.

4. No sign, permanent or temporary, shall be erected that has a sign height that is greater than five feet.
5. No sign, permanent or temporary, shall be illuminated in any manner.

B. *Signs permitted in the OI zoning districts.*

1. *Standard Informational Signs.* Standard informational signs shall be limited to window signs. The aggregate sign area of all standard informational signs on a lot shall not exceed 16 square feet. Notwithstanding the foregoing, during the period from opening of qualifying for elections until the final determination of all contests and issues resolved by that election, there shall be no limit on the aggregate sign area of standard informational signs and an unlimited number of standard informational signs shall be permitted on any property in the City.
2. *Ground signs.* Ground signs shall be limited to a quantity of one ground sign per road frontage per lot with a sign area of no more than 32 square feet per sign face and an aggregate sign area of no more than 64 square feet. Ground signs shall be limited to a maximum height of eight feet and shall have a minimum setback of ten feet. Ground signs shall be attached to a permanent wall or base constructed of brick, stone or textured concrete masonry units.
3. *Window signs.* Individual or aggregate window signs shall not exceed 25 percent of the area of windows on the building elevation facing the road frontage, not to exceed 64 square feet. For buildings with multiple tenants, the foregoing limitation is to be applied separately to each tenant space.
4. *Wall signs.* One wall sign per road frontage for each tenant no greater than one square foot of sign area per one linear foot of tenant space frontage shall be permitted, not to exceed 64 square feet.
5. *Banners.* Banners up to 16 square feet in sign area may be displayed for 30 days per premise up to four times per year with at least 45 days between each 30-day display period. No banner shall be attached to a utility pole or light pole.
6. *Monument signs.* Two single-faced, monument signs or one double-faced monument sign shall be permitted at every entrance to a commercial, office or industrial planned center. Monument signs at the entrance of a commercial, office, or industrial planned center shall not exceed eight feet in height and 32 square feet in sign area per sign face. All sign structures shall be constructed of brick, stone,

textured concrete masonry units or equivalent architectural material. Internal illumination is prohibited.

7. Except as otherwise provided in this subsection B, signs may be illuminated internally or externally, provided that any external light fixtures must be directed away from streets and adjacent property.

C. *Signs permitted in the C1, C2 zoning district.*

1. *Standard Informational Signs.* Standard informational signs shall be limited to window signs. The aggregate sign area of all standard informational signs on a premise shall not exceed 16 square feet. Notwithstanding the foregoing, during the period from opening of qualifying for elections until the final determination of all contests and issues resolved by that election, there shall be no limit on the aggregate sign area of standard informational signs and an unlimited number of standard informational signs shall be permitted on any property in the City.
2. *Ground signs.* Ground signs shall be limited to a quantity of one ground sign per road frontage per lot of not more than 32 square feet in sign area per sign face and an aggregate sign area of more than 64 square feet. Ground signs shall be limited to a maximum height of six feet and a minimum setback of ten feet. Ground signs shall be attached to a permanent wall or base constructed of brick, stone or textured concrete masonry units. Ground signs may be illuminated internally or externally, provide that external light fixtures must be directed away from streets and adjacent property.

Ground signs may use a light emitting diode (LED) board to display static messages provided that the following standards are complied with in addition to all other requirements of this article:

- A. The LED board shall contain static messages only and shall display each static message for no less than 30 seconds;
- B. The LED board shall not operate at a brightness level of more than 0.20 footcandles above ambient light levels (at measurement conditions) as measured at a distance of 125 feet or, if the LED board is in the line of sight of any residential structure, 0.10 footcandles above ambient light levels (at measurement conditions) as measured at a distance of 125 feet;
- C. Once every 12 months and in the event of a complaint, the owner of the LED board shall be required to provide to the city manager or other designee a certification of the brightness level of the LED board from an independent contractor and, if the brightness levels are not met, the owner shall turn off the LED board until the brightness level is corrected;
- C. The LED board must have a light sensing device that will adjust the brightness of the display as the natural ambient light conditions change;
- D. The LED board shall employ a default setting that displays a dark, blank screen should a malfunction occur and the owner of the sign shall provide to the city manager or other designee, information for a 24-hour contact able to turn off the LED board promptly if a malfunction occurs; and

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- E. The LED board shall not be animated, move, flash, blink, or vary in light intensity during the display of a single message, and transitions between messages shall not use frame effects or other methods which result in movement of a displayed image during such transition.
2. *Window signs.* Individual or aggregate window signs shall not exceed 25 percent of the area of windows on the building elevation facing the road frontage, not to exceed 64 square feet. For buildings with multiple tenants, the foregoing limitation is to be applied separately to each tenant space.
 3. *Wall signs.* One wall sign per road frontage for each tenant no greater than one square foot of sign area per one linear foot of tenant space frontage shall be permitted. Wall signs may be illuminated internally or externally, provide that external light fixtures must be directed away from streets and adjacent property.
 4. *Canopy signs.* One canopy sign per tenant printed or affixed directly onto the canopy material with a sign area not to exceed eight square feet.
 5. *Projecting signs.* One projecting sign per building with a sign area not to exceed six square feet. Minimum clearance of seven feet six inches (7'6"), measured from the bottom of the sign, is required above any pedestrian way.
 6. *Double-faced signs.* One double-faced sign per tenant with a sign area not to exceed four square feet per sign face and a sign height not to exceed three feet. Double-faced signs may only be placed directly in front of the building space occupied by the tenant and shall not impede the flow of pedestrian traffic. Double-faced signs must be removed and shall not be displayed between the hours of 10:00 p.m. and 7:00 a.m.
 7. *Banners.* Banners up to 12 square feet in sign area may be displayed for 30 days per premise up to four times per year with at least 45 days between each 30-day display period. No banner shall be attached to a utility pole or light pole.
 8. *Monument signs.* Two single-faced, monument signs or one double-faced monument sign shall be permitted at every entrance to any commercial, office or industrial planned center. Monument signs at the entrance of a commercial, office, or industrial planned center shall not exceed eight feet in height and 32 square feet in sign area per sign face. All sign structures shall be constructed of brick, stone, textured concrete masonry units or equivalent architectural material.
 9. Except as other provided in this subsection C, signs shall not be illuminated internally or externally.
- D. *Signs permitted in the PUD zoning districts.*
1. *Standard Informational Signs.* The aggregate sign area of all standard informational signs on a lot shall not exceed 16 square feet in sign area. Standard informational signs shall not be located within the public street right-of-way and shall be no closer than ten feet to the back of curb of a public roadway. For non-residential uses, standard informational signs shall be limited to window signs. Notwithstanding the foregoing, during the period from opening of qualifying for elections until the final determination of all contests and issues resolved by that
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election, there shall be no limit on the aggregate sign area of standard informational signs and an unlimited number of standard informational signs shall be permitted on any property in the City.

2. *Ground signs.* Ground signs shall be limited to a quantity of one ground sign per road frontage per lot of not more than 100 square feet in sign area per sign face and an aggregate sign area of more than 200 square feet. Ground signs shall be limited to a maximum height of ten feet and a minimum setback of ten feet. If the lot contains a principal building or planned center of over 50,000 square feet, the maximum sign area per sign face shall be 120 square feet with an aggregate sign area of not to exceed 240 square feet. Ground signs shall be attached to a permanent wall or base constructed of brick, stone or textured concrete masonry units. Ground signs may be illuminated internally or externally, provide that external light fixtures must be directed away from streets and adjacent property.

Ground signs that are not located in the designated historic district may use a light emitting diode (LED) board to display static messages provided that the following standards are complied with in addition to all other requirements of this article:

- A. The LED board shall contain static messages only and shall display each static message for no less than 30 seconds;
 - B. The LED board shall not operate at a brightness level of more than 0.20 footcandles above ambient light levels (at measurement conditions) as measured at a distance of 125 feet or, if the LED board is in the line of sight of any residential structure, 0.10 footcandles above ambient light levels (at measurement conditions) as measured at a distance of 125 feet;
 - C. Once every 12 months and in the event of a complaint, the owner of the LED board shall be required to provide to the city manager or other designee a certification of the brightness level of the LED board from an independent contractor and, if the brightness levels are not met, the owner shall turn off the LED board until the brightness level is corrected;
 - C. The LED board must have a light sensing device that will adjust the brightness of the display as the natural ambient light conditions change;
 - D. The LED board shall employ a default setting that displays a dark, blank screen should a malfunction occur and the owner of the sign shall provide to the city manager or other designee, information for a 24-hour contact able to turn off the LED board promptly if a malfunction occurs; and
 - E. The LED board shall not be animated, move, flash, blink, or vary in light intensity during the display of a single message, and transitions between messages shall not use frame effects or other methods which result in movement of a displayed image during such transition.
3. *Window signs.* Individual or aggregate window signs shall not exceed 25 percent of the area of windows on the building elevation facing the road frontage, not to exceed 100 square feet. For buildings with multiple tenants, the foregoing limitation is to be applied separately to each tenant space.

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4. *Wall signs.* One wall sign per road frontage for each tenant no greater than one square foot of sign area per one linear foot of tenant space frontage shall be permitted. Wall signs may be illuminated internally or externally, provide that external light fixtures must be directed away from streets and adjacent property.
 5. *Banners and sail signs.* Banners and sail signs up to 16 square feet in sign area may be displayed for 30 days per premise up to four times per year with at least 45 days between each 30-day display period. No banner shall be attached to a utility pole or light pole. No sail sign shall exceed 16 feet in height measured from ground level at the point where it's based is mounted.
 6. *Monument signs.* Two single-faced, monument signs or one double-faced monument sign shall be permitted at every entrance to a single family or multi-family residential subdivision or development or any commercial, office or industrial planned center. Monument signs at the entrances to single-family or multi-family residential subdivisions or developments shall not exceed eight feet in height and 24 square feet in sign area per sign face. Monument signs at the entrance of a commercial, office, or industrial planned center shall not exceed eight feet in height and 32 square feet in sign area per sign face. All sign structures shall be constructed of brick, stone, textured concrete masonry units or equivalent architectural material.
 7. *Temporary residential development sign.* Residential lot developers and residential lot development companies may apply for a sign permit to put up a temporary sign at the entrance of residential subdivisions if there are currently lots for sale in the subdivision. The temporary sign must be displayed within 100 feet of the entrance of the subdivision on private property or common area of the subdivision. Permission must be obtained from the owner of the property. The temporary signs are limited to one per public road entrance to the subdivision and shall only be allowed for a maximum of three years or until lots are sold, whichever is less. The temporary sign may be in the form of a simple pole sign with the maximum dimensions of four feet by six feet and a maximum height of eight feet from the ground.
 8. Except as other provided in this subsection D, signs shall not be illuminated internally or externally.
- E. *Signs permitted in the M-I zoning districts.*
1. *Standard Informational Signs.* Standard informational signs shall be limited to window signs. The aggregate sign area of all standard informational signs on a premise shall not exceed 16 square feet. Notwithstanding the foregoing, during the period from opening of qualifying for elections until the final determination of all contests and issues resolved by that election, there shall be no limit on the aggregate sign area of standard informational signs and an unlimited number of standard informational signs shall be permitted on any property in the City.
 2. *Ground signs.* Ground signs shall be limited to a quantity of one ground sign per road frontage per lot of not more than 100 square feet in sign area per sign face and an aggregate sign area of more than 200 square feet. Ground signs shall be
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limited to a maximum height of ten feet and a minimum setback of ten feet. If the lot contains a principal building or planned center of over 65,000 square feet, the maximum sign area per sign face shall be 150 square feet with an aggregate sign area of not to exceed 300 square feet. Ground signs shall be attached to a permanent wall or base constructed of brick, stone or textured concrete masonry units. Ground signs may be illuminated internally or externally, provide that external light fixtures must be directed away from streets and adjacent property.

3. *Window signs.* Individual or aggregate window signs shall not exceed 25 percent of the area of windows on the building elevation facing the road frontage, not to exceed 100 square feet. For buildings with multiple tenants, the foregoing limitation is to be applied separately to each tenant space.
 4. *Wall signs.* One wall sign per road frontage for each tenant no greater than one-fourth square foot of sign area per one linear foot of tenant space frontage shall be permitted. Wall signs may be illuminated internally or externally, provide that external light fixtures must be directed away from streets and adjacent property
 5. *Banners and sail signs.* Banners and sail signs up to 16 square feet in sign area may be displayed for 30 days per premise up to four times per year with at least 45 days between each 30-day display period. No banner shall be attached to a utility pole or light pole. No sail sign shall exceed 16 feet in height measured from ground level at the point where it's based is mounted.
 6. *Monument signs.* Two single-faced, monument signs or one double-faced monument sign shall be permitted at every entrance to any commercial, office or industrial planned center. Monument signs at the entrance of a commercial, office, or industrial planned center shall not exceed eight feet in height and 32 square feet in sign area per sign face. All sign structures shall be constructed of brick, stone, textured concrete masonry units or equivalent architectural material.
 7. Except as otherwise provided in this subsection E, signs shall not be illuminated internally or externally.
- F. *Signs in the R1, R2, R3 zoning districts.*
1. *Standard Informational Signs.* The aggregate sign area of all standard informational signs on a lot shall not exceed 16 square feet in sign area. Standard informational signs shall not be located within the public street right-of-way and shall be no closer than ten feet to the back of curb of a public roadway. Notwithstanding the foregoing, during the period from opening of qualifying for elections until the final determination of all contests and issues resolved by that election, there shall be no limit on the aggregate sign area of standard informational signs and an unlimited number of standard informational signs shall be permitted on any property in the City.
 2. *Monument signs.* Two single-faced, monument signs or one double-faced monument sign shall be permitted at every entrance to a residential subdivision or development. Monument signs at the entrances to residential subdivisions or developments shall not exceed five feet in height and 24 square feet in sign area

per sign face. All sign structures shall be constructed of brick, stone, textured concrete masonry units or equivalent architectural material.

3. *Temporary residential development sign.* Residential lot developers and residential lot development companies may apply for a sign permit to put up a temporary sign at the entrance of residential subdivisions if there are currently lots for sale in the subdivision. The temporary sign must be displayed within 100 feet of the entrance of the subdivision on private property or common area of the subdivision. Permission must be obtained from the owner of the property. The temporary signs are limited to one per public road entrance to the subdivision and shall only be allowed for a maximum of three years or until lots are sold, whichever is less. The temporary sign may be in the form of a simple pole sign with the maximum dimensions of four feet by six feet and a maximum height of eight feet from the ground.
4. No sign, permanent or temporary, shall be illuminated in any manner.

Sec. 1306. Prohibited signs.

The following types of signs are prohibited in all zoning districts of the city:

- A. Signs imitating traffic or emergency signals or which display intermittent lights resembling the color, size, shapes, or order of lights customarily used in traffic signals or on emergency vehicles or on law enforcement vehicles.
- B. Signs or devices employing intense illumination when visible from the public right-of-way, flashing (strobe type) or blinking lights, spot lights, floodlights, or any type of pulsating or moving light.
- C. Signs which contains flashing or intermittent red, green, blue, or amber illumination or white flashing strobe lights. (Nothing herein is to be confused with seasonal lighting).
- D. Signs that cast direct light onto any residential premises.
- E. Signs tacked, posted, marked, painted or otherwise affixed on a roof, fire escape or utility pole.
- F. Signs which obscure or disfigure any significant architectural element of the building to which it is attached.
- G. Signs installed over, above, or extending above the bottom edge of a roof.
- H. Signs on a vehicle or trailer and parked with the primary purpose of providing a sign not otherwise allowed.
- I. Signs that require removal of any trees from the public right-of-way.
- J. Cold-air/helium-filled devices exceeding five feet at any measurement.
- K. Pennants and streamers.
- L. Neon signs.
- M. Projecting signs.
- N. Rotating signs.

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- O. Signs not in good repair, including without limitation any sign which is in a state of disassembly or any sign which has its internal lighting exposed to view for more than one week.
 - P. Portable signs, except as permitted in section 1305C.6.
 - Q. Signs emitting any sound, smoke, or vapor.
 - R. Animated signs.
 - S. Window signs in AG, AG-2 zoning districts.
 - T. Signs which contain words, pictures, or statements which are obscene.
 - U. Any sign that is structurally unsound or is a hazard to traffic or pedestrians.
 - V. Signs placed within public rights-of-way, except publicly owned, authorized or maintained signs which serve an official public purpose.
 - W. Any sign placed or erected on property without the permission of the owner.
 - X. Signs attached to a building for structural support that exceed 150 square feet in sign area.
 - Y. Signs not attached to a building for structural support that exceed 30 feet in ground sign height and/or 150 square feet of sign area.
 - Z. Signs that violate this Article, the zoning ordinance, or any other law, ordinance, or code.

Sec. 1307. Signs allowed without a permit in all zoning districts.

- A. Any sign not visible from the outside of a structure or to passing members of the public from public thoroughfares or right of way.
 - B. Signs designating the entrance or exit from property or providing direction for drivers maneuvering within the property so long as they do not exceed six square feet per sign area and four feet in height. The aggregate square footage of all such signs on a single parcel shall not exceed 48 square feet.
 - C. Signs on courtesy benches and trash cans on private property in the GC zoning district, provided that such signs shall not extend beyond nor be larger than the bench or trash can to which they are affixed.
 - D. Signs for the sole purpose of displaying street numbers as may be required by other ordinances and other signs required by law. Such signs shall be no more than four inches in height per numeral in residential districts and 12 inches in height per numeral in commercial and industrial districts.
 - E. Signs erected by, or on the order of, a public officer in the performance of his duties.
 - F. Window signs not exceeding 20 percent of the available window space per building elevation in a single occupant building or per tenant space in a multi-occupant building.
 - G. Non-illuminated, standard informational signs (excluding banners). For each residential or nonresidential lot, the quantity of standard informational signs shall be limited to either one standard informational sign that is 16 square feet in sign area or a combination of standard
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informational signs the aggregate of which shall not exceed 16 square feet in sign area. Standard informational signs shall not be located within the public street right-of-way and shall be no closer than ten feet to the back of curb of a public roadway. Notwithstanding the foregoing, during the period from opening of qualifying for elections until the final determination of all contests and issues resolved by that election, an unlimited number of standard informational signs is permitted on any property in the City.

Sec. 1308. Procedures.

A. *Permit.*

1. A sign permit or temporary sign permit is required before a sign or temporary sign may be erected or an existing sign or temporary sign may be enlarged, relocated or have any improvements made costing 60 percent or more of the sign's total replacement value. All signs using electrical wiring and connections require an electrical permit in addition to any sign permit required under this article.
2. A sign permit or temporary sign permit shall be issued by the city when the plans and specifications for the proposed sign or part thereof conform in all respects to this Article and the building code. Applications for such permits shall be accompanied by all the information required hereunder and such other information as the city may require in the exercise of sound discretion to determine compliance with this article. Standardized sign plans may be filed with the city in fulfillment of this requirement, although site plans shall be filed with each application.
3. Except as otherwise provided in this Article, a temporary sign permit shall authorize the display of a temporary sign only for a period of 30 consecutive days from the date of issuance. In no case shall the same premises be issued a temporary sign permit more than four times in a 12-month period. Upon expiration of the temporary sign permit, the permittee shall remove the temporary sign and its supporting structure.
3. Each sign application shall contain an agreement to indemnify, defend and save the city harmless from all damages, demands or expenses which may in any manner be caused by the sign or sign structure.
4. Every sign for which a sign permit is required shall be plainly marked with the name of the permittee and shall have the number of the permit issued for said sign by the city affixed on the framework of the sign so the information therein shall be readily accessible, legible and durable.

B. *Application.* Applications for permits shall be filed with the city, on city forms. The application shall describe and set forth the following and any additional information pertinent to the application as may be requested by the city to determine compliance:

1. The type of the sign;
2. A scaled site plan showing the location, and plan describing the construction;
3. Scaled elevation drawing showing height and sign face dimensions;
4. Square footage, height and use of existing signage;
5. The name(s) and address(es) of the sign owner(s);

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6. Written consent of the property owner or agent, granting permission for the sign;
 7. The name, address, and phone number of the sign contractor.
- C. *Expiration date.* A sign permit shall expire if the sign has not been completed within six months after the date of issuance; provided, however, that one six-month extension of the permit shall be granted if an additional permit fee has been paid prior to the expiration.
- D. *Processing.* Upon receipt of a properly completed application, the city shall commence review no later than ten working days after the date of its submission. Review by all city officers shall be completed and the permit shall be issued or denied by the thirtieth day after submission. A permit shall be denied for any noncompliance with this article. All applications meeting the standards shall be granted.
- E. *Fees.* No permit shall be issued until the fees, as adopted by the mayor and city council, have been paid in accordance with the fee schedule kept at city hall .

Sec. 1309. Construction and maintenance.

- A. All signs, together with all their supports, braces, guys, and anchors shall be kept in constant good repair and, unless constructed of galvanized or non-corroding metal, shall periodically be given an appropriate protective coating. The area surrounding the base of all signs shall be maintained free of high weeds and debris.
- B. The city may periodically inspect signs to determine compliance.
- C. The permittee shall remove discarded or unusable paper, sign faces, parts and debris from the sign or sign structure.
- D. No permittee shall allow sign(s) to fall into disrepair. On first class mail written notice from the city to the sign owner and property owner, any sign which is in disrepair or vandalized shall be repaired or removed. The city shall include in the written notice a time limit for compliance of up to 30 consecutive days. An aggrieved party may appeal by filing a written notice of appeal with the city clerk as provided in section 1700, provided that the final determination shall be made within 60 days from the notice of appeal. On appeal, the standards that shall be considered in making a decision are the standards set forth in this article. If it is determined the original decision was made contrary to the standards of this article, the appeal shall be upheld. If it is determined the standards of this article were correctly applied, the decision shall be upheld and the appeal dismissed.

Sec. 1310. Enforcement.

- A. *Enforcement.* This article shall be administered and enforced by the city manager and/or designee.
- B. *Removal.*
 1. The city may order the removal of any sign in violation of this article. Notice shall be given by first class mail to the permittee and owner of the sign allowing up to 30 days to comply.
 2. An aggrieved party may appeal by filing a written notice of appeal with the city clerk as provided in section 1700, provided that the final determination shall be made within

60 days from the notice of appeal. On appeal, the standards that shall be considered in making a decision are the standards set forth in this article. If it is determined the original decision was made contrary to the standards of this article, the appeal shall be upheld. If it is determined the standards of this article were correctly applied, the decision shall be upheld and the appeal dismissed.

3. If the sign is not removed within either 30 days after the order of removal or 30 days after the date of decision on any appeal, whichever is later, the city may cause the sign to be removed.

C. *Removal without notice.* The city may cause the removal of any sign in violation, without notice to any party, if:

1. The sign is on the public property; or
2. The sign poses an immediate threat to life, health or safety.

D. *Costs of removal.*

1. Any sign in violation of this article is declared a nuisance and the costs of removal shall be at the sign owner's expense.
2. Removal without notice shall be without liability to the city, its officials, officers, agents, servants or employees. The permittee and property owner shall be jointly and severally responsible for the costs of removal. If payment for such removal is not made within 60 days after the receipt of a statement, the city may certify the amount thereof for collection to the city attorney. If a sign remains unclaimed for more than 120 days from removal, it may be disposed of per O.C.G.A. §§ 44-14-411 et seq.

E. *Invalid permit or non-compliant sign.* The city may issue a removal order following the procedures of subsection B. above when a permit was improperly issued, issued on the basis of misstatement of fact or fraud, a sign has not been constructed per this article or the application or site plans, a sign permit has expired or a sign is otherwise not in compliance with this article. If a sign is not removed within ten days following receipt of a removal order the city may institute such legal proceedings hereunder against the property owner, sign owner, permittee, lessee, sign erector or a combination of the above as may be required to effect removal.

Sec. 1311. Fines and penalties.

- A. *Citations.* Any responsible parties may be cited to appear in city court for the violation of this article.
- B. *Penalties.* Any person or entity convicted of violation may be punished as provided in the City Code.

Sec. 1312. Inspections.

Inspection and enforcement personnel are empowered to enter into or inspect any building, structure, or premises upon which a sign subject to this article is located for inspecting the sign, its structural and electrical connections, and to ensure compliance with this article.

Sec. 1313. Nonconforming signs.

- A. Signs which do not comply with this article and were legally placed before the effective date of this article shall become nonconforming. However, signs which were illegally erected, established or maintained with respect to the applicable requirements of prior ordinances shall be removed or brought into compliance within 30 days from the effective date of this article. Upon failure to comply with this article, the city may cause the removal of any nonconforming sign at the expense of the owner, per section 1310.
- B. A nonconforming sign shall not be replaced by another nonconforming sign, except that the substitution or interchange of poster panels, painted boards or demountable material on nonconforming signs shall be permitted. Provided, however, if a nonconforming sign is damaged by an act of God, the owner may repair the sign but shall make the sign conforming if physically possible. If not, the sign may be repaired if the repair does not extend the natural life of the sign as it existed before the damage occurred.
- C. Minor maintenance of nonconforming signs such as repainting, electrical repairs and neon tubing shall be permitted. However, no structural repairs or changes in the size or shape of the sign shall be permitted except to make the sign comply with this article.
- D. Each sign which exists at the effective date of this article shall be registered by its owner with the city.

Sec. 1314. Appeals.

The applicant shall be given written notice stating the reasons the applicant's sign permit application is denied. An applicant may appeal per section 1700, provided that a final decision on any such appeal shall be made, put in writing with reasons stated, and served by first class mail on the appellant within 60 days of the notice of appeal. On appeal, the standards that shall be considered in making a decision are the standards set forth in this article. If it is determined the original decision was made contrary to the standards of this article, the appeal shall be overturned. If it is determined the standards of this article were correctly applied, the decision shall be upheld and the appeal dismissed.

MEMORANDUM

TO: Walnut Grove Planning Commission

FROM: Joe Walter, PPI 

DATE: December 14, 2022

RE: Zoning Administrator's Report

Planning Commission Members:

Due to a scheduling conflict, I will be unable to attend the December 15, 2022 meeting in person or by telephone. This document will serve as my report of some of the ongoing planning and zoning matters.

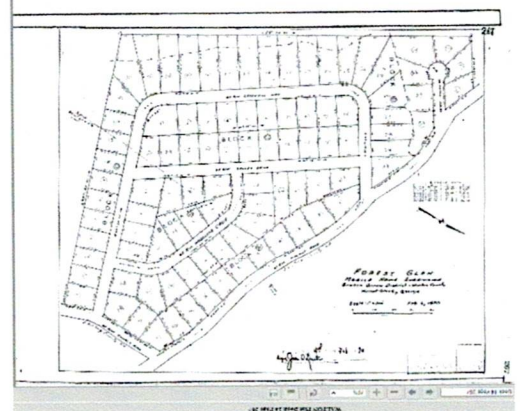
Proposed Map Amendment to R3 for Forest Glen Subdivision

In order to permit new manufactured housing, industrialized dwellings, etc. to be placed/replaced in the Forest Glen Subdivision, the zoning of the subdivision will need to be changed from R2 to R3.

The process to amend the Official Zoning Map is outlined in Article XVI of the Zoning Ordinance. To summarize:

1. The Mayor and Council will need to petition the City to amend the map. The petition could be as simple as a motion from the Mayor and Council to start the process.
2. The application or petition will need to include a legal description of the property under consideration and a drawing/plat.
3. The City will need to place an ad in the paper per Section 1603 and post a sign/sign at the entrances.
4. The Planning Commission will hold a public hearing and give a recommendation on the map amendment and then forward the recommendation to the mayor and council.
5. The Mayor and Council will hold a public hearing and render a final decision.
6. If the map amendment is approved, the Official Zoning Map will be updated

The legal description for the request may be listed as "All those lots or tracts shown on the plat for the Forest Glen Mobile Home Subdivision, dated February 6, 1970, and recoded in Plat Book 14, Page 267, Walton County records." We would need to verify with



the Mayors since the most recent zoning map shows some of those lots as not being in the City, but that may have changed.

Regarding a town hall meeting with the residents – I think that would be appropriate. I think most of their questions will revolve around property taxes and can they still use their property for the current use.

Text Amendments to the Zoning Ordinance

The proposed amendments to the text of the Zoning Ordinance regarding definition changes, etc., should also be heard in conjunction with the map amendment if possible. The text amendments will have to be advertised for the same time period as the map amendments.

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EXHIBIT A

PROPOSED AMENDMENTS TO ARTICLE III

1. Dwelling, Single-Family. A dwelling containing one and only one dwelling unit, detached, with a minimum roof pitch greater than ~~4~~ **5**:12, and a roof overhang of at least one foot measured from the vertical side.

62. Industrialized Home. A dwelling unit manufactured per the Industrialized Building Act (O.C.G.A. § 8-2-1 et seq.), and the Rules of the Commissioner of the Georgia DCA issued pursuant thereto, and meeting the following development standards:
 - a) A minimum width ~~in excess~~ of twenty-eight (28) feet.
 - b) A minimum roof pitch of ~~4~~ **5**:12, which means having a pitch equal to at least five inches of vertical height for every twelve inches of horizontal run. Any dwelling unit for which a building permit was obtained prior to the adoption of this Ordinance may be extended, enlarged or repaired as otherwise provided by this Ordinance with the same roof pitch as that allowed by the previous building permit.
 - c) A minimum roof overhang of ~~8~~ **42** inches is required. All roof surfaces exposed to view shall be covered with asphalt or fiberglass shingles, wood shakes or shingles, standing seam (non-corrugated tin or steel), clay tiles, slate, or similar materials.
 - d) Exterior siding consisting of wood, hardboard, vinyl, brick, masonry, or stone, comparable in composition, appearance, and durability to the exterior siding commonly used in site dwellings.
 - e) A curtain wall, un-pierced except for required ventilation and access, must be installed so that it encloses the area located under the home to the ground level. Such a wall shall have a minimum thickness of four (4) inches and shall be constructed of masonry or similar material as approved by the Zoning Administrator.
 - f) The dwelling must be placed on a permanent foundation, either slab or pier, which meets the requirement of the Building Code. In addition, the dwelling shall be completely underpinned with masonry, stone, or other similar materials manufactured for the purpose of underpinning as approved by the Zoning Administrator. Installation shall be in accordance with the Rules and Regulations for Manufactured Homes made and promulgated by the Georgia Safety Fire Commissioner and shall be completed prior to permanent electrical service.
 - g) Utility meters must be mounted to the structure rather than on a utility pole, and all axles, tongues, and transporting and towing apparatus must be removed before occupancy.
 - h) A landing must be installed at each doorway. The minimum size of the landing shall be four feet by six feet (excluding steps) at each doorway. The structure must include steps which lead to ground level, and both landing and steps must meet the requirements of the Building Code.
 - i) The dwelling must be installed in accordance with O.C.G.A. § 8-2-110 et seq., and the rules promulgated thereunder.

77. Manufactured Home. A dwelling unit, meeting the definition of “manufactured home” contained in

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O.C.G.A. § 8-2-160, fabricated in an off-site facility for installation or assembly at the building site, bearing a label certifying it is constructed in compliance with the Federal Manufactured Home Construction and Safety Standards Act, 42 U.S.C. § 5401 et seq., and meeting the following development standards, rendering it a Type A Manufactured Home:

- a) A minimum width ~~in excess~~ of twenty-eight (28) feet.
- b) A minimum roof pitch of ~~4~~ **5**:12, which means having a pitch equal to at least five inches of vertical height for every twelve inches of horizontal run. Any dwelling unit for which a building permit was obtained prior to the adoption of this Ordinance may be extended, enlarged or repaired as otherwise provided by this Ordinance with the same roof pitch as that allowed by the previous building permit.
- c) A minimum roof overhang of ~~8~~ **42** inches is required. All roof surfaces exposed to view shall be covered with asphalt or fiberglass shingles, wood shakes or shingles, standing seam (non-corrugated tin or steel), clay tiles, slate, or similar materials.
- d) Exterior siding consisting of wood, hardboard, vinyl, brick, masonry, stone, or aluminum (vinyl covered or painted, but in no case exceeding the reflectivity of gloss white paint) comparable in composition, appearance, and durability to the exterior siding commonly used in site-built dwellings.
- e) A curtain wall, un-pierced except for required ventilation and access, must be installed so that it encloses the area located under the home to the ground level. Such a wall shall have a minimum thickness of four (4) inches and shall be constructed of masonry or similar material as approved by the Zoning Administrator.
- f) The dwelling must be placed on a permanent foundation, either slab or pier, which meets the requirement of the Building Code. In addition, the dwelling shall be completely underpinned with masonry, stone, or other similar materials manufactured for the purpose of underpinning as approved by the Zoning Administrator. Installation shall be in accordance with the Rules and Regulations for Manufactured Homes made and promulgated by the Georgia Safety Fire Commissioner and shall be completed prior to permanent electrical service.
- g) Utility meters must be mounted to the structure rather than on a utility pole, and all axles, tongues, and transporting and towing apparatus must be removed before occupancy.
- h) A landing must be installed at each outside doorway. The minimum size of the landing shall be four feet by six feet (excluding steps) at each doorway. The structure must include steps which lead to ground level, and both landing and steps must meet the requirements of the Building Code.
- i) The dwelling must be installed in accordance with O.C.G.A. § 8-2-160 et seq., and the rules promulgated thereunder.

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PROPOSED AMENDMENTS TO ARTICLE IX (TABLE OF USES)

DISTRICT	SPACE DIMENSIONS								MAXIMUM LIMITATIONS	
	Area (sq. ft)	Area per Dwelling Unit (Sq. ft.)	Minimum Dwelling Unit Size (Sq.ft.)	Minimum Width (ft.)	Setback from Right of Way (ft.)		Minimum Side Yard (ft.)	Minimum Rear Yard. (ft.)	Height (Stories)	
					Major Road	Interior Street				
AG	130,680 (3 ac.) ^[1]		2,000	200	60	50	25 ^[4]	25	3	
R-1	40,000 (0.92 ac.) ^[1]		1,800	125	45	35	15 ^[4]	20	2	
R-2	20,000 (0.46 ac.)		1,800	100	45	35	15 ^[4]	20	2	
R-3	15,000 ^[1] (0.34 ac)		1,000/ 1,400 ^[5] 1,800 ^[5]	100	45	35	15 ^[4]	20	2	
PUD	10 acres	See Section 906		100	See Section 906					
	Area (sq. ft)	Max Area per Structure (Sq. ft.)	Minimum Structure Size (Sq.ft.)	Minimum Width (ft.)	Setback from Right of Way (ft.)		Minimum Side Yard (ft.)	Minimum Rear Yard. (ft.)	Height (Stories)	Max. Lot Coverage [2]
OI	None	None	1,000	60	50	25	10 ^[4]	15	2	40%
C-1 ^[6]	6,000	10,000 [3]	1,000	50	50	25	10 ^[4]	15	2	45%
C-2	None	None	1,000	50	50	25	None ^[4]	15	3	45%
M-1	9,000	None	None	None	100	50	30 ^[4]	15 ^[4]	3	35%
Notes										
[1] All of said required acreage must be contiguous, not surrounded by any flood area, and must be above flood elevation. All dwelling units must have located on the subject property a garage containing no less than 420 s.f. and designed to contain no less than two automobiles.										
[2] Includes principal and accessory buildings but not pavement areas.										
[3] No portion of any lot which is flooded by a 100-year recurrence interval storm event may be counted as part of the required minimum lot area.										
[4] Buffer zones are required along the side and rear yard where an Office-Institutional, business, or manufacturing use abuts a residential district and where a multi-family use abuts a single-family residential district. SEE SECTION 1204										
[5] 1,000 square feet of minimum floor area are required for each unit of a duplex unit; 1,400 1,800 square feet are required for a single family dwelling, manufactured home or industrialized dwelling.										
[6] C-1 District is intended for small commercial (neighborhood) uses. Larger commercial building and uses are intended for the C-2 Zoning District.										

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ARTICLE XI USE PROVISIONS)

SECTION 900: GENERAL USE REGULATIONS

- A. Table of Permitted and ~~Special~~ **Conditional** Uses. The uses set forth in the table below shall be permitted only as listed within each zoning district and only in the manner so listed. Any uses not listed in said table shall be prohibited, except as contained herein. Additionally, for any use not listed in said table, the Administrative Officer shall have the authority to determine the most appropriate zoning district (s) and/or Special Use Permit requirements for such use, after receiving documentation from the property owner adequately outlining and describing the specific details of the proposed use.
1. **P**: A permitted use.
 2. **C**: A use requiring a Conditional Use Permit subject to approval following the application procedures and requirements.
 3. **A**: An accessory use subject to the requirements specified and generally applicable to accessory uses.
- B. Any use not listed with the letter **P**, **C**, or **A** in a particular zoning district shall be prohibited in that zoning district, unless it is a non-conforming use lawfully established prior to the effective date of the ordinance or amendment that rendered it legally non-conforming.
- C. Any use listed with a **Y** in the column headed by the words "Supl. Use Stds." in the table below shall satisfy the applicable supplemental use standards established in Section 901, in addition to the development regulations of the district in which it is located.
- D. For all telecommunications antennas and towers requirements see Section 616.
- E. No outdoor storage is permitted except as specified herein.
- F. Those uses marked with an asterisk (*) are not allowed within the Downtown Overlay District. Note, retail uses in excess of 50,000 square feet are also prohibited in the Downtown Overlay district. (11/10/2016)
- G. Those uses marked with a double asterisk (**) in the Table of Permitted and Conditional Uses shall not be allowed in the WP-1 Cornish Creek Watershed Protection Overlay District. (8/18/2016)
- H. For permitted and ~~special~~ **conditional** uses in the PUD zoning district, refer to section 906.
- I. Accessory uses.
1. Accessory uses for commercial development shall include those normally appurtenant to such development, as provided for in other sections of this Ordinance.
 2. Any accessory use normally appurtenant to a permitted use shall be allowed provided such use shall conform to all performance standards set forth for this district.

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J. Remaining district regulations:

1. The permitted uses, accessory uses, special uses and space dimensions for all property zoned to a Planned Unit Development (PUD) classification are set forth in Section 906 and shall apply as if set forth in this Section.
2. All uses and dimensional requirements of the overlay districts that are not specified in the individual sections are those that are applicable to the underlying zoning designation of the particular property.
3. All remaining regulations established for each individual district are provided in the following sections.

SECTION 901: SUPPLEMENTAL USE STANDARDS

A. Purpose and Intent:

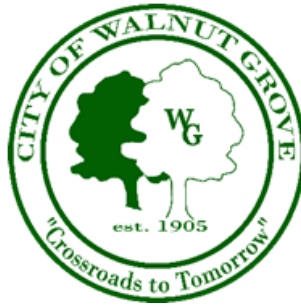
1. The purpose of these Supplemental Use Standards is to supplement the Table of Permitted and ~~Special~~ **Conditional** Uses by providing more specific standards for certain uses for which additional use restrictions, site development and/or design standards are necessary to ensure that they will be compatible with surrounding uses, have minimal impact on the environment, promote the health, safety and welfare.
2. These standards apply to specific uses in all zoning districts (unless otherwise noted) and shall be enforced by the City.
3. Any use that is regulated by this Section and is authorized in a zoning district shall be developed in conformity with the applicable Supplemental Use Standards for that use provided in this Section. No permit shall be issued for a use, building or structure that does not conform to applicable provisions of this Section; except that, where any requirement of the Supplemental Use Standards conflicts with a condition of rezoning, special use permit or other action of the City Council after adoption of this Section, the condition shall prevail.

B. Applicability:

1. The uses, structures and related standards listed in the following subsection are in alphabetical order.
2. The Supplemental Use Standards listed in the following subsection are applicable as indicated in the Table of Permitted and ~~Special~~ **Conditional** Uses as requiring Supplemental Use Standards.

C. Supplemental Use Standards (Per Table of Permitted and Conditional Uses).

The rules, requirements and restrictions listed in this subsection are applicable as indicated in the Table of Permitted and Special Uses as requiring Supplemental Use Standards.



February 21, 2022

Walnut Grove Planning Commission
c/o Mr. Don Cannon, Chairman
2581 Leone Avenue
Walnut Grove, Ga 30052

Re: Proposed Amendments to the 2012 Zoning Ordinance for the City of Walnut Grove related to Article III (Definitions) and Article IX (Table of Uses)

Commission Members:

The City of Walnut Grove has been discussing amending the Zoning Ordinance to permit the manufactured housing in the Forest Glen Subdivision to be replaced and improved without having to a variance for house size, house width, roof pitch or other factors. R-3 is the only zoning district in the City which allows manufactured housing or industrialized homes (modular houses). The following amendments will be heard in conjunction with a map amendment to rezone Forest Glen Subdivision from R-2 to R-3. The following are specific items to be amended to accommodate this request:

Roof Pitch - Currently, all new dwellings in Walnut Grove, whether site built or manufactured, must have a minimum pitch of 5:12 and twelve inch overhangs on all roofs. A 5:12 pitch for a manufactured house would require the roof to be hinged for transport and the roof is unfolded and set up on site. A 4:12 pitch would allow for shingled roofs and a better appearance, but would also allow the roof to be fabricated at the factory at the proper pitch and transported without any modifications on site.

Proposed Fix – Amend Article III (Definitions) for Dwelling, Single Family, Industrialized Home and Manufactured Home to reduce the minimum roof pitch (See Exhibit A).

Roof Overhangs – The current requirement for a roof overhang is 12”. A 12” overhang is not a standard feature on a manufactured dwelling. Reducing the requirement to 8” would allow more flexibility in the dwelling design but also keep the cost reasonable while providing protection against sun and rain.

Proposed Fix – Amend Article III (Definitions) for Dwelling, Single Family, Industrialized Home and Manufactured Home to reduce the minimum roof overhang from 12” to 8” (See Exhibit A).

Minimum Width for Industrialized Homes and Manufactured Homes – Currently, the definitions for these two dwellings require a minimum width in excess of 28 feet, which would require 32’ wide dwellings, which poses problems with lot placement and affordability.

Proposed Fix – Amend Article III (Definitions) for Dwelling, Single Family, Industrialized Home and Manufactured Home to remove the words “in excess of” to permit a 28’ wide industrialized or manufactured dwelling.

Minimum Dwelling Size in R-3 – The current minimum dwelling size in the R-3 district is 1,800 square feet, which is the same minimum square footage as the R-1 and R-2 districts. In order to meet the minimum square footage, a manufactured home would need to be a 32’ by 56’ double wide, given the current requirement for dwellings in excess of 28’ in width. Due to the small size of many of the lots in the Forest Glen Subdivision, variances would be needed for setbacks. Additionally, the larger double wide units are out of the price range of many of the residents in the community. Reducing the minimum square footage would permit a 28’ by 50’ unit, which would fit on the lot without a need for a setback variance in most cases.

Proposed Fix – Amend Article IX (Table of Uses) to reduce the minimum dwelling size in the R-3 district from 1,800 to 1,400 square feet (See Exhibit A).

These items have been discussed for several meetings, but these amendments will be discussed in a public hearing setting and formally recommended to the City Council at your March 16, 2023 meeting. Please let me know if you have any questions.

Sincerely,



Joe Walter
Zoning Administrator

Attachment: Exhibit A

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EXHIBIT A

PROPOSED AMENDMENTS TO ARTICLE III

42. Dwelling, Single-Family. A dwelling containing one and only one dwelling unit, detached, with a minimum roof pitch greater than ~~4~~ **5**:12, and a roof overhang of at least ~~one foot~~ **eight (8) inches** measured from the vertical side.
62. Industrialized Home. A dwelling unit manufactured per the Industrialized Building Act (O.C.G.A. § 8-2-1 et seq.), and the Rules of the Commissioner of the Georgia DCA issued pursuant thereto, and meeting the following development standards:
- a) A minimum width ~~in excess~~ of twenty-eight (28) feet.
 - b) A minimum roof pitch of ~~4~~ **5**:12, which means having a pitch equal to at least ~~five~~ **four** inches of vertical height for every twelve inches of horizontal run. Any dwelling unit for which a building permit was obtained prior to the adoption of this Ordinance may be extended, enlarged or repaired as otherwise provided by this Ordinance with the same roof pitch as that allowed by the previous building permit.
 - c) A minimum roof overhang of **eight (8)** ~~8~~ 12 inches is required. All roof surfaces exposed to view shall be covered with asphalt or fiberglass shingles, wood shakes or shingles, standing seam (non-corrugated tin or steel), clay tiles, slate, or similar materials.
 - d) Exterior siding consisting of wood, hardboard, vinyl, brick, masonry, or stone, comparable in composition, appearance, and durability to the exterior siding commonly used in site dwellings.
 - e) A curtain wall, un-pierced except for required ventilation and access, must be installed so that it encloses the area located under the home to the ground level. Such a wall shall have a minimum thickness of four (4) inches and shall be constructed of masonry or similar material as approved by the Zoning Administrator.
 - f) The dwelling must be placed on a permanent foundation, either slab or pier, which meets the requirement of the Building Code. In addition, the dwelling shall be completely underpinned with masonry, stone, or other similar materials manufactured for the purpose of underpinning as approved by the Zoning Administrator. Installation shall be in accordance with the Rules and Regulations for Manufactured Homes made and promulgated by the Georgia Safety Fire Commissioner and shall be completed prior to permanent electrical service.
 - g) Utility meters must be mounted to the structure rather than on a utility pole, and all axles, tongues, and transporting and towing apparatus must be removed before occupancy.
 - h) A landing must be installed at each doorway. The minimum size of the landing shall be four feet by six feet (excluding steps) at each doorway. The structure must include steps which lead to ground level, and both landing and steps must meet the requirements of the Building Code.
 - i) The dwelling must be installed in accordance with O.C.G.A. § 8-2-110 et seq., and the rules promulgated thereunder.
77. Manufactured Home. A dwelling unit, meeting the definition of “manufactured home” contained in O.C.G.A. § 8-2-160, fabricated in an off-site facility for installation or assembly at the building site, bearing a label certifying it is constructed in compliance with the Federal Manufactured Home Construction and Safety Standards Act, 42 U.S.C. § 5401 et seq., and meeting the following development standards,

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rendering it a Type A Manufactured Home:

- a) A minimum width ~~in excess~~ of twenty-eight (28) feet.
- b) A minimum roof pitch of ~~4 5:12~~, which means having a pitch equal to at least ~~five~~ **four** inches of vertical height for every twelve inches of horizontal run. Any dwelling unit for which a building permit was obtained prior to the adoption of this Ordinance may be extended, enlarged or repaired as otherwise provided by this Ordinance with the same roof pitch as that allowed by the previous building permit.
- c) A minimum roof overhang of ~~eight 8 1/2~~ inches is required. All roof surfaces exposed to view shall be covered with asphalt or fiberglass shingles, wood shakes or shingles, standing seam (non-corrugated tin or steel), clay tiles, slate, or similar materials.
- d) Exterior siding consisting of wood, hardboard, vinyl, brick, masonry, stone, or aluminum (vinyl covered or painted, but in no case exceeding the reflectivity of gloss white paint) comparable in composition, appearance, and durability to the exterior siding commonly used in site-built dwellings.
- e) A curtain wall, un-pierced except for required ventilation and access, must be installed so that it encloses the area located under the home to the ground level. Such a wall shall have a minimum thickness of four (4) inches and shall be constructed of masonry or similar material as approved by the Zoning Administrator.
- f) The dwelling must be placed on a permanent foundation, either slab or pier, which meets the requirement of the Building Code. In addition, the dwelling shall be completely underpinned with masonry, stone, or other similar materials manufactured for the purpose of underpinning as approved by the Zoning Administrator. Installation shall be in accordance with the Rules and Regulations for Manufactured Homes made and promulgated by the Georgia Safety Fire Commissioner and shall be completed prior to permanent electrical service.
- g) Utility meters must be mounted to the structure rather than on a utility pole, and all axles, tongues, and transporting and towing apparatus must be removed before occupancy.
- h) A landing must be installed at each outside doorway. The minimum size of the landing shall be four feet by six feet (excluding steps) at each doorway. The structure must include steps which lead to ground level, and both landing and steps must meet the requirements of the Building Code.
- i) The dwelling must be installed in accordance with O.C.G.A. § 8-2-160 et seq., and the rules promulgated thereunder.

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PROPOSED AMENDMENTS TO ARTICLE IX (TABLE OF USES)

DISTRICT	SPACE DIMENSIONS								MAXIMUM LIMITATIONS	
	Area (sq. ft)	Area per Dwelling Unit (Sq. ft.)	Minimum Dwelling Unit Size (Sq.ft.)	Minimum Width (ft.)	Setback from Right of Way (ft.)		Minimum Side Yard (ft.)	Minimum Rear Yard. (ft.)	Height (Stories)	
					Major Road	Interior Street				
AG	130,680 (3 ac.) ^[1]		2,000	200	60	50	25 ^[4]	25	3	
R-1	40,000 (0.92 ac.) ^[1]		1,800	125	45	35	15 ^[4]	20	2	
R-2	20,000 (0.46 ac.)		1,800	100	45	35	15 ^[4]	20	2	
R-3	15,000 ^[1] (0.34 ac)		1,000/ 1,400 ^[5] 1,800 ^[5]	100	45	35	15 ^[4]	20	2	
PUD	10 acres	See Section 906		100	See Section 906					
	Area (sq. ft)	Max Area per Structure (Sq. ft.)	Minimum Structure Size (Sq.ft.)	Minimum Width (ft.)	Setback from Right of Way (ft.)		Minimum Side Yard (ft.)	Minimum Rear Yard. (ft.)	Height (Stories)	Max. Lot Coverage ^[2]
OI	None	None	1,000	60	50	25	10 ^[4]	15	2	40%
C-1 ^[6]	6,000	10,000 ^[3]	1,000	50	50	25	10 ^[4]	15	2	45%
C-2	None	None	1,000	50	50	25	None ^[4]	15	3	45%
M-1	9,000	None	None	None	100	50	30 ^[4]	15 ^[4]	3	35%
Notes										
[1] All of said required acreage must be contiguous, not surrounded by any flood area, and must be above flood elevation. All dwelling units must have located on the subject property a garage containing no less than 420 s.f. and designed to contain no less than two automobiles.										
[2] Includes principal and accessory buildings but not pavement areas.										
[3] No portion of any lot which is flooded by a 100-year recurrence interval storm event may be counted as part of the required minimum lot area.										
[4] Buffer zones are required along the side and rear yard where an Office-Institutional, business, or manufacturing use abuts a residential district and where a multi-family use abuts a single-family residential district. SEE SECTION 1204										
[5] 1,000 square feet of minimum floor area are required for each unit of a duplex unit; 1,400 1,800 square feet are required for a single family dwelling, manufactured home or industrialized dwelling.										
[6] C-1 District is intended for small commercial (neighborhood) uses. Larger commercial building and uses are intended for the C-2 Zoning District.										