



**CITY OF JONESBORO
Regular Meeting
VIA ZOOM MEETING
August 10, 2020 – 6:00 PM**

NOTE: As set forth in the Americans with Disabilities Act of 1990, the City of Jonesboro will assist citizens with special needs given proper notice to participate in any open meetings of the City of Jonesboro. Please contact the City Clerk's Office via telephone (770-478-3800) or email at rclark@jonesboroga.com should you need assistance.

Join Zoom Meeting
<https://us02web.zoom.us/j/2148237355>

Meeting ID: 214 823 7355
One tap mobile
+19292056099,,2148237355# US

Agenda

- I. CALL TO ORDER - MAYOR JOY B. DAY**
- II. ROLL CALL - RICKY L. CLARK, JR., CITY MANAGER**
- III. INVOCATION**
- IV. PLEDGE OF ALLEGIANCE**
- V. ADOPTION OF AGENDA**
- VI. PRESENTATIONS**

1. Presentation from MARTA – Virgil Fludd, Assistant General Manager, External Affairs.

VII. PUBLIC HEARING

- 1. Public Hearing regarding Conditional Use Permit Application 20-CU-008 for a storage facility, by Joseph C. Brannan, trustee, and Michael Johnson, applicant, for property at 265 South Main Street (Parcel Nos. 06001C D005 and 06001C D010), Jonesboro, Georgia 30236.
- 2. Public Hearing regarding Conditional Use Permit Application 20-CU-009 for commercial truck parking, by Sigifredo Martinez, applicant and owner, for property at 208 Turner Road (Parcel No. 06001 032012) Jonesboro, Georgia 30236.

3. Public Hearing regarding a proposed text amendment Ord. 2020-14 to the City of Jonesboro Code of Ordinances, regarding further revisions and updates to the “Table of Uses Allowed by Zoning District”, Section 86-204, of Article VI – Conditional Uses, Chapter 86 – Zoning, of the City of Jonesboro Code of Ordinances.
4. Public Hearing regarding a proposed text amendment Ord. 2020-015 to the City of Jonesboro Code of Ordinances, regarding updates and additions to Article XVII – Additional Conditional Uses, Chapter 86 – Zoning, of the City of Jonesboro Code of Ordinances, including standards for “cigar lounges.”
5. Public Hearing regarding a proposed text amendment Ord. 2020-16 to the City of Jonesboro Code of Ordinances, regarding proposed revisions to Chapter 86, Zoning, Article XVI, Signs, of the City of Jonesboro Code of Ordinances.
6. Council to consider a proposed text amendment Ord. 2020-17 to the City of Jonesboro Code of Ordinances, regarding proposed revisions to Chapter 86, Zoning, Appendix- Thoroughfare Plan of the City of Jonesboro Code of Ordinances.

VIII. PUBLIC COMMENT (PLEASE LIMIT COMMENTS TO THREE (3) MINUTES)

IX. MINUTES

X. CONSENT AGENDA

XI. OLD BUSINESS

1. Council to consider Conditional Use Permit Application 20-CU-008 for a storage facility, by Joseph C. Brannan, trustee, and Michael Johnson, applicant, for property at 265 South Main Street (Parcel Nos. 06001C D005 and 06001C D010), Jonesboro, Georgia 30236.
2. Council to consider a proposed text amendment Ord. 2020-16 to the City of Jonesboro Code of Ordinances, regarding proposed revisions to Chapter 86, Zoning, Article XVI, Signs, of the City of Jonesboro Code of Ordinances.
3. Discussion regarding a proposed addition to the City of Jonesboro Schedule of Fees.
4. Council to consider a proposed text amendment Ord. 2020-17 to the City of Jonesboro Code of Ordinances, regarding proposed revisions to Chapter 86, Zoning, Appendix- Thoroughfare Plan of the City of Jonesboro Code of Ordinances.
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XII. NEW BUSINESS

1. Council to consider approval of rescheduling September 7, 2020 Worksession due to Labor Day Holiday.

2. Council to consider approval of Change Order #14 relative to the installation of mondo grass and pine straw on the east side of Broad Street and irrigation. Total amount of said change order is \$15,207.00
3. Council to consider approval of a standard operating lease by and between the City of Jonesboro and Georgia Power for 10 decorative light poles for Broad Street.
4. Council to consider Resolution #2020-007 authorizing the execution of the coronavirus relief fund terms and conditions and to authorize the creation of the rent and utility assistance program.

XIII. REPORT OF MAYOR / CITY MANAGER

XIV. REPORT OF CITY COUNCILMEMBERS

XV. OTHER BUSINESS

1. Executive Session for the purpose of discussing the conveyance of real estate.
2. Consider any action(s) if necessary based on decision(s) made in the Executive Session

XVI. ADJOURNMENT

Jonesboro City Council MARTA Briefing

AUGUST 10, 2020

Conference Call

Virgil Fludd, AGM External Affairs

Dominique Holloman, Government Affairs Manager

AGENDA

- ✓ Welcome & Introductions
- ✓ COVID-19 update - Essential Routes
- ✓ High Capacity Transit (CRT, BRT, ART)
- ✓ Transit Supportive Land Use Planning
- ✓ Operations & Maintenance Facility
- ✓ Clayton Justice Center Transit Hub



COVID-19 Update Essential Services Routes

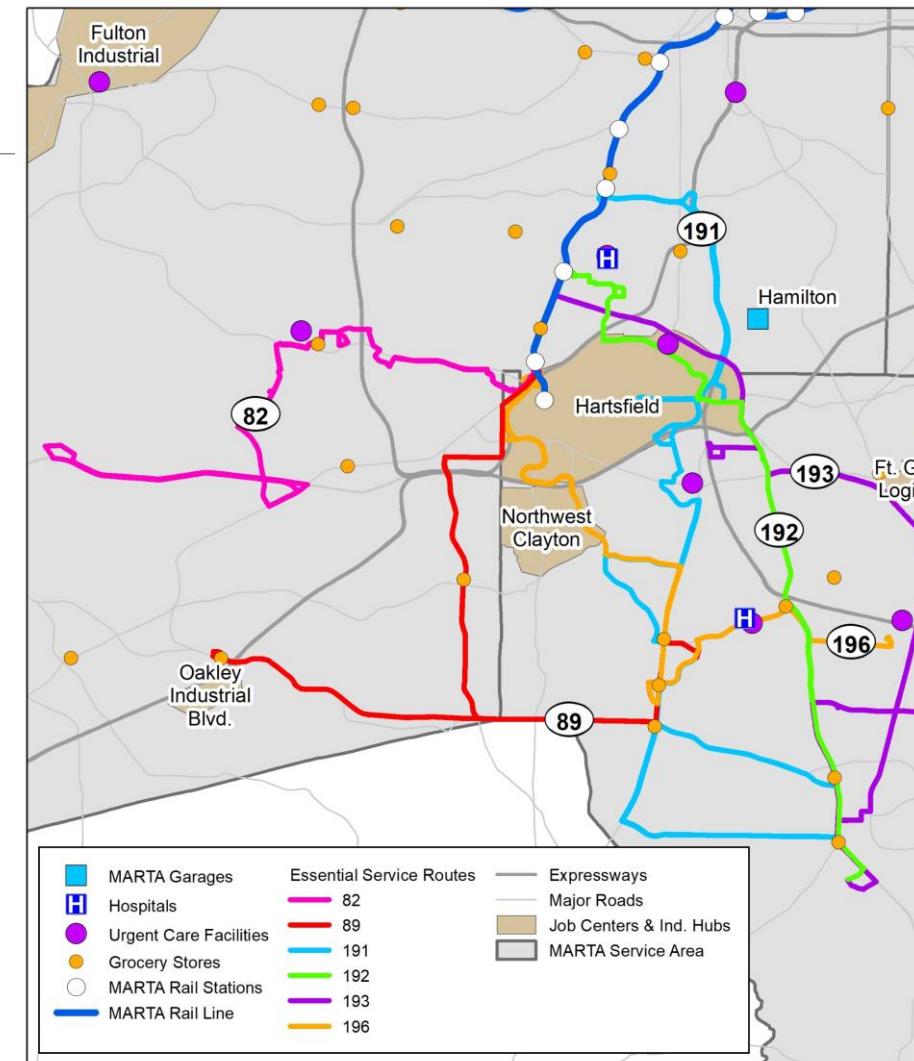
Essential Services Routes

Data-driven process

- Access to MARTA bus garages
- Hospitals & Urgent Cares
- Essential Supplies
- Jobs & Industrial Hubs
- Ridership

Outcome

- System-wide: 41 routes and 1 circulator on 4/20
- 44 routes and 1 circulator as of 7/4
- Six essential services routes in Clayton County



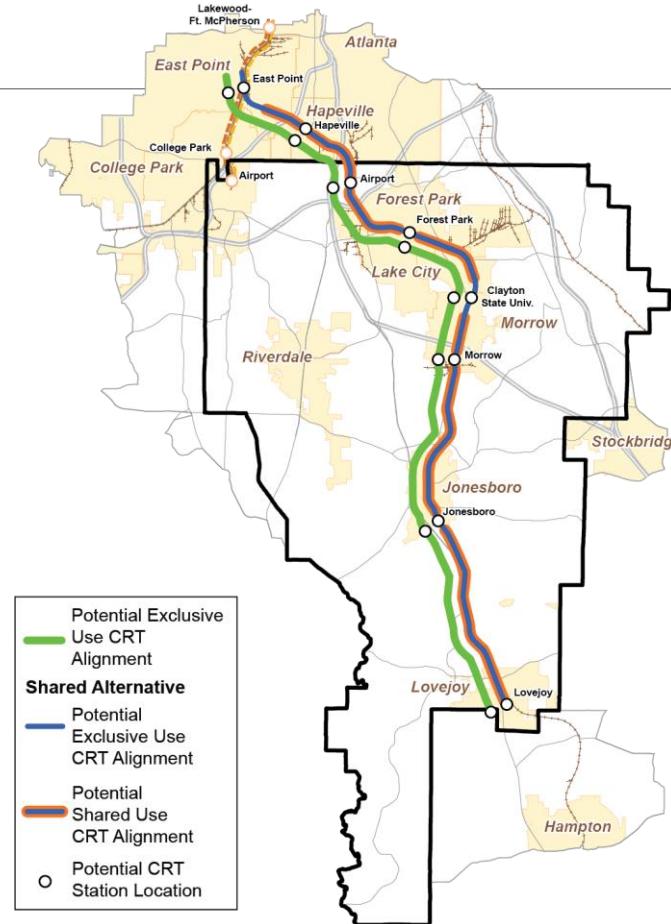
High Capacity Transit

CRT, BRT and ART

Commuter Rail Project Update

Commuter Rail Considerations

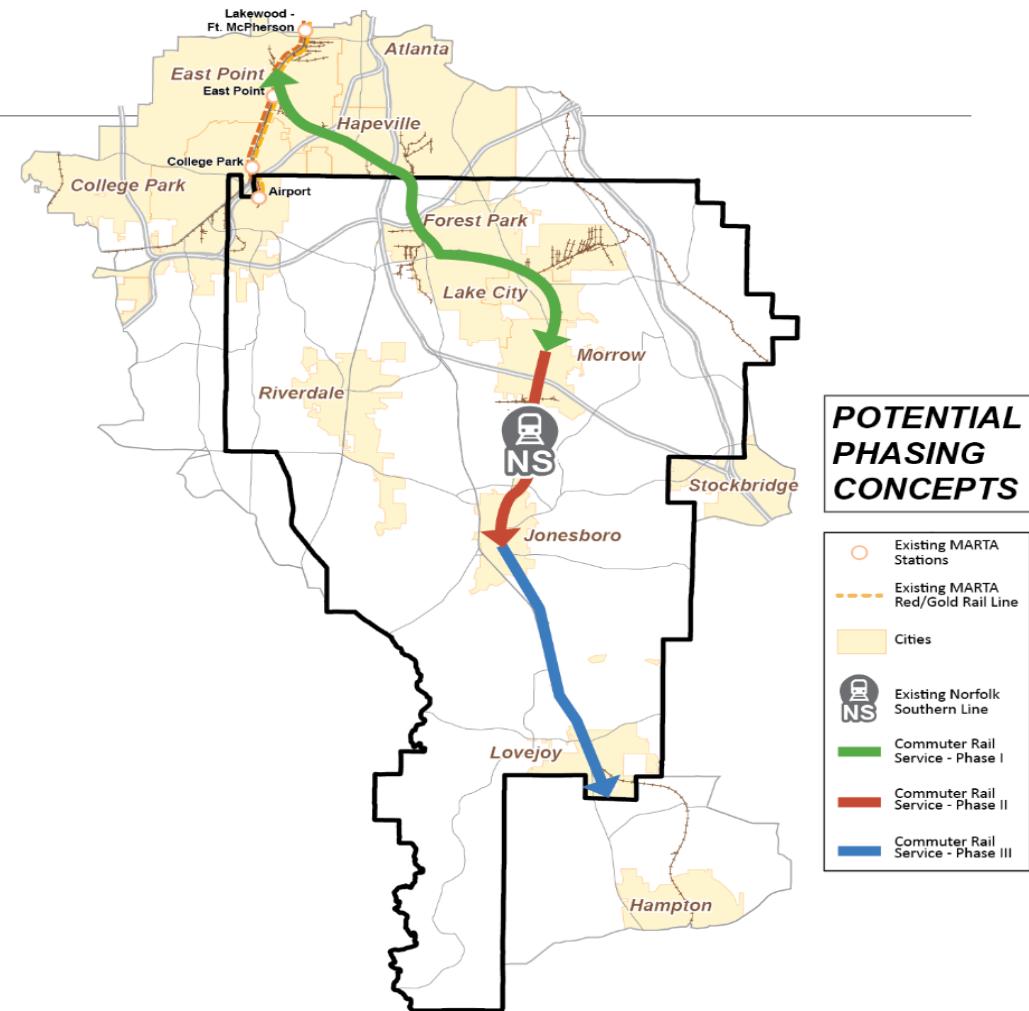
- Exclusive Use option
 - Double-track entire alignment
 - Right-of-Way required (250+ parcels)
 - Multiple jurisdictions
- Shared Use option
 - Under analysis
 - Potential 80 % shared with freight carrier
 - Potential 20% exclusive to accommodate stations (bulb-outs at all stations)
 - Reduces overall project cost
 - Agreement with Norfolk Southern required



Commuter Rail Considerations

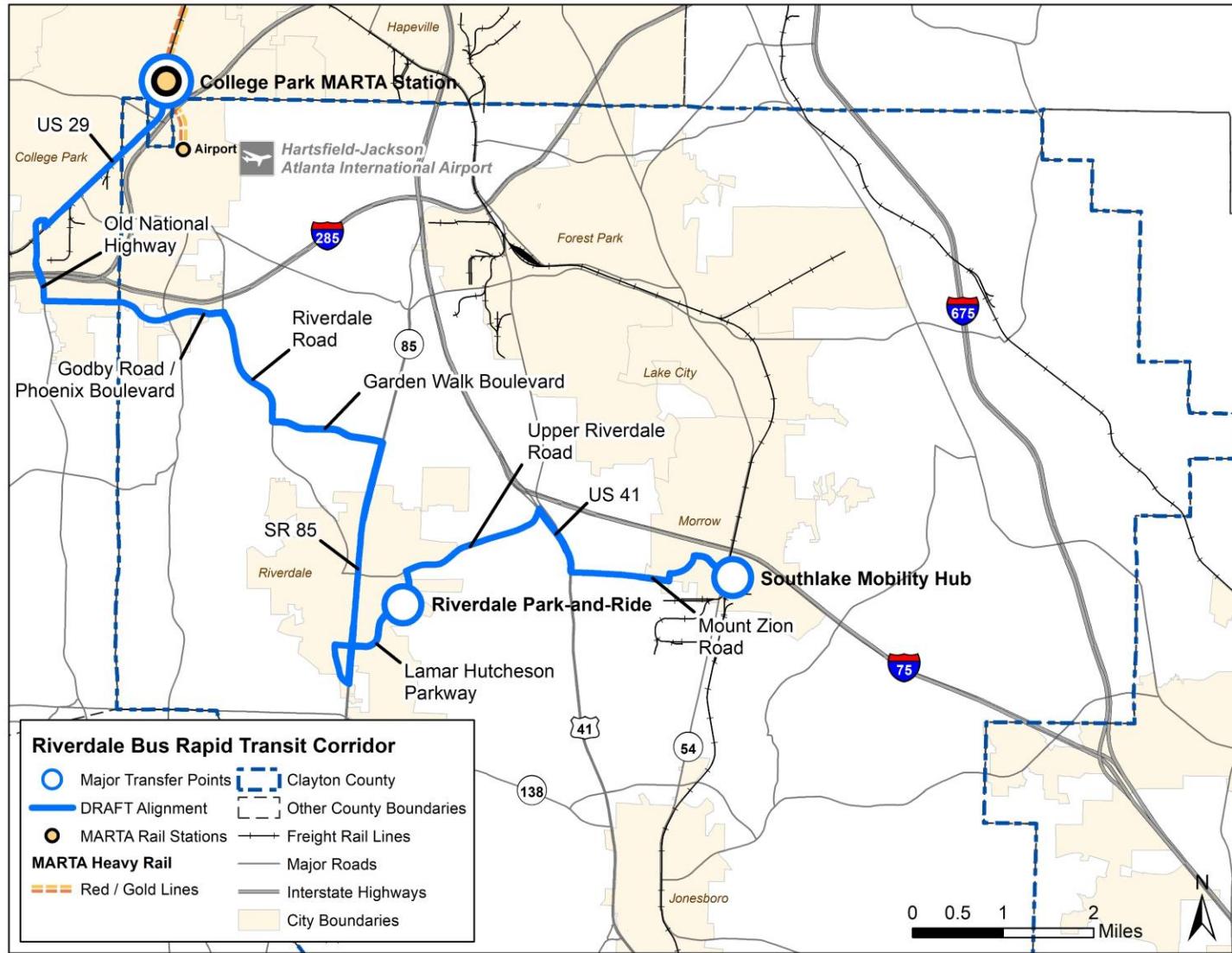
Potential Project Phasing

- Still under evaluation
- 2 – 3 phases envisioned
- Final phasing determined after negotiations and agreement with Norfolk Southern



Bus Rapid Transit (BRT)

- Clayton BRT Planning Contract kicked off late 2019
- Draft Alignment being considered now
- Conceptual Design - Fall 2020
- Routes 196 and 191 form the basis for the route
- Exclusive Laneage – feds require greater than 51% of the alignment be exclusive





Minneapolis, MN ART

Arterial Rapid Transit (ART)

- Will be studied for suitability in Clayton County
- Operates Higher Frequency
- More Predictable and Reliable Service
- Lower Implementation Costs compared to other high capacity transit modes
- Signal Prioritization for Increased Reliability
- Other intersection treatments like queue jumpers will be studied, rather than exclusive lanes

Transit Supportive Land Use Planning

Transit Supportive Land Use Planning



- **Purpose:** position transit lines for FTA funding (land use and economic development points)
- Identifying areas that are the most transit supportive, both in terms of what's currently on the ground and the potential for redevelopment
- Analyzing peer systems in Charlotte, Denver, Minneapolis, and Seattle, and locally reviewing Chamblee, Decatur, and Avondale TOD requirements
- Will develop zoning language and policy recommendations, as well as implementation strategies

Why Land Use? To Position for Funding

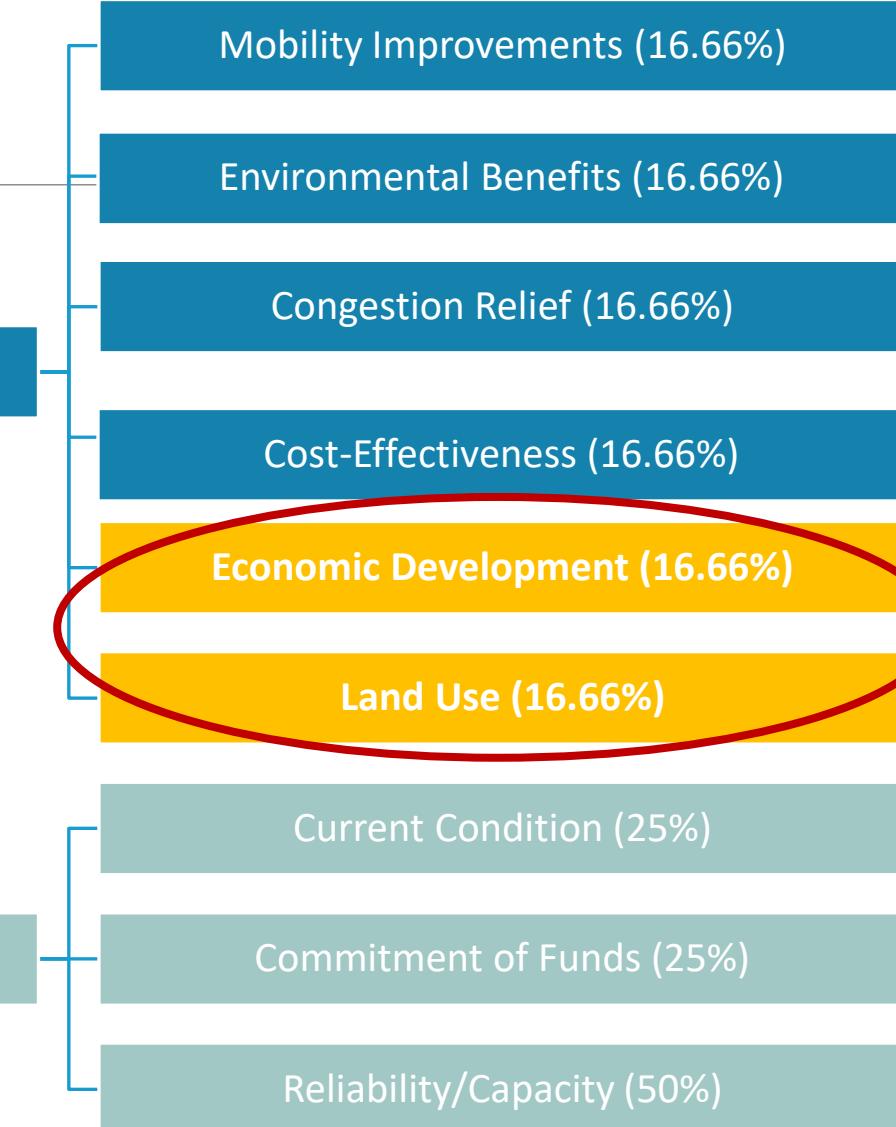
Overall Project Rating

Project Justification (50%)

Economic Development and Land Use equates to ~33% of the overall Project Justification category.

These two categories are directly controlled by locally-adopted regulations.

Local Financial Commitment (50%)



Transit Supportive Land Use Planning

Major Tasks and Schedule

- 1. Best Practices
- 2. Parcel Analysis
- 3. Identify TOD Zone Boundaries
- 4. Create Model Ordinance
- 5. 3-D Visuals
- 6. Implementation Strategies

		2020									2021		
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	Final Presentation												
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			Best Practices / Peer Cities										
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											Implement.		

Clayton Multipurpose Operations & Maintenance Facility

Multipurpose Operations & Maintenance Facility Overview

- **Facility Elements**
 - Bus maintenance and storage
 - Paratransit and Mobility
 - MARTA Police precinct
 - Administration & training space
 - Potential expansion



Multipurpose Operations & Maintenance Facility Benefits



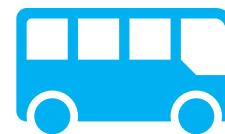
Increased System Efficiency

- Decreases bus mileage
- Decreases lost revenue time
- Fewer bus emissions
- Less time for bus repair & replacement



Lower Operational Costs

- Lower deadhead costs
- Fewer driver costs



Expansion of Paratransit Service

- New facility will service both fixed-route and paratransit vehicles



Potential Support of Alternative Fuels

- Electricity grid infrastructure in place to support alternative fuels



Investment & Jobs in Clayton County

- Construction jobs
- New transit facility jobs locally

Multipurpose Operations & Maintenance Facility

Timeline and Next Steps

Project Timeline



- ✓ **Finalize Environmental Analysis:** Summer 2020
- ✓ **Finalize Concept Site Design:** Fall 2020
- ✓ **Initiate Real Estate Acquisition:** Fall – Winter 2020
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Clayton Justice Center Transit Hub

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- Bus transfer station at the western parking lot of the Justice Center along Post Way
- The transfer station will be a location where MARTA buses meet up to allow the safe transfer of passengers from one route to another.
- Phase I transit center consists of improved waiting area including shelters and transit information; park & ride spaces; and improved pedestrian walkways & crosswalks.
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Clayton Justice Center Transit Hub

- ✓ Phase I - Design and Implementation
 - Construction began on May 11
 - Installation now completed
 - Ribbon cutting July 11
- ✓ Phase II - Design and Implementation
 - Preliminary Concept Completed
 - Estimated Completion: FY 2023



Clayton Justice Center Transit Hub Artbound Program



Community members painted a stenciled mural with help from local artist George Baker and MARTA volunteers.



Thank you for your time and support!
We value your input.



Jonesboro City Council MARTA Briefing

AUGUST 10, 2020

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- ✓ COVID-19 update - Essential Routes
- ✓ High Capacity Transit (CRT, BRT, ART)
- ✓ Transit Supportive Land Use Planning
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- ✓ Clayton Justice Center Transit Hub
- ✓ Work Session On Role Of CAG



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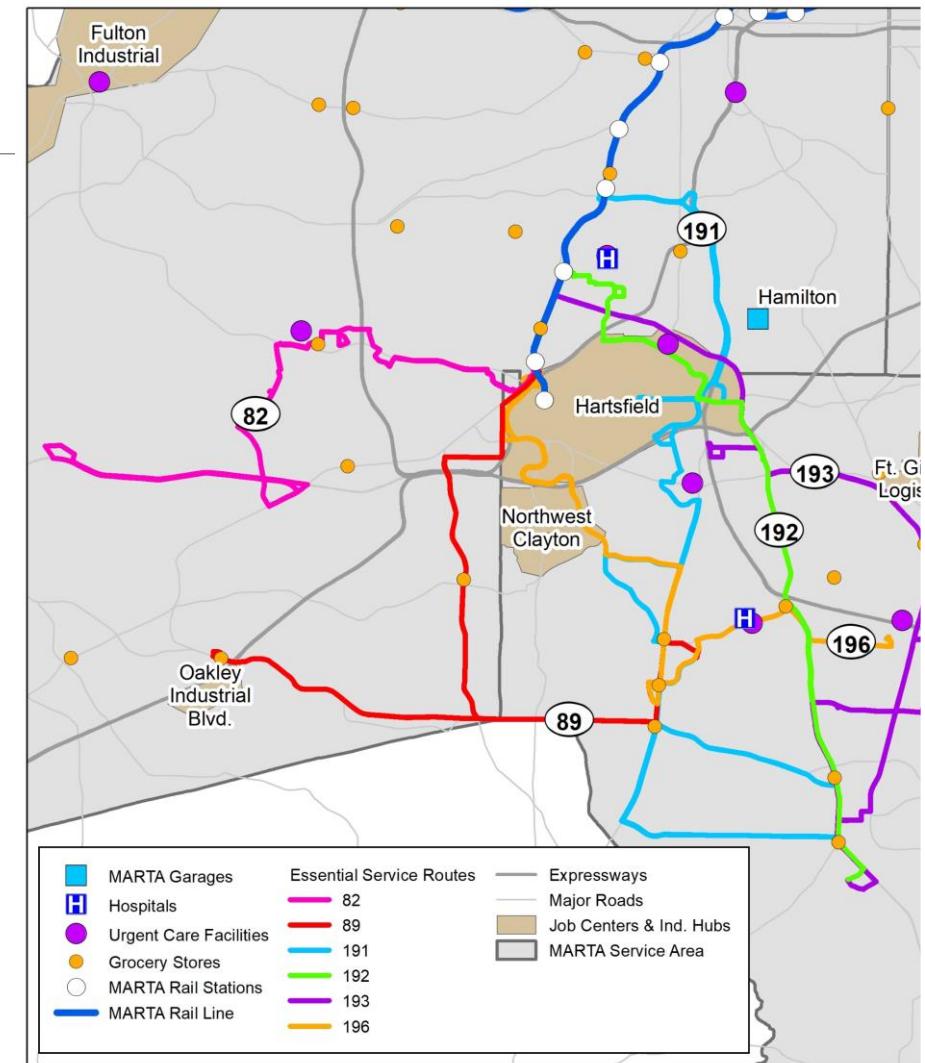
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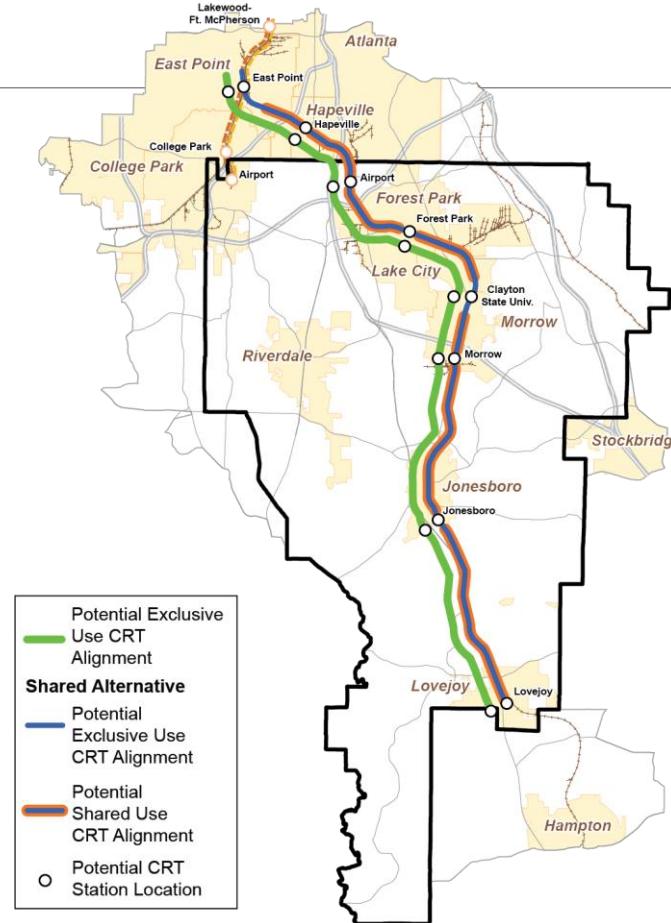
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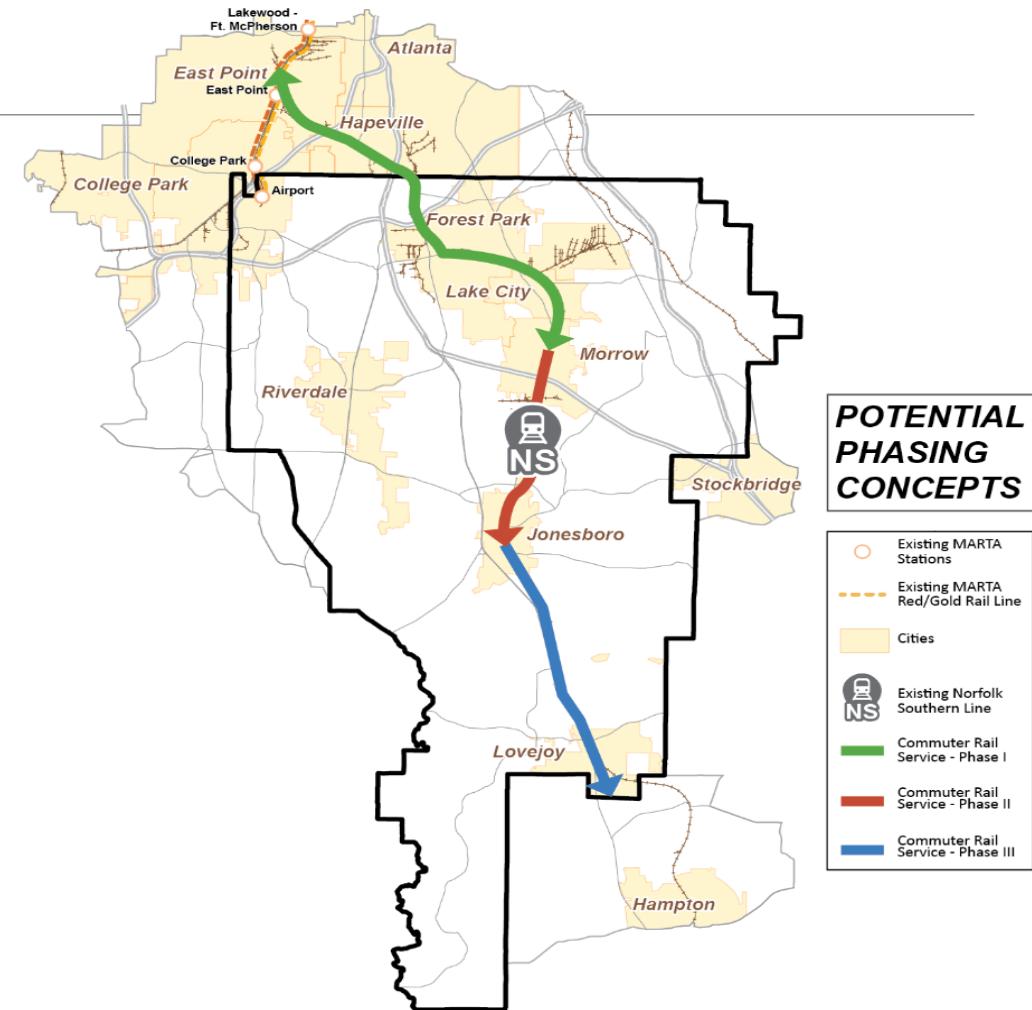
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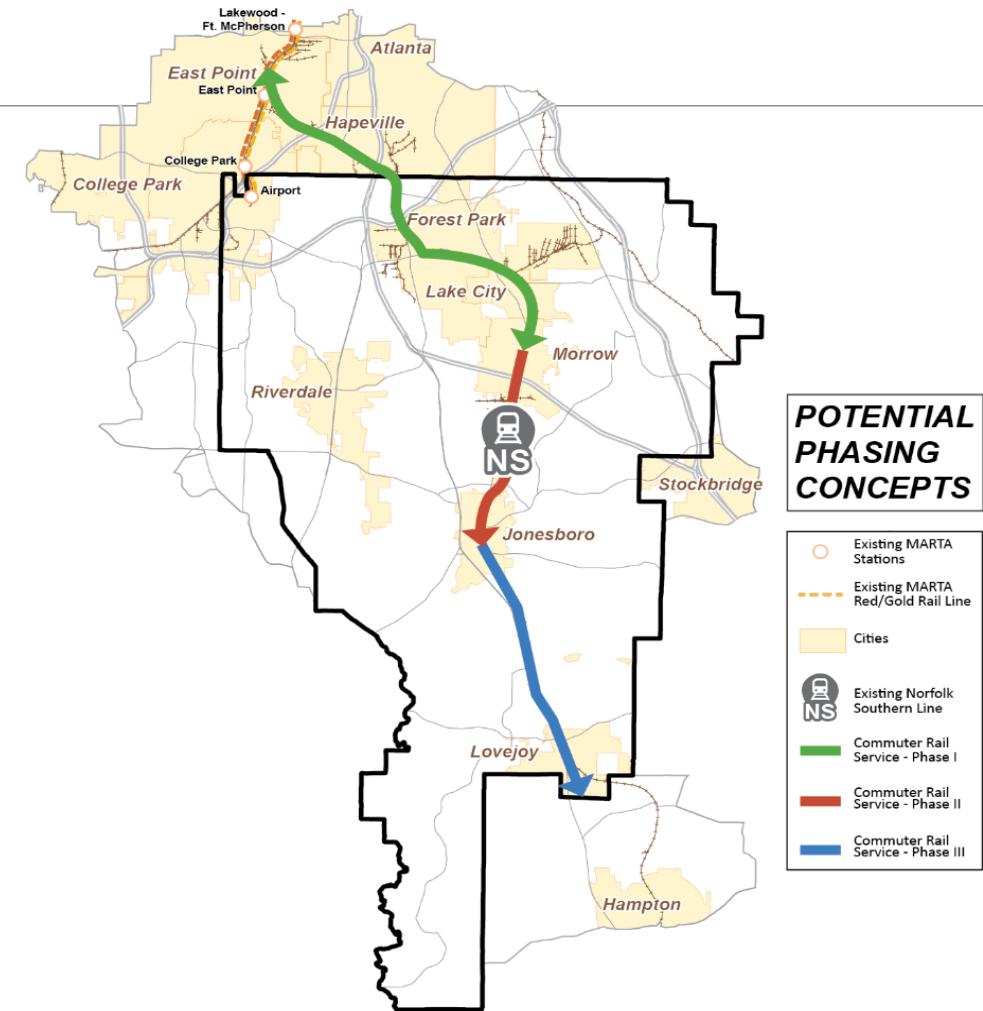
Commuter Rail Considerations

Regional Modeling

- ARC ridership modeling results low
- Impacts competitiveness for funding
- Initiating additional modeling efforts to confirm ridership

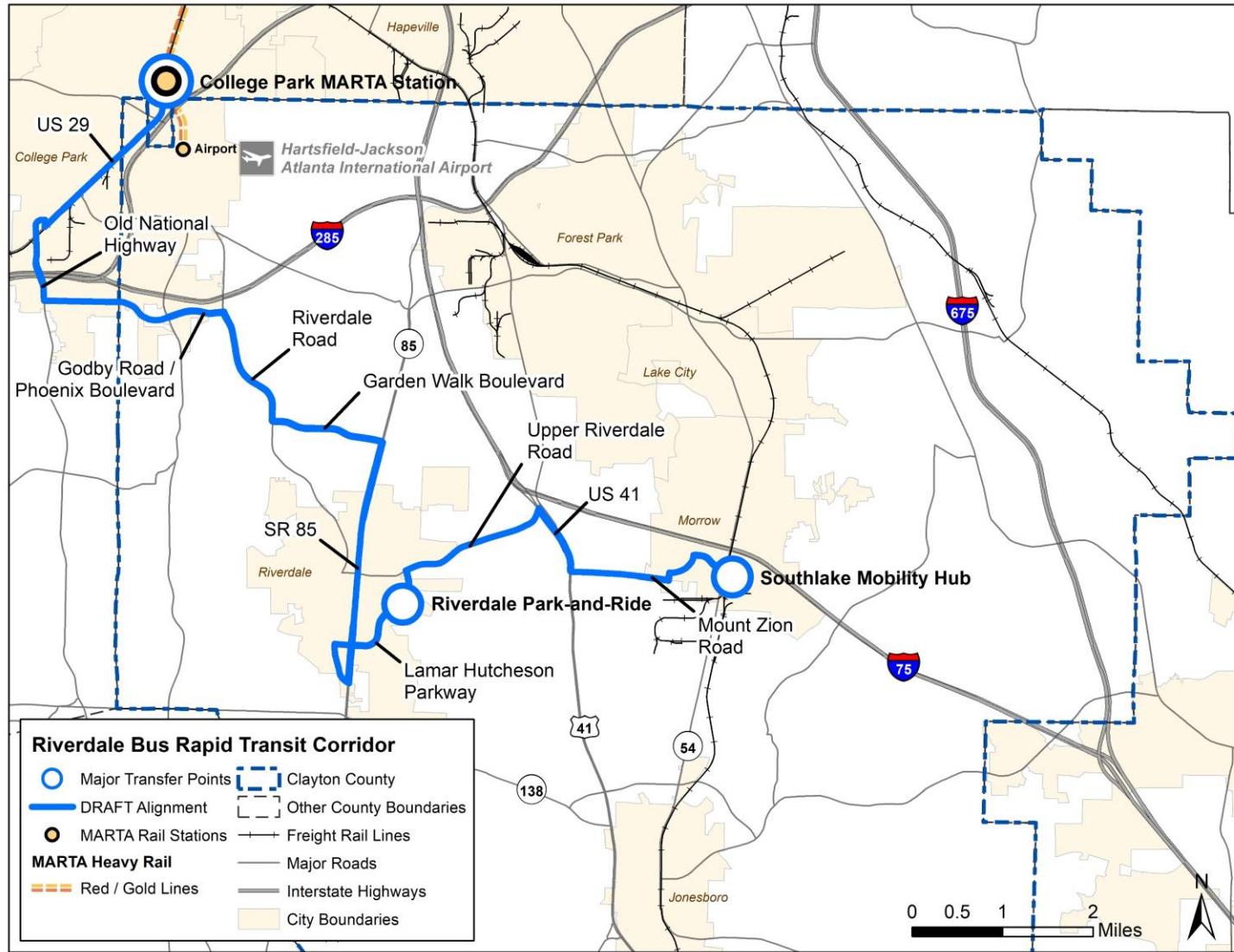
Federal Funding

- Limited federal funding
- Must compete with nationwide projects
- Must develop Transit Support Land Use Zoning Policies



Riverdale Bus Rapid Transit (BRT)

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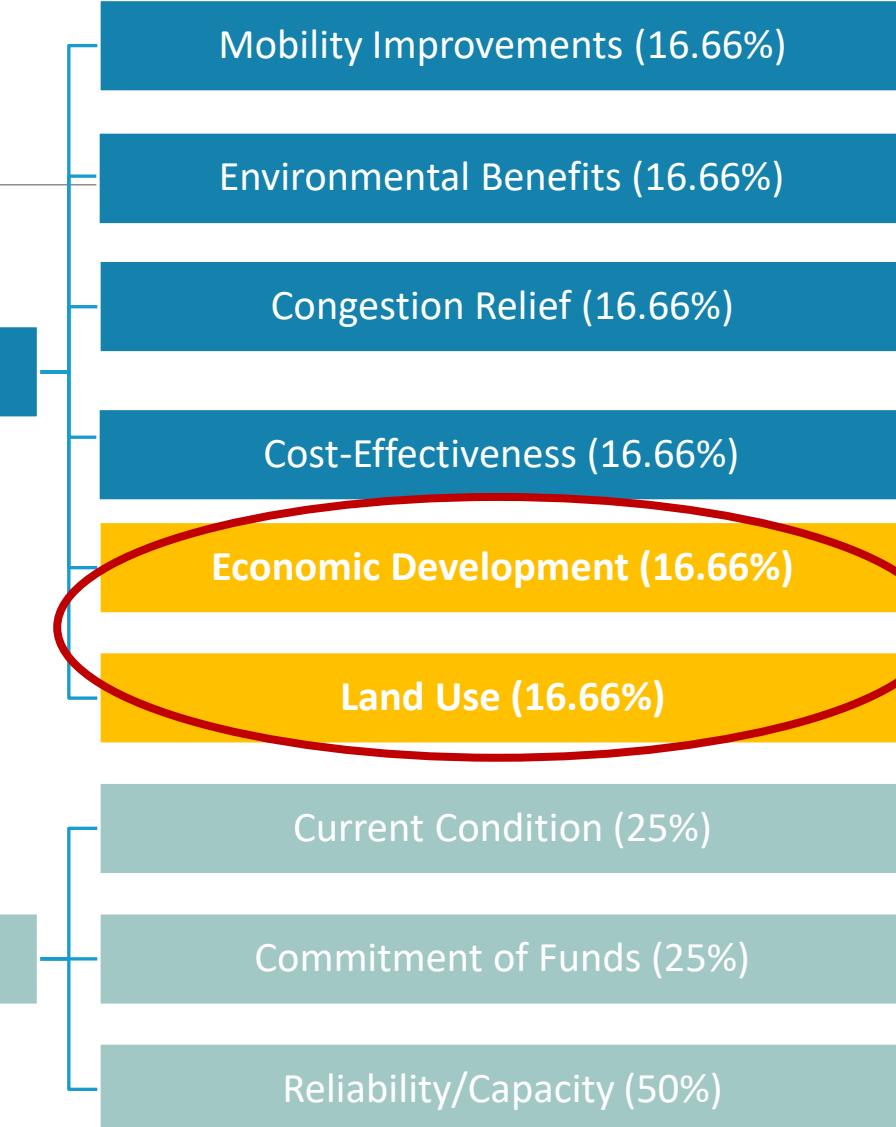
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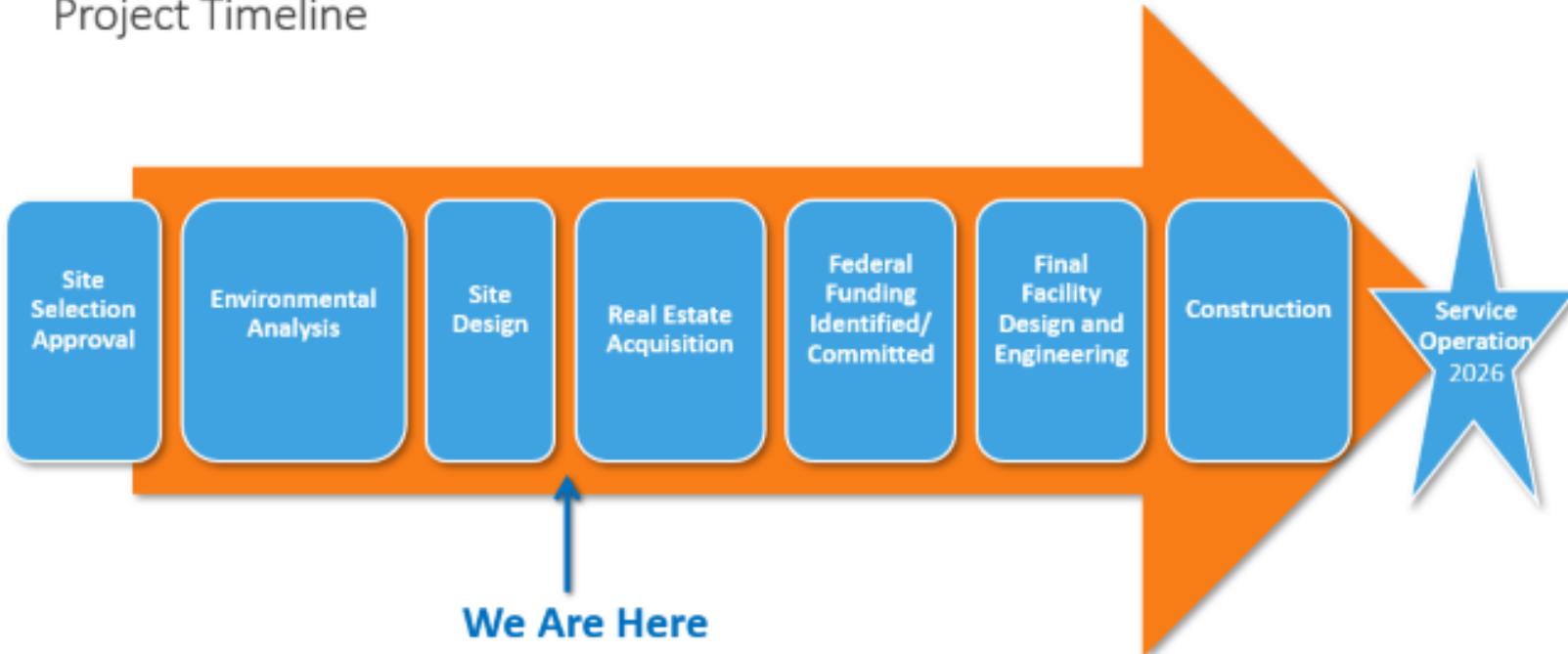
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CITY OF JONESBORO, GEORGIA COUNCIL

Agenda Item Summary

Agenda Item #

11.1

-1

COUNCIL MEETING DATE

August 10, 2020

Requesting Agency (Initiator) Office of the City Manager	Sponsor(s) Community Development Director Allen
Requested Action (Identify appropriate Action or Motion, purpose, cost, timeframe, etc.) Council to consider Conditional Use Permit Application 20-CU-008 for a storage facility, by Joseph C. Brannan, trustee, and Michael Johnson, applicant, for property at 265 South Main Street (Parcel Nos. 06001C D005 and 06001C D010), Jonesboro, Georgia 30236.	
Requirement for Board Action (Cite specific Council policy, statute or code requirement) City Code Section 86-108 – M-1 Zoning Purpose and Standards; Article XVII Additional Conditional Use Standards	
Is this Item Goal Related? (If yes, describe how this action meets the specific Board Focus Area or Goal) Yes Economic Development, Beautification, Community Planning, Neighborhood and Business Revitalization	
Summary & Background	(First sentence includes Agency recommendation. Provide an executive summary of the action that gives an overview of the relevant details for the item.) Agency recommendation – Approval of Conditional Use application, with conditions; Recently, the applicant submitted a zoning verification form for 265 South Main Street (the undeveloped Parcel 06001C D005) for several one-story mini-warehouse buildings on the property. These would be the typical non-climate-controlled buildings, each accessible via outside driveways and rolling garage doors. The subject property is 1.04 acres and would be accessed via an existing driveway serving the back parcel of 265 South Main Street (Parcel 06001C D010). The property is zoned M-1 Light Industrial and is undeveloped. It lies outside of the Historic District and any Overlays. Surrounding business include Pat and Jerry's Salvage, Tarkus Auto Care, and Pro Tree (mulch lot). Per the provided site plan, the property would contain three 20-foot wide by 220-foot long metal storage buildings, a smaller 10-foot wide by 220-foot long storage building, and a still smaller 10-foot by 140-foot storage building, for a total of 168 storage units. Several, 15-foot wide, interior driveways will provide access to the individual storage units and “permeable pavers will be used.” Landscape areas are shown around the perimeter of the subject property. Total coverage of the lot will be about 66%.
<p>The City Code provides specific design conditions for self-storage / mini-warehouse facilities, per Section 86-607:</p> <p>Sec. 86-607. NAICS 53113 – Mini-warehouses and Self-Storage Units (Indoor and Outdoor) The following conditions are assigned in the C-2 and M-1 districts:</p> <p>(1) Must be located on a street having a classification of collector or greater. The proposed facility would front South Main Street, which has a collector road classification.</p> <p>(2) Must be established on a lot having a minimum area of one acre and a minimum frontage of 150 feet. The total property is approximately 1.04 acres, plus an additional 0.06 acres from the access road serving the rear parcel. The road frontage is approximately 250 feet.</p> <p>(3) A minimum 75-foot wide buffer shall be maintained between the property and any adjacent, residentially zoned property. There are no residentially zoned properties adjacent to the subject property.</p> <p>(4) Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided. Per Sec. 86-410 (25), mini-warehouses shall provide one space per 5,000 square feet of gross storage area, plus one space for every employee. This particular facility would require 5 spaces. The site plan shows a “common area for parking and ingress / egress easement” along the eastern boundary line it shares with the rear parcel of 265 South Main Street. (This area usually has vehicles associated with the auto repair facilities parked there.) No</p>	

FOLLOW-UP APPROVAL ACTION (City Clerk)

Typed Name and Title Ricky L. Clark, City Manager	Date August, 10, 2020	08/03/20 REQUIRED	City Council PUBLIC HEARING Next: 08/10/20
Signature	City Clerk's Office		

(5) Must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking). **These would be stand-alone buildings. There are currently no planned centers or connected storefronts on the property.**

(6) Must have security fencing around perimeter of premises. **While no fence specifications are shown on the site plan, a perimeter fence would be a definite requirement for outdoor storage units, due to security reasons. The fence would need to be of a quality material and have some sort of screening to ameliorate the affects of the metal buildings from South Main Street.**

(7) All lighting shall be night-sky friendly. **So noted.**

(8) Storage of hazardous materials is prohibited. **So noted.**

(9) Storage of items outside of provided storage units is prohibited. **So noted.**

Sec. 86-108. - M-1 light industrial district.

(a) *Purpose. The M-1 light industrial district is established to provide for manufacturing uses having a minimal impact on the environment and surrounding land uses. The district is intended to attract a complementary mix of assembly, fabricating, distribution and warehousing, service and wholesale operations. A goal of the light industrial district is to provide architectural and site design standards that encourage development of such uses in a park setting; office components are encouraged through development incentives.*

Uses that require significant infrastructure and transportation systems or substantial outdoor storage; create products in large unit sizes; utilize heavy equipment and massive production facilities; or are associated with hazardous materials, significant noise, heat, vibration or refuse generation are prohibited.

(b) *Development standards.*

(1) *Minimum lot area: 87,120 square feet (two acres) **1.04 acres (grandfathered lot)***

(2) *Minimum lot width: 100 feet **Approximately 250 feet (existing lot)***

(3) *Minimum front yard: 40 feet **Complied with***

(4) *Minimum side yard: 50 feet, when adjoining a residential use, otherwise zero **Not adjoining residential use***

(5) *Minimum rear yard: 50 feet, when adjoining a residential use, otherwise zero **Not adjoining residential use***

(6) *Maximum building floor area per story: none **So noted.***

(7) *Maximum building height: 20 feet **Will not exceed this.***

(8) *Minimum building separation: per building codes **So noted.***

(9) *Maximum lot coverage: 80 percent **Coverage will be approximately 66%.***

(c) *Design standards. Unless otherwise provided in this chapter, uses permitted in an M-1 district shall conform to the following design standards:*

(1) *Off-street parking shall be provided as specified in article XIII of this chapter. **Per Sec. 86-410 (25), mini-warehouses shall provide one space per 5,000 square feet of gross storage area, plus one space for every employee.** This particular facility would require 5 spaces. The site plan shows a “common area for parking and ingress / egress easement” along the eastern boundary line it shares with the rear parcel of 265 South Main Street. (This area usually has vehicles associated with the auto repair facilities parked there.) **No parking is proposed for the interior of the subject property, as there is no room for it.***

(2) *Buffers shall be provided as specified in article XV of this chapter. **Adjacent properties are same zoning.***

City zoning code standards can be met with this development, assuming that the Mayor and Council do not have a problem with the grandfathering of the lot being below the M-1 2-acre standard. However, that is for new lots being created. Also, the minimum standard specifically for storage units is 1 acre. Staff notes that the access aisle width between storage buildings is 15 feet. Although, there is no minimum width for commercial aisles of this type (not a parking lot aisle), the flow of traffic down these aisles would definitely have to be one-way.

Since the use can conform to Code Section 86-607 for storage facilities and the M-1 zoning standards, the Zoning Administrator is recommending approval of the proposed use. The Mayor and City Council can discuss whether or not the proposed use is the “highest and best use” for the property, but few other uses would probably be able to go onto this property due to the nature of the surrounding uses. (This is probably why it has remained undeveloped.) A developed property with a storage business is better than the property remaining

Should the Mayor and Council vote to approve the request, staff believes that the following minimum development conditions should apply:

Staff recommendation - Approval of application with the following conditions:

1. No additional access points to the property shall be created along South Main Street.
2. Required fencing along the entire perimeter of the property shall be black wrought iron or an opaque, non-climbable, durable material other than wood. Chain-link is prohibited. Minimum height of fence shall be 6 feet but shall not exceed 8 feet in height. If wrought iron is used, a minimum 4-foot tall, continuous evergreen hedge must be planted behind the fence on the side most directly fronting South Main Street.
3. Exterior building elements and signage are subject to Design Review Commission review.
4. The final landscape plan is subject to approval by the Zoning Administrator.
5. All lighting shall be night-sky friendly.
6. The required parking spaces shall be clearly delineated and striped. At least one of these spaces must comply with ADA standards.

Design Review Commission recommendation, 8.5.20: Deny, to redesign.

1. If approved by Council, use muted earth tones for exterior.
2. Use 40% brick at bottom.
3. Re-orient building to where ends of buildings, and not garage doors, face South Main Street. Ends of building shall then be brick.

Notes from Council meeting on 8/3/20:

- Concern over traffic increase for a development on the property and its impact on South Main Street.
- This proposed development would be in the Production and Employment area on the future development map, it would produce nothing and provide little to no employment.
- Would it have a negative effect on the businesses behind the property?
- We already have storage facilities in the City, mostly on Tara Boulevard.

Staff response to Council concerns

- A mini-warehouse use would be one of the lowest impact traffic choices for this kind of zoning. The visitors will be intermittent and not likely to assemble in large groups at the same time. There is also not an office proposed for the property, so no employees would report regularly.
- A one-acre development with no room for expansion can only support so much production and employment. Too much production and employment on the property would exacerbate the traffic concern already mentioned.
- The property behind the subject property is owned by the same owner as the subject property, and the businesses there merely rent.
- There is currently no density maximum nor moratorium on this use in the City.

The proposed mini warehouses are a low impact use which would not significantly impact traffic, the environment, or any adjacent businesses. While they would offer very little in terms of production or employment, the City would derive some property tax benefit from the property, as opposed to keeping it

In terms of appearance, certainly muted, earth-tone colors should be used for the walls, doors, and roofs. The Design Review recommendation of brick is a good option for improving the effect, but the brick would largely not be seen if located on bottom, due to the perimeter fence and landscaping. If quality fencing and landscaping were used, and the exterior colors were only earth-tone with some use of brick, would this not be an improved look over the surrounding buildings?

The Design Review Commission of re-orienting the warehouse buildings to run perpendicular to South Main Street instead of parallel to South Main Street, would be the best way to control the exterior building appearance, but this would reduce the amount of storage units by about 50%.

If the Council should approve the use, these need to be the minimum conditions:

Staff recommendation - Approval of application with the following conditions:

1. No additional access points to the property shall be created along South Main Street.
2. Required fencing along the entire perimeter of the property shall be black wrought iron or an opaque, non-climbable, durable material other than wood. Chain-link is prohibited. Minimum height of fence shall be 6 feet but shall not exceed 8 feet in height. If wrought iron is used, a minimum 4-foot tall, continuous evergreen hedge must be planted behind the fence on the side most directly fronting South Main Street.
3. The final landscape plan is subject to approval by the Zoning Administrator.
4. All lighting shall be night-sky friendly.
5. The required parking spaces shall be clearly delineated and striped. At least one of these spaces must comply with ADA standards.
6. All exterior colors shall be muted earth-tones.
7. The storage buildings shall be oriented so as to be only perpendicular to South Main Street, and the ends of each storage building shall be brick.

Fiscal Impact

(Include projected cost, approved budget amount and account number, source of funds, and any future funding requirements.)

Private Owner

Exhibits Attached (Provide copies of originals, number exhibits consecutively, and label all exhibits in the upper right corner.)

- Application
- Plat
- Property Info
- Site Pictures
- Zoning

- Revised Site Plan
- Site plan Enlargements
- Zoning Signs
- Conditional Use - 265 South Main Street Storage - Legal Notice
- Acceptance Letter
- Building Elevations

11.1

Staff Recommendation *(Type Name, Title, Agency and Phone)*

Approval, with Conditions



CITY OF JONESBORO
 124 North Avenue
 Jonesboro, Georgia 30236
 City Hall: (770) 478-3800
 Fax: (770) 478-3775
www.jonesboroga.com

CONDITIONAL USE PERMIT APPLICATION

ATTACH ADDITIONAL PAGES IF NECESSARY. ALL ATTACHMENTS MUST BE NUMBERED. INDICATE THE PAGE NUMBER OF ATTACHMENT IN THE SPACES PROVIDED FOR EACH RELEVANT ANSWER.

ANY MISSTATEMENT OR CONCEALMENT OF FACT IN THIS APPLICATION SHALL BE GROUNDS FOR REVOCATION OF THE LICENSE ISSUED AND SHALL MAKE THE APPLICANT LIABLE TO PROSECUTION FOR PERJURY. PLEASE DO NOT LEAVE ANY AREAS UNANSWERED.

600 -

APPLICATION FEE: *\$700.00* (Non-Refundable).

Date of Application:

7-9-2020

Property Owner Authorization

I (We) Joseph C. BRANAN is Trustee the
 owner(s) of the following property located at: 265 South Main St
Jonesboro GA 30236

Tax Parcel Number: 06001C 7005 Size of Property: Do05 1.04 ACRES
D010 D010 1.
 Located in Zoning District INDUSTRIAL do hereby request permission for a
 conditional use for the above described property under the Zoning Ordinance zoned for
 the following purposes:

To Construct a Storage Facility

Property Owner Information

Name: Joseph C. BRANAN
 Mailing Address: 2942 Country Squire Lane
 City: Decatur State: GA Zip: 30033
 Phone: (Day) 404-788-9884 (Evening) _____

Applicant's Information

(If Different from Owner's Information)

Name: Michael Johnson
 Mailing Address: P.O. Box 681
 City: Decatur State: GA Zip: 30030
 Phone: (Day) 404-408-4052 (Evening) _____

Jonesboro Property Information

Existing Uses and Structures: Warehouses
 Property address: 265 South Main St
 Surrounding Uses and Structures: (See Official Zoning Map): Industrial
 Surrounding Zoning:
 North: Industrial South: Industrial East: (Railroad) West: R-2 (286.5 Main)
Industrial (undeveloped 4 Acre)
 Details of Proposed Use: Build Storage Facility
 Public Utilities: Water Electricity, Gas
 Access, Traffic and Parking: Curb Cut off South Main
 Special Physical Characteristics: _____

Pursuant to Sec. 86-244 of the Jonesboro Code of Ordinances, a site plan shall accompany an application proposing the rezoning of property to one of the zoning districts contained in article V that is initiated by an owner of property or his agent.

SITE PLAN INFORMATION INCLUDING:

1. Name, address and phone number of property owner.
2. Name, address and phone number of the applicant (if different from the owner).
3. Nature of proposed uses, including a statistical summary of development indicators such as density, nonresidential floor area, maximum building heights, number of lots or dwelling units and minimum unit sizes, as appropriate.
4. A graphic indication of the architectural style, building materials and elevations anticipated.
5. Date of survey and source of datum, as appropriate.
6. Date of site plan and revision dates, as appropriate.
7. North arrow and scale, not to exceed one inch equals 50 feet.
8. Location (district and land lot) and size of the property in acres (or square feet if below one acre).
9. Location sketch of the property in relation to the surrounding area with regard to landmarks such as arterial streets or railroads. Sketches shall be at a scale sufficient to clearly indicate the location of the property, but not greater than one inch equals 2,000 feet. U.S. Geological Survey maps may be used as a reference guide for the location sketch.
10. Proposed zoning classification of the property and zoning of all adjacent properties.
11. Man-made features adjacent to the property, including street right-of-ways and street names, city limits and other significant information such as bridges, water and sanitary sewer mains, storm drainage systems and other features, as appropriate.
12. Location and right-of-way width of all proposed streets.
13. Indication of domestic water supply source.
14. Indication of sanitary sewer service.
15. Approximate location of proposed storm water drainage and detention facilities.
16. Any existing or proposed easements.
17. Location of all improvements, public areas or community facilities proposed for dedication to public use.
18. Proposed lot lines and minimum front, side and rear building setbacks for each lot.
19. Approximate footprint and location of all existing and proposed buildings and structures on and adjacent to the site.
20. All existing and proposed access, driveways, parking and loading areas on or adjacent to the site.
21. Proposed solid waste disposal facilities and outdoor storage areas.
22. Proposed buffers and greenspace.
23. Proposed development schedule.

The City may require submission of additional information as may be useful in understanding the proposed use and development of the property.

I HEREBY CERTIFY THAT THE ABOVE INFORMATION AND ALL ATTACHED INFORMATION IS TRUE AND CORRECT:

Date: 7/9/2020

Signed:



Notary: J



FOR OFFICE USE ONLY:

Date Received: 07/16/2020

Received By: mcg

Fee Amount Enclosed: \$ 600.00

Public Notice Sign Posted (Date) _____

Legal Ad Submitted (Date) _____

Legal Ad Published (Date) _____

Date Approved: _____ / _____ /20 _____

Date Denied _____ / _____ /20 _____

Permit Issued _____ / _____ /20 _____

Comment:

PROPERTY OWNER'S AUTHORIZATION

The undersigned below, or as attached, is the owner of the property which is subject of this application. The undersigned does duly authorize the applicant named below to act as applicant in the pursuit of an amendment to the property.

I swear that I am the owner of the property which is the subject matter of the attached application, as it is shown in the records of Clayton County, Georgia.

I hereby depose and say that all above statements and attached statements and/or exhibits submitted are true and correct, to the best of knowledge and belief.

PROPERTY OWNER:

Joseph C. Branix
PRINT NAME


7/9/2020
SIGNATURE/DATE

APPLICANT:

Michael Johnson
PRINT NAME


SIGNATURE/DATE

NOTARY:

 7/9/2020
SIGNATURE/DATE

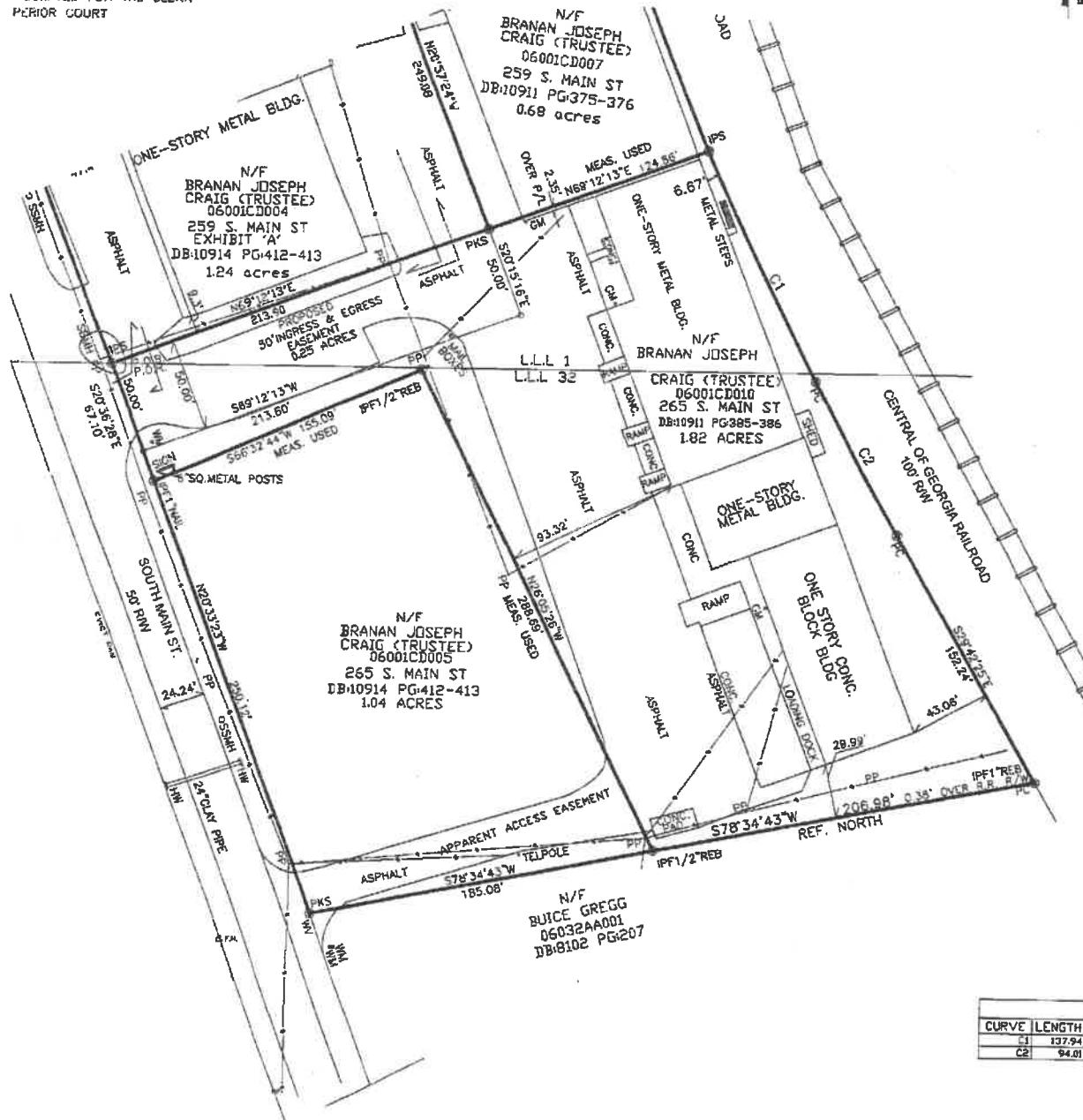


LEGENDS 11.1.b

P.O.B.	POINT OF BURST
F.O.R.	FLASHING OPEN READING
G.W.	GAZ METER/GAS METER
O.C.P.	OPEN TOP PLATE
O.I.P.	IRON PIN FOUND
O.I.P.S.	IRON PIN SET 1/2" REBAR
C/G	CURB AND GUTTER
P/L	PIPELINE
R/W	RIGHT-OF-WAY
L.L.L.	LAND LOT LINE
C.M.F.	CONCRETE MONUMENT FOUND
P.O.L.	POINT ON LINE
B.C.C.	BACK OF CURB
P.T.	PIER
E.P.	EDGE OF PAVEMENT
P.C.	PROPERTY CORNER
L.P.	LIGHT POLE
P.P.	POWER POLE
G.C.	GEODESIC
E.W.	EXISTING JUNCTION BOX
E.W.V.	EXISTING WATER VALVE
C.F.H.	EXISTING FIRE HYDRANT
T.B.M.	TEMPORARY BENCH MARK
B.F.E.	BASE FLOOD ELEVATION
M.F.E.	MINIMUM FLOOR ELEVATION
A.W.	HEADWALL
S.W.C.B.	SMALL WALL CATCH BASIN
D.W.C.B.	DOUBLE WALL CATCH BASIN
O.S.S.	OUTLET STRUCTURE (RISER)
D.M.	DRIVEWAY
W.M.	WATER METER
W.L.	WATERLINE
G.S.	SANITARY SEWER LINE
O.V.P.	OVERHEAD POWERLINE
U.F.O.	UNDERGROUND FIBER OPTICS
G.O.	GAZ LINE
L.S.	LANDSCAPING
P.K.S. (F)	PK SET (FOUND)
EX-S.M.H.	EXISTING SANITARY SEWER MAIN
S.S.M.H.	SANITARY SEWER MAINHOLE
S.S.E.	SANITARY EASEMENT
C.V.	DRIVEWAY
F.D.C.	FIRE DEPARTMENT CONNECTOR
C.L.F.	CHAIN LINK FENCE
D.E.	DRAINAGE EASEMENT
R.R.E.	RAIL ROAD EASEMENT
H.E.	HEIGHT
U.E.	UNDERGROUND ELECTRIC
A.C.	AC/CONDITONER UNITS

REF. NORTH
DB: 10911 PG: 386

RESERVED FOR THE CLERK
PENRIO COURT



SURVEY ORDERED BY:
BRANAN, JOSEPH CRAIG
CELL: 404-789-8884
2942 COUNTRY SQUIRE L
DECATUR, GA 30033

CURVE TABLE				
CURVE	LENGTH	RADIUS	CHORD	CHORD DIRECTION
C1	137.94	1874.66	137.98	S25°21'00"E
C2	94.01	3169.53	94.00	S28°7'20"E

3.1 Acres

50' 0' 50' 10'
Scale: 1" = 50'

REV.	DESCRIPTION	DATE
SOUTHSIDE SURVEYING & PLANNING LSF000831		
#205F CORPORATE CENTER DR. STOCKBRIDGE, GA 30281 Phone: (770) 320-8009 Fax: (770) 320-8098		
RETRACEMENT SURVEY FOR: BRANAN, JOSEPH CRAIG		
Lend Lot 1 & 32 6TH Dist. Clayton County GA		
Drawn By: AMM Scale:		
Dwg No: 2-200213-1 Date:		

GENERAL NOTES

ALL EASEMENTS RECORDED OR UNRECORDED.
FIELD SURVEY 03/17/2020
DISTANCES SHOWN ON PLAT SHALL BE HORIZONTAL.
REGARDING THE PRESENCE, SIZE, AND LOCATION OF UTILITIES IS SHOWN HEREON. THE INFORMATION IS LOCATED OF ABOVE GROUND APPURTENANCES, PLANS, AND PAINT PLACED UNDER SERVICES.

ION IS MADE AS TO THE ACCURACY AND DISTANCES WERE MEASURED AND USED.
AS PREPARED WITHOUT BENEFIT OF A TITLE REPORT ADDITIONAL CONVEYANCES, RIGHTS-OF-WAY NOT SHOWN HEREON.

TO RULE 180-6.09 OF THE GEORGIA REGISTRATION FOR PROFESSIONAL LAND SURVEYORS, THE TERM "CERTIFY" OR "MEANS TO DECLARE A PROFESSIONAL JING THOSE FACTS OR FINDINGS AND DOES A WARRANTY OR GUARANTEE, EITHER IMPLI

This plat is a retracement of an existing parcel or parcels of land and does not subdivide or create a new parcel or make any changes to any real property boundaries. The recording information of the documents, maps, plats, or other instruments which created the parcel or parcels are stated herein. RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH CODES, REGULATIONS, OR REQUIREMENTS, NOR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND. Furthermore, the designated land surveyor certifies that this plat complies with the minimum technical standards for property surveys in Georgia as set forth in the rules and regulations of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in O.C.G.A. Section 15-6-67.

Angel M. Marrero P.L.S. #2642
Certified Design Professional # 4479

03/30/20



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Real Property Records Search

[New Search](#)
[Current Year Assessment Notice](#)
[Sales Data](#)
[Previous Parcel](#)
[Next Parcel](#)

Clayton County Property Card For Year 2020

BRANAN JOSEPH CRAIG (TRUSTEE)
2942 COUNTRY SQUIRE LN
DECATUR, GA 30033

PARCEL ID .. 06001C D005

LOCATION .. 265 S MAIN ST

LEGAL DESC DISTRICT 4 JONESBORO
NBRHOOD IND17 SOUTH CLAYCO

DESCRIPTION NOT IN SUBDIVISION - ALL UTILITIES

DESCRIPTION PAVED ROAD
ROAD FRONT .. 250.0

IND 1 TO 5 ACRES

SALES HISTORY

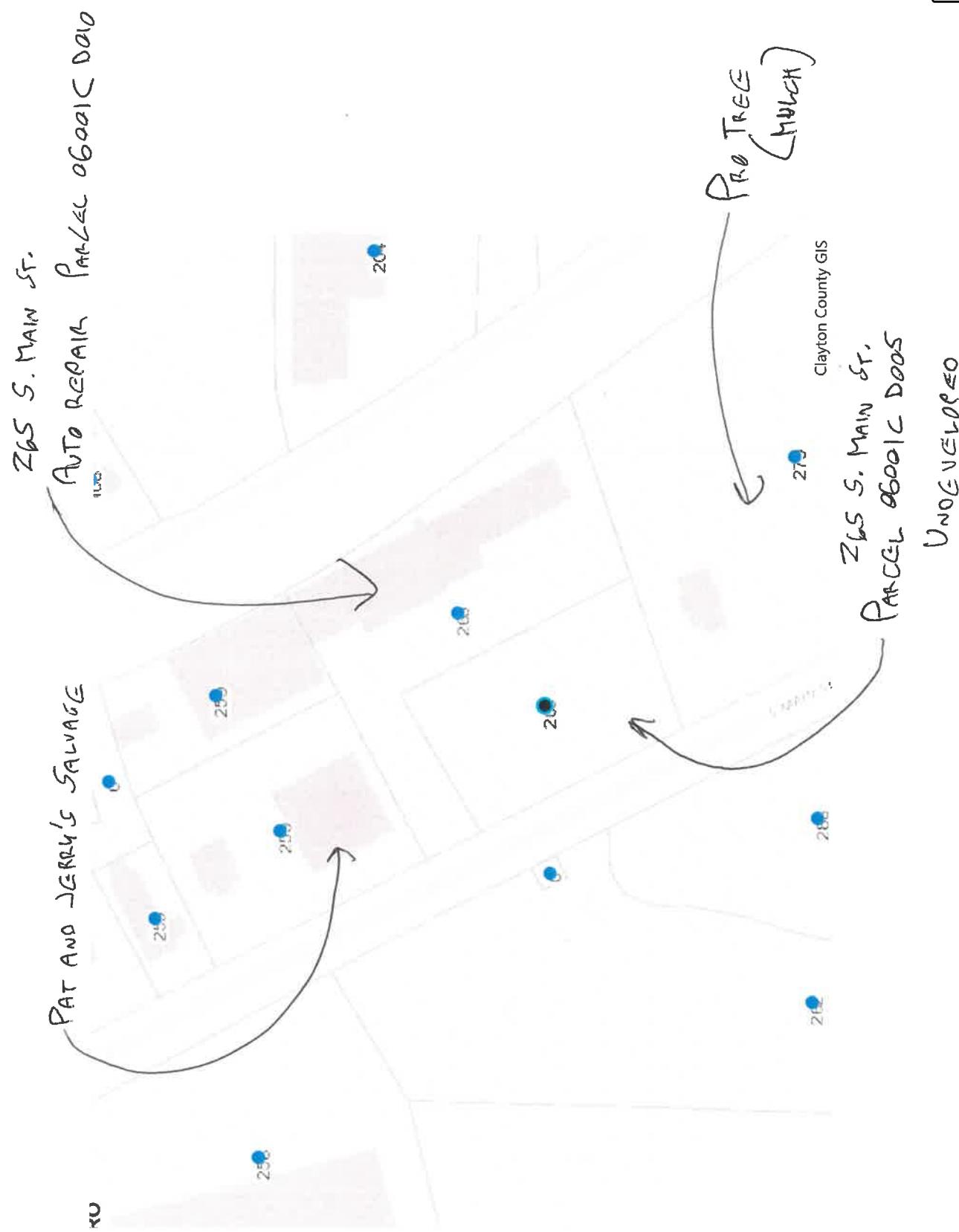
DEED BOOK	PAGE	SALE DATE	SALES INSTRUMENT	DISQUALIFIED	SALE AMT	DEED NAME
10914	412	6/03/16	QUIT CLAIM	RELATED		BRANAN JOSEPH CRAIG (TRUSTEE)
1969	189	1/01/93	WARRANTY DEED	.		BRANAN JACK W

LAND SEGMENTS

LND#	ZONE	LAND TYPE/CODE	LAND QTY
1	I	AC 1	1.050

MAP ACRES .. 1.050

TOTAL PARCEL VALUES APV ..	LAND / OVR 37,000	IMPROVEMENTS / OVR 0	2020 VALUE 37,000	2019 VALUE 37,000
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Attachment: Site Pictures (1693 : 265 South Main Street)

Sec. 86-108. - M-1 light industrial district.

(a) *Purpose.* The M-1 light industrial district is established to provide for manufacturing uses having a minimal impact on the environment and surrounding land uses. The district is intended to attract a complementary mix of assembly, fabricating, distribution and warehousing, service and wholesale operations. A goal of the light industrial district is to provide architectural and site design standards that encourage development of such uses in a park setting; office components are encouraged through development incentives.

Uses that require significant infrastructure and transportation systems or substantial outdoor storage; create products in large unit sizes; utilize heavy equipment and massive production facilities; or are associated with hazardous materials, significant noise, heat, vibration or refuse generation are prohibited.

(b) *Development standards.*

- (1) Minimum lot area: 87,120 square feet (two acres) *Not A New Lot*
- (2) Minimum lot width: 100 feet
- (3) Minimum front yard: 40 feet ¹
- (4) Minimum side yard: 50 feet, when adjoining a residential use, otherwise zero
- (5) Minimum rear yard: 50 feet, when adjoining a residential use, otherwise zero
- (6) Maximum building floor area per story: none
- (7) Maximum building height: 20 feet ² *Check*
- (8) Minimum building separation: per building codes
- (9) Maximum lot coverage: 80 percent *Check*

¹ Front yard may be reduced to 25 feet when 25 percent of the floor area located at the front of the building is designated as office use.

² Building height may be increased to 40 feet when 25 percent of the floor area located at the front of the building is designated as office use.

(c) *Design standards.* Unless otherwise provided in this chapter, uses permitted in an M-1 district shall conform to the following design standards:

- (1) Off-street parking shall be provided as specified in article XIII of this chapter.
- (2) Buffers shall be provided as specified in article XV of this chapter.

Sec. 86-606. NAICS 311, 3121, 31211, 3122, 313, 314, 315, 316, 321, 324, 327, 331, 332, 333, 334, 335, 336, 337, and 339 – Any Manufacturing with Outdoor Storage

The following conditions are assigned in the M-1 district:

- (1) Outdoor storage is permitted provided such storage is confined to the rear yard and is screened using fencing or landscaping which completely obscures the view from adjoining properties and public rights-of-way. Such screening shall have a minimum height of eight feet.
- (2) A minimum 75-foot wide buffer shall be maintained between built elements (including paved parking areas) of the proposed facility and any adjacent, residentially zoned property.
- (3) No facility shall be permitted which introduces excessive noise, odor, vibration, electrical interference, threat of fire, explosion, or involves hazardous materials or other objectionable activities.

Sec. 86-607. NAICS 53113 – Mini-warehouses and Self-Storage Units (Indoor and Outdoor)

The following conditions are assigned in the C-2 and M-1 districts:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Must be established on a lot having a minimum area of one acre and a minimum frontage of 150 feet.
- (3) A minimum 75-foot wide buffer shall be maintained between the property and any adjacent, residentially-zoned property. *N/A*
- (4) Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided. *None shown; 1 space per 500 sq ft storage, 1 space per emp*
- (5) Must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).
- (6) Must have security fencing around perimeter of premises.
- (7) All lighting shall be night-sky friendly.
- (8) Storage of hazardous materials is prohibited.
- (9) Storage of items outside of provided storage units is prohibited.

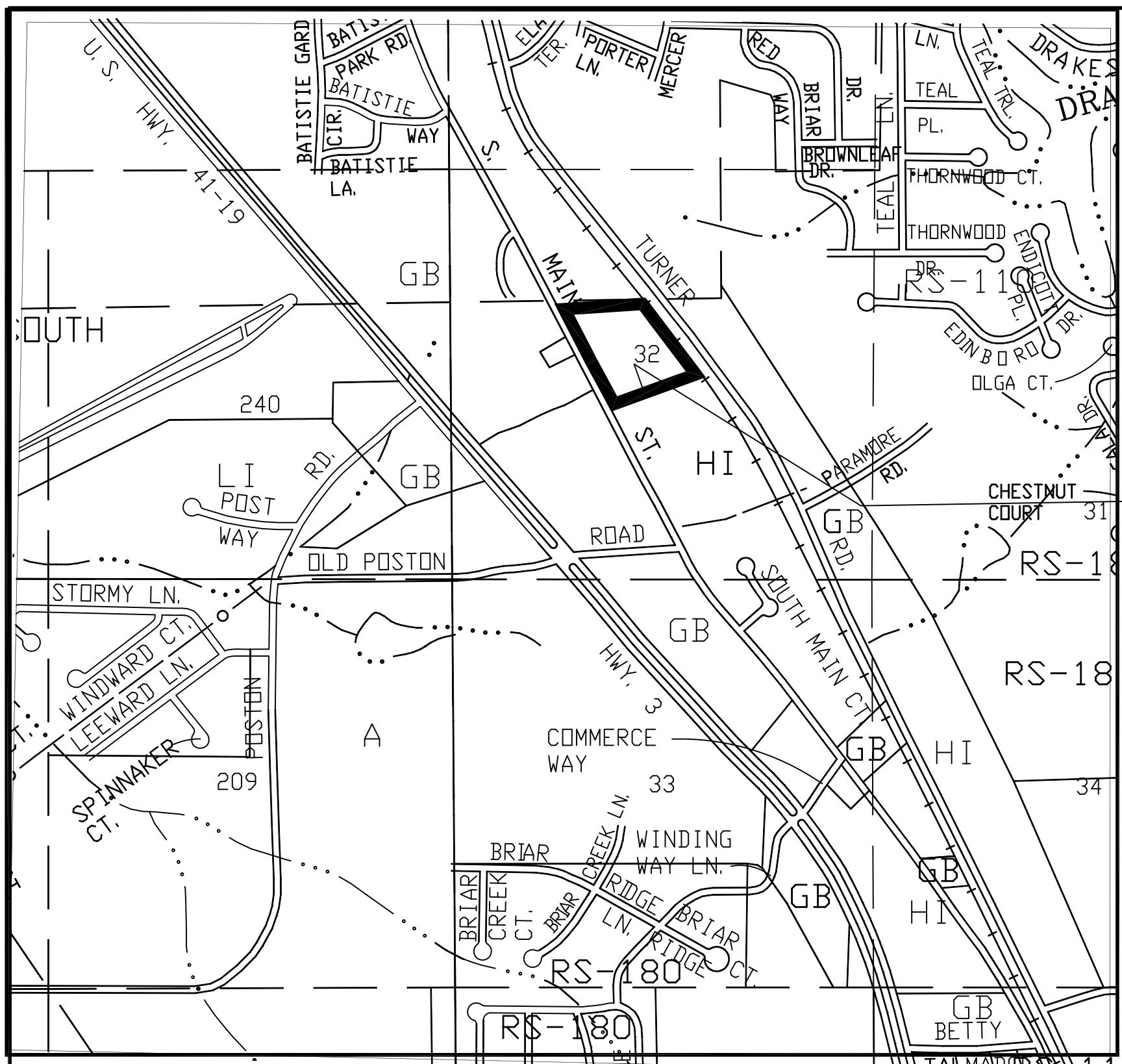
Sec. 86-608. NAICS 51212– Motion Picture and Video Distribution

The following conditions are assigned in the C-2 district:

- (1) Must be located on a street having a classification of collector or greater.

2200
4400
4400
4400
1400
16,800
C
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- 4

— CCWA Review

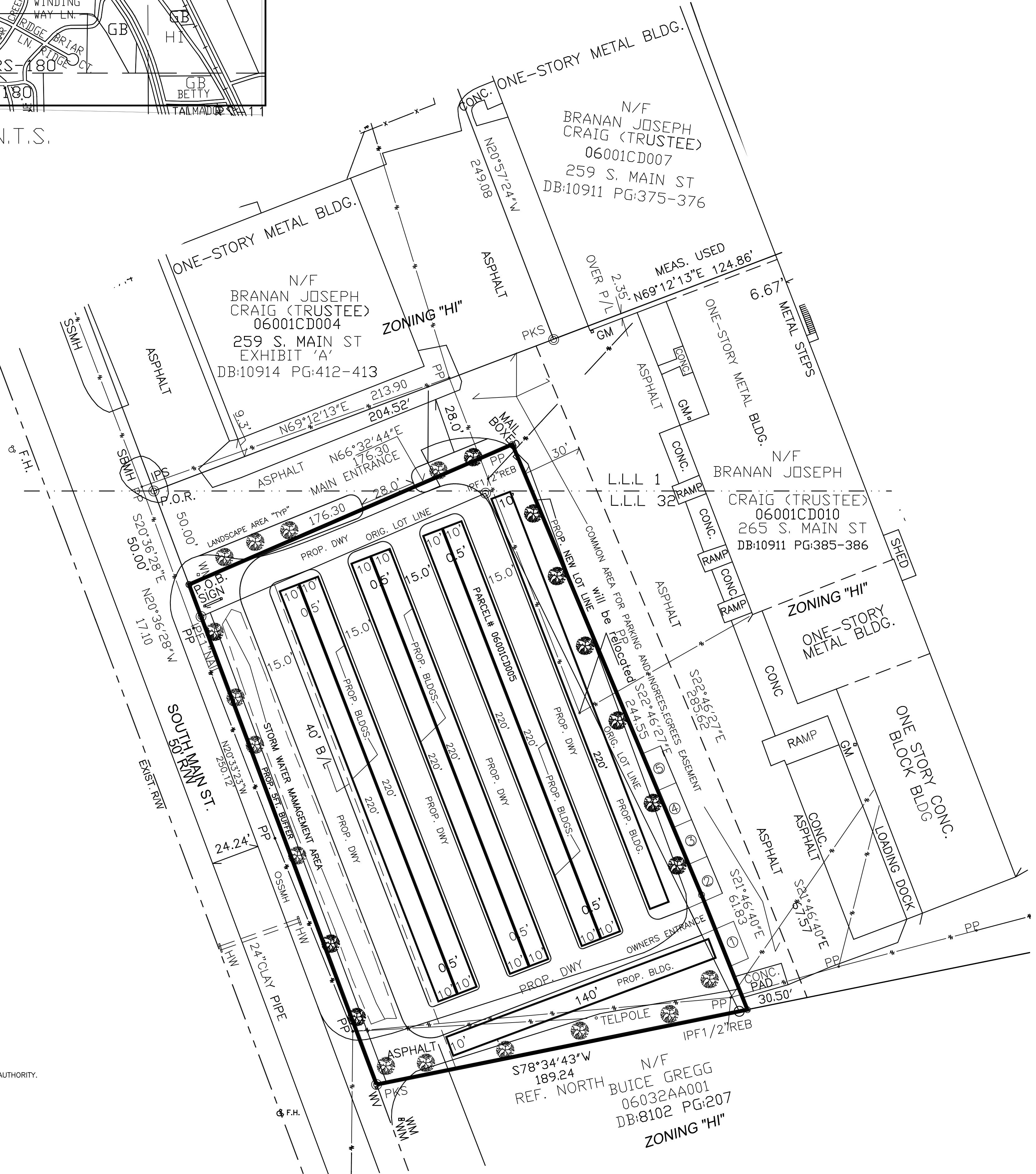


LOC. MAP N.T.S.

FLOOD NOTES

BASED ON THE INFORMATION SHOWN ON THE FLOOD HAZARD BOUNDARY MAPS FURNISHED BY FEMA, IT IS MY OPINION THAT THE PROPERTY SHOWN HEREON IS OUTSIDE THE 100-YEAR FLOOD HAZARD AREA.
PANEL# 13063C008F DATED 06/07/2017

LEGENDS OF SYMBOLS	
P.O.B.	POINT OF BEGINNING
P.O.R.	GAS MARKER/GAS METER
OTR	IRON PIN FOUND
OIFP	IRON PIN SET 1/2" REBAR W/ CAP
OIPS	IRON PIN SET 1/2" REBAR W/ CAP
O/C	POINT OF CENTER
P/L	PROPERTY LINE
R/W	RIGHT-OF-WAY
L.L.L.	LINE OF LINE
CMF	CONCRETE MONUMENT FOUND
POL	POINT ON LINE
D.O.	POINT ON LINE
FNC	POINT ON LINE
EP	EDGE OF PAVEMENT
PC	POINT ON CENTER
LP	LIGHT POLE
PP	POWER POLE
GW	EXISTING WATER BOX
JB	TEMPORARY JUNCTION BOX
TH	TEMPORARY BENCH MARK
T.B.M.	BASE FLOOD ELEVATION
B.F.E.	BASE FLOOD ELEVATION
M.F.E.	MINIMUM FLOOR ELEVATION
HW	HEADWALL
SWCB	SINGLE WALL CATCH BASIN
OSB	OUTLET STRUCTURE (RISER)
DI	DROP INLET
W	WATERLINE
SS	SANITARY SEWER LINE
DVR	DOWNLINE
UFO	UNDERGROUND FIBER OPTICS
G	GASLINE
C	CLIPPING
PKS (F)	PK NAIL SET (FOUND)
EX-MH	EXISTING SANITARY SEWER MANHOLE
SSMH	SEWER SERVICE MANHOLE
S.S.E.	SANITARY EASEMENT
C/O	CLEAN-OUT
DO	DEPARTMENT CONNECTOR
C.L.F.	CHAIN LINK FENCE
D.E.	DRAINAGE EASEMENT
R.R.E.	RAIL ROAD EASEMENT
H	HE
UE	UNDERGROUND ELECTRIC
AC	AC/CONDITIONER UNITS



GENERAL NOTES

- TOGETHER WITH ALL EASEMENTS RECORDED OR UNRECORDED.
- LAST DATE OF FLOOD MAP IS 06/07/2017.
- ALL LINEAR DISTANCES SHOWN ON PLAT SHALL BE HORIZONTAL.
- INFORMATION REGARDING THE PRESENCE, SIZE, AND LOCATION OF UNDERGROUND UTILITIES IS SHOWN HEREON; THE INFORMATION IS BASED ON THE LOCATION OF ABOVE GROUND APPURTENCES, AVAILABLE SITE PLANS, AND PAINT PLACED BY UNDERGROUND SERVICES.
- "NO CERTIFICATION IS MADE AS TO THE ACCURACY"
- BOUNDARY SURVEY BY SOUTHSIDE SURVEYING AND PLANNING DATED 03-31-2020.
- BLDS PLANS WILL BE SUBMITTED BY THE DEVELOPER.

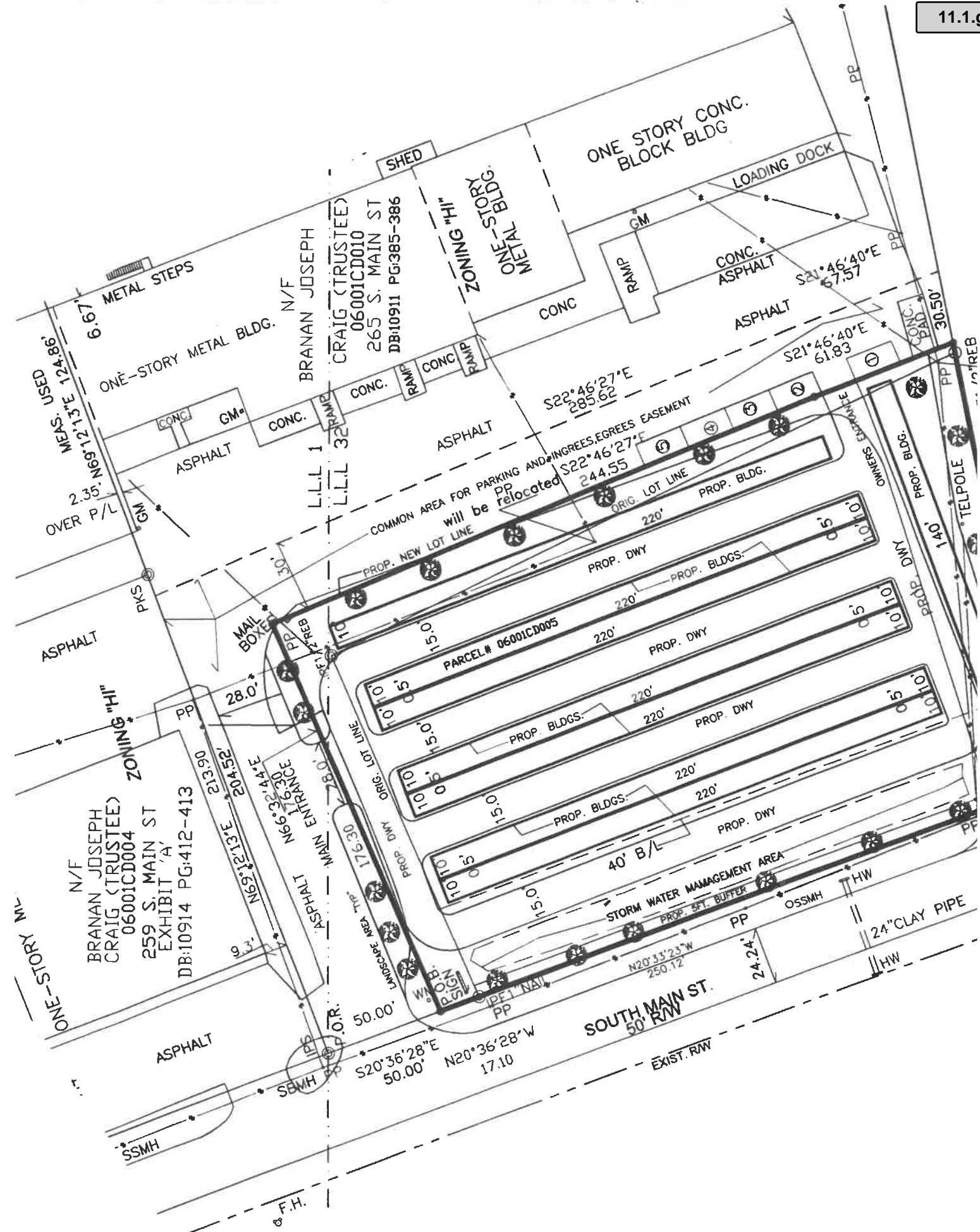
** PURSUANT TO RULE 180-6-09 OF THE GEORGIA STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS, THE TERM "CERTIFY" OR "CERTIFICATION" MEANS TO DECLARE A PROFESSIONAL OPINION REGARDING THOSE FACTS OR FINDINGS AND DOES NOT CONSTITUTE A WARRANTY OR GUARANTEE, EITHER EXPRESSED OR IMPLIED.

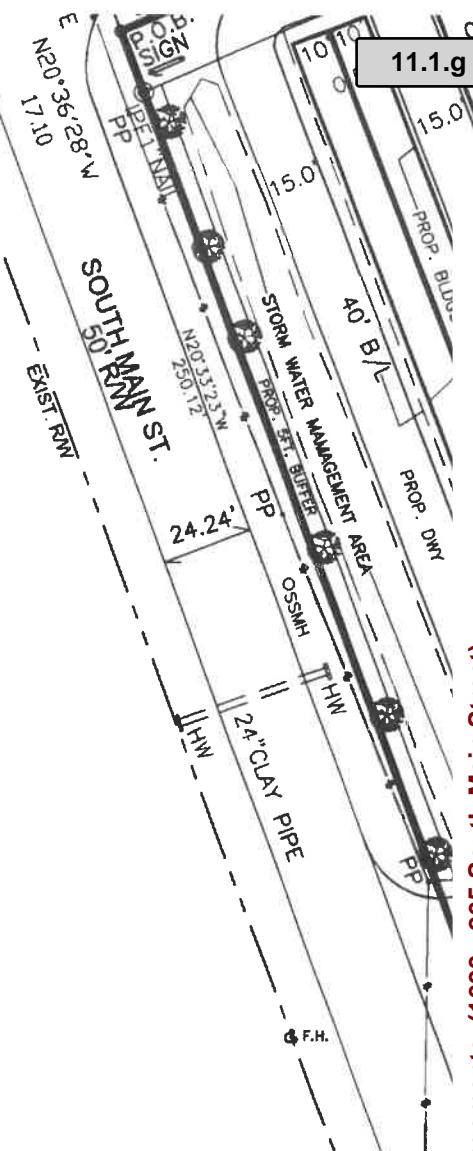
ANGEL M. MARRERO P.L.S. #2642
Certified Design Professional # 4479

7/20/20 Certified Design Professional # 4479

30' 0' 30' 60'
Scale: 1" = 30'

1.	MISC. COMMENTS	07/20/2020
REV.	DESCRIPTION	DATE
SOUTHSIDE SURVEYING & PLANNING LSF000831		#205F CORPORATE CENTER DR. STOCKBRIDGE, GA 30281 Phone: (770) 320-8009 Fax: (770) 320-8098
PRELIMINARY SITE PLAN FOR: BRANAN, JOSEPH CRAIG		
Land Lot 1 & 32	6TH Dist.	Clayton County, GA
Drawn By: AMM	Scale: 1"=30'	
Dwg No: 2-2002135P	Date: 07/11/2020	Packet Pg. 74





NOTES

1. WATER AND SEWER PROVIDED BY CLAYTON COUNTY WATER AUTHORITY.
2. TELEPHONE SERVICE PROVIDED BY AT&T.
3. ELECTRICITY PROVIDED BY GEORGIA POWER.
4. THERE ARE NOT WETLANDS LOCATED ON THIS SITE.

OWNER

N/F
BRANAN, JOSEPH CRAIG
CELL: 404-788-9684
2942 COUNTRY SQUIRE LN.
DECATUR, GA 30033

DEVELOPER

CAM INVESTMENTS, LLC
3530 BROWNS MILL RD.
ATLANTA, GA.
CESAR A. MUÑOZ

TOTAL IMPERVIOUS

BLDG. 16,800 SQ.FT.

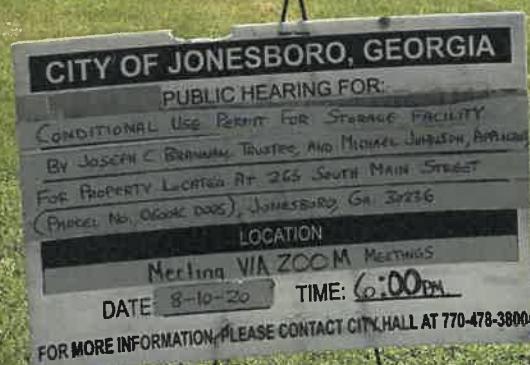
**DWYS 18,107 SQ.FT. "PERMEABLE PAVER
TOTAL 34,807SQ.FT.(0.80 ACRES)**

GREEN SPACE 14,093 SQ.FT.

GENERAL NOTES

1. TOGETHER WITH ALL EASEMENTS RECORDED OR UNRECORDED.
2. LAST DATE OF FIELD SURVEY 03/17/2020
3. ALL LINEAR DISTANCES SHOWN ON PLAT SHALL BE HORIZONTAL.
4. INFORMATION REGARDING THE PRESENCE, SIZE, AND LOCATION OF UNDERGROUND UTILITIES IS SHOWN HEREON. THE INFORMATION IS BASED ON THE LOCATION OF ABOVE GROUND APPURTENANCES, AVAILABLE SITE PLANS, AND PAINT PLACED BY UNDERGROUND SERVICES.
5. "NO CERTIFICATION IS MADE AS TO THE ACCURACY"
6. BLDG PLANS WILL BE SUBMITTED BY THE DEVELOPER.

** PURSUANT TO RULE 180-6.09 OF THE GEORGIA STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS, THE TERM "CERTIFY" OR "CERTIFICATION" MEANS TO DECLARE A PROFESSIONAL OPINION REGARDING THOSE FACTS OR FINDINGS AND DOES NOT CONSTITUTE A WARRANTY OR GUARANTEE, EITHER EXPRESSED OR IMPLIED.



CITY OF JONESBORO, GEORGIA

PUBLIC HEARING FOR:

CONDITIONAL USE PERMIT FOR STORAGE FACILITY

By JOSEPH C. BRANNAN, TRUSTEE, AND MICHAEL JOHNSON, APPLICANT
FOR PROPERTY LOCATED AT 265 SOUTH MAIN STREET
(PARCEL No. 06001C DOOS), JONESBORO, GA. 30236

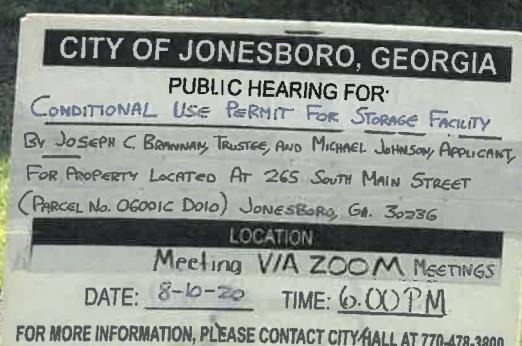
LOCATION

Meeting VIA ZOOM MEETINGS

DATE: 8-10-20

TIME: 6:00PM

FOR MORE INFORMATION, PLEASE CONTACT CITY HALL AT 770-478-3800



CITY OF JONESBORO, GEORGIA

PUBLIC HEARING FOR

CONDITIONAL USE PERMIT FOR STORAGE FACILITY

By JOSEPH C. BRANNAN, TRUSTEE, AND MICHAEL JOHNSON, APPLICANT,

FOR PROPERTY LOCATED AT 265 SOUTH MAIN STREET

(PARCEL No. 06001C D010) JONESBORO, GA. 30236

LOCATION

Meeting VIA ZOOM MEETINGS

DATE: 8-10-20 TIME: 6:00 P.M.

FOR MORE INFORMATION, PLEASE CONTACT CITY HALL AT 770-478-3800

Legal Notice

Public Hearing will be held by the Mayor and Council of the City of Jonesboro at 6:00 P.M. on August 10, 2020 via Zoom Meetings, to consider a Conditional Use Permit Application for a storage facility, by Joseph C. Brannan, trustee, and Michael Johnson, applicant, for property at 265 South Main Street (Parcel Nos. 06001C D005 and 06001C D010), Jonesboro, Georgia 30236. Mayor & Council will first discuss the item at their Work Session to be held on August 3, 2020.

David Allen
Community Development Director

Publish 7/15/20



MEMORANDUM

To: Michael Johnson
P.O. Box 681
Decatur, GA 30030

From: David D. Allen
City of Jonesboro
124 North Avenue
Jonesboro, GA 30236

Date: July 14, 2020

Re: Notification of Request for Conditional Use – Storage Facility, 265 South Main Street; Tax Map Parcel Nos. 06001C D005 and 06001C D010

Dear Applicant,

This letter is to serve as notification that the City of Jonesboro has received your request for the following requested conditional use for the above referenced property:

- Storage Facility

A Public Hearing has been scheduled for Monday, August 10, 2020 at 6:00 p.m. before the Jonesboro Mayor and City Council to consider the request as described above. The Jonesboro Mayor and City Council will first discuss this item at their next Work Session on Monday, August 3, 2020 at 6:00 p.m. Both meetings will be conducted via Zoom meetings, for which you will be provided a link for your participation. If you have any questions regarding the decision, please do not hesitate to contact me at 770-570-2977 or at dallen@jonesboroga.com.

Sincerely,

A handwritten signature in black ink, appearing to read "D. Allen".

David D. Allen
Community Development Director / Zoning Administrator

Cc: Joseph C. Brannan, Trustee
2942 Country Squire Lane
Decatur, GA, 30033



Attachment: Building Elevations (1693 : 265 South Main Street)







Attachment: Building Elevations (1693 : 265 South Main Street)



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Attachment: Building Elevations (1693 : 265 South Main Street)



Attachment: Building Elevations (1693 : 265 South Main Street)



CITY OF JONESBORO, GEORGIA COUNCIL

Agenda Item Summary

Agenda Item #
OLD BUSINESS – 2

11.2

COUNCIL MEETING DATE
August 10, 2020

Requesting Agency (Initiator) Office of the City Manager	Sponsor(s) Community Development Director Allen
Requested Action (<i>Identify appropriate Action or Motion, purpose, cost, timeframe, etc.</i>) Council to consider a Conditional Use Permit Application 20-CU-009 for commercial truck parking, by Sigifredo Martinez, applicant and owner, for property at 208 Turner Road (Parcel No. 06001 032012) Jonesboro, Georgia 30236.	
Requirement for Board Action (<i>Cite specific Council policy, statute or code requirement</i>) City Code Section 86-108 – M-1 Zoning Purpose and Standards; Article XVII Additional Conditional Use Standards	
Is this Item Goal Related? (<i>If yes, describe how this action meets the specific Board Focus Area or Goal</i>) Yes	Economic Development, Beautification, Community Planning, Neighborhood and Business Revitalization
Summary & Background	(First sentence includes Agency recommendation. Provide an executive summary of the action that gives an overview of the relevant details for the item.) Agency recommendation – Denial of Conditional Use application; Recently, the new owner of the property, Mr. Martinez applied for zoning verification for both towing/storage and truck parking. Both required conditional use applications, and he applied for only truck parking. 208 Turner Road is zoned M-1 Light Industrial and is not in the Historic District or any Overlay. It is in the “Production and Employment” area on the Future Development Map. The site mainly consists of a gravel driveway, a fenced-in gravel parking lot, and a small building. There has been some parking of vehicles there in the past, and also a vehicle repair garage. Adjacent businesses include 31-W Insulation and PC Obu Industrial Group. A large auto salvage parking area is behind the subject property.
Per the provided letter of explanation and the site drawing, Mr. Martinez is proposing to park up to 15 tractor trailers (with trailers) along the northern fence line, in the fenced-in lot. No improvements to the current parking area are proposed, nor is a “truck office” proposed. There are no established hours of operation – the trucks can come and go anytime day or night.	
As stated before, a Conditional Use Permit is required for this type of activity, with the following minimum conditions:	
Sec. 86-555. NAICS 81293 – <i>Parking Lots and Garages, Commercial</i> The following conditions are assigned in the H-1, H-2, O&I, M-x, C-1, C-2, and M-1 districts: (1) The standards of Chapter 86, Article XIII shall control development of parking lots. (2) The standards of Chapter 86, Article XV shall control landscaping and buffering of parking lots. (3) Lighting shall be night-sky friendly. Not night-sky friendly. (4) Parking garages shall not exceed two (2) stories in height.	
Sec. 86-397. - <i>Design requirements for parking lots and driveways.</i> The provisions of this section shall apply to all off-street parking whether the parking serves a particular use or development, or the parking is a principal use on a property and not dedicated to serving a particular development.	
(1) Curbs required. Concrete curbs shall be provided for all paved areas and shall be used to separate landscaped areas from pavement. (2) Striping required. Every parking space shall be clearly marked by lines painted on or otherwise applied to the parking lot surface. (3) Paved surface. No vehicle parking of any kind shall be permitted on any lot unless all driveways and parking spaces are comprised of an impervious surface consisting of concrete, asphalt, brick or decorative stone pavers. No gravel shall be used except as subgrade material.	

FOLLOW-UP APPROVAL ACTION (City Clerk)

Typed Name and Title Ricky L. Clark, City Manager	Date August, 10, 2020	08/03/20 REQUIRED	City Council PUBLIC HEARING Next: 08/10/20
Signature	City Clerk's Office		

No curbing, striping, or asphalt paving are proposed.

Sec. 86-458. - Vehicle use area planting requirements.

Quantity, spacing and planting standards. Vehicle use areas which are required to contain more than five parking spaces shall contain landscaping and plantings as follows:

- (1) Perimeter landscaping shall be installed along the property boundary having a minimum width of five feet. Such perimeter landscaping shall comply with the landscaping requirements as to plant materials of this section.
- (2) Interior landscape areas shall be installed such as islands, peninsulas, and medians, so that no more than ten adjacent parking spaces exist without a landscaped island having a minimum width of six feet and extending the depth of the parking space. Interior planting areas shall be located to most effectively relieve the monotony of large expanses of paving and contribute to orderly circulation of vehicles and pedestrian traffic.a. Trees shall be provided and maintained adjacent to, and in the interior portions of, parking lots in a ratio of one tree for each seven parking spaces. In addition, every parking space shall be within 60 feet of the trunk of a tree.b. Deciduous trees shall be a minimum of two inches in caliper and evergreen trees shall be a minimum of six feet in height. A minimum of one in every three trees shall be a canopy tree.
- (3) Within the interior of a site, 500 square feet of planting areas shall be required for each 5,000 square feet or major portion thereof of vehicular parking area.
- (4) A minimum of one canopy tree shall be provided for every 80 square feet of planting area.
- (5) A minimum of one understory tree shall be provided for every 40 square feet of planting area.
- (6) The minimum planting area or island for each canopy tree shall be a minimum of 200 square feet. If shared with other trees, 80 square feet for each additional tree shall be added.
- (7) The minimum planting area or island for each understory tree shall be 100 square feet. If shared with other trees, 40 square feet for each additional tree shall be added.
- (8) Each planting area or island shall not be less than six feet in width in any direction.
- (9) Ground areas shall be sodded, seeded or hydroseeded with grass and/or planted with groundcover species, and/or provided with other landscaping material, or any combination thereof.
- (10) Paved or striped islands greater than 50 square feet shall not be allowed. These areas shall contain landscape plantings.
- (11) Trees removed or having had their tops cut after compliance with this article shall be replaced with the equivalent inches of removed trees. However, trees removed due to disease or insect infestation upon the written advice and findings of the county extension service or the Georgia Forestry Commission shall be replaced in accordance with the minimum standards contained in the article.

No interior landscaping, landscape strips, or planted buffers are proposed.

Sec. 86-108. - M-1 light industrial district.

- (a) Purpose. The M-1 light industrial district is established to provide for manufacturing uses having a minimal impact on the environment and surrounding land uses. The district is intended to attract a complementary mix of assembly, fabricating, distribution and warehousing, service and wholesale operations. A goal of the light industrial district is to provide architectural and site design standards that encourage development of such uses in a park setting; office components are encouraged through development incentives.

Uses that require significant infrastructure and transportation systems or substantial outdoor storage; create products in large unit sizes; utilize heavy equipment and massive production facilities; or are associated with hazardous materials, significant noise, heat, vibration or refuse generation are prohibited.

- (b) Development standards.
 - (1) Minimum lot area: 87,120 square feet (two acres) **2.1 acres (not a new lot)**
 - (2) Minimum lot width: 100 feet **Approximately 175 feet (not a new lot)**
 - (3) Minimum front yard: 40 feet **No new building proposed**
 - (4) Minimum side yard: 50 feet, when adjoining a residential use, otherwise zero **No new building proposed**
 - (5) Minimum rear yard: 50 feet, when adjoining a residential use, otherwise zero **No new building proposed**
 - (6) Maximum building floor area per story: none **No new building proposed**
 - (7) Maximum building height: 20 feet **No new building proposed**
 - (8) Minimum building separation: per building codes **No new building proposed**
 - (9) Maximum lot coverage: 80 percent **Property is mostly gravel (pervious)**

- (c) Design standards. Unless otherwise provided in this chapter, uses permitted in an M-1 district shall conform to the following design standards:

While the subject property is an area hardly noted for its aesthetics, the proposed use is not an impetus to make things better along Turner Road. The applicant has not declared any intention to pave or otherwise improve the property. The proposed use would not contribute significantly to the tax base or provide local jobs, as there would be no new buildings on the property, just transient truckers. In addition, Turner Road is a local road and may not be able to handle steady truck traffic all day long. The road is not directly adjacent to Tara Boulevard, and if truck traffic decides to go north on Turner Road, they will go past residence along Elaine Terrace and then be close to the southern portion of the Historic District.

The proposal for truck parking is not the “highest and best” use of the property. The Future Development Map calls for “Production and Employment” in this area, and the City will receive neither from truck parking.

Update for 8.10.20 Council meeting:

No further information or change to the recommendation from the last meeting.

Council had concerns about oil and gas leaks and noise and traffic impacts.

Fiscal Impact

(Include projected cost, approved budget amount and account number, source of funds, and any future funding requirements.)

Private Owner

Exhibits Attached (Provide copies of originals, number exhibits consecutively, and label all exhibits in the upper right corner.)

- Application
- Property Info
- Site Pictures
- Thoroughfare Plan
- Comp. Plan
- Zoning Sign
- Conditional Use - 208 Turner Road Truck Parking - Legal Notice
- Acceptance Letter
- Zoning Letter - 208 Turner Road, Martinez Truck Parking
- Zoning Map - 208 Turner Road, Martinez Truck Parking
- Zoning Letter - 208 Turner Road, Martinez Towing & Recovery
- Zoning Map - 208 Turner Road, Martinez Towing and Recovery Storage
- Letter of Explanation

- Site Plan

11.2

Staff Recommendation *(Type Name, Title, Agency and Phone)*

Denial



CITY OF JONESBORO
 124 North Avenue
 Jonesboro, Georgia 30236
 City Hall: (770) 478-3800
 Fax: (770) 478-3775
www.jonesboroga.com

CONDITIONAL USE PERMIT APPLICATION

ATTACH ADDITIONAL PAGES IF NECESSARY. ALL ATTACHMENTS MUST BE NUMBERED. INDICATE THE PAGE NUMBER OF ATTACHMENT IN THE SPACES PROVIDED FOR EACH RELEVANT ANSWER.

ANY MISSTATEMENT OR CONCEALMENT OF FACT IN THIS APPLICATION SHALL BE GROUNDS FOR REVOCATION OF THE LICENSE ISSUED AND SHALL MAKE THE APPLICANT LIABLE TO PROSECUTION FOR PERJURY. PLEASE DO NOT LEAVE ANY AREAS UNANSWERED.

APPLICATION FEE: \$700.00 (Non-Refundable).

Date of Application:

6-23-2020

Property Owner Authorization

I (We) Sigifredo Martinez

owner(s) of the following property located at: the

Jonesboro GA 30236

Tax Parcel Number: 06001 032012

Size of Property: 2,100

Located in Zoning District M-1

do hereby request permission for a conditional use for the above described property under the Zoning Ordinance zoned for the following purposes:

For Truck Parking

Property Owner Information

Name: Sigifredo Martinez
 Mailing Address: 916 King RD
 City: Jonesboro State: GA Zip: 30236
 Phone: (Day) 678-641-0456 (Evening) _____

Applicant's Information

(If Different from Owner's Information)

Name: _____
 Mailing Address: _____
 City: _____ State: _____ Zip: _____
 Phone: (Day) _____ (Evening) _____

Jonesboro Property Information

Existing Uses and Structures: Trailer, and Shop in the Back
 Property address: 208 Turner RD
 Surrounding Uses and Structures: (See Official Zoning Map): 31-m Reality LLC
 Surrounding Zoning: M-1
 North: _____ South: ✓ East: _____ West: _____
 Details of Proposed Use: 1 Truck Parking
 Public Utilities: water, Georgia Power
 Access, Traffic and Parking: From Tara Blvd They will make a left onto Betty Talmadge Ave, Then onto Noahs Ark
 Special Physical Characteristics: Then onto Turner RD

Pursuant to Sec. 86-244 of the Jonesboro Code of Ordinances, a site plan shall accompany an application proposing the rezoning of property to one of the zoning districts contained in article V that is initiated by an owner of property or his agent.

SITE PLAN INFORMATION INCLUDING:

1. Name, address and phone number of property owner.
2. Name, address and phone number of the applicant (if different from the owner).
3. Nature of proposed uses, including a statistical summary of development indicators such as density, nonresidential floor area, maximum building heights, number of lots or dwelling units and minimum unit sizes, as appropriate.
4. A graphic indication of the architectural style, building materials and elevations anticipated.
5. Date of survey and source of datum, as appropriate.
6. Date of site plan and revision dates, as appropriate.
7. North arrow and scale, not to exceed one inch equals 50 feet.
8. Location (district and land lot) and size of the property in acres (or square feet if below one acre).
9. Location sketch of the property in relation to the surrounding area with regard to landmarks such as arterial streets or railroads. Sketches shall be at a scale sufficient to clearly indicate the location of the property, but not greater than one inch equals 2,000 feet. U.S. Geological Survey maps may be used as a reference guide for the location sketch.
10. Proposed zoning classification of the property and zoning of all adjacent properties.
11. Man-made features adjacent to the property, including street right-of-ways and street names, city limits and other significant information such as bridges, water and sanitary sewer mains, storm drainage systems and other features, as appropriate.
12. Location and right-of-way width of all proposed streets.
13. Indication of domestic water supply source.
14. Indication of sanitary sewer service.
15. Approximate location of proposed storm water drainage and detention facilities.
16. Any existing or proposed easements.
17. Location of all improvements, public areas or community facilities proposed for dedication to public use.
18. Proposed lot lines and minimum front, side and rear building setbacks for each lot.
19. Approximate footprint and location of all existing and proposed buildings and structures on and adjacent to the site.
20. All existing and proposed access, driveways, parking and loading areas on or adjacent to the site.
21. Proposed solid waste disposal facilities and outdoor storage areas.
22. Proposed buffers and greenspace.
23. Proposed development schedule.

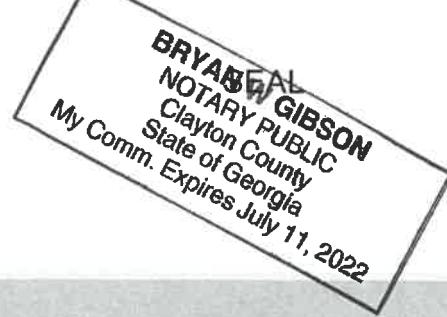
The City may require submission of additional information as may be useful in understanding the proposed use and development of the property.

I HEREBY CERTIFY THAT THE ABOVE INFORMATION AND ALL ATTACHED INFORMATION IS TRUE AND CORRECT:

Date: 6-23-20

Signed: Legisando Martinez

Notary: Bryan W. Gibson
6/23/20



FOR OFFICE USE ONLY:

Date Received: 6/23/20 Received By: Pat

Fee Amount Enclosed: \$ _____

Public Notice Sign Posted (Date) _____

Legal Ad Submitted (Date) _____

Legal Ad Published (Date) _____

Date Approved: ____ / ____ /20 ____

Date Denied ____ / ____ /20 ____

Permit Issued ____ / ____ /20 ____

Comment:

PROPERTY OWNER'S AUTHORIZATION

The undersigned below, or as attached, is the owner of the property which is subject of this application. The undersigned does duly authorize the applicant named below to act as applicant in the pursuit of an amendment to the property.

I swear that I am the owner of the property which is the subject matter of the attached application, as it is shown in the records of Clayton County, Georgia.

I hereby depose and say that all above statements and attached statements and/or exhibits submitted are true and correct, to the best of knowledge and belief.

PROPERTY OWNER:

Sigifredo Martinez
PRINT NAME

Sigifredo Martinez 6-23-21
SIGNATURE/DATE

APPLICANT:

N/A
PRINT NAME

N/A
SIGNATURE/DATE

NOTARY:

Bryan W. Gibson 6/23/20
SIGNATURE/DATE



Google Maps 212 Turner Rd

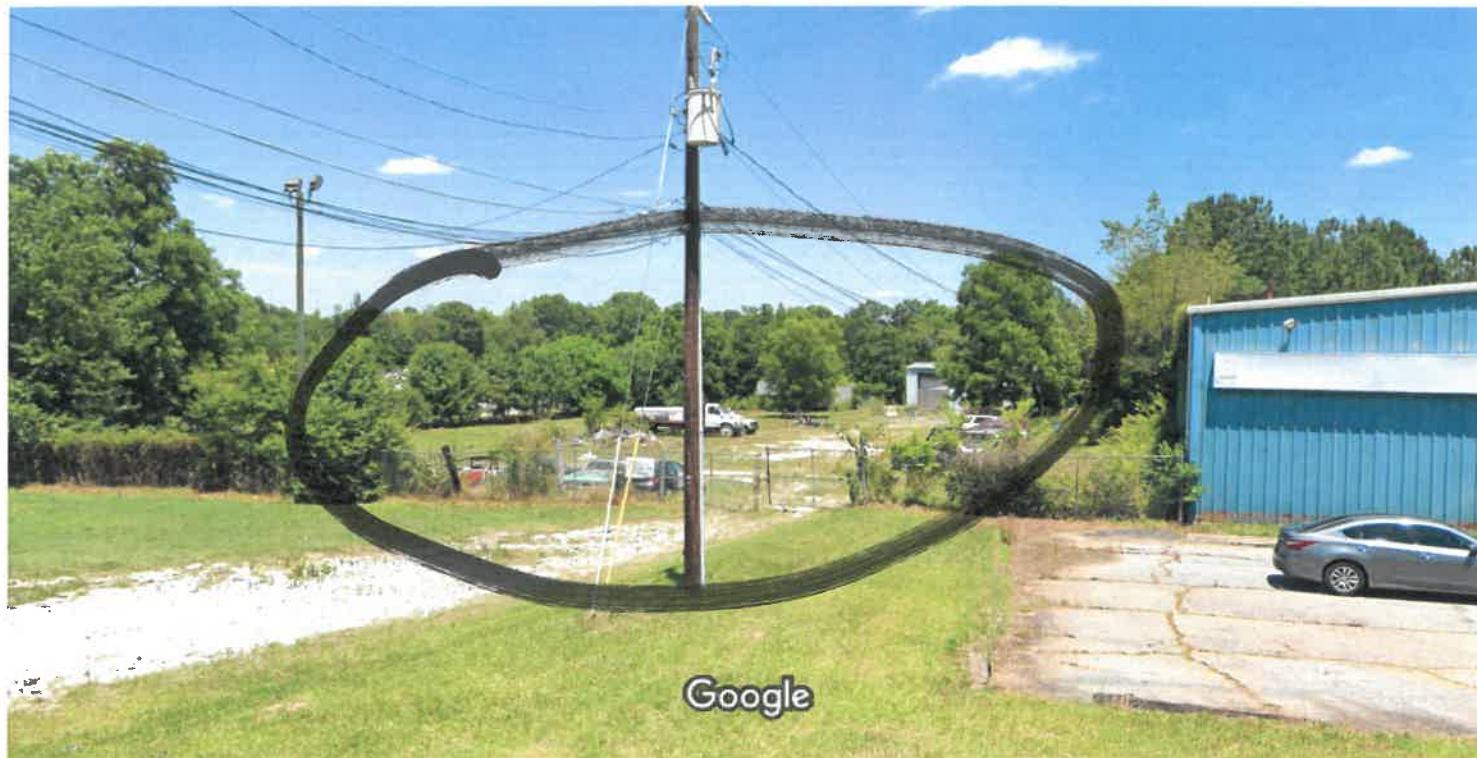


Image capture: Jun 2019 © 2020 Google

Jonesboro, Georgia



Street View



Google Maps 208 Turner Rd



Imagery ©2020 Maxar Technologies, U.S. Geological Survey, Map data ©2020 50 ft



208 Turner Rd

Jonesboro, GA 30236



Directions



Save



Nearby



Send to your phone



Share



GM53+J2 Jonesboro, Georgia

Photos

<https://www.google.com/maps/place/208+Turner+Rd,+Jonesboro,+GA+30236/@33.509087,-84.3481248,241m/data=!3m1!1e3!4m5!3m>

Packet Pg. 102

Real Property Records Search

[New Search](#)
[Current Year Assessment Notice](#)
[Sales Data](#)
[Previous Parcel](#)
[Next Parcel](#)

Clayton County Property Card For Year 2020

CLARK WILLIAM B & SHERRON T
3217 LAKE JODECO RD
JONESBORO, GA 30236

PARCEL ID .. 06001 032012
LOCATION .. 208 TURNER RD

LEGAL DESC DISTRICT 4 JONESBORO
NBRHOOD IND17 SOUTH CLAYCO

DESCRIPTION NOT IN SUBDIVISION - WATER/SEPTIC/ELEC/GAS

DESCRIPTION PAVED ROAD SINGLE OFFICE CLASS B SERVICE GARAGE
ROAD FRONT . . . 195.0

***** CURRENT YR APV/LUV VALUE OVERRIDE EXISTS FOR: . . . LAND IMPROVEMENTS

SALES HISTORY

DEED BOOK	PAGE	SALE DATE	SALES INSTRUMENT	DISQUALIFIED	SALE AMT	DEED NAME
1241	882	1/01/85	WARRANTY DEED .			CLARK WILLIAM B & SHERRON T

LAND SEGMENTS

LND#	ZONE	LAND TYPE/CODE	LAND QTY
1	I	AC 1	2.100

MAP ACRES . . . 2.100

IMPROVEMENT # 1 MISC IMPR-Y

GROUND FLOOR AREA . . .	ACT/EFF YR/AGE . . 1994 1994 26	
	DESCRIPTION . . . OFFICE BLDG	
	% COMP SQ FOOTAGE STORY	
BUILDINGS	100 1082.00	

IMPROVEMENT # 2 MISC IMPR-Y

GROUND FLOOR AREA . . .	ACT/EFF YR/AGE . . 1985 35	
	DESCRIPTION . . . SERVICE GARAGE	
	% COMP SQ FOOTAGE STORY	
BUILDINGS	100 2400.00	

TOTAL PARCEL VALUES	LAND / OVR	IMPROVEMENTS / OVR	2020 VALUE	2019 VALUE
APV	73,500	B 96,500	B 170,000	170,000



Local Streets

Local streets serve neighborhoods and are generally arranged in a grid pattern although development out from Jonesboro's historic core tends to be served by curvilinear street patterns. These roads accommodate access to collector streets and local destinations at low speeds; sidewalks encourage pedestrian travel and community livability. Standards and design criteria pertaining to local streets are as follows:

- Local streets shall be limited to a two-lane section with a two foot curb and gutter on each frontage.
- Pavement sections shall be comprised of two 12-foot lanes with parking permitted.
- Stormwater runoff shall be addressed using drainage sales.
- Five-foot sidewalks shall be established on each frontage as well as landscaped strips having a minimum dimension of four feet. Shade trees shall be planted on 50-foot centers.
- Right-of-way required for a local street shall be a minimum of 50 feet.
- All local streets in the "town center" shall have sidewalks and pedestrian-scale street lights.

The following streets comprise Jonesboro's local streets:

Adamson Drive	Elaine Terrace	Rendor Street
Arnold Place	Evenview Circle	Rhett Butler Drive
Batiste Garden Circle	Evenview Drive	Riley Way/Plant St
Batiste Lane	Fayette Ave	Roberts Street
Batiste Park Road	Gloria Drive	Rogers Avenue
Batiste Way	Government Circle	Royston Street
Broad Street	Hanes Street	Scarlett Drive
Brown Leaf Drive	Hightower Street	Scott Drive
Brown Drive	Huie St	Sims Street
Burkshire Court	Ingleside Drive	Souder Way
Burnette Street	Irwin Street/Irvin Street	South Ave
Burnside Street	Johnston Street/Johnson St	Spring Street
Carlton Drive	Key Street	Starr Drive

Carriage Lane	King Street	Stewart Avenue
Cecelia Circle	Lee Street	Sunnybrook Drive
Cecelia Drive	Memorial Avenue	Thornton Drive
Chestnut Street	Mercer Court	Turner Rd
Church Street	Mercer Drive	Wallis Street
Cloud Street/St. James Place	Moore Street	Watterson Street
College St	North Lake Drive	Wayne Avenue
Courthouse Alley/Courthouse St	Old Morrow Rd	West Avenue
Courthouse Way	Old Stockbridge Road	West Mill Street
Crowder Street	Pharr Avenue	West Mimosa Drive
Dean Street	Pine Circle	Whiteline Street
Dixon Road	Poplar Street	Wilburn Street
Dixon Street	Porter Lane	Williamson Mill Rd
East Dixie Drive	Raymond Street	Woodhaven Drive
East Mimosa Drive	Red Briar Way	Woodland Drive

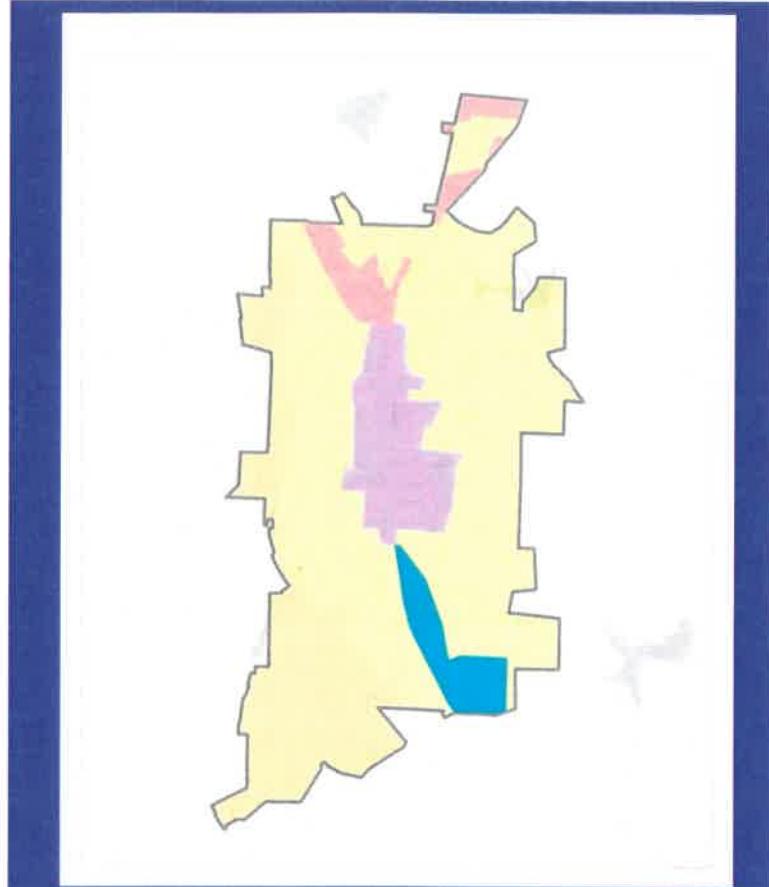
Production and Employment

City of Jonesboro: Land Use and Future Development

Production and Employment consist of industrial and small office development along South Main and Turner Roads. There are some single family houses within the area but this area should maintain its industrial and employment characteristics.

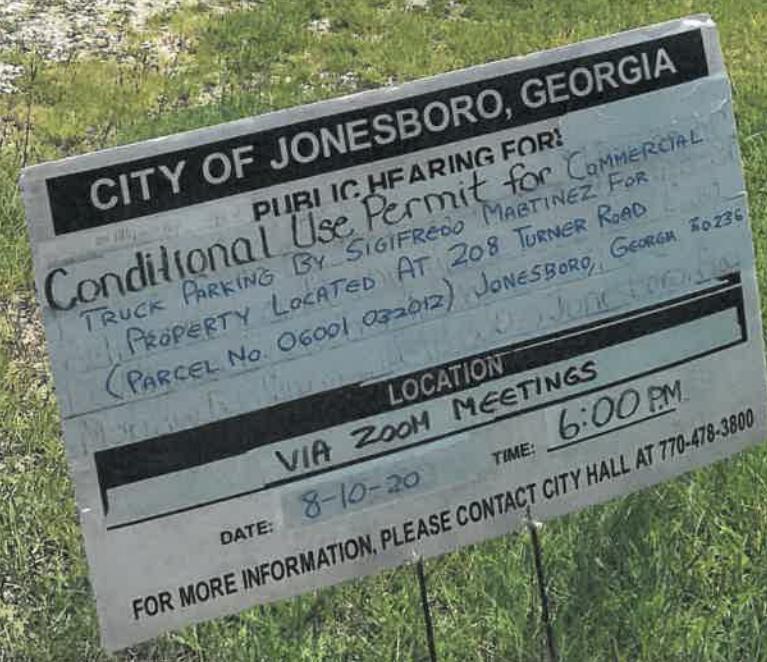
Uses:

- Industrial
- Office
- Institutional



Implementation Measures:

- Provide adequate infrastructure capacity and maintain designated truck routes to Tara Boulevard that are safe and maneuverable for heavy vehicles and minimize noise, vibration, and intrusion of trucks in residential areas. And the Historic District.
- Provide adequate room for expansion and the development of ancillary business and employee services.
- Encourage attractive, landscaped entrances and grounds.
- Protect environmentally sensitive areas and buffer surrounding neighborhoods.
- Screen truck docks and waste handling areas from public view.



CITY OF JONESBORO, GEORGIA

PUBLIC HEARING FOR:
Conditional Use Permit for Commercial
Parking By Sigifredo Martinez For
Truck Property Located At 208 Turner Road
(Parcel No. 06001 032012) Jonesboro, Georgia 30236

LOCATION
[REDACTED]

DATE: 8-10-20 TIME: 6:00 P.M.
FOR MORE INFORMATION, PLEASE CONTACT CITY HALL AT 770-478-3800

Legal Notice

Public Hearing will be held by the Mayor and Council of the City of Jonesboro at 6:00 P.M. on August 10, 2020 via Zoom Meetings, to consider a Conditional Use Permit Application for commercial truck parking, by Sigifredo Martinez, applicant and owner, for property at 208 Turner Road (Parcel No. 06001 032012) Jonesboro, Georgia 30236. Mayor & Council will first discuss the item at their Work Session to be held on August 3, 2020.

David Allen
Community Development Director

Publish 7/15/20



MEMORANDUM

To: Sigifredo Martinez
916 King Road
Jonesboro, GA 30236

From: David D. Allen
City of Jonesboro
124 North Avenue
Jonesboro, GA 30236

Date: July 14, 2020

Re: Notification of Request for Conditional Use – Truck Parking, 208 Turner Road;
Tax Map Parcel No. 06001 032012

Dear Applicant,

This letter is to serve as notification that the City of Jonesboro has received your request for the following requested conditional use for the above referenced property:

- Truck Parking

A Public Hearing has been scheduled for Monday, August 10, 2020 at 6:00 p.m. before the Jonesboro Mayor and City Council to consider the request as described above. The Jonesboro Mayor and City Council will first discuss this item at their next Work Session on Monday, August 3, 2020 at 6:00 p.m. Both meetings will be conducted via Zoom meetings, for which you will be provided a link for your participation. If you have any questions regarding the decision, please do not hesitate to contact me at 770-570-2977 or at dallen@jonesboroga.com.

Sincerely,

A handwritten signature in black ink, appearing to read "D Allen".

David D. Allen
Community Development Director / Zoning Administrator



CITY OF JONESBORO
 124 North Avenue
 Jonesboro, Georgia 30236
 City Hall: (770) 478-3800
 Fax: (770) 478-3775
www.jonesboroga.com

MARINA

ZONING VERIFICATION REQUEST

Important Notice:

BEFORE leasing, purchasing, or otherwise committing to a property you are STRONGLY ADVISED to confirm that the zoning and physical layout of the building and site are appropriate for the business use intended and will comply with the City's Zoning Ordinance. This includes having a clear understanding of any code restrictions, limitations or architectural guidelines that may impact your operation and any building and site modifications that may be necessary to open your business. This document does not authorize a business to conduct business without an Occupational Tax Certificate. This could result in closure and/or ticketing.

Applicant's Information

Name of Applicant: Sigifredo Martinez
 Name of Business: martinez Truck parking
 Property's Address: 208 Turner RD Jonesboro GA
 Email Address: Sigi.martinez@yahoo.com
 Phone: (Day): 678-641-0456 (Evening): Same

Property Information

Current Use of Property: To Park Trucks
 Proposed Use of Property (Please provide in great detail the intended use of the property):
I will use the lot to Park vehicles, Semi Trucks

Applicant's Signature Sigifredo Martinez

Date 2-20-20

FOR OFFICE USE ONLY:

Current Zoning: M1

NAICS Code: 81293

Required Zoning: M1

Conditional Use Needed? Yes or No

APPROVED

DENIED

Comments: Requires Conditional use permit first. Must comply with Sec. 88-555 and Article XIII

Zoning Official Signature Dn

Date 2/21/20

Applicant – Sigifredo Martinez
Name of Business – Martinez Truck Parking
Address - 208 Turner Road
Zoning District – M-1
NAICS – 81293
Proposed Use: Truck parking lot

Use is permitted "by right" in the district indicated = P; Use is permitted as a conditional use (section indicated) = C; Use is not permitted = N

NAICS Code	USES	R-2	R-4	R-C	R-A	RM	H-1	H-2	O&I	MX	C-1	C-2	M-1	Code Section
81293	Parking Lots and Garages, Commercial	N	N	N	N	N	C	C	C	C	C	C	C	Article XIII; Sec. 86-555

Zoning Classifications



Sec. 86-555. NAICS 81293 – Parking Lots and Garages, Commercial

The following conditions are assigned in the H-1, H-2, O&I, M-x, C-1, C-2, and M-1 districts:

- (1) The standards of Chapter 86, Article XIII shall control development of parking lots.
- (2) The standards of Chapter 86, Article XV shall control landscaping and buffering of parking lots.
- (3) Lighting shall be night-sky friendly.
- (4) Parking garages shall not exceed two (2) stories in height.



CITY OF JONESBORO
 124 North Avenue
 Jonesboro, Georgia 30236
 City Hall: (770) 478-3800
 Fax: (770) 478-3775
www.jonesboroga.com

ZONING VERIFICATION REQUEST

Important Notice:

BEFORE leasing, purchasing, or otherwise committing to a property you are STRONGLY ADVISED to confirm that the zoning and physical layout of the building and site are appropriate for the business use intended and will comply with the City's Zoning Ordinance. This includes having a clear understanding of any code restrictions, limitations or architectural guidelines that may impact your operation and any building and site modifications that may be necessary to open your business. This document does not authorize a business to conduct business without an Occupational Tax Certificate. This could result in closure and/or ticketing.

Applicant's Information

Name of Applicant: Sigifredo Martinez
 Name of Business: Martinez Towing & Recovery Storage LLC
 Property's Address: 208 Turner RD Jonesboro GA 30236
 Email Address: Sigi.martinez@yahoo.com
 Phone: (Day): 678-641-0456 (Evening): _____

Property Information

Current Use of Property: Recover vehicle & Storage
 Proposed Use of Property (Please provide in great detail the intended use of the property):
I will Recover vehicles and Trucks and Store them

Sigifredo Martinez
 Applicant's Signature

6-19-20
 Date

FOR OFFICE USE ONLY:

Current Zoning: M-1

NAICS Code: 48841

Required Zoning: M-1

Conditional Use Needed? Yes or No

Comments:

APPROVED

DENIED

REQUIRES CONDITIONAL USE PERMIT. MUST
 COMPLY WITH SEC. 86-152

6/19/20

Zoning Official Signature

Date

Applicant – Sigifredo Martinez
 Name of Business – Martinez Towing & Recovery Storage, LLC
 Address - 208 Turner Road
 Zoning District – M-1
 NAICS – 48841

Proposed Use: Recover vehicles and store them

Use is permitted "by right" in the district indicated = P; Use is permitted as a conditional use (section indicated) = C; Use is not permitted = N

NAICS Code	USES	R-2	R-4	R-C	R-A	RM	H-1	H-2	O&I	MX	C-1	C-2	M-1	Code Section
48841	Motor Vehicle Towing and Storage	N	N	N	N	N	N	N	N	N	N	C	C	Sec. 86-152

Zoning Classifications



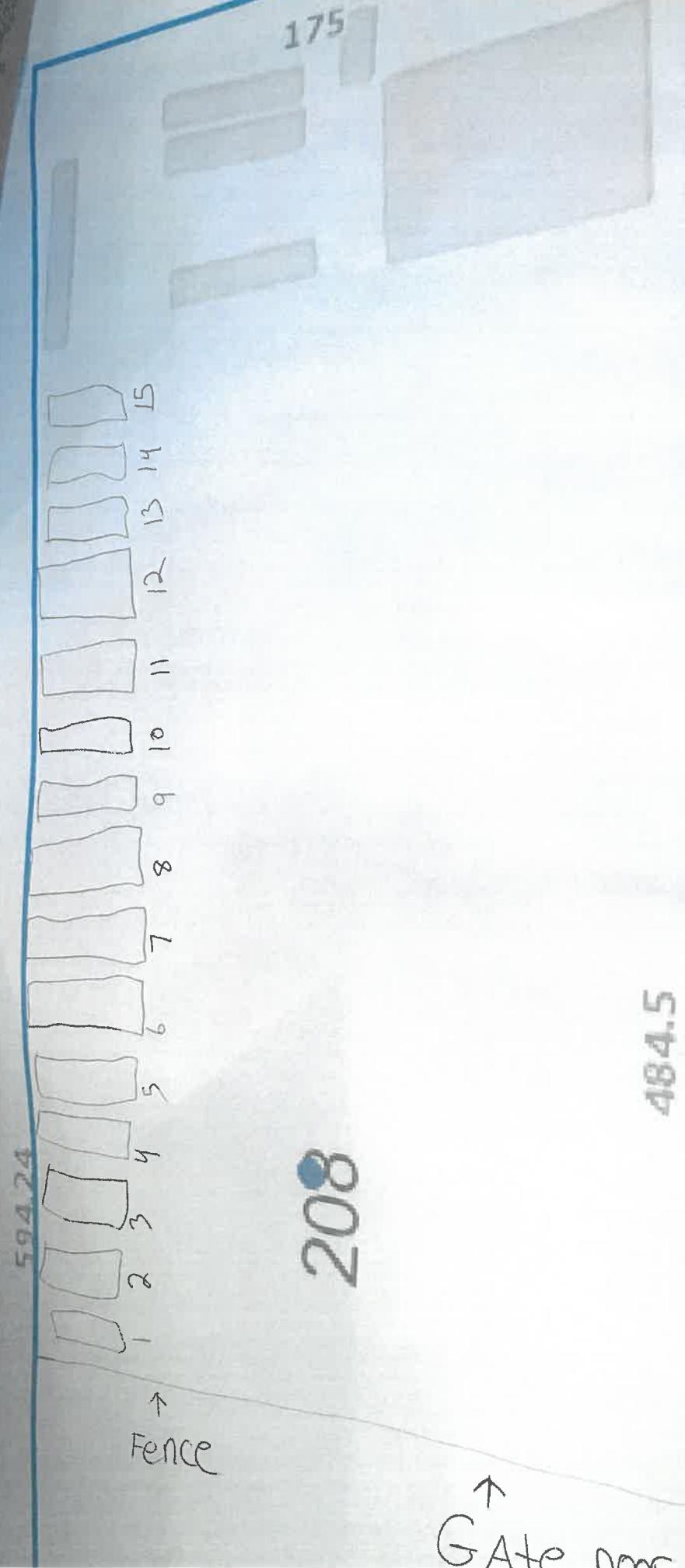
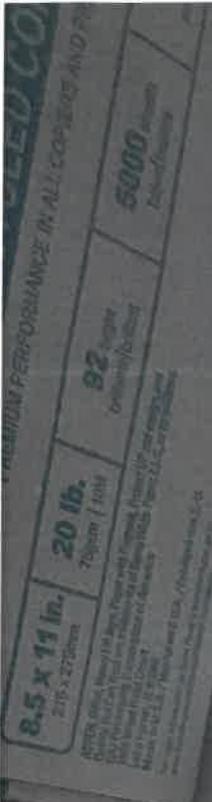
Sec. 86-152. - NAICS 48841 Motor vehicle towing and storage.

The following conditions are assigned in the C-2 and M-1 districts:

- (1) Vehicle storage shall be limited to a 30-day period.
- (2) Storage shall be screened utilizing a 10-foot landscaped buffer and opaque fencing having a minimum height of six feet; landscaping as prescribed in Article 86-15 shall be maintained outside the fencing.

Martinez Truck Parking.

I am looking to have a maximum of 15 trucks with there trailer, I will have them lined up and organized, on my lot behind the fence. There will be no office. Hours of operation will be 24 hrs If needed they can come and go. The gate will always be closed when they come they will open it up once they leave they will close the gate and lock it. There are cameras on the premises and night lights that come on at night.





CITY OF JONESBORO, GEORGIA COUNCIL Agenda Item Summary

Agenda Item #

-3

11.3

COUNCIL MEETING DATE
August 10, 2020

Requesting Agency (Initiator)

Office of the City Manager

Sponsor(s)

Community Development Director Allen

Requested Action *(Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)*

Council to consider a proposed text amendment Ord. 2020-14 to the City of Jonesboro Code of Ordinances, regarding further revisions and updates to the "Table of Uses Allowed by Zoning District", Section 86-204, of Article VI – Conditional Uses, Chapter 86 – Zoning, of the City of Jonesboro Code of Ordinances.

Requirement for Board Action *(Cite specific Council policy, statute or code requirement)*

Section 86-204, Table of Uses

Is this Item Goal Related? *(If yes, describe how this action meets the specific Board Focus Area or Goal)*

Community Planning, Neighborhood and Business Revitalization

Summary & Background

(First sentence includes Agency recommendation. Provide an executive summary of the action that gives an overview of the relevant details for the item.)

Agency recommendation – Approval of updates and revisions to Sec. 86-204; The Table of Uses has been revised as a response to certain zoning situations that need to be addressed.

1. **Triplexes and quadruplexes, as a part of splitting up a standalone residence, will be no longer be permitted.**
2. **An erroneous reference to standards for duplexes has been deleted.**
3. **Standards have been created for quality cigar lounges as a possibility (conditional use) in the near future. These will be distinct from hookah lounges.**
4. **Where a permitted use before in the Historic District, bars and taverns serving alcoholic beverages now have a conditional use requirement.**
5. **Clothing and clothing accessory have changed from conditional use to permitted use in C-1, Neighborhood Commercial, as they can serve adjacent residential areas with a minimum of disturbance.**

(Note: Based on the revisions above, the conditional use standards have been revised accordingly as a separate agenda item at this same meeting.)

No changes since the August 3rd Council meeting.

Fiscal Impact

(Include projected cost, approved budget amount and account number, source of funds, and any future funding requirements.)

n/a

Exhibits Attached *(Provide copies of originals, number exhibits consecutively, and label all exhibits in the upper right corner.)*

- Table_of_uses_REV 8.10.20
- Legal Notice - Table of Uses Update August 2020

FOLLOW-UP APPROVAL ACTION (City Clerk)

Typed Name and Title Ricky L. Clark, City Manager	Date August, 10, 2020	08/03/20 REQUIRED	City Council PUBLIC HEARING Next: 08/10/20
Signature	City Clerk's Office		

Sec. 86-204. - Table of Uses Allowed by Zoning Districts.

P = Use is permitted "by right" in the Zoning District indicated

C = Use is permitted only as an approved conditional use (relevant code section indicated)

N = Use is not permitted in any Zoning District

2017 NAICS Code	USES	R- 2	R- 4	R- C	R- A	RM	H- 1	H- 2	O&I	MX	C- 1	C- 2	M- 1	Code Section
RESIDENTIAL USES														
n/a	Single Family Detached Dwelling, Site-Built	P	P	P	N	N	P	P	N	P	N	N	N	Sec. 86-111; Article VII
n/a	Single Family Detached Dwelling, Manufactured, Mobile, or Modular with Permanent Foundation	N	N	N	N	N	N	N	N	N	N	N	N	Sec. 86-62; Article VII
n/a	Two-Family Dwelling (Duplex)	N	N	N	C	C	N	N	N	C	N	N	N	Sec. 86-411; Article VII
n/a	Triplexes and Quadruplexes, not part of Apartment Buildings	N	N	N	N	N	N	N	N	N	N	N	N	
n/a	Single Family Attached (Townhouses and Condominiums)	N	N	N	C	C	C	C	N	C	N	N	N	Sec. 86-202
n/a	Multifamily (Apartments)	C	C	N	N	C	C	C	N	C	N	N	N	Sec. 86-205
n/a	Mixed Use Dwelling, including Lofts	N	N	N	P	P	C	C	C	P	C	N	N	Sec. 86-182

2017 NAICS Code	USES	R- 2	R- 4	R- C	R- A	RM	H- 1	H- 2	O&I	MX	C- 1	C- 2	M- 1	Code Section
n/a	Recreational Vehicle, Trailer, or Camping Trailer, used as Living Quarters or Dwelling	N	N	N	N	N	N	N	N	N	N	N	N	Sec. 86-62
n/a	Home Occupation	P	P	P	P	P	P	P	N	P	N	N	N	Sec. 86-274
INSTITUTIONAL USES														
8139	Business, Professional, Labor, Political and Similar Organizations	N	N	N	N	N	C	P	P	C	N	C	N	Sec. 86-206
8132	Charitable Organization Offices, including Grantmaking and Giving Services	N	N	N	N	N	P	P	P	C	N	P	N	Sec. 86-207
62411	Child and Youth Services, including Adoption Agencies and Foster Services, but not Group or Youth Homes	N	N	N	N	N	C	C	P	N	N	P	N	Sec. 86-208
8131	Churches and Other Places of Worship	N	N	N	N	N	C	C	C	C	C	C	C	Sec. 86-183
81311	Religious Organizations, other than Churches and other Places of Worship	N	N	N	N	N	C	C	C	C	C	C	C	Sec. 86-183
8134	Civic and Social Organizations, with provisions for Private Bar or Restaurant	N	N	N	N	N	C	C	C	C	C	C	C	Sec. 86-184; Chap. 6
81341	Civic and Social Organizations, without Bar or Restaurant	N	N	N	N	N	C	C	C	C	C	C	C	Sec. 86-185

2017 NAICS Code	USES	R- 2	R- 4	R- C	R- A	RM	H- 1	H- 2	O&I	MX	C- 1	C- 2	M- 1	Code Section
624210	Community Food Services, such as Food Banks, with no Meals Prepared or Served on Premises (i.e. Soup Kitchens)	N	N	N	N	N	N	N	C	N	N	P	N	Sec. 86-209
62422	Community Housing Services	C	C	N	C	C	N	N	C	N	N	N	N	Sec. 86-210
62423	Emergency and Other Relief Services, but not Shelters or Resettlements	N	N	N	N	N	N	N	C	N	N	C	N	Sec. 86-211
515	Broadcasting, Except Internet	N	N	N	N	N	C	C	C	C	C	P	P	Sec. 86-132, Sec. 86-199
51912	Libraries and Archives	C	C	N	C	C	C	C	P	C	C	C	N	Sec. 86-128
51913	Internet Publishing and Web Search Portals	N	N	N	N	N	P	P	P	C	N	P	P	Sec. 86-200
519130	Internet Broadcasting	N	N	N	N	N	C	C	C	C	N	P	P	Sec. 86-200
62441	Nursery school (Child Day Care Services) (Out of Home)	N	N	N	N	N	N	C	C	C	C	C	N	Sec. 86-122
624410	Family Day Care (In Home)	C	C	C	C	C	N	N	N	N	N	N	N	Sec. 86-123
62412	Adult Day Care (In Home)	C	C	C	C	C	N	N	N	N	N	N	N	Sec. 86-124
624120	Adult Day Care Center (Out of Home)	N	N	N	N	N	N	C	C	C	C	C	N	Sec. 86-125

2017 NAICS Code	USES	R- 2	R- 4	R- C	R- A	RM	H- 1	H- 2	O&I	MX	C- 1	C- 2	M- 1	Code Section
624190	Other Individual and Family Services, incl. Counseling (Except Offices of Mental Health Specialists)	N	N	N	N	N	P	P	P	N	N	C	N	Sec. 86-212
623110	Nursing Care Facilities, including Nursing Homes	N	N	N	N	N	N	N	C	N	N	C	N	Sec. 86-213
6232	Residential Mental Health Facilities	N	N	N	N	N	N	N	C	N	N	N	N	Sec. 86-214
62321	Residential Developmental Disability Homes (Major Disability)	N	N	N	N	N	N	N	C	N	N	N	N	Sec. 86-215
62322	Residential Mental and Substance Abuse Care	N	N	N	N	N	N	N	C	N	N	N	N	Sec. 86-216
62331	Continuing Care, Assisted Living Facilities	N	N	N	N	N	N	N	C	C	N	C	N	Sec. 86-217
6214	Medical Outpatient Care Centers	N	N	N	N	N	N	C	P	C	N	P	N	Sec. 86-218
621410	Family Planning Centers, Including Family Planning Counseling	N	N	N	N	N	N	C	C	N	N	C	N	Sec. 86-219
62142	Outpatient Mental Health Centers	N	N	N	N	N	N	N	C	N	N	N	N	Sec. 86-220
621420	Outpatient Substance Abuse Centers	N	N	N	N	N	N	N	C	N	N	N	N	Sec. 86-499
621491	HMO Medical Centers	N	N	N	N	N	N	C	P	C	N	P	N	Sec. 86-500

2017 NAICS Code	USES	R- 2	R- 4	R- C	R- A	RM	H- 1	H- 2	O&I	MX	C- 1	C- 2	M- 1	Code Section
621493	Freestanding Ambulatory Surgical and Emergency Centers	N	N	N	N	N	N	N	C	N	N	C	N	Sec.-86-501
62149	Other Outpatient Care Centers	N	N	N	N	N	N	N	C	C	N	P	N	Sec.-86-502
62191	Ambulance Services (Transportation)	N	N	N	N	N	N	N	N	N	N	P	P	
621991	Blood and Organ Banks	N	N	N	N	N	N	N	C	N	N	P	N	Sec. 86-140
621999	All Other Miscellaneous Ambulatory Health Care Services	N	N	N	N	N	C	C	C	C	N	C	N	Sec 86-503
622110	General Medical and Surgical Hospitals	N	N	N	N	N	N	N	C	N	N	C	N	Sec.-86-504
6222	Psychiatric and Substance Abuse Hospitals	N	N	N	N	N	N	N	C	N	N	N	N	Sec.-86-505
6223	Other Hospitals	N	N	N	N	N	N	N	C	N	N	C	N	Sec. 86-506
6239	Other Residential Care Facilities Care, Personal Care Homes	N	N	N	N	N	N	N	C	C	N	C	N	Sec. 86-126
62399	Other Residential Care Facilities Care, Group Homes for Adults without Major Disabilities, and not involving Mental Health or Substance Abuse)	C	C	N	N	N	N	N	N	N	N	N	N	Sec. 86-127
623990	Other Residential Care Facilities Care, Youth Homes	C	C	N	N	N	N	N	N	N	N	N	N	Sec. 86-507

2017 NAICS Code	USES	R- 2	R- 4	R- C	R- A	RM	H- 1	H- 2	O&I	MX	C- 1	C- 2	M- 1	Code Section
6113	Colleges, Universities and Professional Schools	N	N	N	N	N	N	C	C	C	N	C	N	Sec. 86-186
6111	Elementary and Secondary Schools, including religious schools	C	C	C	C	C	C	C	C	C	C	C	C	Sec. 86-187
6112	Junior Colleges	N	N	N	N	N	N	N	C	C	N	C	N	Sec. 86-188
623312	Retirement Community, without Nursing Care	N	N	N	C	P	N	C	P	P	N	N	N	Sec. 86-129
8133	Social Advocacy Organizations	N	N	N	N	N	C	P	P	C	N	N	N	Sec. 86-508
813312	Environment and Conservation Organizations	N	N	N	N	N	C	P	P	C	N	C	N	Sec. 86-509
6241	Social Services Assistance, including Individual and Family Services	N	N	N	N	N	C	P	P	P	N	C	N	Sec. 86-510
923	Administration of Human Resource Programs, Including Education, Public Health, and Veterans' Affairs	N	N	N	N	N	C	P	P	P	N	P	N	Sec. 86-511
924	Administration of Environmental Quality Programs	N	N	N	N	N	C	P	P	P	N	P	N	Sec. 86-511
925	Administration of Housing Programs, Urban Planning, Rural, and Community Development	N	N	N	N	N	C	P	P	P	N	P	N	Sec. 86-511
9261	Administration of Economic Programs	N	N	N	N	N	C	P	P	C	N	P	N	Sec. 86-511

2017 NAICS Code	USES	R- 2	R- 4	R- C	R- A	RM	H- 1	H- 2	O&I	MX	C- 1	C- 2	M- 1	Code Section
92612	Administration of Transportation Programs	N	N	N	N	N	C	C	P	C	N	C	N	Sec. 86-511
92613	Utility Regulation and Administration	N	N	N	N	N	C	C	P	C	N	C	N	Sec. 86-512
92614	Agricultural Market and Commodity Regulation	N	N	N	N	N	C	C	P	C	N	C	N	Sec. 86-513
92615	Licensing and Regulating Commercial Sectors	N	N	N	N	N	C	P	P	C	N	C	N	Sec. 86-514
	ARTS, ENTERTAINMENT, AND RECREATION													
7111	Performing Arts Theaters: Drama, Dance, Music	N	N	N	N	N	C	C	C	C	N	C	N	Sec. 86-193; 86-114
711110	Dinner Theaters, Cabaret, Concert Hall, Live Entertainment	N	N	N	N	N	C	C	N	C	N	C	N	Sec. 86-195; 86-114
711120	Dance Company Studios, without Theaters	N	N	N	N	N	P	P	P	P	C	C	N	86-114; Sec. 86-515
711130	Musical Groups and Artists, Live Entertainment	N	N	N	N	N	C	C	C	C	N	C	N	Sec. 86-135
711211	Sports Stadiums, Coliseums, Arenas, Amphitheaters	N	N	N	N	N	N	N	N	C	N	C	N	Sec. 86-194
711212	Racetracks, Including Small Vehicles, Go-Karts and Motorcycles	N	N	N	N	N	N	N	N	N	N	C	N	Sec. 86-516

2017 NAICS Code	USES	R- 2	R- 4	R- C	R- A	RM	H- 1	H- 2	O&I	MX	C- 1	C- 2	M- 1	Code Section
71131	Promoters of Performing Arts, Sports & Similar Events W/ Facilities	N	N	N	N	N	N	N	N	N	N	C	N	Sec. 86-517
711310	Art Center, Not Performing Arts	N	N	N	N	N	P	P	P	P	N	N	N	86-114
711320	Promoters of Performing Arts, Sports, and Similar Events without Facilities; Booking Agenc	N	N	N	N	N	P	P	P	P	N	P	N	86-114
711410	Agents and Managers for Artists, Athletes, Entertainers, and Other Public Figures	N	N	N	N	N	P	P	P	C	N	P	N	86-114; Sec. 86-518
7115	Artist's Studios, Including Makerspaces	N	N	N	N	N	P	P	P	P	N	P	N	86-114
711510	Independent Artist, Writers, and Performers, Live Entertainment	N	N	N	N	N	C	C	C	C	N	C	N	86-114; Sec. 86-519
71311	Amusement and Theme Parks	N	N	N	N	N	N	N	N	C	N	C	N	Sec. 86-520
71312	Amusement Arcades, Primarily Indoor	N	N	N	N	N	C	C	N	C	C	P	N	Sec. 86-130, Sec. 86-109 (c)(5)
7132	Gambling Industries	N	N	N	N	N	N	N	N	N	N	N	N	
7139	Other Amusement and Recreation Industries	N	N	N	N	N	N	N	N	N	N	C	N	Sec. 86-521
713991	Billiard and Pool Halls	N	N	N	N	N	C	C	N	N	N	C	N	Sec. 86-131, 86-109 c5

2017 NAICS Code	USES	R- 2	R- 4	R- C	R- A	RM	H- 1	H- 2	O&I	MX	C- 1	C- 2	M- 1	Code Section
713990	Recreational Shooting Clubs	N	N	N	N	N	N	N	N	N	N	C	C	Sec. 86-636
713990	Non-govermental Shooting Galleries and Shooting Ranges	N	N	N	N	N	N	N	N	N	N	N	N	
713990	Hookah Lounge (Smoking Bar, but not Cigar Lounge)	N	N	N	N	N	C	C	N	C	N	C	N	Sec. 18-92
713950	Bowling Centers	N	N	N	N	N	N	N	N	N	N	P	N	
713940	Fitness and Recreational Sports Centers, Health Clubs	N	N	N	N	N	C	C	C	P	P	P	N	Sec. 86-522
71391	Golf Courses and Country Clubs	C	C	C	C	C	N	N	C	C	N	N	N	Sec. 86-190
512131	Motion Picture Theaters (except Drive-Ins)	N	N	N	N	N	C	C	N	C	N	C	N	Sec. 86-133
512132	Drive-In Motion Picture Theaters	N	N	N	N	N	N	N	N	C	N	C	N	Sec. 86-134
712110	Museums	N	N	N	N	N	P	P	C	C	N	C	N	Sec. 86-191
71212	Other Historical Sites, Open to General Public	N	N	N	N	N	C	C	C	N	N	N	N	Sec. 86-113; 86-523
712190	Nature Parks and Other Similar Institutions	N	N	N	N	N	N	C	P	P	P	N	N	Sec. 86-136
71213	Zoos and Botanical Gardens	N	N	N	N	N	N	N	C	C	N	N	N	Sec. 86-524
71399	Neighborhood Rec. Centers, incl. Tennis, Pools and Active Primarily Outdoor Amenities, with or w/o Food Sales (Private)	N	N	N	C	C	N	N	C	C	C	N	N	Sec. 86-192

2017 NAICS Code	USES	R- 2	R- 4	R- C	R- A	RM	H- 1	H- 2	O&I	MX	C- 1	C- 2	M- 1	Code Section
71399	Passive Parks, Playgrounds and Other Open Space Amenities, including Squares, Greens and Pocket Parks (private)	P	P	P	P	P	P	P	P	P	P	P	P	
71399	Community Recreation Facility (non-profit) including YMCA, Senior Centers, City Recreational Centers, and similar facilities linked to religious denominations	N		C	C	C	C	C	C	C	C	N	N	Sec. 86-189
51219	Postproduction Services and Other Motion Picture and Video Industries	N	N	N	N	N	P	P	C	P	C	P	P	Sec. 86-137
51224	Sound Recording Studios	N	N	N	N	N	C	C	C	C	N	C	N	Sec. 86-138
51225	Record Production and Distribution	N	N	N	N	N	C	C	C	C	N	P	N	Sec. 86-138
713990	Cigar Lounges, with or Without Alcoholic Beverage Service	N	N	N	N	N	C	C	N	C	N	C	N	Sec. 86-642
	GENERAL OFFICE USES													
5412	Accounting, Tax Preparation, Bookkeeping, and Payroll Services	N	N	N	N	N	P	P	P	P	P	P	N	
5413	Architectural, Engineering, Land Planning, Drafting, Surveying, Mapping and Related Services	N	N	N	N	N	P	P	P	P	P	P	N	

2017 NAICS Code	USES	R- 2	R- 4	R- C	R- A	RM	H- 1	H- 2	O&I	MX	C- 1	C- 2	M- 1	Code Section
54135	Building Inspection Services	N	N	N	N	N	P	P	P	P	P	P	N	
5221	Banks, Credit Unions and Savings Institutions	N	N	N	N	N	P	P	P	P	C	P	N	Sec. 86-139
5614	Business Support Services	N	N	N	N	N	P	P	P	C	P	C	N	Sec. 86-525
236	General Building Construction / Development, Office Only with no Outdoor Storage or Equipment Parking	N	N	N	N	N	C	P	P	N	N	P	P	Sec. 86-141
236	General Building Construction / Development, with Outdoor Storage and / or Equipment Parking	N	N	N	N	N	N	N	N	N	N	N	C	Sec. 86-142
237	Heavy and Civil Engineering Construction, Office Only with no Outdoor Storage or Equipment Parking	N	N	N	N	N	N	C	C	N	N	C	P	Sec. 86-141
237	Heavy and Civil Engineering Construction, with Outdoor Storage or Equipment Parking	N	N	N	N	N	N	N	N	N	N	N	C	Sec. 86-142
238	Specialty Trade Contractors, Office Only with no Outdoor Storage or Equipment Parking	N	N	N	N	N	C	P	P	N	N	P	P	Sec. 86-141
238	Specialty Trade Contractors, with Outdoor Storage and / or Equipment Parking	N	N	N	N	N	N	N	N	N	N	N	C	Sec. 86-142

2017 NAICS Code	USES	R- 2	R- 4	R- C	R- A	RM	H- 1	H- 2	O&I	MX	C- 1	C- 2	M- 1	Code Section
5415	Computer Systems Design and Related Services	N	N	N	N	N	P	P	P	P	P	P	N	
52229	Consumer Lending and Credit	N	N	N	N	N	P	P	P	N	N	P	N	
522298	All Other Nondepository Credit Intermediation, Including Pawn Shops	N	N	N	N	N	N	N	N	N	N	C	N	Sec. 86-109 (c)(5); Sec. 86-526
551114	Corporate Management Offices, Office Only	N	N	N	N	N	P	P	P	P	N	P	P	
5222	Credit Card Issuing and Sales Financing	N	N	N	N	N	N	P	P	C	N	P	N	Sec. 86-526
522390	Other Activities Related to Credit Intermediation, Including Check Cashing Services	N	N	N	N	N	N	N	N	C	N	P	N	Sec. 86-109 (c)(5); Sec. 86-526
561311	Employment Placement Agencies (Staffing)	N	N	N	N	N	N	P	P	C	N	P	N	Sec. 86-527
561330	Professional Employer Organizations (Staff Leasing Services)	N	N	N	N	N	N	P	P	C	N	P	N	Sec. 86-527
9211	Executive, Legislative, and Other General Government Support	N	N	N	N	N	P	P	P	C	N	N	N	Sec. 86-528
5612	Facilities Support Services	N	N	N	N	N	N	C	N	N	N	P	P	Sec. 86-529
52232	Financial Transactions Processing, Reserve, and Clearinghouse Activities	N	N	N	N	N	N	C	P	N	N	N	N	Sec. 86-530

2017 NAICS Code	USES	R- 2	R- 4	R- C	R- A	RM	H- 1	H- 2	O&I	MX	C- 1	C- 2	M- 1	Code Section
525	Funds, Trust, and Other Financial Vehicles	N	N	N	N	N	P	P	P	P	N	P	N	
524	Insurance Carriers and Related Activities	N	N	N	N	N	P	P	P	P	N	P	N	
5414	Interior Design, Graphic Design & Other Specialized Design Services	N	N	N	N	N	P	P	P	P	P	P	N	
9221	Justice, Public Order and Safety Activities	N	N	N	N	N	P	P	P	P	P	P	N	
621492	Kidney Dialysis Centers	N	N	N	N	N	N	P	P	C	N	C	N	Sec. 86-531
5411	Legal Services, including Attorneys' Offices	P*	P*	P*	P*	P*	P	P	P	P	P	P	P	*Home Occupation
531120	Lessors of Nonresidential Building (except Miniwarehouses), including Event Centers (Excluding funerals and wakes)	N	N	N	N	N	C	C	C	C	N	C	N	Sec. 86-532
5511	Management of Companies and Enterprises	N	N	N	N	N	N	P	P	P	N	P	N	
5416	Management, Scientific, and Technical Consulting Services, including Executive Search and Management Consulting	N	N	N	N	N	P	P	P	P	N	N	N	
812199	Massage Therapy, State Licensed Only	N	N	N	N	N	C	C	C	C	C	N	N	Sec. 86-109 ©(5); 86-533
6215	Medical and Diagnostic Laboratories	N	N	N	N	N	C	C	P	P	N	P	P	Sec. 86-534

2017 NAICS Code	USES	R- 2	R- 4	R- C	R- A	RM	H- 1	H- 2	O&I	MX	C- 1	C- 2	M- 1	Code Section
6212	Offices of Dentists	N	N	N	N	N	P	P	P	P	P	P	N	
521	Monetary Authorities-Central Bank	N	N	N	N	N	P	P	P	N	N	C	N	Sec. 86- 535
52231	Mortgage and Non-mortgage Loan Brokers	N	N	N	N	N	P	P	P	P	N	P	N	
5111	Newspaper, Periodical, Book, and Database Publishers	N	N	N	N	N	P	P	P	P	N	N	N	
511199	All Other Publishers	N	N	N	N	N	P	P	P	P	N	N	N	
5611	Office Administrative Services	N	N	N	N	N	P	P	P	P	N	P	N	
53132	Offices of Real Estate Appraisers	N	N	N	N	N	P	P	P	P	N	P	N	
53139	Other Activities Related to Real Estate	N	N	N	N	N	P	P	P	P	N	P	N	
5419	Other Professional, Scientific, and Technical Services	N	N	N	N	N	C	C	P	C	C	P	N	Sec. 86- 536
5312	Real Estate Agents and Brokers Offices	N	N	N	N	N	P	P	P	P	P	P	N	
5311	Real Estate Leasing Company	N	N	N	N	N	P	P	P	P	N	P	N	
53131	Real Estate Property Managers	N	N	N	N	N	P	P	P	P	N	P	N	
54171	Research and Develop- ment in the Physical, Engineering, and Life Sciences	N	N	N	N	N	N	C	P	C	N	N	C	Sec. 86- 537

2017 NAICS Code	USES	R- 2	R- 4	R- C	R- A	RM	H- 1	H- 2	O&I	MX	C- 1	C- 2	M- 1	Code Section
54172	Research and Development in the Social Sciences and Humanities	N	N	N	N	N	N	P	P	C	N	N	N	Sec. 86-537
5417	Scientific Research and Development Services	N	N	N	N	N	N	C	P	C	N	N	C	Sec. 86-537
523	Securities, Commodity Contract, and Other Financial Investments and Related Activities	N	N	N	N	N	P	P	P	P	N	C	N	Sec. 86-538
5112	Software Publishers	N	N	N	N	N	P	P	P	P	N	P	N	
561320	Temporary Help Services, Manual Labor Pools	N	N	N	N	N	N	N	N	N	N	N	C	Sec. 86-143, Sec. 86-109 (c)(5)
54194	Veterinary Services, including Animal Hospitals, No Outdoor Runs or Cages	N	N	N	N	N	N	N	C	N	N	C	N	Sec. 86-144
541940	Veterinary Services, including Animal Hospitals, With Outdoor Runs or Cages	N	N	N	N	N	N	N	N	N	N	C	N	Sec. 86-539
6213	Offices of Other Health Practitioners	N	N	N	N	N	P	P	P	P	P	P	N	
621111	Offices of Physicians, Except Mental Health Specialists	N	N	N	N	N	P	P	P	P	P	P	N	
621112	Office of Mental Health Specialists	N	N	N	N	N	C	P	P	C	C	P	N	Sec. 86-540

2017 NAICS Code	USES	R- 2	R- 4	R- C	R- A	RM	H- 1	H- 2	O&I	MX	C- 1	C- 2	M- 1	Code Seciton
	COMMERCIAL / RETAIL USES													
5418	Advertising, Public Relations, and Related Services (Indoor Only)	N	N	N	N	N	P	P	P	P	N	P	N	
54185	Outdoor Advertising, Large-scale, including Billboard Displays	N	N	N	N	N	N	N	N	N	N	C	N	Sec. 86-541
811198	All Other Automotive Repair and Maintenance	N	N	N	N	N	N	N	N	N	N	P	P	
812990	All Other Personal Services	N	N	N	N	N	C	C	C	N	C	C	N	Sec. 86-145, Sec. 86-109 (c)(5)
721199	All Other Travel Accommodation, including Short Term Rentals (Air BnBs)	N	N	N	N	N	C	C	C	C	C	N	N	Chapter 18; Sec. 86-542
721211	RV Parks and Campgrounds	N	N	N	N	N	N	N	N	N	N	N	N	
811412	Appliance Repair and Maintenance	N	N	N	N	N	N	N	N	N	N	P	P	
561613	Armored Car Services	N	N	N	N	N	N	N	N	N	N	P	P	
811121	Automotive Body, Paint, Interior, and Maintenance	N	N	N	N	N	N	N	N	N	N	P	P	
811112	Automotive Exhaust System Repair	N	N	N	N	N	N	N	N	N	N	P	P	

2017 NAICS Code	USES	R- 2	R- 4	R- C	R- A	RM	H- 1	H- 2	O&I	MX	C- 1	C- 2	M- 1	Code Section
811191	Automotive Oil Change and Lubrication Shops	N	N	N	N	N	N	N	N	N	N	P	P	
811111	Automotive Repair, General, including engine repair and replacement	N	N	N	N	N	N	N	N	N	N	P	P	
811113	Automotive Transmission Repair	N	N	N	N	N	N	N	N	N	N	P	P	
812111	Barber Shops	N	N	N	N	N	N	N	P	P	P	P	N	
812112	Beauty Salons, Including Skin Care Services	N	N	N	N	N	N	N	P	P	P	P	N	
721191	Bed-and-Breakfast Inns	N	N	N	C	C	P	P	C	P	P	N	N	Sec. 86-543
6114	Business Schools and Computer and Management Training	N	N	N	N	N	N	C	C	C	N	C	N	Sec. 86-196
56143	Business Service Centers, including Copy Shops and Mail Centers	N	N	N	N	N	P	P	P	P	C	P	N	Sec. 86-544
561439	Other Business Service Centers, Including Internet Cafe	N	N	N	N	N	P	P	P	P	C	P	N	Sec. 86-544
811192	Car Washes	N	N	N	N	N	N	N	N	C	N	P	P	Sec. 86-545
81222	Cemeteries	C	C	C	C	C	N	N	C	N	C	C	N	Sec. 86-146
812220	Crematories, within Funeral Homes or Stand Alone	N	N	N	N	N	N	N	N	N	N	C	C	Sec. 86-146; Sec. 86-546

2017 NAICS Code	USES	R- 2	R- 4	R- C	R- A	RM	H- 1	H- 2	O&I	MX	C- 1	C- 2	M- 1	Code Section
81231	Coin-Operated Laundries and Drycleaners, drop-off	N	N	N	N	N	N	N	N	N	C	P	N	Sec. 86-547
56144	Collection Agencies	N	N	N	N	N	P	P	P	N	N	P	N	
8113	Commercial and Industrial Machinery and Equipment (except Automotive and Electronic) Repair and Maintenance; No Outdoor Storage	N	N	N	N	N	N	N	N	N	N	P	P	
5324	Small Machinery and Equipment Rental and Leasing	N	N	N	N	N	N	N	N	N	N	P	P	
53241	Heavy Machinery and Equipment Rental and Leasing	N	N	N	N	N	N	N	N	N	N	C	P	Sec. 86-548
53221	Consumer Electronics and Appliances Rental	N	N	N	N	N	N	N	N	N	N	P	N	
532283	Home Health Equipment Rental	N	N	N	N	N	N	N	C	N	C	P	N	Sec. 86-549
532284	Recreational Goods Rental, including golf cart rentals	N	N	N	N	N	N	N	N	N	N	C	P	Sec. 86-550
532289	All Other Consumer Goods Rental	N	N	N	N	N	N	N	N	N	C	P	N	Sec. 86-147
532284	Consumer Goods Rental, including furniture rental, party supply rentals	N	N	N	N	N	N	N	C	N	C	P	N	Sec. 86-147
561591	Convention Centers, Convention and Visitors Bureaus	N	N	N	N	N	P	P	P	P	N	P	N	

2017 NAICS Code	USES	R- 2	R- 4	R- C	R- A	RM	H- 1	H- 2	O&I	MX	C- 1	C- 2	M- 1	Code Section
492	Couriers and Messenger Services	N	N	N	N	N	N	P	P	N	N	P	N	
561492	Court Reporting and Stenotype Services	N	N	N	N	N	P	P	P	N	N	N	N	
56145	Credit Bureaus	N	N	N	N	N	P	P	P	P	N	P	N	
518	Data Processing Services	N	N	N	N	N	P	P	P	N	N	P	N	
6244	Day Care Center and Group Day Care Home, Child	N	N	N	N	N	N	N	C	C	C	C	N	Sec. 86-122
6244	Family Day Care Home, Child (6 or fewer children in care)	C	C	C	C	C	C	C	N	N	N	N	N	Sec. 86-123
812191	Diet and Weight Reducing Centers	N	N	N	N	N	N	C	P	N	N	P	N	Sec. 86-551
4543	Direct Selling Establishments, including Fuel Dealers	N	N	N	N	N	N	N	N	N	N	C	P	Sec. 86-149
812320	Dry-cleaning and Laundry Services (except Coin-Operated)	N	N	N	N	N	C	C	C	P	C	P	N	Sec. 86-148
8112	Electronic and Precision Equipment Repair and Maintenance	N	N	N	N	N	N	N	N	N	N	P	P	
454110	Electronic Shopping and Mail-Order Houses	N	N	N	N	N	N	C	P	N	N	P	N	Sec. 86-552
532281	Formal Wear & Costume Rental	N	N	N	N	N	P	P	N	P	C	P	N	Sec. 86-553

2017 NAICS Code	USES	R- 2	R- 4	R- C	R- A	RM	H- 1	H- 2	O&I	MX	C- 1	C- 2	M- 1	Code Section
81221	Funeral Homes and Funeral Services	N	N	N	N	N	N	N	C	N	N	C	N	Sec. 86-203
5323	General Rental Centers	N	N	N	N	N	N	N	C	C	N	P	P	Sec. 86-150
811411	Home and Garden Equipment Repair and Maintenance	N	N	N	N	N	N	N	N	N	N	C	C	Sec. 86-151
6216	Home Health Care Services	N	N	N	N	N	P	P	P	P	N	P	N	
72111	Hotels (except Casino Hotels) and Motels, including Extended Stay Facilities	N	N	N	N	N	C	C	C	C	N	C	N	Sec. 86-554
56161	Investigation and Security Services	N	N	N	N	N	P	P	P	P	N	P	N	
533	Lessors of Non-financial Intangible Assets (not copyrighted works)	N	N	N	N	N	P	P	P	P	N	N	N	
81233	Linen and Uniform Supply	N	N	N	N	N	N	N	N	N	N	P	P	
561622	Locksmiths	N	N	N	N	N	P	P	N	P	P	P	N	
54191	Marketing Research and Public Opinion Polling	N	N	N	N	N	P	P	P	P	N	P	N	
81299	Miscellaneous Personal Services, including bail bonding, dating services, shoe-shine services, wedding planning, fortunetelling and similar uses	N	N	N	N	N	N	N	C	N	N	C	N	Sec. 86-145, Sec. 86-109 (c)(5)

2017 NAICS Code	USES	R- 2	R- 4	R- C	R- A	RM	H- 1	H- 2	O&I	MX	C- 1	C- 2	M- 1	Code Section
48841	Motor Vehicle Towing and Storage	N	N	N	N	N	N	N	N	N	N	N	C	Sec. 86-152, Sec. 86-109 (c)(5)
812113	Nail Salons	N	N	N	N	N	P	P	P	P	P	P	P	
53242	Office Machinery and Equipment Rental and Leasing	N	N	N	N	N	N	N	P	N	N	P	N	
812922	One-Hour Photo-finishing	N	N	N	N	N	P	P	P	N	P	P	N	
811118	Other Automotive Mechanical and Electrical Repair and Maintenance	N	N	N	N	N	N	N	N	N	N	P	P	
81112	Automotive Body, Interior, and Glass Repair / Replacement	N	N	N	N	N	N	N	N	N	N	P	P	
5191	Other Information Services	N	N	N	N	N	P	P	P	P	N	N	N	
81219	Other Personal Care Services	N	N	N	N	N	N	N	N	N	N	P	N	Sec. 86-109 (c)(5)
81293	Parking Lots and Garages, Commercial	N	N	N	N	N	C	C	C	C	C	C	C	Article XIII; Sec. 86-555
92215	Parole Offices and Probation Offices	N	N	N	N	N	N	N	P	N	N	P	N	
92219	Other Justice and Safety Activities	N	N	N	N	N	P	P	P	P	P	P	N	
53211	Passenger Car Rental and Leasing	N	N	N	N	N	N	N	N	N	N	P	N	Sec. 86-109 (c)(5)

2017 NAICS Code	USES	R- 2	R- 4	R- C	R- A	RM	H- 1	H- 2	O&I	MX	C- 1	C- 2	M- 1	Code Section
8114	Personal & Household Goods Repair & Maintenance, including jewelry, garments, watches, musical instruments and bicycles; No Outdoor Storage	N	N	N	N	N	P	P	P	P	P	P	N	
81291	Pet Care, Grooming, Training, Pet Sitting (except Veterinary Services)	N	N	N	N	N	N	C	C	N	C	P	P	Sec. 86-174
812910	Animal Kennels / Boarding	N	N	N	N	N	N	N	N	N	N	N	C	Sec. 86-556
812910	Animal Rescue Shelter, Public or Private	N	N	N	N	N	N	N	C	N	N	N	C	Sec. 86-557
812921	Photo-finishing Laboratories (except One-Hour)	N	N	N	N	N	P	P	P	N	C	P	N	Sec. 86-558
54192	Photographic Services and Studios, Including Framing Shops	N	N	N	N	N	P	P	P	N	C	P	N	Sec. 86-559
6115	Technical and Trade Schools	N	N	N	N	N	N	C	C	C	N	C	C	Sec. 86-197
611513	Apprenticeship Training	N	N	N	N	N	N	C	C	C	N	C	C	Sec. 86-560
561491	Repossession Services	N	N	N	N	N	N	N	C	N	N	C	C	Sec. 86-153, Sec. 86-109 (c)(5)
81142	Re-upholstery and Furniture Repair	N	N	N	N	N	C	C	N	N	C	P	N	Sec. 86-154

2017 NAICS Code	USES	R- 2	R- 4	R- C	R- A	RM	H- 1	H- 2	O&I	MX	C- 1	C- 2	M- 1	Code Section
811420	Antique Furniture Repair and Restoration Shop	N	N	N	N	N	C	C	N	N	C	P	N	Sec. 86-561
721310	Rooming and Boarding Houses	N	N	N	N	C	N	N	N	N	N	N	N	Sec. 86-562
561612	Security Guards and Patrol Services	N	N	N	N	N	N	N	P	N	N	P	P	
561621	Security Systems Services (except Locksmiths)	N	N	N	N	N	C	C	P	C	N	P	P	Sec. 86-563
5617	Services to Buildings and Dwellings, (including pest control, janitorial services, landscape services, carpet and upholstery cleaning, pool maintenance, drain or gutter cleaning)	N	N	N	N	N	N	N	C	N	C	P	P	Sec. 86-155
81143	Shoe Repair	N	N	N	N	N	P	P	N	P	P	P	N	
81149	Other Household Goods Repair and Maintenance	N	N	N	N	N	P	P	N	P	P	P	N	
5619	Other Support Services, including packaging and labeling, convention and trade show organizers, inventory, traffic control, water conditioning, lumber grading and related services	N	N	N	N	N	N	N	P	N	N	C	P	Sec. 86-564
561422	Telemarketing Bureaus	N	N	N	N	N	C	C	P	N	N	N	N	Sec. 86-565

2017 NAICS Code	USES	R- 2	R- 4	R- C	R- A	RM	H- 1	H- 2	O&I	MX	C- 1	C- 2	M- 1	Code Section
561421	Telephone Answering Services	N	N	N	N	N	C	C	P	N	N	P	N	Sec. 86-565
541380	Testing Laboratories	N	N	N	N	N	N	N	C	N	N	C	C	Sec. 86-156
54193	Translation and Interpretation Services	N	N	N	N	N	P	P	P	N	N	N	N	
5615	Travel Agencies and Reservation Services	N	N	N	N	N	P	P	P	P	N	P	N	
56152	Tour Operators with Tour Vehicles	N	N	N	N	N	C	C	N	N	N	C	N	Sec. 86-566
53212	Truck, Utility Trailer, and RV (Recreational Vehicle) Rental and Leasing, including Moving Truck Rental	N	N	N	N	N	N	N	N	N	N	C	C	Sec. 86-109 (c)(5); Sec. 86-567
4542	Vending Machine Operators	N	N	N	N	N	N	C	C	N	N	P	N	Sec. 86-157
532282	Video Tape and Disc Rental	N	N	N	N	N	P	P	N	P	C	P	N	Sec. 86-177
6116	Other Schools and Instruction	N	N	N	N	N	C	C	C	N	N	C	N	Sec. 86-198
61161	Fine Arts Schools	N	N	N	N	N	P	P	C	C	N	C	N	Sec. 86-568
611610	Small-scale Pottery and Ceramics Shop	N	N	N	N	N	P	P	C	C	C	C	N	Sec. 86-569
61162	Sports and Recreation Instruction, including Exercise and Yoga	N	N	N	N	N	P	P	C	C	C	C	N	Sec. 86-570

2017 NAICS Code	USES	R- 2	R- 4	R- C	R- A	RM	H- 1	H- 2	O&I	MX	C- 1	C- 2	M- 1	Code Section
611620	Sports and Recreation Instruction, including Gymnastics and Martial Arts	N	N	N	N	N	P	P	C	C	C	C	N	Sec. 86-571
6117	Educational Support Services	N	N	N	N	N	C	C	P	P	N	N	N	Sec. 86-572
6243	Vocational Rehabilitation Services	N	N	N	N	N	N	C	N	N	N	C	N	Sec. 86-158
5621	Waste Collection	N	N	N	N	N	N	N	C	N	N	N	C	Sec. 86-573
562119	Other Waste Collection, Except Hazardous Waste	N	N	N	N	N	N	N	C	N	N	N	C	Sec. 86-573
5622	Waste Treatment and Disposal	N	N	N	N	N	N	N	N	N	N	N	C	Sec. 86-574
5629	Remediation and Other Waste Services	N	N	N	N	N	N	N	C	N	N	N	C	Sec. 86-575
562920	Materials Recovery Facilities, Including Collection Bins for Recyclable Materials	N	N	N	N	N	N	N	C	N	N	C	P	Sec. 86-640
562991	Septic Tank and Related Services	N	N	N	N	N	N	N	N	N	N	N	C	Sec. 86-576
4431	Electronics and Appliance Stores, Including Computers and Cameras	N	N	N	N	N	P	P	N	P	N	P	N	
45392	Art Dealers	N	N	N	N	N	P	P	P	C	C	P	N	Sec. 86-577
453920	Art Gallery	N	N	N	N	N	P	P	C	C	C	C	N	Sec. 86-578
453920	Temporary, Outdoor Arts Market	N	N	N	N	N	C	C	C	N	N	N	N	Sec. 86-579

2017 NAICS Code	USES	R- 2	R- 4	R- C	R- A	RM	H- 1	H- 2	O&I	MX	C- 1	C- 2	M- 1	Code Section
44131	Automotive Parts and Accessories Stores, With No Outdoor Storage, Excluding Tires	N	N	N	N	N	N	N	N	N	N	P	P	
44131	Automotive Parts and Accessories Stores, With Outdoor Storage, Excluding Tires	N	N	N	N	N	N	N	N	N	N	C	C	Sec. 86-580
7224	Bars, Taverns and Other Drinking Places (Alcoholic Beverages)	N	N	N	N	N	C	C	N	P	C	P	N	Sec. 86-159
4453	Beer, Wine and Liquor Stores	N	N	N	N	N	N	N	N	N	N	C	N	Sec. 86-637; 6-44
45121	Book Stores and News Dealers	N	N	N	N	N	P	P	P	P	P	P	N	
4441	Building Material and Supplies Dealers	N	N	N	N	N	N	N	N	N	N	C	C	Sec. 86-161
44419	Other Building Material Dealers, Lumber Yards	N	N	N	N	N	N	N	N	N	N	C	C	Sec. 86-162
722514	Cafeterias, Grill Buffets, and Buffets	N	N	N	N	N	C	C	C	P	C	P	N	Sec. 86-581
44111	Car Dealers, New Vehicles Only	N	N	N	N	N	N	N	N	N	N	C	N	Sec. 86-163
441110	Car Dealers, New or Used Vehicles	N	N	N	N	N	N	N	N	N	N	C	N	Sec. 86-163, Sec. 86-109 (c)(5)

2017 NAICS Code	USES	R- 2	R- 4	R- C	R- A	RM	H- 1	H- 2	O&I	MX	C- 1	C- 2	M- 1	Code Section	
44112	Car Dealers, Used Vehicles Only	N	N	N	N	N	N	N	N	N	N	N	C	N	Sec. 86-163, Sec. 86-109 (c)(5)
4251	Electronic Markets and Agents and Brokers	N	N	N	N	N	N	N	P	N	N	P	N		
425120	Wholesale Trade Agents and Brokers, Including Automobile Brokers (Office Only)	N	N	N	N	N	N	N	N	N	N	P	N		Sec. 86-163.1
72232	Caterers	N	N	N	N	N	P	P	N	P	N	P	N		
4481	Clothing Stores	N	N	N	N	N	P	C	N	P	P	P	N		Sec. 86-164
44815	Clothing Accessories Stores	N	N	N	N	N	P	C	N	P	P	P	N		Sec. 86-164
44512	Convenience Food Stores with fuel pumps	N	N	N	N	N	N	N	N	C	N	P	P		Sec. 86-582
445120	Convenience Food Stores without fuel pumps	N	N	N	N	N	N	N	N	C	C	P	P		Sec. 86-165
44612	Cosmetics, Beauty Supplies, and Perfume Stores	N	N	N	N	N	C	C	N	P	P	P	N		Sec. 86-638
452210	Department Stores	N	N	N	N	N	C	C	N	P	N	P	N		Sec. 86-583
453998	Store Retailers not Specified Elsewhere, Including Fireworks Shops but not Tobacco Stores	N	N	N	N	N	N	N	N	C	P	P	P		Sec. 86-584

2017 NAICS Code	USES	R- 2	R- 4	R- C	R- A	RM	H- 1	H- 2	O&I	MX	C- 1	C- 2	M- 1	Code Section
4531	Florists	N	N	N	N	N	P	P	N	P	P	P	N	
72231	Food Service Contractors	N	N	N	N	N	P	P	C	P	N	P	P	Sec. 86-585
4421	Furniture Stores	N	N	N	N	N	C	C	N	P	C	P	N	Sec. 86-166
4422	Furnishings Stores (Minor Interior Décor Only)	N	N	N	N	N	P	P	N	P	C	P	N	Sec. 86-166
44221	Floor Covering Stores	N	N	N	N	N	N	N	N	N	N	P	P	
442291	Window Treatment Stores	N	N	N	N	N	C	C	N	N	N	P	N	Sec. 86-586
4471	Gasoline Stations, Full Service	N	N	N	N	N	N	N	N	N	N	P	P	
44711	Gasoline Stations with Convenience Stores	N	N	N	N	N	N	N	N	N	N	P	P	
452319	All Other General Merchandise Stores	N	N	N	N	N	P	P	N	P	C	P	N	Sec. 86-167
44511	Grocery Stores and Supermarkets (except Specialty Food Stores and Convenience Food Stores)	N	N	N	N	N	C	C	N	P	C	P	N	Sec. 86-169
44413	Hardware Stores	N	N	N	N	N	C	C	N	P	P	P	N	Sec. 86-587
45112	Hobby, Toy and Game Stores	N	N	N	N	N	P	P	N	P	P	P	N	
451120	Arts & Crafts Retail Sales, Supply Stores	N	N	N	N	N	P	P	C	C	C	P	N	Sec. 86-588

2017 NAICS Code	USES	R- 2	R- 4	R- C	R- A	RM	H- 1	H- 2	O&I	MX	C- 1	C- 2	M- 1	Code Section
44411	Home Centers (Building Materials and Supplies)	N	N	N	N	N	N	N	N	P	N	P	C	Sec. 86-589
4483	Jewelry, Luggage, and Leather Goods Stores	N	N	N	N	N	P	P	N	P	N	P	N	
4442	Lawn and Garden Equipment and Supplies Stores	N	N	N	N	N	N	C	N	N	C	P	N	Sec. 86-170
44422	Nursery, Garden, and Farm Supply Stores	N	N	N	N	N	N	C	N	N	C	P	N	Sec. 86-170
44619	Miscellaneous Health and Personal Care Stores, including Health Foods and Specialty Health Products.	N	N	N	N	N	P	P	N	P	P	P	N	
72233	Mobile Food Services, Including Carts and Individual Food Trucks	N	N	N	N	N	C	C	C	N	N	C	N	86-114; 86-590
722330	Food Truck Courts	N	N	N	N	N	P	P	C	C	N	C	N	86-114; 86-591
44122	Motorcycle, Boat, and Other Vehicle Dealers	N	N	N	N	N	N	N	N	N	N	C	P	Sec. 86-160
441228	Motorcycle, ATV, and Other Vehicle Dealers	N	N	N	N	N	N	N	N	N	N	C	P	Sec. 86-592
45114	Musical Instrument and Supplies Stores	N	N	N	N	N	P	P	N	P	N	P	N	
45439	Other Direct Selling Establishments	N	N	N	N	N	N	N	C	N	N	C	N	Sec. 86-593

2017 NAICS Code	USES	R- 2	R- 4	R- C	R- A	RM	H- 1	H- 2	O&I	MX	C- 1	C- 2	M- 1	Code Section
4532	Office Supplies, Stationery, and Gift Stores	N	N	N	N	N	P	P	C	P	C	P	N	Sec. 86-171; Sec. 86-168
44613	Optical Goods Stores	N	N	N	N	N	P	P	N	P	C	P	N	Sec. 86-172
447190	Other Gasoline Stations (includes Truck stop)	N	N	N	N	N	N	N	N	N	N	N	N	Sec. 86-594
4412	Other Motor Vehicle Dealers	N	N	N	N	N	N	N	N	N	N	C	P	Sec. 86-595
44412	Paint and Wallpaper Stores	N	N	N	N	N	C	C	N	P	N	P	N	Sec. 86-639
45391	Pet and Pet Supplies Stores, no Outdoor Storage or Displays	N	N	N	N	N	C	C	N	C	N	P	N	Sec. 86-173
44611	Pharmacies and Drug Stores	N	N	N	N	N	P	C	N	P	C	P	N	Sec. 86-175
443142	Music Stores (Prerecorded Tape, Compact Disc, and Records)	N	N	N	N	N	P	C	N	P	N	P	N	Sec. 86-176
44121	Recreational Vehicle Dealers	N	N	N	N	N	N	N	N	N	N	C	C	Sec. 86-596
722511	Restaurants, Full-Service, Family Restaurants	N	N	N	N	N	P	P	C	P	P	P	N	Sec. 86-597
722511	Restaurants, Full-Service, Quality Restaurants	N	N	N	N	N	P	P	C	P	P	P	N	Sec. 86-597
722513	Restaurants, Limited-Service, including Fast Food and Take-Out, with drive-through windows.	N	N	N	N	N	C	C	N	N	C	P	P	Sec. 86-598

2017 NAICS Code	USES	R- 2	R- 4	R- C	R- A	RM	H- 1	H- 2	O&I	MX	C- 1	C- 2	M- 1	Code Section
722513	Restaurants, Limited-Service, including Fast Food and Take-Out, without drive-through windows.	N	N	N	N	N	P	P	C	P	P	P	P	Sec. 86-598
45113	Sewing, Needlework, and Piece Goods Stores	N	N	N	N	N	P	P	N	P	N	P	N	
4482	Shoe Stores	N	N	N	N	N	P	P	N	P	N	P	N	
722515	Snack and Nonalcoholic Beverage Bars, including cafes and coffee shops	N	N	N	N	N	P	P	C	P	P	P	P	Sec. 86-599
4452	Specialty Food Stores, including Meat, Fish, Fruit and Vegetable Markets, Baked Goods, Candy and Nut Stores	N	N	N	N	N	P	P	N	P	P	P	N	
445230	Outdoor Farmers Market	N	N	N	N	N	P	P	N	P	N	C	N	86-114; Sec. 86-600
45111	Sporting Goods Stores	N	N	N	N	N	P	P	N	P	N	P	N	
44132	Tire Dealers	N	N	N	N	N	N	N	N	N	N	C	C	Sec. 86-601
484	Truck Transportation (Freight)	N	N	N	N	N	N	N	N	N	N	N	C	Sec. 86-179
4533	Used Merchandise Stores, including Thrift Stores but not Consignment Stores or Antique Shops	N	N	N	N	N	N	N	N	N	C	C	C	Sec. 86-178
45331	Consignment Stores	N	N	N	N	N	C	C	N	C	N	P	N	Sec. 86-602

2017 NAICS Code	USES	R- 2	R- 4	R- C	R- A	RM	H- 1	H- 2	O&I	MX	C- 1	C- 2	M- 1	Code Section
453310	Antique Shops, but not Flea Markets	N	N	N	N	N	P	P	N	P	N	P	N	Sec. 86-178
452311	Warehouse Clubs and Supercenters	N	N	N	N	N	N	N	N	C	N	P	N	Sec. 86-603
45393	Manufactured, Mobile, Home Dealers	N	N	N	N	N	N	N	N	N	N	N	N	
45399	All Other Miscellaneous Store Retailers, including Flea Markets	N	N	N	N	N	C	C	N	C	C	C	N	Sec. 86-604
453991	Tobacco Stores, Cigar Shops, and Vape Shops, but not Cigar Lounge	N	N	N	N	N	C	C	N	C	N	P	N	Sec. 86-605
	MANUFACTURING, WHOLESALING, AND WAREHOUSING													
337	Furniture and Related Product Manufacturing, With No Outdoor Storage	N	N	N	N	N	N	N	N	N	N	N	P	
337	Furniture and Related Product Manufacturing, With Outdoor Storage	N	N	N	N	N	N	N	N	N	N	N	C	Sec. 86-606
3121	Beverage Manufacturing, Non-alcoholic, with No Outdoor Storage	N	N	N	N	N	N	N	N	N	N	N	P	
3121	Beverage Manufacturing, Non-alcoholic, with Outdoor Storage	N	N	N	N	N	N	N	N	N	N	N	C	Sec. 86-606

2017 NAICS Code	USES	R- 2	R- 4	R- C	R- A	RM	H- 1	H- 2	O&I	MX	C- 1	C- 2	M- 1	Code Section
812332	Industrial Launderers	N	N	N	N	N	N	N	N	N	N	N	N	P
53113	Mini-warehouses and Self-Storage Units (Indoor and Outdoor)	N	N	N	N	N	N	N	N	N	N	C	C	Sec. 86-607
339	Miscellaneous Manufacturing (including toys, jewelry, silverware, medical / dental equipment and supplies, sporting goods, office supplies, signs, caskets, gaskets, home accessories, etc. and similar processing/assembly of products), With No Outdoor Storage	N	N	N	N	N	N	N	N	N	N	N	N	P
339	Miscellaneous Manufacturing (including toys, jewelry, silverware, medical / dental equipment and supplies, sporting goods, office supplies, signs, caskets, gaskets, home accessories, etc. and similar processing/assembly of products), With Outdoor Storage	N	N	N	N	N	N	N	N	N	N	N	N	C
51212	Motion Picture and Video Distribution	N	N	N	N	N	N	N	N	N	N	C	P	Sec. 86-608
51211	Motion Picture and Video Production	N	N	N	N	N	N	N	N	N	N	C	C	Sec. 86-609
322	Paper Manufacturing	N	N	N	N	N	N	N	N	N	N	N	N	C

2017 NAICS Code	USES	R- 2	R- 4	R- C	R- A	RM	H- 1	H- 2	O&I	MX	C- 1	C- 2	M- 1	Code Section
51219	Postproduction and Other Related Industries	N	N	N	N	N	P	P	N	N	N	C	C	Sec. 86-137
323	Printing and Related Support Activities	N	N	N	N	N	C	C	N	N	C	P	P	Sec. 86-611
31211	Soft Drink and Ice Manufacturing, With no Outdoor Storage	N	N	N	N	N	N	N	N	N	N	N	P	
31211	Soft Drink and Ice Manufacturing, With Outdoor Storage	N	N	N	N	N	N	N	N	N	N	N	C	Sec. 86-606
31212	Breweries, Large-Scale	N	N	N	N	N	C	C	N	N	N	N	C	Sec. 86-612
312120	Micro-breweries	N	N	N	N	N	C	C	N	N	N	C	C	86-114; Sec. 86-613
312120	Brew Pubs and Growler Shops	N	N	N	N	N	C	C	N	N	N	C	N	86-114; Sec. 86-614
31214	Distilleries, Large-Scale	N	N	N	N	N	C	C	N	N	N	N	C	Sec. 86-615
312140	Micro-distilleries	N	N	N	N	N	C	C	N	N	N	N	C	86-114; Sec. 86-616

2017 NAICS Code	USES	R- 2	R- 4	R- C	R- A	RM	H- 1	H- 2	O&I	MX	C- 1	C- 2	M- 1	Code Section	
3122	Tobacco Manufacturing	N	N	N	N	N	N	N	N	N	N	N	N	C	Sec. 86-606
493	Warehousing and Storage	N	N	N	N	N	N	N	N	N	N	N	N	C	Sec. 86-617
423	Merchant Wholesalers, Durable Goods, With No Customer Showrooms and /or Outdoor Storage	N	N	N	N	N	N	N	N	N	N	N	N	P	
423	Merchant Wholesalers, Durable Goods, With Customer Showrooms and /or Outdoor Storage	N	N	N	N	N	N	N	N	N	N	N	N	C	Sec. 86-618
423930	Recyclable Material Merchant Wholesalers With No Outdoor Storage	N	N	N	N	N	N	N	N	N	N	N	N	P	
423930	Recyclable Material Merchant Wholesalers With Outdoor Storage	N	N	N	N	N	N	N	N	N	N	N	N	C	Sec. 86-618
424	Merchant Wholesalers, Non-Durable Goods (including piece goods), With No Customer Showrooms and /or Outdoor Storage	N	N	N	N	N	N	N	N	N	N	N	N	P	
424	Merchant Wholesalers, Non-Durable Goods (including piece goods), With Customer Showrooms and /or Outdoor Storage	N	N	N	N	N	N	N	N	N	N	N	N	C	Sec. 86-618
311	Food Manufacturing, with no Outdoor Storage	N	N	N	N	N	N	N	N	N	N	N	N	P	

2017 NAICS Code	USES	R- 2	R- 4	R- C	R- A	RM	H- 1	H- 2	O&I	MX	C- 1	C- 2	M- 1	Code Section
311	Food Manufacturing, with Outdoor Storage	N	N	N	N	N	N	N	N	N	N	N	C	Sec. 86- 606
313	Textile Mills, with no Outdoor Storage	N	N	N	N	N	N	N	N	N	N	N	P	
313	Textile Mills, with Outdoor Storage	N	N	N	N	N	N	N	N	N	N	N	C	Sec. 86-606
314	Textile Product Mills, with no Outdoor Storage	N	N	N	N	N	N	N	N	N	N	N	P	
314	Textile Product Mills, with Outdoor Storage	N	N	N	N	N	N	N	N	N	N	N	C	Sec. 86- 606
315	Apparel and Apparel Accessories Manufacturing, with no Outdoor Storage	N	N	N	N	N	N	N	N	N	N	N	P	
315	Apparel and Apparel Accessories Manufacturing, with Outdoor Storage	N	N	N	N	N	N	N	N	N	N	N	C	Sec. 86- 606
316	Leather and Allied Product Manufacturing, Including footwear, With No Outdoor Storage	N	N	N	N	N	N	N	N	N	N	N	P	
316	Leather and Allied Product Manufacturing, Including footwear, With Outdoor Storage	N	N	N	N	N	N	N	N	N	N	N	C	Sec. 86- 606
321	Wood Product Manufacturing, Including Millwork, With No Outdoor Storage	N	N	N	N	N	N	N	N	N	N	N	P	

2017 NAICS Code	USES	R- 2	R- 4	R- C	R- A	RM	H- 1	H- 2	O&I	MX	C- 1	C- 2	M- 1	Code Section
321	Wood Product Manufacturing, Including Millwork, With Outdoor Storage	N	N	N	N	N	N	N	N	N	N	N	N	Sec. 86- 606
324	Petroleum and Coal Products Manufacturing	N	N	N	N	N	N	N	N	N	N	N	N	Sec. 86- 606
325	Chemical Manufacturing, Including Pharmaceutical and Medicine Manufacturing	N	N	N	N	N	N	N	N	N	N	N	N	Sec. 86- 619
326	Plastics and Rubber Products Manufacturing	N	N	N	N	N	N	N	N	N	N	N	N	Sec. 86- 620
327	Non-metallic Mineral Product Manufacturing	N	N	N	N	N	N	N	N	N	N	N	N	Sec. 86- 606
331	Primary Metal Manufacturing	N	N	N	N	N	N	N	N	N	N	N	N	Sec. 86-606
332	Fabricated Metal Product Manufacturing, With No Outdoor Storage	N	N	N	N	N	N	N	N	N	N	N	N	P
332	Fabricated Metal Product Manufacturing, With Outdoor Storage	N	N	N	N	N	N	N	N	N	N	N	N	Sec. 86- 606
333	Machinery Manufacturing, With No Outdoor Storage	N	N	N	N	N	N	N	N	N	N	N	N	P
333	Machinery Manufacturing, With Outdoor Storage	N	N	N	N	N	N	N	N	N	N	N	N	Sec. 86- 606
334	Computer and Electronic Product Manufactur., With No Outdoor Storage	N	N	N	N	N	N	N	N	N	N	N	N	P

2017 NAICS Code	USES	R- 2	R- 4	R- C	R- A	RM	H- 1	H- 2	O&I	MX	C- 1	C- 2	M- 1	Code Section
334	Computer and Electronic Product Manufacturing, With Outdoor Storage	N	N	N	N	N	N	N	N	N	N	N	N	Sec. 86-606
335	Electrical Equipment and Appliance Manufacturing With No Outdoor Storage	N	N	N	N	N	N	N	N	N	N	N	P	
335	Electrical Equipment and Appliance Manufacturing With Outdoor Storage	N	N	N	N	N	N	N	N	N	N	N	C	Sec. 86-606
336	Transportation Equipment Manufacturing	N	N	N	N	N	N	N	N	N	N	N	N	Sec. 86-606
	TRANSPORTATION, COMMUNICATION, AND UTILITIES													
4855	Charter Bus Industry	N	N	N	N	N	N	N	N	N	N	C	C	Sec. 86-621
4885	Freight Transportation Arrangement	N	N	N	N	N	N	N	C	N	N	C	C	Sec. 86-622
488991	Packing and Crating	N	N	N	N	N	N	N	N	N	N	N	C	Sec. 86-180
517312	Wireless Telecommunications Carriers (New Cell Towers)	N	N	N	N	N	C	C	C	N	C	C	C	Sec. 86-201; Chapter 70
517312	Wireless Telecommunications Carriers (Co-Locations)	N	N	N	N	N	P	P	P	P	P	P	P	Sec. 86-201; Chapter 70

2017 NAICS Code	USES	R- 2	R- 4	R- C	R- A	RM	H- 1	H- 2	O&I	MX	C- 1	C- 2	M- 1	Code Section
517312	Wireless Telecommunications Carriers (Small Cell Permitting on New Poles in Right-of-Way)	P @	P @	P @	P @	P @	P #	P #	P @	P @	P P	P P	P P	#=Sec. 70-71(a)(10), @=Sec. 70-103
517312	Wireless Telecommunications Carriers (Small Cell Permitting on Existing Poles in Right-of-Way)	P	P	P	P	P	P #	P #	P	P	P	P	P	#=Sec. 70-71(a)(10)
4821	Rail Transportation Co. (Office Only)	N	N	N	N	N	P	P	P	N	N	C	P	Sec. 86-623
487	Scenic and Sightseeing Transportation	N	N	N	N	N	C	C	N	N	N	N	P	Sec. 86-624
485991	Special Needs Transportation	N	N	N	N	N	N	N	N	N	N	P	P	
4852	Interurban and Rural Bus Transportation	N	N	N	N	N	N	N	C	N	N	N	C	Sec. 86-625
4853	Taxi and Limousine Service	N	N	N	N	N	N	N	N	N	N	C	N	Sec. 86-181
4851	Urban Transit Systems, except Taxi and Limousine Service	N	N	N	N	N	N	N	N	N	N	P	P	
4854	School and Employee Bus Transportation	N	N	N	N	N	N	N	C	N	N	N	C	Sec. 86-626
4882	Support Activities for Rail Transportation	N	N	N	N	N	C	C	C	N	N	N	C	Sec. 86-627
4884	Support Activities for Road Transportation	N	N	N	N	N	N	N	C	N	N	N	C	Sec. 86-628

2017 NAICS Code	USES	R- 2	R- 4	R- C	R- A	RM	H- 1	H- 2	O&I	MX	C- 1	C- 2	M- 1	Code Section
4889	Other Support Activities for Transportation	N	N	N	N	N	N	N	C	N	N	N	C	Sec. 86-629
491	Postal Service	N	N	N	N	N	C	C	P	N	C	P	P	Sec. 86-113; 86-630
	AGRICULTURAL USES													
	Private, Non-commercial Garden	P	P	P	P	N	P	P	N	P	N	N	N	
11142	Nursery and Floriculture Production	N	N	N	N	N	N	N	N	N	N	C	P	Sec. 86-631
111421	Nursery and Tree Production	N	N	N	N	N	N	N	N	N	N	C	P	Sec. 86-631
112	Animal Production, including all types of Livestock Farming	N	N	N	N	N	N	N	N	N	N	N	N	Sec. 14-9 (f)
1123	Poultry and Egg Production, Commercial	N	N	N	N	N	N	N	N	N	N	N	N	
	Other Poultry Production, Personal Use, Non-Commercial	P	P	N	N	N	P	P	N	N	N	N	N	Sec. 14-51
1125	Aquaculture	N	N	N	N	N	N	N	N	N	N	N	N	
11291	Apiculture (Beekeeping)	N	N	N	N	N	N	N	N	N	N	N	N	
1152	Support Activities for Animal Production	N	N	N	N	N	N	N	N	N	N	N	N	
	UTILITIES													
2211	Power Generation and Supply	N	N	N	N	N	N	N	N	N	N	N	C	Sec. 86-632

2017 NAICS Code	USES	R- 2	R- 4	R- C	R- A	RM	H- 1	H- 2	O&I	MX	C- 1	C- 2	M- 1	Code Section
2212	Natural Gas Distribution	N	N	N	N	N	N	N	N	N	N	N	N	Sec. 86-633
2213	Water, Sewage, and Other Systems	N	N	N	N	N	N	N	N	N	N	N	N	Sec. 86-634
22132	Sewage Treatment Facilities	N	N	N	N	N	N	N	N	N	N	N	N	Sec. 86-635
	ADULT ENTERTAINMENT													
713990	Adult Entertainment Facilities	N	N	N	N	N	N	N	N	N	N	N	N	Sec. 86-641

(Ord. No. 05-08, 8-15-05; Ord. No. 2006-05, § 1, 9-19-2006; Ord. No. 2015-10, § 3, 8-10-2015; [Ord. No. 2016-03, § 2, 2-8-2016](#); Ord. No. [2017-03](#), § 1, 2-13-2017) (Ord. No. 2019-05, 2-11-19, 2-10-20) **(8-10-20)**

Legal Notice

Public Hearing will be held by the Mayor and Council of the City of Jonesboro at 6:00 P.M. on August 10, 2020 via Zoom meetings, to consider a proposed text amendment to the City of Jonesboro Code of Ordinances, regarding further revisions and updates to the “Table of Uses Allowed by Zoning District”, Section 86-204, of Article VI – Conditional Uses, Chapter 86 – Zoning, of the City of Jonesboro Code of Ordinances.

David Allen
Zoning Administrator / Community Development Director

Publish 7/15/20



CITY OF JONESBORO, GEORGIA COUNCIL

Agenda Item Summary

Agenda Item #
OLD BUSINESS – 4

11.4

COUNCIL MEETING DATE
August 10, 2020

Requesting Agency (Initiator) Office of the City Manager	Sponsor(s) Community Development Director Allen
Requested Action (Identify appropriate Action or Motion, purpose, cost, timeframe, etc.) Council to consider a proposed text amendment Ord. 2020-16 to the City of Jonesboro Code of Ordinances, regarding proposed revisions to Chapter 86, Zoning, Article XVI, Signs, of the City of Jonesboro Code of Ordinances.	
Requirement for Board Action (Cite specific Council policy, statute or code requirement) Text Amendment Adoption	
Is this Item Goal Related? (If yes, describe how this action meets the specific Board Focus Area or Goal) Community Planning, Neighborhood and Business Revitalization, Historic Preservation	
Summary & Background	(First sentence includes Agency recommendation. Provide an executive summary of the action that gives an overview of the relevant details for the item.) Agency recommendation – Approval of text amendment; Recently, the City expressed a desire to change the frequency of change of images and text on an electronic message sign from 10 seconds to 5 seconds.
<p>Sec. 86-490. - Regulated signs.</p> <p>(a) Ground signs, which are permanent, shall be permitted in non-residential zoning districts. No ground sign shall have a height greater than six feet above normal grade, or a sign face area greater than 35 square feet (each side) for lots with a single building and 45 square feet (each side) for planned centers. No portion of a ground sign shall not be located within ten feet of a street right-of-way or within 50 feet of any other permanent sign, major structure or building. Changeable copy shall not exceed 33 percent of the area of the sign face. Ground signs are allowed only on lots upon which there is a building which is currently occupied pursuant to a current and valid certificate of occupancy issued by the city or which is currently being developed under an active building permit issued by the city.</p> <p>(b) Wall signs shall be permitted in non-residential zoning districts. Permitted area of wall signs shall not exceed 150 square feet. No single building or unit shall be permitted more than one wall sign except for multiple frontage lots as provided in section 86-489(b)(l). Wall signs are allowed only upon a building which is currently occupied pursuant to a current and valid certificate of occupancy issued by the city or which is currently being developed under an active building permit issued by the city.</p> <p>(c) Electronic message center signs are permitted freestanding signs in a non-residential zoning district subject to the following:</p> <p>(1) A maximum of one electronic message center sign is allowed per lot;</p> <p>(2) An electronic message center sign shall not exceed 33 percent of the total sign face area of the freestanding sign on which the electronic message center sign is located;</p> <p>(3) Each message (electronic changeable copy) displayed on an electronic message center sign shall remain static for at least ten five seconds following the completion of its transition from the previous message. As used in this subsection, "static" shall mean a display that is fixed in one position with no portion of the display being in motion or changing in color or intensity. An exception will be made to this restriction for electronic, real-time displays of time and temperature.</p> <p>(4) Electronic message center signs shall have automatic dimming capability that adjusts the brightness to the ambient light at all times of the day and night so as to comply with the provisions stated in sections 86-493(j) and (k); and</p> <p>(5) No display of flashing or moving graphics or animation shall be allowed;</p> <p>(6) Electronic message center signs are only permitted in the following zoning districts: C-1 neighborhood commercial district. C-2 highway commercial district.</p>	

FOLLOW-UP APPROVAL ACTION (City Clerk)

Typed Name and Title Ricky L. Clark, City Manager	Date August, 10, 2020	08/03/20 REQUIRED	City Council PUBLIC HEARING Next: 08/10/20
Signature	City Clerk's Office		

O&I office and institutional district.
MX mixed use district.
M-1 light industrial district.

Staff also noticed an apparent conflict with monument signs in the Historic District that needs clarification.

The Jonesboro Guidebook for Sign Regulations in the Historic District states that monument ground signs are not allowed. A monument sign means a free-standing sign mounted directly upon the ground and not raised by vertical supports. That these type of ground signs are not allowed in the Historic District is supported by Section 86-495 (3)(j):

j. *Ground signs.* Ground signs may hang or suspend from a horizontal support that is affixed to the ground by vertical post.

However, Sec. 86-489 is in potential conflict with Sec. 86-495:

(c) *Planned centers.*

(1) A planned center, not located along Tara Boulevard, shall be entitled to one monument sign on each street right-of-way fronted. These permitted signs shall be limited to sign face areas of 45 square feet each with a maximum frame height of six feet from grade. No portion of the sign shall include an area for changeable letters.

(2) In addition to monument signs, a planned center, not located along Tara Boulevard, shall be entitled to one ground sign per entrance. Each such ground sign may have multiple face panels, the number of which shall not exceed the number of businesses or organizations located within the planned center. The size and number of face panels shall not exceed the total allowable sign face area for a ground sign. No portion of the sign or any face panel shall include an area for changeable letters, either manual or electronic.

This can be resolved with the following text amendment:

(c) *Planned centers.*

(1) A planned center, not located along Tara Boulevard **or in the Historic District**, shall be entitled to one monument sign on each street right-of-way fronted. These permitted signs shall be limited to sign face areas of 45 square feet each with a maximum frame height of six feet from grade. No portion of the sign shall include an area for changeable letters.

(2) **In addition to monument signs,** A planned center, not located along Tara Boulevard shall **also** be entitled to one ground sign per entrance. Each such ground sign may have multiple face panels, the number of which shall not exceed the number of businesses or organizations located within the planned center. The size and number of face panels shall not exceed the total allowable sign face area for a ground sign. No portion of the sign or any face panel shall include an area for changeable letters, either manual or electronic.

No changes since the August 3rd Council meeting.

Fiscal Impact

(Include projected cost, approved budget amount and account number, source of funds, and any future funding requirements.)

Exhibits Attached (Provide copies of originals, number exhibits consecutively, and label all exhibits in the upper right corner.)

- Legal Notice - Sign Ordinance Revisions

Staff Recommendation *(Type Name, Title, Agency and Phone)***Approval**

Legal Notice

Public Hearing will be held by the Mayor and Council of the City of Jonesboro at 6:00 P.M. on August 10, 2020 via Zoom Meetings, to consider a proposed text amendment to the City of Jonesboro Code of Ordinances, regarding proposed revisions to Chapter 86, Zoning, Article XVI, Signs, of the City of Jonesboro Code of Ordinances.

David Allen
Zoning Administrator / Community Development Director

Publish 7/22/20



CITY OF JONESBORO, GEORGIA COUNCIL Agenda Item Summary

Agenda Item #

11.5

CONSENT AGENDA - 5

COUNCIL MEETING DATE

August 10, 2020

Requesting Agency (Initiator)

Office of the City Manager

Sponsor(s)

Community Development Director Allen

Requested Action (Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)

Discussion regarding a proposed addition to the City of Jonesboro Schedule of Fees.

Requirement for Board Action (Cite specific Council policy, statute or code requirement)

Discussion of Proposed Fee Change

Is this Item Goal Related? (If yes, describe how this action meets the specific Board Focus Area or Goal)

Yes

Economic Development, Community Planning, Neighborhood and Business Revitalization

Summary & Background

(First sentence includes Agency recommendation. Provide an executive summary of the action that gives an overview of the relevant details for the item.)

The approval of the Specimen Tree Protection Ordinance last month necessitates an addition to the City fee schedule – an application fee for Tree Removal Permits, which will cover the cost of preparing tree reports, including the taking of photographs.

The typical amount for similar application fees in the City is \$75.00.

Fiscal Impact

(Include projected cost, approved budget amount and account number, source of funds, and any future funding requirements.)

n/a

Exhibits Attached (Provide copies of originals, number exhibits consecutively, and label all exhibits in the upper right corner.)

- Tree Removal Permit Application

Staff Recommendation (Type Name, Title, Agency and Phone)

Approval

FOLLOW-UP APPROVAL ACTION (City Clerk)

Typed Name and Title Ricky L. Clark, City Manager	Date August, 10, 2020	08/03/20 ITEM	City Council CONSENT AGENDA Next: 08/10/20
Signature	City Clerk's Office		



City of Jonesboro City Hall
124 North Avenue
Jonesboro, Ga. 30236
(770) 478-3800

CITY OF JONESBORO
SPECIMEN TREE REMOVAL PERMIT APPLICATION

Application Fee: \$75.00

AFFECTED PROPERTY: _____

Property Owner Information

Owner Name _____

Owner Address _____

City _____ State _____ Zip _____

Primary Telephone Number _____

Email _____

Mailing Address (If different than physical address)

Address _____

City _____ State _____ Zip _____

Tree Removal Representative

Name _____

Address _____

City _____ State _____ Zip _____

Primary Telephone Number _____

Email _____

Specimen Tree(s) To Be RemovedSpecies _____

_____Diameter Breast Height _____

Qualify for Exemption Under Section 82-30? Yes _____ No _____

If so, What Type of Exemption?

- Removal due to death, disease or infestation
- Removal to protect an existing structure
- In rights-of-way
- City authorized, or public trees
- Trail / pathways (municipal)
- Easements
- Grandfathered projects
- Active horticultural operations
- Bona fide agricultural operations

Approved as Exemption? Yes _____ No _____

Notes _____

****If specimen tree removal is due to death, disease or infestation, attach copy of written report of the certified arborist or other qualified authority, recommending the removal of the subject tree(s), to this application.****

Specimen Tree(s) To Be Removed (Non-Exempt)

Required Tree Protection Plan Attached? Yes _____ No _____

Total Number of Specimen Trees To Be Removed _____

Total Number of Inches To Be Removed (at Diameter Breast Height) _____

Tree Replacement Ratio Calculations

Tree Bank Fund Calculations



CITY OF JONESBORO, GEORGIA COUNCIL

Agenda Item Summary

Agenda Item #
OLD BUSINESS – 6

11.6

COUNCIL MEETING DATE
August 10, 2020

Requesting Agency (Initiator)

Office of the City Manager

Sponsor(s)

Community Development Director Allen

Requested Action (Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)

Council to consider a proposed text amendment Ord. 2020-17 to the City of Jonesboro Code of Ordinances, regarding proposed revisions to Chapter 86, Zoning, Appendix- Thoroughfare Plan of the City of Jonesboro Code of Ordinances.

Requirement for Board Action (Cite specific Council policy, statute or code requirement)

Chapter 86, Appendix, Thoroughfare Plan

Is this Item Goal Related? (If yes, describe how this action meets the specific Board Focus Area or Goal)

Community Planning, Neighborhood and Business Revitalization

Summary & Background

(First sentence includes Agency recommendation. Provide an executive summary of the action that gives an overview of the relevant details for the item.)

Agency recommendation – Approval of addition to Thoroughfare Plan; With the recent annexation of a parcel along Old Morrow Road and a conditional use permit for a warehousing facility, it became necessary to change the status of a portion of Old Morrow Road from “local road” status to “collector” status to accommodate the anticipated truck traffic.

- The City portion of Old Morrow Road from the current northern boundary of the City, south to the intersection of Old Morrow Road and Raymond Street shall be designated as “collector.”
- The portion of Old Morrow Road from its intersection with Raymond Street south to its intersection with the Highway 138 Spur shall remain as “local road” status.
- The County portion of Old Morrow Road, from the northern City boundary to the Battle Creek Road is already considered a collector road.

No changes since the August 3rd Council meeting.

Fiscal Impact

(Include projected cost, approved budget amount and account number, source of funds, and any future funding requirements.)

n/a

Exhibits Attached (Provide copies of originals, number exhibits consecutively, and label all exhibits in the upper right corner.)

- Revised Thoroughfare Plan
- Legal Notice - Thoroughfare Plan Revisions

Staff Recommendation (Type Name, Title, Agency and Phone)

Approval

FOLLOW-UP APPROVAL ACTION (City Clerk)

Typed Name and Title Ricky L. Clark, City Manager	Date August, 10, 2020	08/03/20 REQUIRED	City Council PUBLIC HEARING Next: 08/10/20
Signature	City Clerk's Office		

APPENDIX. - THOROUGHFARE PLAN

Organization of the Plan

Background. This Section describes the philosophical foundations of the Thoroughfare Plan.

Commonly-accepted Standards. This Section presents information, standards and design criteria commonly used by other jurisdictions.

Design Guidelines for Street Classifications. This Section provides standards and design criteria used by the North Carolina Department of Transportation.

Jonesboro Thoroughfare Plan. This Section represents the application of those standards and design criteria to the Jonesboro context, and comprises the proposed Thoroughfare Plan standards and criteria.

Background

The approach characterizing the Jonesboro Thoroughfare Plan stems from "New Urbanism" and "Traditional Neighborhood Development" models. The approach is also to "Keep It Simple," and accordingly, the name of the plan is proposed as the Jonesboro Thoroughfare Plan.

Post-war Development Model

The following excerpt conveys the roots of these development models that spell a return to a traditional development model that preceded widespread automobile ownership and suburbanization of America.

"Prior to WWII, the traditional neighborhood street was in the range of 28 feet—30 feet wide with corner radius of 5 feet—10 feet. Since that time, the typical local street has grown to a width of 36 feet, with a corner radius of 25 feet. The wider street was intended to move traffic more quickly and efficiently. It has. Unfortunately, faster traffic and increased amounts of asphalt have diminished the quality of our neighborhoods.

Through the first quarter of this century, the United States was developed in the form of compact, mixed-use neighborhoods. The pattern began to change with the emergence of modern architecture and zoning and ascension of the automobile. After World War II, a new system of development was implemented nationwide, replacing neighborhoods with a rigorous separation of uses that has become known as conventional suburban development, or sprawl. The majority of US citizens now live in suburban communities built in the last 50 years."

Principles of New Urbanism The strength of New Urbanism lies in the design of neighborhoods. This is guided by principles developed by town planners Andres Duany and Elizabeth Plater-Zyberk. According to these planners, an authentic neighborhood contains most of the following elements:

- A. The neighborhood has a discernible center. This is often a square of a green, and sometimes a busy or memorable street corner. A transit stop would be located at this center.
- B. Most of the dwellings are within a five-minute walk of the center, an average of roughly 2,000 feet.

C. There is a variety of dwelling types — usually detached dwellings, townhouses and apartments — so that younger and older people, singles and families, the poor and the wealthy may find places to live.

D. There are shops and offices at the edge of the neighborhood, of sufficiently varied types to supply the weekly needs of a household.

E. A small ancillary building is permitted within the backyard of each house. It may be used as a rental unit or place to work, e.g., office or craft workshop

F. An elementary school is near enough so that most children may walk from their home.

G. There are small playgrounds near every dwelling — not more than a tenth of a mile away.

H. Streets within the neighborhood are a connected network that disperses traffic by providing a variety of pedestrian and vehicular routes to any destination.

I. The streets are relatively narrow and shaded by rows of trees. This slows traffic, creating an environment suitable for pedestrians and bicycles.

J. Buildings in the neighborhood center are placed close to the street, creating a well-defined outdoor space.

K. Parking lots and garage doors rarely front the street. Parking is relegated to the rear of buildings, usually accessed by alleys.

L. Certain prominent sites at the termination of street vistas or in the neighborhood center are reserved for civic buildings. These provide sites for community meetings, education, religion or cultural activities.

Commonly-Accepted Standards

A number of state highway departments have developed standards that advance TND objectives. These standards are consistent with Jonesboro's historic development pattern and are presented here for application to the proposed Jonesboro Thoroughfare Plan.

Street Construction Design Guidelines

Design Speed

Maximum design speeds should consider the street type, vehicle use and the proposed speed limit. As most streets are "lanes" and "streets" which provide direct access to neighborhoods, the maximum desired vehicle speed is approximately 20 mph.

Street Types and Widths

Specific dimensions of each street element are provided in the table below; dimensions are from curb face to curb face.

STREET TYPES AND PROPOSED WIDTHS

Street Type	Lane	Parking	Bicycle
Lane	8 feet	8 feet	NA
Street	9 feet	6 feet	NA
Avenue	11 feet	6 feet	6 feet

Street Type	Lane	Parking	Bicycle
Main Street	11 feet	6 feet	6 feet
Boulevard	11 feet	6 feet	6 feet
Parkway	12 feet	NA	NA

NOTE: Bicycle lanes are optional when alternate routes to the same destination are provided.

Many of the standards advocated in this reference are designed to accommodate the "most frequent and numerous users of TND street networks," that is, motorists, cyclists and pedestrians. Use by oversized vehicles, such as delivery trucks, moving vans, school buses and fire trucks, is generally infrequent, particularly on residential streets and lanes. A basic premise of TND-responsive design is that "A street should be no wider than the minimum width needed to accommodate the usual vehicular mix desired for that street. On a properly designed TND street, the occasional oversized vehicle may cross the centerline of a street when making a right turn."

Stopping Sight Distances

Minimum stopping distances are referenced to design speed. According to the TND standards advanced, sight distances should be accommodated for both vertical and horizontal alignments. Stopping distances must be increased for downhill grades. Distances under wet pavement conditions are as follows:

Design Speed	Minimum Stopping Distance
20 mph	125 feet
25 mph	150 feet
30 mph	200 feet

Vertical Curve Design

K values for vertical curve design should be consistent with design speeds. The maximum centerline grades should also be consistent with design standards.

Centerline Radii

The criteria for minimum centerline radius for design speeds of 25 mph or less (no super elevation) are:

Design Speed	Minimum Centerline Radius
20 mph	90 feet
25 mph	175 feet

Curb Radii

A minimum curb radius of 15 feet is recommended for design speeds of 20 mph. Certain intersections on avenues, main streets and boulevards may require a curb radius of as much as 25 feet. In instances of larger curb radii, sidewalks may be set back six to 10 feet from curbs. In addition, on-street parking may be prohibited within 30 feet of the intersection on each street.

Intersection Sight Triangles

The minimum sight triangle for stop conditions at street intersections shall be 70 feet along the major road right-of-way and 20 feet along the minor road right-of-way. The intersection sight triangle shall be permanent right-of-way. These dimensions may be reduced for lower design speeds on lanes and streets.

Curb Construction

All curbed streets shall be built in accordance with GDOT requirements for vertical curb and gutter construction. Gutters for lanes are to be two feet wide; street median gutters are to be one foot.

Pavement Design

Alleys shall conform to City of Jonesboro standards as to pavement section for local streets. All other roads shall meet the pavement design criteria established in the "City of Jonesboro Development Code."

Sidewalks

Minimum sidewalk width is five feet for neighborhoods and eight feet for commercial districts. Sidewalks shall also meet or exceed the guidelines of the Americans with Disabilities Act.

Cyclists

On lower volume streets, cyclists should be considered a normal part of the vehicle traffic on the street. On higher volume streets, cyclists should be accommodated with six-foot wide bike lanes; separate bikeways may be considered. Routing for cyclists may include signs and striping, including changing the color of the bike lane, as appropriate.

Transit

Road design should be compatible with transit. Transit should be addressed wherever it is present and should be appropriately planned for developing areas.

On-street Parking

Parking on lanes and local streets is not designated or marked. On-street parking along major streets should be signed, marked or otherwise clearly designated.

Curb Cuts

Curb cuts, or driveways, should be minimized to reduce impacts to on-street parking, conflicts with pedestrians and cyclists and interruptions in traffic flow.

Planting Strips and Street Trees

Planting strips, located between the curb and sidewalk, parallel with the street, shall be six feet or more in width. Small street trees may be planted within three feet of the back of curb and should generally be planted along the centerline of the planting strip along streets with design speeds of 20 mph or less, or along streets with on-street parking. In commercial areas with high pedestrian volumes, granted tree wells may be used in lieu of planting strips. Trees and other objects should be restricted from corners for distances of 30 feet on all sides to maintain sight lines. Along all planting strips, the area between two feet and seven feet above ground shall be maintained as a clear zone to preserve sight lines and accommodate pedestrians.

Utilities

All utility installations within rights-of-way shall be consistent with the City of Jonesboro Development regulations. Underground utilities may cross under or run longitudinally under the pavement in residential subdivision streets, provided future utility stub-outs are installed prior to paving. Underground utilities may cross under all other streets and roadways, but may not run longitudinally under the pavement, except in unusual situations approved by the City Engineer.

Lighting

Shorter light standards located on a reduced spacing are preferable to fewer, taller, high-intensity light standards. The scale of lighting fixtures and the illumination provided must be appropriate for both pedestrian and vehicular movement.

Design Guidelines by Street Classification

Alleys

Alleys provide access to residential and commercial properties, but are not designed to handle through traffic. Alleys are found primarily in single-family residential developments and serve as rear access to garages. Business owners sometime use alleys for locating dumpsters. Utilities are often provided in alleys to connect to the rear of homes or businesses. A minimum right-of-way of 20 feet is required, with a minimum pavement width of 12 feet.

Lanes

Lanes provide access to single-family dwellings and are generally two to six blocks in length. A street width of 18 feet is typical, with storm drainage addressed by curb and gutter. On-street parking is permitted, though usually limited to guests. Planting strips six feet in width parallel five-foot sidewalks that are located on both frontages. The design speed for lanes is 20 miles per hour (mph) and a 40-foot right-of-way is required.

Streets

Streets provide access to many forms of housing and are generally two to six blocks in length. Streets are 28 feet wide, with curb and gutter and on-street parking. Planting strips six feet in width and five-foot sidewalks on both sides of each frontage are typical. Design speed for streets is 20 mph and a 50-foot right of way is required.

Avenues

Avenues convey vehicular traffic over short distances at moderate speeds. These routes serve as connectors between neighborhoods and mixed-use and commercial centers. Avenues often lie along an important axis, terminating at prominent buildings or plazas. Avenues may also provide circulation around squares or neighborhood parks.

Recommended street width is 26 feet on both sides of an 18-foot median. This configuration accommodates one 12-foot travel lane, a six-foot bike lane and an eight-foot parallel parking space. A minimum right-of-way of 98 feet and a maximum of two travel lanes are recommended. Planting strips with a width of six feet and eight-foot sidewalks are also recommended on each side. Design speed for avenues is 30 mph.

Main Streets

Main streets provide low-speed access to neighborhoods and high-density residential and commercial districts. A 66-foot right-of-way is required to accommodate sidewalks, curb and gutter and on-street parking, which is to be striped. Travel lanes on main streets are 11 feet and limited to two travel lanes. Bike lanes are optional, but if provided, a minimum width of six feet is recommended. Sidewalks having a minimum width of eight feet and installed on each side of the right-of-way are also recommended. Planting wells using six-foot tree grates are recommended rather than medians. Bike lanes are optional.

Features unique to main streets are "bulb-outs" at intersections and mid-block crossings; both of which are intended to enhance pedestrian use and safety. Posted speeds should not exceed 25 mph.

Parkways

Parkways are designed to serve motorists at the edge of towns or in agricultural areas. They are used for travel into town, or for travel through natural areas. Parkways are not designed for developed areas as when the parkway enters town, these routes transition to a boulevard.

Parkways require a minimum right-of-way of 118 feet. Travel lanes are typically 11—12 feet and a typical section uses a shoulder with ditches to accommodate runoff. Parkways can accommodate abundant pedestrian amenities; landscaped medians up to 30 feet wide, multi-use trails ranging from 10—14 feet in width, planting strips of 7—20 feet and bikeways separated from travel lanes are not uncommon. Storm water runoff can be addressed using swales or curb and gutter. The multi-use trails may be established on either or both sides of a parkway.

A paved shoulder having a minimum width of six feet should be provided on high-speed parkways, that is, those with posted speeds greater than 45 mph. Maximum design speed for parkways is 50 mph.

Jonesboro Thoroughfare Plan

Standards and design criteria adopted by other jurisdictions can provide an appropriate frame of reference in considering local plans. However, this information must be tailored to the Jonesboro context. The following standards and design criteria are proposed:

The Jonesboro Thoroughfare Plan establishes a street hierarchy comprised of Primary Arterial, Major Collector and Local Street. These are organized in order of size, with the Interstate conveying the highest traffic volumes and the highest speeds; local streets carry the lowest volumes and are characterized by the lowest speeds. Each street classification in the hierarchy is described below:

Primary Arterial

Major Collector

Local Street

Primary Arterials

Arterials are designed to provide a high degree of mobility and serve longer vehicle trips to, from, and within urban areas. Arterials form the skeleton of the roadway network, linking urban centers such as the Central Business District, industrial parks, commercial centers, major residential developments and other key activity centers. Primary Arterials are designed to carry between 45,000 and 75,000 trips per day. The City of Jonesboro has only one Primary Arterial and that is Tara Boulevard (Highway 19/41).

Major Collector Streets

Collector streets link neighborhoods to commercial districts and commuter traffic to secondary arterials. These streets are well traveled and are built to an urban standard. Collector streets are typically two- to four-lane facilities with an average daily traffic count between 7,500 and 15,000 vehicles. The following streets comprise Jonesboro's Major Collector Streets:

Fayetteville Road
 North Avenue
 North Main Street
 South Main Street
 McDonough Street
 Smith Street
 Stockbridge Road/Highway 138
 Jodeco Road

Old Morrow Road, from the current northern boundary line of the City south to the intersection of Old Morrow Road and Raymond Street

Local Streets

Local streets serve neighborhoods and are generally arranged in a grid pattern although development out from Jonesboro's historic core tends to be served by curvilinear street patterns. These roads accommodate access to collector streets and local destinations at low speeds; sidewalks encourage pedestrian travel and community livability. Standards and design criteria pertaining to local streets are as follows:

- Local streets shall be limited to a two-lane section with a two foot curb and gutter on each frontage.

- Pavement sections shall be comprised of two 12-foot lanes with parking permitted.

- Stormwater runoff shall be addressed using drainage sales.

- Five-foot sidewalks shall be established on each frontage as well as landscaped strips having a minimum dimension of four feet. Shade trees shall be planted on 50-foot centers.

- Right-of-way required for a local street shall be a minimum of 50 feet.

- All local streets in the "town center" shall have sidewalks and pedestrian-scale street lights.

The following streets comprise Jonesboro's local streets:

Adamson Drive	Elaine Terrace
Arnold Place	Evenview Circle
Batiste Garden Circle	Evenview Drive
Batiste Lane	Fayette Ave
Batiste Park Road	Gloria Drive

Batiste Way	Government Circle
Broad Street	Hanes Street
Brown Leaf Drive	Hightower Street
Brown Drive	Huie St
Burkshire Court	Ingleside Drive
Burnette Street	Irwin Street/Irvin Street
Burnside Street	Johnston Street/Johnson St
Carlton Drive	Key Street
Carriage Lane	King Street
Cecelia Circle	Lee Street
Cecelia Drive	Memorial Avenue
Chestnut Street	Mercer Court
Church Street	Mercer Drive

Cloud Street/St. James Place	Moore Street
College St	North Lake Drive
Courthouse Alley/Courthouse St	Old Morrow Rd, from its intersection with Raymond Street, south to its intersection with Highway 138 Spur.
Courthouse Way	Old Stockbridge Road
Crowder Street	Pharr Avenue
Dean Street	Pine Circle
Dixon Road	Poplar Street
Dixon Street	Porter Lane
East Dixie Drive	Raymond Street
East Mimosa Drive	Red Briar Way

(Ord. No. 05-08, § 2, 8-15-05, **8-10-20**)

Legal Notice

Public Hearing will be held by the Mayor and Council of the City of Jonesboro at 6:00 P.M. on August 10, 2020 via Zoom Meetings, to consider a proposed text amendment to the City of Jonesboro Code of Ordinances, regarding proposed revisions to Chapter 86, Zoning, Appendix-Thoroughfare Plan of the City of Jonesboro Code of Ordinances.

David Allen
Zoning Administrator / Community Development Director

Publish 7/22/20



CITY OF JONESBORO, GEORGIA COUNCIL Agenda Item Summary

Agenda Item #
NEW BUSINESS – 7

11.7

COUNCIL MEETING DATE
August 10, 2020

Requesting Agency (Initiator)

Office of the City Manager

Sponsor(s)

Community Development Director Allen

Requested Action (*Identify appropriate Action or Motion, purpose, cost, timeframe, etc.*)

Discussion regarding a proposed text amendment to the City of Jonesboro Code of Ordinances, regarding updates and additions to Article XVII – Additional Conditional Uses, Chapter 86 – Zoning, of the City of Jonesboro Code of Ordinances, including standards for “cigar lounges.”

Requirement for Board Action (*Cite specific Council policy, statute or code requirement*)

Chapter 86, Article XVII, Additional Conditional Uses

Is this Item Goal Related? (*If yes, describe how this action meets the specific Board Focus Area or Goal*)

Community Planning, Neighborhood and Business Revitalization

Summary & Background

(First sentence includes Agency recommendation. Provide an executive summary of the action that gives an overview of the relevant details for the item.)

Agency recommendation – Approval of addition to Article XVII; Per the additions and revisions to the Table of Uses this month, standards and restrictions for “cigar lounges” added to the list of Conditional Uses, being in certain districts. Cigar lounges are considered distinct from hookah lounges.

Sec. 86-642. - NAICS 713990 Cigar Lounges, with or without alcoholic beverage service

The following conditions are assigned in the H-1, H-2, MX, and C-2 districts:

- (1) Shall derive revenue from the sale of food, alcohol or other beverages that is incidental to the sale of the tobacco products;
- (2) Shall prohibit entry to a person under the age of 21 years of age during the time when the establishment is open for business;
- (3) Shall prohibit any food or beverage not sold directly by the business to be consumed on the premises;
- (4) Shall maintain a valid permit for the retail sale of cigar products;
- (5) Shall maintain a valid permit to operate a smoking bar issued by the Georgia Department of Revenue;
- (6) Shall abide by the provisions in Chapter 6 of the City Code regarding the sale and consumption of alcoholic beverages;
- (7) Shall be and remain engaged in the business of selling cigars generated 40 percent or more of its total annual gross income from the on-site sale of such cigar products and the rental of humidors.
- (8) Shall be and remain registered with the State Health Department. A smoking bar registration shall remain in effect for one year and shall be renewable only if in the preceding calendar year the smoking bar generated 40 percent or more of its total annual gross income from the on-site sale of cigar products and the rental of on-site humidors;
- (9) Shall post signs at each entrance and exit clearly stating that smoking is allowed on all or part of the premises and anyone under the age of 21 is prohibited from entering the premises;
- (10) Outdoor seating and dining areas are prohibited in the Historic District;

FOLLOW-UP APPROVAL ACTION (City Clerk)

Typed Name and Title Ricky L. Clark, City Manager	Date August, 10, 2020	08/03/20 REQUIRED	City Council PUBLIC HEARING Next: 08/10/20
Signature	City Clerk's Office		

(11) Shall designate (where allowed) outdoor seating and dining areas within ten feet of an entrance or exit of the smoking bar as "non-smoking";

(12) Cigar lounges must have and maintain a ventilation system that exhausts smoke from the business and is designed in accordance with current building code standards for the occupancy classification in use. The air handling systems from the smoking area shall be independent from the main air handling system that serves all other areas of the building and all air within the smoking area shall be exhausted directly to the outside by an exhaust fan. No air from the smoking area shall be recirculated to other parts of the building. During the hours of operation, the interior of the premises of a smoking bar shall be maintained with adequate illumination to make the conduct of patrons within the premises readily discernible to a person with normal vision.

(13) Where allowed, outdoor smoking areas shall have no ashtrays remain outdoors after normal business hours.

Fiscal Impact

(Include projected cost, approved budget amount and account number, source of funds, and any future funding requirements.)

n/a

Exhibits Attached *(Provide copies of originals, number exhibits consecutively, and label all exhibits in the upper right corner.)*

- Additional Conditional Uses - August 2020
- Legal Notice - Additional Conditional Uses Revision August 2020

Staff Recommendation *(Type Name, Title, Agency and Phone)***Approval**

ARTICLE XVII. – ADDITIONAL CONDITIONAL USES

(Reference Sec. 86-121. through 86-220.)

Sec. 86-499. NAICS 621420 – Outpatient Substance Abuse Centers

The following conditions are assigned in the O&I district:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Must be established on a lot having a minimum area of one acre.
- (3) Must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).
- (4) On-site parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.
- (5) A minimum 50-foot wide buffer shall be maintained between built elements (including paved parking areas) of the proposed facility and any adjacent, residentially zoned property.
- (6) Must conform to the advertising / public notice requirements of O.C.G.A. Title 36, Chapter 66, Section 36-66-4 (f), regarding zoning decisions relating to the location or relocation of a facility for the treatment of drug dependency.
- (7) Height regulations. The maximum height for buildings abutting a residential district or use shall be three stories or 35 feet as measured at any point 30 feet from any common property line. Building height may be increased one foot for every additional foot beyond a distance of 30 feet from any common property line.; however, no building shall ever exceed a total height of 75 feet.

Sec. 86-500. NAICS 621491 – HMO Medical Centers

The following conditions are assigned in the H-2 and M-X districts:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Must be established on a lot having a minimum area of one acre.
- (3) Must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).
- (4) On-site parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.
- (5) A minimum 50-foot wide buffer shall be maintained between built elements (including paved parking areas) of the proposed facility and any adjacent, residentially zoned property.
- (6) Height regulations. The maximum height for buildings abutting a residential district or use shall be three stories or 35 feet as measured at any point 30 feet from any common property line. Building

height may be increased one foot for every additional foot beyond a distance of 30 feet from any common property line.; however, no building shall ever exceed a total height of 75 feet.

Sec. 86-501. NAICS 621493 – Freestanding Ambulatory Surgical and Emergency Centers

The following conditions are assigned in the O&I and C-2 districts:

- (1) Must be located on a street having a classification of arterial or greater.
- (2) Must be established on a lot having a minimum area of one acre.
- (3) Must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).
- (4) On-site parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.
- (5) A minimum 50-foot wide buffer shall be maintained between built elements (including paved parking areas) of the proposed facility and any adjacent, residentially zoned property.
- (6) Height regulations. The maximum height for buildings abutting a residential district or use shall be three stories or 35 feet as measured at any point 30 feet from any common property line. Building height may be increased one foot for every additional foot beyond a distance of 30 feet from any common property line.; however, no building shall ever exceed a total height of 75 feet.

Sec. 86-502. NAICS 62149 – Other Outpatient Care Centers

The following conditions are assigned in the O&I and M-X districts:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Must be established on a lot having a minimum area of one acre.
- (3) Must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).
- (4) On-site parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.
- (5) A minimum 50-foot wide buffer shall be maintained between built elements (including paved parking areas) of the proposed facility and any adjacent, residentially zoned property.
- (6) Height regulations. The maximum height for buildings abutting a residential district or use shall be three stories or 35 feet as measured at any point 30 feet from any common property line. Building height may be increased one foot for every additional foot beyond a distance of 30 feet from any common property line.; however, no building shall ever exceed a total height of 75 feet.

Sec. 86-503. NAICS 621999 – All Other Miscellaneous Ambulatory Health Care Services

The following conditions are assigned in the H-1, H-2, O&I, M-X, and C-2 districts:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Must be established on a lot having a minimum area of one acre.
- (3) Must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).
- (4) On-site parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.
- (5) A minimum 50-foot wide buffer shall be maintained between built elements (including paved parking areas) of the proposed facility and any adjacent, residentially zoned property.
- (6) Height regulations. The maximum height for buildings abutting a residential district or use shall be three stories or 35 feet as measured at any point 30 feet from any common property line. Building height may be increased one foot for every additional foot beyond a distance of 30 feet from any common property line.; however, no building shall ever exceed a total height of 75 feet.

Sec. 86-504. NAICS 622110 – General Medical and Surgical Hospitals

The following conditions are assigned in the O&I and C-2 districts:

- (1) Must be located on a street having a classification of arterial.
- (2) Must be established on a lot having a minimum area of one acre.
- (3) Must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).
- (4) On-site parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.
- (5) A minimum 50-foot wide buffer shall be maintained between built elements (including paved parking areas) of the proposed facility and any adjacent, residentially zoned property.
- (6) Height regulations. The maximum height for buildings abutting a residential district or use shall be three stories or 35 feet as measured at any point 30 feet from any common property line. Building height may be increased one foot for every additional foot beyond a distance of 30 feet from any common property line.; however, no building shall ever exceed a total height of 75 feet.

Sec. 86-505. NAICS 6222 – Psychiatric and Substance Abuse Hospitals

The following conditions are assigned in the O&I district:

- (1) Must be located on a street having a classification of arterial.

- (2) Must be established on a lot having a minimum area of one acre.
- (3) Must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).
- (4) On-site parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.
- (5) A minimum 50-foot wide buffer shall be maintained between built elements (including paved parking areas) of the proposed facility and any adjacent, residentially zoned property.
- (6) Must conform to the advertising / public notice requirements of O.C.G.A. Title 36, Chapter 66, Section 36-66-4 (f), regarding zoning decisions relating to the location or relocation of a facility for the treatment of drug dependency.
- (7) Height regulations. The maximum height for buildings abutting a residential district or use shall be three stories or 35 feet as measured at any point 30 feet from any common property line. Building height may be increased one foot for every additional foot beyond a distance of 30 feet from any common property line.; however, no building shall ever exceed a total height of 75 feet.

Sec. 86-506. NAICS 6223 – Other Hospitals

The following conditions are assigned in the O&I district:

- (1) Must be located on a street having a classification of arterial.
- (2) Must be established on a lot having a minimum area of one acre.
- (3) Must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).
- (4) On-site parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.
- (5) A minimum 50-foot wide buffer shall be maintained between built elements (including paved parking areas) of the proposed facility and any adjacent, residentially zoned property.
- (6) Height regulations. The maximum height for buildings abutting a residential district or use shall be three stories or 35 feet as measured at any point 30 feet from any common property line. Building height may be increased one foot for every additional foot beyond a distance of 30 feet from any common property line.; however, no building shall ever exceed a total height of 75 feet.

Sec. 86-507. NAICS 623990 – Other Residential Care Facilities Care, Youth Homes

The following conditions are assigned in the R-2 and R-4 districts:

- (1) No additional parking beyond the existing driveway and garage areas shall be permitted on the property where the youth home is located, and vehicles may only be parked in such areas. Should

additional parking be required, the operator of the youth home may apply for an administrative variance from the city manager; any increase in pavement shall be confined to the rear of the lot.

- (2) Any modifications to the existing structure shall not increase the square footage of the structure.
- (3) Any exterior modifications to the existing structure shall be consistent with the residential character of the surrounding neighborhood.
- (4) A youth home shall not be established within 1,500 feet of an existing youth home.
- (5) The youth home shall not require occupancy of individual bedrooms by more than two individuals.
- (6) Youth homes shall comply with all fire and life safety codes, and obtain all federal and state permits or licenses, as appropriate.
- (7) The existing structure shall be upgraded and inspected by the city with respect to accommodation and accessibility by disabled individuals.
- (8) No individuals (except employees) over the age of 18 shall be lodged at the home.
- (9) No persons who are registered sex offenders, have other criminal history or require substance abuse treatment shall be allowed lodging on the premises.

Sec. 86-508. NAICS 8133 – Social Advocacy Organizations

The following conditions are assigned in the H-1 and M-X districts:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.
- (3) Must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).

Sec. 86-509. NAICS 813312 – Environmental and Conservation Organizations

The following conditions are assigned in the H-1, O&I, and C-2 districts:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.
- (3) Must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).

Sec. 86-510. NAICS 6241 – Social Services Assistance, including Individual and Family Services

The following conditions are assigned in the H-1 and C-2 districts:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.
- (3) Must be located in a stand-alone building (no planned centers, connected storefronts **sharing a common wall, or lots with zero lot line development or shared parking**).

Sec. 86-511. NAICS 923, 924, 925, 9261, 92612 – Administration of Programs

The following conditions are assigned in the H-1, H-2, M-X, and C-2 districts:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.
- (3) Must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).
- (4) Height regulations. The maximum height for buildings abutting a residential district or use shall be three stories or 35 feet as measured at any point 30 feet from any common property line. Building height may be increased one foot for every additional foot beyond a distance of 30 feet from any common property line.; however, no building shall ever exceed a total height of 75 feet.

Sec. 86-512. NAICS 92613 – Utility Regulation and Administration

The following conditions are assigned in the H-1, H-2, M-X, and C-2 districts:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.
- (3) Must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).
- (4) Height regulations. The maximum height for buildings abutting a residential district or use shall be three stories or 35 feet as measured at any point 30 feet from any common property line. Building height may be increased one foot for every additional foot beyond a distance of 30 feet from any common property line.; however, no building shall ever exceed a total height of 75 feet.

Sec. 86-513. NAICS 92614 – Agricultural Market and Commodity Regulation

The following conditions are assigned in the H-1, H-2, M-X, and C-2 districts:

- (1) Must be located on a street having a classification of collector or greater.

(2) Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.

(3) Must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).

(4) Height regulations. The maximum height for buildings abutting a residential district or use shall be three stories or 35 feet as measured at any point 30 feet from any common property line. Building height may be increased one foot for every additional foot beyond a distance of 30 feet from any common property line.; however, no building shall ever exceed a total height of 75 feet.

Sec. 86-514. NAICS 92615 – Licensing and Regulating Commercial Sectors

The following conditions are assigned in the H-1, M-X, and C-2 districts:

(1) Must be located on a street having a classification of collector or greater.

(2) Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.

(3) Must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).

(4) Height regulations. The maximum height for buildings abutting a residential district or use shall be three stories or 35 feet as measured at any point 30 feet from any common property line. Building height may be increased one foot for every additional foot beyond a distance of 30 feet from any common property line.; however, no building shall ever exceed a total height of 75 feet.

Sec. 86-515. NAICS 711120 – Dance Company Studios, without Theaters

The following conditions are assigned in the C-1 and C-2 districts:

(1) Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.

Sec. 86-516. NAICS 711212 – Racetracks, Including Small Vehicles, Go-Karts and Motorcycles

The following conditions are assigned in the C-2 district:

(1) Must be located on a street having a classification of arterial.

(2) Must be established on a lot having a minimum area of one acre.

(3) Must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).

(4) On-site parking space adequate to meet the needs of the proposed facility shall be provided.

- (5) A minimum 75-foot wide buffer shall be maintained between built elements (including paved parking areas) of the proposed facility and any adjacent, residentially zoned property.
- (6) Operating times shall not exceed 8 pm, Monday through Saturday, and 5 pm on Sunday.
- (7) Outdoor lighting shall be night-sky friendly.
- (8) No central loudspeaker system shall be permitted.
- (9) Nuisance noise shall be reduced to adjacent properties through noise-reducing mufflers, etc.

Sec. 86-517. NAICS 71131 – Promoters of Performing Arts, Sports & Similar Events W/ Facilities

The following conditions are assigned in the C-2 district:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Must be established on a lot having a minimum area of one acre and a minimum frontage of 150 feet.
- (3) Must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).
- (4) A minimum 50-foot wide buffer shall be maintained between built elements (including paved parking areas) of the proposed facility and any adjacent, residentially zoned property.
- (5) Height regulations. The maximum height for buildings abutting a residential district or use shall be three stories or 35 feet as measured at any point 30 feet from any common property line. Building height may be increased one foot for every additional foot beyond a distance of 30 feet from any common property line.; however, no building shall ever exceed a total height of 75 feet.

Sec. 86-518. NAICS 711410 – Agents and Managers for Artists, Athletes, Entertainers, and Other Public Figures

The following conditions are assigned in the M-X district:

- (1) Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.
- (2) Must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).

Sec. 86-519. NAICS 711510 – Independent Artist, Writers, and Performers, Live Entertainment

The following conditions are assigned in the H-1, H-2, O&I, M-X, and C-2 districts:

- (1) Must be located on a street having a classification of collector or greater.

- (2) No noise generated by the use shall be perceptible at the property boundary.

Sec. 86-520. NAICS 71311 – Amusement and Theme Parks

The following conditions are assigned in the C-2 district:

- (1) Must be located on a street having a classification of arterial.
- (2) Must be established on a lot having a minimum area of one acre.
- (3) Must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).
- (4) On-site parking space adequate to meet the needs of the proposed facility shall be provided.
- (5) A minimum 75-foot wide buffer shall be maintained between built elements (including paved parking areas) of the proposed facility and any adjacent, residentially zoned property.
- (6) Operating times shall not exceed 8 pm, Monday through Saturday, and 5 pm on Sunday.
- (7) Outdoor lighting shall be night-sky friendly.
- (8) No central loudspeaker system shall be permitted.
- (9) Nuisance noise shall be reduced to a minimum to adjacent properties.

Sec. 86-521. NAICS 7139 – Other Amusement and Recreation Industries

The following conditions are assigned in the C-2 district:

- (1) Must be located on a street having a classification of arterial.
- (2) Must be established on a lot having a minimum area of one acre.
- (3) Must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).
- (4) On-site parking space adequate to meet the needs of the proposed facility shall be provided.
- (5) A minimum 75-foot wide buffer shall be maintained between built elements (including paved parking areas) of the proposed facility and any adjacent, residentially zoned property.
- (6) Operating times shall not exceed 8 pm, Monday through Saturday, and 5 pm on Sunday.
- (7) Outdoor lighting shall be night-sky friendly.
- (8) No central loudspeaker system shall be permitted.
- (9) Nuisance noise shall be reduced to a minimum to adjacent properties.

Sec. 86-522. NAICS 713940 – Fitness and Recreational Sports Centers, Health Clubs

The following conditions are assigned in the H-1, H-2, and O&I districts:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.

Sec. 86-523. NAICS 71212 – Other Historical Sites, Open to General Public

The following conditions are assigned in the H-1, H-2, and O&I districts:

- (1) Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.
- (2) A minimum 50-foot wide buffer shall be maintained between built elements (including paved parking areas) of the proposed facility and any adjacent, residentially zoned property.
- (3) Operating times shall not exceed 8 pm, Monday through Saturday, and 5 pm on Sunday.

Sec. 86-524. NAICS 71213 – Zoos and Botanical Gardens

The following conditions are assigned in the O&I and M-X districts:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.
- (3) A minimum 50-foot wide buffer shall be maintained between built elements (including paved parking areas) of the proposed facility and any adjacent, residentially zoned property.
- (4) Operating times shall not exceed 8 pm, Monday through Saturday, and 5 pm on Sunday.
- (5) Outdoor lighting shall be night-sky friendly.
- (6) Outdoor storage and loading areas shall be screened from the road and from adjacent properties.

Sec. 86-525. NAICS 5614 – Business Support Services

The following conditions are assigned in the M-X and C-2 districts:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.

Sec. 86-526. NAICS 5222, 522390, 52298 – Credit Related Businesses, including Pawn Shops

The following conditions are assigned in the M-X and C-2 districts:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.
- (3) No pawn shop shall be permitted adjacent to any residential district.
- (4) For pawn shops, no outdoor display of merchandise is allowed.
- (5) The standards of Chapter 18, Article VII shall control operating of pawn shops.

Sec. 86-527. NAICS 561311, 561330 – Employment Staffing Businesses

The following conditions are assigned in the M-X district:

- (1) Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.

Sec. 86-528. NAICS 9211 – Executive, Legislative, and Other General Government Support

The following conditions are assigned in the M-X district:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.
- (3) Must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).
- (4) Height regulations. The maximum height for buildings abutting a residential district or use shall be three stories or 35 feet as measured at any point 30 feet from any common property line. Building height may be increased one foot for every additional foot beyond a distance of 30 feet from any common property line.; however, no building shall ever exceed a total height of 75 feet.

Sec. 86-529. NAICS 5612 – Facilities Support Services

The following conditions are assigned in the H-2 district:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.

- (3) Must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).
- (4) A minimum 75-foot wide buffer shall be maintained between built elements (including paved parking areas) of the proposed facility and any adjacent, residentially zoned property.
- (5) Outdoor storage and loading areas shall be screened from the road and from adjacent properties.

Sec. 86-530. NAICS 52232 – Financial Transactions Processing, Reserve, and Clearinghouse Activities

The following conditions are assigned in the H-2 district:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.
- (3) Must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).

Sec. 86-531. NAICS 621492 – Kidney Dialysis Centers

The following conditions are assigned in the M-X and C-2 districts:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.
- (3) Applicable waste storage / disposal procedures shall be followed, per State and Federal guidelines.

Sec. 86-532. NAICS 531120 – Lessors of Nonresidential Building (except Mini-warehouses), including Event Centers (Excluding funerals and wakes)

The following conditions are assigned in the O&I district:

- (1) Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.
- (2) Any alcohol service and consumption on the premises must conform to Chapter 6 standards, Alcoholic Beverages.
- (3) Must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).
- (4) A minimum 50-foot wide buffer shall be maintained between built elements (including paved parking areas) of the proposed facility and any adjacent, residentially zoned property.

Sec. 86-533. NAICS 812199 – Massage Therapy, State Licensed Only

The following conditions are assigned in the H-1, H-2, O&I, M-X and C-1 districts:

- (1) Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.
- (2) All individuals performing massage therapy must be licensed by the State of Georgia.

Sec. 86-534. NAICS 6215 – Medical and Diagnostic Laboratories

The following conditions are assigned in the H-1, and H-2 districts:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.
- (3) Must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).
- (4) Applicable waste storage / disposal procedures shall be followed, per State and Federal guidelines.

Sec. 86-535. NAICS 521 – Monetary Authorities-Central Bank

The following conditions are assigned in the C-2 district:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.
- (3) Must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).

Sec. 86-536. NAICS 5419 – Other Professional, Scientific, and Technical Services

The following conditions are assigned in the H-1, H-2, M-X, and C-1 districts:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.
- (3) Must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).

Sec. 86-537. NAICS 5417, 54171, 54172 – Research and Development in the Physical, Engineering, and Life Sciences, Social Sciences and Humanities

The following conditions are assigned in the H-2, M-X, and M-1 districts:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.
- (3) Must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).

Sec. 86-538. NAICS 523 – Securities, Commodity Contract, and Other Financial Investments and Related Activities

The following conditions are assigned in the C-2 district:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.

Sec. 86-539. NAICS 541940 – Veterinary services including animal hospital, with outdoor runs.

The following conditions are assigned in the C-2 district:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.
- (3) Outdoor runs shall be located in the rear yard only and shall be screened from roads and adjacent properties.
- (4) A minimum 50-foot wide buffer shall be maintained between built elements (including paved parking areas) of the proposed facility and any adjacent, residentially zoned property.
- (5) No overnight, outdoor lodging of animals shall be allowed.

Sec. 86-540. NAICS 621112 – Office of Mental Health Specialists

The following conditions are assigned in the H-1, M-X and C-1 districts:

- (1) Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.

(2) Must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).

Sec. 86-541. NAICS 54185 – Large-Scale, Outdoor Advertising, including Billboard Displays

The following conditions are assigned in the C-2 district:

- (1) Must be located on a street having a classification of arterial.
- (2) Must not exceed twenty (20) feet in height.

Sec. 86-542. NAICS 721199 – All Other Travel Accommodation, including Short Term Rentals (Air BnBs)

The following conditions are assigned in the H-1, H-2, O&I, M-X, and C-1 districts:

- (1) The standards of Chapter 18, Article XIII shall control development of short-term rentals.

Sec. 86-543. NAICS 721191 – Bed and Breakfast Inns

The following conditions are assigned in the R-A & R-M districts:

- (1) The standards of Chapter 18, Article XII shall control development of bed and breakfasts.

Sec. 86-544. NAICS 56143, 561439 – Business Service Centers, including Copy Shops, Mail Centers, and Internet Café

The following conditions are assigned in the C-1 district:

- (1) Establishments shall be limited to a maximum floor area of 2,000 square feet.

Sec. 86-545. NAICS 811192 – Car Washes

The following conditions are assigned in the M-X district:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Must be established on a lot having a minimum area of one acre and a minimum frontage of 150 feet.
- (3) Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.
- (4) Must be located in a stand-alone building (no planned centers or connected storefronts).

Sec. 86-546. NAICS 812220 – Crematories, within Funeral Homes or Stand Alone

The following conditions are assigned in the C-2 and M-1 districts:

- (1) For stand-alone crematories, the lot shall be a minimum of five acres, if burials also occur on the property (including columbariums).
- (2) For stand-alone crematories, the lot shall be a minimum of three acres, if no burials occur on the property.
- (3) The lot shall have direct access to an arterial or major collector road.
- (4) No building or other structure shall be located within 100 feet of any property boundary.
- (5) Any gravesites shall be a minimum of (50) 50 feet from any property boundary.
- (6) Building and other structures shall be screened from the road and adjacent properties.
- (7) For crematories within funeral homes, the facility shall not be a separate building from the funeral home and shall be located at the rear of the funeral home and shall match the exterior façade of the funeral home.
- (8) For crematories within funeral homes, the facility shall be a setback a minimum of 50 feet from rear and side property lines.
- (9) All crematory operators shall be properly State licensed.
- (10) All crematories must submit to all required State annual inspections and demonstrate compliance with any State and Federal emission standards.

Sec. 86-547. NAICS 81231 – Coin-Operated Laundries and Drycleaners, drop-off

The following conditions are assigned in the C-1 district:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Establishments shall be limited to a maximum floor area of 2,000 square feet

Sec. 86-548. NAICS 53241 – Heavy Machinery and Equipment Rental and Leasing

The following conditions are assigned in the C-2 district:

- (1) Must be located on a street having a classification of arterial.
- (2) Machinery / equipment for rental shall be parked in the rear yard of the business and shall be screened from adjacent properties.

Sec. 86-549. NAICS 532283 – Home Health Equipment Rental

The following conditions are assigned in the O&I and C-1 districts:

- (1) Must be located on a street having a classification of collector or greater.
- (2) No outdoor display or storage of merchandise or materials shall be permitted.

Sec. 86-550. NAICS 532284 – Recreational Goods Rental, including golf cart rentals

The following conditions are assigned in the C-2 district:

- (1) Must be located on a street having a classification of arterial.
- (2) Recreational vehicles for rental shall be parked in the rear yard of the business and shall be screened from adjacent properties.
- (3) No outdoor display or storage of non-vehicle merchandise or materials shall be permitted in the front yard.

Sec. 86-551. NAICS 812191 – Diet and Weight Reducing Centers

The following conditions are assigned in the H-2 district:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.

Sec. 86-552. NAICS 454110 – Electronic Shopping and Mail-Order Houses

The following conditions are assigned in the H-2 district:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.
- (3) Must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).

Sec. 86-553. NAICS 532281 – Formal Wear & Costume Rental

The following conditions are assigned in the C-1 district:

- (1) Establishments shall be limited to a maximum floor area of 2,000 square feet
- (2) No outdoor display or storage of merchandise or materials shall be permitted.

Sec. 86-554. NAICS 72111 – Hotels (except Casino Hotels) and Motels, including Extended Stay Facilities

The following conditions are assigned in the H-1, H-2, O&I, M-X, and C-2 districts:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).
- (3) Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided; no shared parking with adjacent uses.
- (4) Shall be no higher than three (3) stories in height.
- (5) Lodging rooms shall be accessed through a central lobby.
- (6) Lodging rooms shall be cleaned by professional staff daily.
- (7) No hotel, motel, or extended stay facility located within the City shall allow a person or persons to occupy any such facility for more than thirty (30) days during a one-hundred eighty (180) day period, except where:
 - a) Occupation of a hotel, motel, or extended stay facility in excess of thirty (30) consecutive days in a one hundred eighty (180) period may occur when a specific business entity desires such occupation for an employment-related purpose which requires temporary occupancy, including, but not limited to, relocation service and
 - b) a government, charity, or insurance agency desires such occupation to house individuals or families as a result of a natural disaster.
- (8) A minimum 25-foot wide buffer shall be maintained between built elements (including paved parking areas) of the proposed facility and any adjacent, single-family detached residential property.
- (9) Extended stay facilities shall have secure parking.

Sec. 86-555. NAICS 81293 – Parking Lots and Garages, Commercial

The following conditions are assigned in the H-1, H-2, O&I, M-x, C-1, C-2, and M-1 districts:

- (1) The standards of Chapter 86, Article XIII shall control development of parking lots.
- (2) The standards of Chapter 86, Article XV shall control landscaping and buffering of parking lots.
- (3) Lighting shall be night-sky friendly.
- (4) Parking garages shall not exceed two (2) stories in height.

Sec. 86-556. NAICS 812910 – Animal Kennels / Boarding

The following conditions are assigned in the M-1 district:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Must be established on a lot having a minimum area of three acres and a minimum frontage of 200 feet.
- (3) Must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).
- (4) Outdoor runs shall be located in side and rear yards only.
- (5) Outdoor runs and other outdoor animal areas shall be enclosed in a minimum 6-foot tall opaque fence.
- (6) A minimum 50-foot wide buffer shall be maintained between built elements (including paved parking areas) of the proposed facility and any adjacent, residentially zoned property.
- (7) The keeping of wild or exotic animals, as defined in the Code of Georgia, is prohibited.
- (8) All facilities must be State licensed and be inspected periodically by the State. Copies of official inspection reports shall be provided to the City at time of annual business license renewal. Repeated violations of City and State standards may result in a revocation of the license.

Sec. 86-557. NAICS 812910 – Animal Rescue Shelter

The following conditions are assigned in the O&I and M-1 districts:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Must be established on a lot having a minimum area of one acre and a minimum frontage of 150 feet.
- (3) Must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).
- (4) Outdoor runs shall be located in side and rear yards only.
- (5) Outdoor runs and other outdoor animal areas shall be enclosed in a minimum 6-foot tall opaque fence.
- (6) A minimum 50-foot wide buffer shall be maintained between built elements (including paved parking areas) of the proposed facility and any adjacent, residentially zoned property.
- (7) All facilities must be State licensed and be inspected periodically by the State. Copies of official inspection reports shall be provided to the City.
- (8) No overnight, outdoor lodging of animals is allowed.
- (9) No at-large drop-offs of animals are allowed.
- (10) Height regulations. The maximum height for buildings abutting a residential district or use shall be three stories or 35 feet as measured at any point 30 feet from any common property line. Building

height may be increased one foot for every additional foot beyond a distance of 30 feet from any common property line.; however, no building shall ever exceed a total height of 75 feet.

Sec. 86-558. NAICS 812921 – Photo-finishing Laboratories (except One-Hour)

The following conditions are assigned in the C-1 district:

- (1) Establishments shall be limited to a maximum floor area of 2,000 square feet

Sec. 86-559. NAICS 54192 – Photographic Services and Studios, Including Framing Shops

The following conditions are assigned in the C-1 district:

- (1) Establishments shall be limited to a maximum floor area of 2,000 square feet

Sec. 86-560. NAICS 611513 – Apprenticeship Training

The following conditions are assigned in the H-2, O&I, M-X, C-2, and M-1 districts:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Must be established on a lot having a minimum area of one acre and a minimum frontage of 150 feet.
- (3) Must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).
- (4) Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.

Sec. 86-561. NAICS 811420 – Antique Furniture Repair and Restoration Shop

The following conditions are assigned in the H-1, H-2, and C-1 districts:

- (1) No outdoor display or storage of merchandise or materials shall be permitted.
- (2) Window displays shall not include merchandise in various states of repair or disrepair.
- (3) All loading / unloading shall occur at the rear of the building.

Sec. 86-562. NAICS 721310 – Rooming / Boardinghouses

The following conditions are assigned in the RM district:

- (1) Must be located on a street having a classification of collector or greater.

- (2) Must be established on a lot having a minimum area of one acre and a minimum frontage of 150 feet.
- (3) Dwellings shall not exceed two (2) stories in height.
- (4) The dwelling shall comply with all fire and life safety codes, and obtain all federal and state permits or licenses, as appropriate.
- (5) The dwelling shall not exceed occupancy of individual bedrooms by more than two individuals.
- (6) No dwelling located within the City shall allow a person or persons to occupy any such dwelling for more than thirty (30) days during a one-hundred eighty (180) day period.

Sec. 86-563. NAICS 561621 – Security Systems Services (except Locksmiths)

The following conditions are assigned in the H-1, H-2, and M-X districts:

- (1) Must be located on a street having a classification of collector or greater.

Sec. 86-564. NAICS 5619 – Other Support Services, including packaging and labeling, convention and trade show organizers, inventory, traffic control, water conditioning, lumber grading and related services

The following conditions are assigned in the C-2 district:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Must be established on a lot having a minimum area of one acre and a minimum frontage of 150 feet.
- (3) Must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).
- (4) No outside storage shall be visible from the road or adjacent properties.

Sec. 86-565. NAICS 661422, 561421 – Telemarketing Bureaus and Telephone Answering Services

The following conditions are assigned in the H-1 and H-2 districts:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Must be established on a lot having a minimum area of one acre and a minimum frontage of 150 feet.
- (3) Must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).

Sec. 86-566. NAICS 56152 – Tour Operators with Tour Vehicles

The following conditions are assigned in the H-1, H-2, and C-2 districts:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Vehicles may not be parked on a property without an associated office building.
- (3) Office must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).
- (4) Vehicles must be parked in the rear yard of the property.

Sec. 86-567. NAICS 53212 – Truck, Utility Trailer, and RV (Recreational Vehicle) Rental and Leasing, including Moving Truck Rental

The following conditions are assigned in the C-2 and M-1 districts:

- (1) Must be located on a street having a classification of arterial.
- (2) Vehicles may not be parked on a property without an associated office building.
- (3) Office must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).
- (4) Vehicles must be parked in the rear yard of the property.

Sec. 86-568. NAICS 61161 – Fine Arts Schools

The following conditions are assigned in the O&I, M-X, and C-2 districts:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Must be established on a lot having a minimum area of one acre and a minimum frontage of 150 feet.
- (3) Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.
- (4) All other applicable standards of Section 86-113 shall be met.

Sec. 86-569. NAICS 611610 – Small-scale Pottery and Ceramics Shop

The following conditions are assigned in the O&I, M-X, C-1, and C-2 districts:

- (1) Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.
- (2) Establishments shall be limited to a maximum floor area of 2,000 square feet.

Sec. 86-570. NAICS 61162 – Sports and Recreation Instruction, including Exercise and Yoga

The following conditions are assigned in the O&I, M-X, C-1, and C-2 districts:

(1) Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.

(2) Establishments shall be limited to a maximum floor area of 2,000 square feet

Sec. 86-571. NAICS 611620 – Sports and Recreation Instruction, including Gymnastics and Martial Arts

The following conditions are assigned in the O&I, M-X, C-1, and C-2 districts:

(1) Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.

(2) Establishments shall be limited to a maximum floor area of 2,000 square feet

Sec. 86-572. NAICS 6117 – Educational Support Services

The following conditions are assigned in the H-1 and H-2 districts:

(1) Must be located on a street having a classification of collector or greater.

(2) Must be established on a lot having a minimum area of one acre and a minimum frontage of 150 feet.

(3) Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.

Sec. 86-573. NAICS 5621, 562119 – Waste Collection

The following conditions are assigned in the O&I and M-1 districts:

(1) Must be located on a street having a classification of collector or greater.

(2) Must be established on a lot having a minimum area of three acres and a minimum frontage of 200 feet.

(4) All waste vehicles, equipment, and receptacles shall be located in the rear yard.

(5) All waste shall be contained in proper receptacles.

(6) A minimum 75-foot wide buffer shall be maintained between built elements (including paved parking areas) of the proposed facility and any adjacent, residentially zoned property.

(7) All waste vehicles, equipment, and receptacles shall be screened from the road and adjacent properties.

(8) All applicable State and Federal regulations shall be met.

Sec. 86-574. NAICS 5622 – Waste Treatment and Disposal

The following conditions are assigned in the M-1 district:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Must be established on a lot having a minimum area of three acres and a minimum frontage of 200 feet.
- (4) All waste vehicles, equipment, and receptacles shall be located in the rear yard.
- (5) All waste shall be contained in proper receptacles.
- (6) A minimum 75-foot wide buffer shall be maintained between built elements (including paved parking areas) of the proposed facility and any adjacent, residentially zoned property.
- (7) All waste vehicles, equipment, and receptacles shall be screened from the road and adjacent properties.
- (8) All applicable State and Federal regulations shall be met.
- (9) No long-term storage of solid or liquid waste shall occur on the property.

Sec. 86-575. NAICS 5629 – Remediation and Other Waste Services

The following conditions are assigned in the O&I and M-1 districts:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Must be established on a lot having a minimum area of three acres and a minimum frontage of 200 feet.
- (4) All waste vehicles, equipment, and receptacles shall be located in the rear yard.
- (5) All waste shall be contained in proper receptacles.
- (6) A minimum 75-foot wide buffer shall be maintained between built elements (including paved parking areas) of the proposed facility and any adjacent, residentially zoned property.
- (7) All waste vehicles, equipment, and receptacles shall be screened from the road and adjacent properties.
- (8) All applicable State and Federal regulations shall be met.
- (9) No long-term storage of solid or liquid waste shall occur on the property.

Sec. 86-576. NAICS 562991 – Septic Tank and Related Services

The following conditions are assigned in the M-1 district:

- (1) Must be located on a street having a classification of collector or greater.

- (2) Must be established on a lot having a minimum area of one acre and a minimum frontage of 150 feet.
- (3) All waste vehicles and equipment shall be located in the rear yard.
- (4) All waste shall be contained in proper receptacles.
- (5) A minimum 75-foot wide buffer shall be maintained between built elements (including paved parking areas) of the proposed facility and any adjacent, residentially zoned property.
- (6) All waste vehicles and equipment shall be screened from the road and adjacent properties.
- (7) All applicable State and Federal regulations shall be met.
- (8) No long-term storage of solid or liquid waste shall occur on the property.

Sec. 86-577. NAICS 45392 – Art Dealers

The following conditions are assigned in the M-X and C-1 districts:

- (1) Establishments shall be limited to a maximum floor area of 2,000 square feet.

Sec. 86-578. NAICS 453920 – Art Gallery

The following conditions are assigned in the O&I, M-X, C-1, and C-2 districts:

- (1) Establishments shall be limited to a maximum floor area of 2,000 square feet.
- (2) Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.

Sec. 86-579. NAICS 453920 – Temporary, Outdoor Arts Market

The following conditions are assigned in the H-1, H-2, and O&I districts:

- (1) Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.
- (2) No permanent, arts-related structures are allowed on the property.
- (3) May be allowed on the same property as another use.

Sec. 86-580. NAICS 44131 – Automotive Parts and Accessories Stores, With Outdoor Storage, Excluding Tires

The following conditions are assigned in the C-2 and M-1 districts:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Outdoor storage shall be in the rear yard of the business and shall be screened from the road and from adjacent properties.
- (3) Must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).

Sec. 86-581. NAICS 722514 – Cafeterias, Grill Buffets, and Buffets

The following conditions are assigned in the H-1, H-2, O&I, and C-1 districts:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Establishments shall be limited to a maximum floor area of 4,000 square feet.
- (3) A minimum 50-foot wide buffer shall be maintained between built elements (including paved parking areas) of the proposed facility and any adjacent, residentially zoned property.

Sec. 86-582. NAICS 44512 – Convenience Food Stores with fuel pumps

The following conditions are assigned in the M-X district:

- (1) Must be located on a street having a classification of collector or greater.
- (2) A minimum 50-foot wide buffer shall be maintained between built elements (including paved parking areas) of the proposed facility and any adjacent, residentially zoned property.

Sec. 86-583. NAICS 452210 – Department Stores

The following conditions are assigned in the H-1 and H-2 districts:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Establishments shall be limited to a maximum floor area of 5,000 square feet.

Sec. 86-584. NAICS 453998 – Store Retailers not Specified Elsewhere, Including Fireworks Shops but not Tobacco Stores

The following conditions are assigned in the M-X district:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Establishments shall be limited to a maximum floor area of 2,000 square feet.
- (3) No outdoor display or storage of merchandise or materials shall be permitted.

(4) Must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).

Sec. 86-585. NAICS 72231 – Food Service Contractors

The following conditions are assigned in the O&I district:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Must be established on a lot having a minimum area of one acre and a minimum frontage of 150 feet.
- (3) A minimum 50-foot wide buffer shall be maintained between built elements (including paved parking areas) of the proposed facility and any adjacent, residentially zoned property.
- (4) Drop-off and loading areas must be located in the rear yard.
- (5) Must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).

Sec. 86-586. NAICS 442291 – Window Treatment Stores

The following conditions are assigned in the H-1 And H-2 districts:

- (1) Establishments shall be limited to a maximum floor area of 2,000 square feet.
- (2) No outdoor display or storage of merchandise or materials shall be permitted.

Sec. 86-587. NAICS 44413 – Hardware Stores

The following conditions are assigned in the H-1 And H-2 districts:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Establishments shall be limited to a maximum floor area of 4,000 square feet.
- (3) No outdoor display or storage of merchandise or materials shall be permitted.

Sec. 86-588. NAICS 451120 – Arts & Crafts Retail Sales, Supply Stores

The following conditions are assigned in the O&I, M-X, and C-1 districts:

- (1) Establishments shall be limited to a maximum floor area of 2,000 square feet.
- (2) No outdoor display or storage of merchandise or materials shall be permitted.

Sec. 86-589. NAICS 44411 – Home Centers (Building Materials and Supplies)

The following conditions are assigned in the M-1 district:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Must be established on a lot having a minimum area of one acre and a minimum frontage of 150 feet.
- (3) A minimum 75-foot wide buffer shall be maintained between built elements (including paved parking areas) of the proposed facility and any adjacent, residentially zoned property.
- (4) Drop-off and loading areas must be located in the rear yard.
- (5) Must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).

Sec. 86-590. NAICS 72233 – Mobile Food Services, Including Carts and Individual Food Trucks

The following conditions are assigned in the H-1, H-2, O&I and C-2 districts:

- (1) The City may, in its discretion, allow trucks, trailers, and carts specifically designed for storage and service of food to be parked at City designated sites, in addition to recognized City event sites.
- (2) Must meet all health department requirements.
- (3) Vehicle may park at business owner's residence within the City while not operating, provided that the vehicle does not exceed the size restrictions of Sec. 86-274.
- (4) The commercial lot's parking supply exists in excess of that required by Code for uses or commercial space existing on the site and two off-street parking spaces shall be reserved for the exclusive use of customers of each mobile food vendor.
- (5) In addition to Mayor and Council, approval, must have the written and notarized permission of the commercial property owner.
- (6) Must not be parked overnight on any property within the City other than the business owner's residence.
- (7) Door to door solicitations are prohibited.
- (8) Hours of operation shall not exceed 8:00 am to 8:00 pm. for non-event sales.
- (9) For non-event sales, the sale of non-food items is prohibited.
- (10) For non-event sales, business must be contained within the vehicle(s). No tents or tables allowed to be set up outside of the vehicle(s).
- (11) Except in City designated "food truck courts", more than one mobile food service provider shall be on the same property.

Sec. 86-591. NAICS 722330 – Food Truck Courts

The following conditions are assigned in the O&I, M-X, and C-2 districts:

- (1) The City may, in its discretion, allow for the concentrated parking of mobile food vendors at City designated sites, in addition to recognized City event sites.
- (2) Must be located on a street having a classification of collector or greater.
- (3) Must be established on a lot having a minimum area of one acre and a minimum frontage of 150 feet.
- (4) Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided. No parking on City streets unless specifically authorized by the City.
- (5) Must present site plan to the City showing the spacing of vendors and the circulation of customers on the property.
- (6) Must meet all health department requirements.
- (7) For non-event sales, the sale of non-food items is prohibited.
- (8) For non-event sales, business must be contained within the vehicle(s). No tents or tables allowed to be set up outside of the vehicle(s).
- (9) Food trucks shall not be permitted on the premises before 8:00 a.m. or after 9:00 p.m.
- (10) Adequate trash receptacles shall be provided on the premises to dispose of food wrappers, food utensils, paper products, cans, bottles, food and other such waste. Such receptacles shall be located no more than ten feet from each food truck. The food truck vendor shall be responsible for removing all trash, litter and refuse from the site at the end of each business day.
- (11) No LED strip lighting shall be used in conjunction with any food truck court.
- (12) No loudspeakers shall be used for announcements or hawking of products in conjunction with any food truck court.
- (13) A minimum distance of 100 feet shall be maintained between any food truck and the entrance to any restaurant.
- (14) The food truck shall not be located within any required setback, any sight distance triangle or required buffer.
- (15) Access aisles sufficient to provide emergency access to any food truck shall be provided subject to approval by the fire marshal.

Sec. 86-592. NAICS 441228 – Motorcycle, ATV, and Other Vehicle Dealers

The following conditions are assigned in the C-2 district:

- (1) Must be located on a street having a classification of arterial.

(2) Vehicles for sale shall be parked in the rear yard of the business and shall be screened from adjacent properties.

Sec. 86-593. NAICS 45439 – Other Direct Selling Establishments

The following conditions are assigned in the O&I and C-2 districts:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Must be established on a lot having a minimum area of one acre and a minimum frontage of 150 feet.
- (3) A minimum 50-foot wide buffer shall be maintained between built elements (including paved parking areas) of the proposed facility and any adjacent, residentially zoned property.
- (4) Drop-off and loading areas must be located in the rear yard.
- (5) Must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).

Sec. 86-594. NAICS 447190 - Other Gasoline Stations (includes Truck stop)

The following conditions are assigned in the M-1 district:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Must be established on a lot having a minimum area of one acre and a minimum frontage of 150 feet.
- (3) A minimum 75-foot wide buffer shall be maintained between the property and any adjacent, residentially-zoned property.
- (4) Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.
- (5) Overnight parking of trucks shall only occur in the rear yard.

Sec. 86-595. NAICS 4412 –Other Motor Vehicle Dealers

The following conditions are assigned in the C-2 district:

- (1) Must be located on a street having a classification of arterial.
- (2) Vehicles for sale shall be parked in the rear yard of the business and shall be screened from adjacent properties.
- (3) Must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).

Sec. 86-596. NAICS 44121 – Recreational Vehicle Dealers

The following conditions are assigned in the C-2 and M-1 districts:

- (1) Must be located on a street having a classification of arterial.
- (2) Vehicles for sale shall be parked in the rear yard of the business and shall be screened from adjacent properties.
- (3) Must be established on a lot having a minimum area of one acre and a minimum frontage of 150 feet.
- (4) Must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).

Sec. 86-597. NAICS 722511 – Restaurants, Full-Service, Family and Quality Restaurants

The following conditions are assigned in the O&I district:

- (1) Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.

Sec. 86-598. NAICS 722513 – Restaurants, Limited-Service, including Fast Food and Take-Out, with or without drive-through windows.

The following conditions are assigned in the O&I and C-1 districts:

- (1) Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.
- (2) A minimum 50-foot wide buffer shall be maintained between built elements (including paved parking areas) of the proposed facility and any adjacent, residentially zoned property.

Sec. 86-599. NAICS 722515 – Snack and Nonalcoholic Beverage Bars, including cafes and coffee shops

The following conditions are assigned in the O&I district:

- (1) Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.
- (2) Establishments shall be limited to a maximum floor area of 2,000 square feet.

Sec. 86-600. NAICS 445230 – Outdoor Farmers Market

The following conditions are assigned in the C-2 district:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Must be established on a lot having a minimum area of one acre and a minimum frontage of 150 feet.
- (3) Must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).
- (4) Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided. No parking on City streets unless specifically authorized by the City.
- (5) Must present site plan to the City showing the spacing of vendors and the circulation of customers on the property.
- (6) Must meet all health department requirements.
- (7) The Mayor and Council shall determine operational times.
- (8) No LED strip lighting shall be used in conjunction with any farmers market.
- (9) No loudspeakers shall be used for announcements or hawking of products in conjunction with any farmers market.

Sec. 86-601. NAICS 44132 – Tire Dealers

The following conditions are assigned in the C-2 and M-1 districts:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.
- (3) Must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).
- (4) Outdoor storage of tires and other products are prohibited.

Sec. 86-602. NAICS 45331 – Consignment Stores

The following conditions are assigned in the H-1, H-2, and M-X districts:

- (1) Establishments shall be limited to a maximum floor area of 2,000 square feet.
- (2) No outdoor display or storage of merchandise or materials shall be permitted.

Sec. 86-603. NAICS 452311 – Warehouse Clubs and Supercenters

The following conditions are assigned in the M-X district:

- (1) Must be located on a street having a classification of arterial.
- (2) Must be established on a lot having a minimum area of one acre and a minimum frontage of 150 feet.
- (3) Must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).
- (4) Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.
- (5) A minimum 50-foot wide buffer shall be maintained between built elements (including paved parking areas) of the proposed facility and any adjacent, residentially zoned property.
- (6) Drop-off and loading areas must be located in the rear yard.

Sec. 86-604. NAICS 45399 – All Other Miscellaneous Store Retailers, including Flea Markets

The following conditions are assigned in the H-1, H-2, M-X, C-1, and C-2 districts:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Establishments shall be limited to a maximum floor area of 2,000 square feet.
- (3) No outdoor display or storage of merchandise or materials shall be permitted.
- (4) Flea markets must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).

Sec. 86-605. NAICS 453991 – Tobacco Stores, Cigar Shops, and Vape Shops

The following conditions are assigned in the H-1, H-2, and M-X districts:

- (1) Establishments shall be limited to a maximum floor area of 2,000 square feet.
- (2) No outdoor display or storage of merchandise or materials shall be permitted.
- (3) All ATF requirements shall be met.

Sec. 86-606. NAICS 311, 3121, 31211, 3122, 313, 314, 315, 316, 321, 324, 327, 331, 332, 333, 334, 335, 336, 337, and 339 – Any Manufacturing with Outdoor Storage

The following conditions are assigned in the M-1 district:

- (1) Outdoor storage is permitted provided such storage is confined to the rear yard and is screened using fencing or landscaping which completely obscures the view from adjoining properties and public rights-of-way. Such screening shall have a minimum height of eight feet.

(2) A minimum 75-foot wide buffer shall be maintained between built elements (including paved parking areas) of the proposed facility and any adjacent, residentially zoned property.

(3) No facility shall be permitted which introduces excessive noise, odor, vibration, electrical interference, threat of fire, explosion, or involves hazardous materials or other objectionable activities.

Sec. 86-607. NAICS 53113 – Mini-warehouses and Self-Storage Units (Indoor and Outdoor)

The following conditions are assigned in the C-2 and M-1 districts:

(1) Must be located on a street having a classification of collector or greater.

(2) Must be established on a lot having a minimum area of one acre and a minimum frontage of 150 feet.

(3) A minimum 75-foot wide buffer shall be maintained between the property and any adjacent, residentially-zoned property.

(4) Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.

(5) Must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).

(6) Must have security fencing around perimeter of premises.

(7) All lighting shall be night-sky friendly.

(8) Storage of hazardous materials is prohibited.

(9) Storage of items outside of provided storage units is prohibited.

Sec. 86-608. NAICS 51212– Motion Picture and Video Distribution

The following conditions are assigned in the C-2 district:

(1) Must be located on a street having a classification of collector or greater.

(2) Must be established on a lot having a minimum area of one acre and a minimum frontage of 150 feet.

(3) Must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).

(4) No noise generated by the use shall be perceptible at the property boundary.

Sec. 86-609. NAICS 51211– Motion Picture and Video Production

The following conditions are assigned in the C-2 and M-1 districts:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Must be established on a lot having a minimum area of one acre and a minimum frontage of 150 feet.
- (3) Must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).
- (4) No noise generated by the use shall be perceptible at the property boundary.

Sec. 86-610. NAICS 322— Paper Manufacturing

The following conditions are assigned in the M-1 district:

- (1) Outdoor storage of materials is prohibited.
- (2) A minimum 75-foot wide buffer shall be maintained between built elements (including paved parking areas) of the proposed facility and any adjacent, residentially zoned property.
- (3) No facility shall be permitted which introduces excessive noise, odor, vibration, electrical interference, threat of fire, explosion, or involves hazardous materials or other objectionable activities.

Sec. 86-611. NAICS 323 – Printing and Related Support Activities

The following conditions are assigned in the H-1, H-2, and C-1 districts:

- (1) Establishments shall be limited to a maximum floor area of 2,000 square feet.
- (2) No outdoor display or storage of merchandise or materials shall be permitted.
- (3) No noise generated by the use shall be perceptible at the property boundary.

Sec. 86-612. NAICS 31212 – Breweries, Large-Scale

The following conditions are assigned in the M-1 district:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Must be established on a lot having a minimum area of one acre and a minimum frontage of 150 feet.
- (3) A minimum 75-foot wide buffer shall be maintained between the property and any adjacent, residentially-zoned property.
- (4) Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.
- (5) Must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).

- (6) Any applicable standards of Chapter 6, Alcoholic Beverages, must be met.

Sec. 86-613. NAICS 312120 – Micro-breweries

The following conditions are assigned in the H-1, H-2, C-2, and M-1 districts:

- (1) Must be established on a lot having a minimum area of one acre and a minimum frontage of 150 feet.
- (2) A minimum 75-foot wide buffer shall be maintained between the property and any adjacent, residentially zoned property.
- (3) Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.
- (4) Any applicable standards of Chapter 6, Alcoholic Beverages, must be met.

Sec. 86-614. NAICS 312120 – Brew Pubs and Growler Shops

The following conditions are assigned in the H-1, H-2, and C-2 districts:

- (1) Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.
- (2) All standards of Chapter 6, Alcoholic Beverages, must be met.

Sec. 86-615. NAICS 31214 – Distilleries, Large-Scale

The following conditions are assigned in the M-1 district:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Must be established on a lot having a minimum area of one acre and a minimum frontage of 150 feet.
- (3) A minimum 75-foot wide buffer shall be maintained between the property and any adjacent, residentially-zoned property.
- (4) Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.
- (5) Must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).
- (6) Any applicable standards of Chapter 6, Alcoholic Beverages, must be met.

Sec. 86-616. NAICS 312140 – Micro-distilleries

The following conditions are assigned in the H-1, H-2, and M-1 districts:

- (1) Must be established on a lot having a minimum area of one acre and a minimum frontage of 150 feet.
- (2) A minimum 75-foot wide buffer shall be maintained between the property and any adjacent, residentially zoned property.
- (3) Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.
- (4) Any applicable standards of Chapter 6, Alcoholic Beverages, must be met.

Sec. 86-617. NAICS 493 – Warehousing and Storage

The following conditions are assigned in the M-1 district:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Must be established on a lot having a minimum area of one acre and a minimum frontage of 150 feet.
- (3) A minimum 75-foot wide buffer shall be maintained between the property and any adjacent, residentially-zoned property.
- (4) Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.
- (5) Must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).
- (6) All lighting shall be night-sky friendly.
- (7) Storage of hazardous materials is prohibited.
- (8) Outdoor storage is permitted provided such storage is confined to the rear yard and is screened using fencing or landscaping which completely obscures the view from adjoining properties and public rights-of-way. Such screening shall have a minimum height of eight feet.

Sec. 86-618. NAICS 423, 423930, 424 – Merchant Wholesalers, Durable Goods (including piece goods) With or without Customer Showrooms and /or Outdoor Storage; Recyclable Material Merchant Wholesalers With Outdoor Storage

The following conditions are assigned in the M-1 district:

- (1) Must be located on a street having a classification of collector or greater.

- (2) Must be established on a lot having a minimum area of one acre and a minimum frontage of 150 feet.
- (3) A minimum 75-foot wide buffer shall be maintained between the property and any adjacent, residentially-zoned property.
- (4) Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.
- (5) Must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).
- (6) All lighting shall be night-sky friendly.
- (7) Outdoor storage is permitted provided such storage is confined to the rear yard and is screened using fencing or landscaping which completely obscures the view from adjoining properties and public rights-of-way. Such screening shall have a minimum height of eight feet.

Sec. 86-619. NAICS 325 – Chemical Manufacturing, Including Pharmaceutical and Medicine Manufacturing

The following conditions are assigned in the M-1 district:

- (1) Outdoor storage of materials is prohibited.
- (2) A minimum 75-foot wide buffer shall be maintained between built elements (including paved parking areas) of the proposed facility and any adjacent, residentially zoned property.
- (3) No facility shall be permitted which introduces excessive noise, odor, vibration, electrical interference, threat of fire, explosion, or involves hazardous materials or other objectionable activities.

Sec. 86-620. NAICS 326 – Plastics and Rubber Products Manufacturing

The following conditions are assigned in the M-1 district:

- (1) Outdoor storage of materials is prohibited.
- (2) A minimum 75-foot wide buffer shall be maintained between built elements (including paved parking areas) of the proposed facility and any adjacent, residentially zoned property.
- (3) No facility shall be permitted which introduces excessive noise, odor, vibration, electrical interference, threat of fire, explosion, or involves hazardous materials or other objectionable activities.

Sec. 86-621. NAICS 4855– Charter Bus Industry

The following conditions are assigned in the C-2 and M-1 districts:

- (1) Must be located on a street having a classification of collector or greater.

- (2) Vehicles may not be parked on a property without an associated office building.
- (3) Office must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).
- (4) Vehicles must be parked in the rear yard of the property.

Sec. 86-622. NAICS 4885 – Freight Transportation Arrangement

The following conditions are assigned in the O&I, C-2 and M-1 districts:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Must be established on a lot having a minimum area of one acre and a minimum frontage of 150 feet.
- (3) A minimum 75-foot wide buffer shall be maintained between the property and any adjacent, residentially-zoned property.
- (4) Loading areas must be located in the rear yard.

Sec. 86-623. NAICS 4821– Rail Transportation Company (Office Only)

The following conditions are assigned in the C-2 district:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Office must be located in a stand-alone building (no planned centers or connected storefronts).
- (3) Vehicles must be parked in the rear yard of the property.
- (4) Outdoor storage is permitted provided such storage is confined to the rear yard and is screened using fencing or landscaping which completely obscures the view from adjoining properties and public rights-of-way. Such screening shall have a minimum height of eight feet.

Sec. 86-624. NAICS 487 – Scenic and Sightseeing Transportation

The following conditions are assigned in the H-1 and H-2 districts:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Vehicles may not be parked on a property without an associated office building.
- (3) Office must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).
- (4) Vehicles must be parked in the rear yard of the property.

Sec. 86-625. NAICS 4852 – Interurban and Rural Bus Transportation

The following conditions are assigned in the O&I and M-1 districts:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Vehicles may not be parked on a property without an associated office building.
- (3) Office must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).
- (4) Vehicles must be parked in the rear yard of the property.

Sec. 86-626. NAICS 4854 – School and Employee Bus Transportation

The following conditions are assigned in the O&I and M-1 districts:

- (1) Vehicles must be parked in the rear yard of the property.

Sec. 86-627. NAICS 4882 – Support Activities for Rail Transportation

The following conditions are assigned in the H-1, H-2, O&I, and M-1 districts:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Office must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).
- (3) Heavy equipment and vehicles must be parked in the rear yard of the property.
- (4) Outdoor storage is permitted provided such storage is confined to the rear yard and is screened using fencing or landscaping which completely obscures the view from adjoining properties and public rights-of-way. Such screening shall have a minimum height of eight feet.

Sec. 86-628. NAICS 4884 – Support Activities for Road Transportation

The following conditions are assigned in the O&I and M-1 districts:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Office must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).
- (3) Heavy equipment and vehicles must be parked in the rear yard of the property.
- (4) Outdoor storage is permitted provided such storage is confined to the rear yard and is screened using fencing or landscaping which completely obscures the view from adjoining properties and public rights-of-way. Such screening shall have a minimum height of eight feet.

Sec. 86-629. NAICS 4889 – Other Support Activities for Transportation

The following conditions are assigned in the O&I and M-1 districts:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Office must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).
- (3) Heavy equipment and vehicles must be parked in the rear yard of the property.
- (4) Outdoor storage is permitted provided such storage is confined to the rear yard and is screened using fencing or landscaping which completely obscures the view from adjoining properties and public rights-of-way. Such screening shall have a minimum height of eight feet.

Sec. 86-630. NAICS 491 – Postal Service

The following conditions are assigned in the H-1, H-2, and C-1 districts:

- (1) Must be located on a street having a classification of collector or greater.
- (2) A minimum 50-foot wide buffer shall be maintained between the property and any adjacent, residentially-zoned property.
- (3) Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.
- (4) Must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).
- (5) Postal vehicles must be parked in the rear of the property.
- (6) Height regulations. The maximum height for buildings abutting a residential district or use shall be three stories or 35 feet as measured at any point 30 feet from any common property line. Building height may be increased one foot for every additional foot beyond a distance of 30 feet from any common property line.; however, no building shall ever exceed a total height of 75 feet.

Sec. 86-631. NAICS 11142, 111421 – Nursery, Floriculture, and Tree Production

The following conditions are assigned in the C-2 district:

- (1) Must be established on a lot having a minimum area of one acre and a minimum frontage of 150 feet.
- (2) Must be located on a street having a classification of collector or greater.
- (3) Premises must contain an administrative building.
- (4) Administrative office must be a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).

(5) Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.

(6) Drop-off and loading areas must be located in the rear yard.

Sec. 86-632. NAICS 2211 – Power Generation and Supply

The following conditions are assigned in the M-1 district:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Must be established on a lot having a minimum area of one acre and a minimum frontage of 150 feet.
- (3) A minimum 75-foot wide buffer shall be maintained between the property and any adjacent, residentially-zoned property.
- (4) All applicable State and Federal regulations must be met.

Sec. 86-633. NAICS 2212 – Natural Gas Distribution

The following conditions are assigned in the M-1 district:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Must be established on a lot having a minimum area of one acre and a minimum frontage of 150 feet.
- (3) A minimum 75-foot wide buffer shall be maintained between the property and any adjacent, residentially-zoned property.
- (4) All applicable State and Federal regulations must be met.

Sec. 86-634. NAICS 2213 – Water, Sewage, and Other Systems

The following conditions are assigned in the M-1 district:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Must be established on a lot having a minimum area of one acre and a minimum frontage of 150 feet.
- (3) A minimum 75-foot wide buffer shall be maintained between the property and any adjacent, residentially-zoned property.
- (4) All applicable State and Federal regulations must be met.

Sec. 86-635. NAICS 22132 – Sewage Treatment Facilities

The following conditions are assigned in the M-1 district:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Must be established on a lot having a minimum area of one acre and a minimum frontage of 150 feet.
- (3) A minimum 75-foot wide buffer shall be maintained between the property and any adjacent, residentially-zoned property.
- (4) All applicable State and Federal regulations must be met.

Sec. 86-636. NAICS 713990 – Recreational Shooting Clubs

The following conditions are assigned in the C-2 and M-1 districts:

- (1) Must be located on a street having a classification of collector or greater.
- (2) All shooting activities must be indoor only.
- (3) Must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).
- (4) On-site parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.
- (5) A minimum 50-foot wide buffer shall be maintained between built elements (including paved parking areas) of the proposed facility and any adjacent, residentially zoned property.
- (6) All indoor shooting ranges shall be of soundproof construction whereby the sound from the discharge of any firearm and the impact of any projectile shall not be plainly audible across any adjoining property line or at a distance of 50 feet from the building, whichever distance is greater.
- (7) No piece of the projectile or target shall leave the building as a result of the activities taking place therein.
- (8) All weapons brought into any indoor shooting range shall be in a case designed for the weapon such that no part of a weapon is visible while inside the case. Certified law enforcement officers in uniform are exempt from this requirement.
- (9) All indoor shooting ranges shall comply with all local, state, and /or federal regulations related to indoor shooting ranges.
- (10) A site plan shall be submitted to the City, which shows the location of buildings, parking, etc.
- (11) At least one qualified individual in the sponsoring club or organization shall be properly certified for shooting range supervision. Each facility shall adopt safety rules and regulations subject to review by the City.

(12) Shooting range design and operation shall conform to the most current standards of the National Rifle Association (NRA) Range Sourcebook.

(13) The National Association of Shooting Ranges (NASR) and the Occupational Safety and Health Administration (OSHA) publication titled "Lead Management and OSHA Compliance for Indoor Shooting Ranges" shall be consulted in planning and constructing indoor shooting ranges.

(14) No service or sales of alcoholic beverages shall be allowed within the shooting range facility or on the shooting range property.

(15) The indoor shooting range shall be covered by accident and liability insurance, amount to be determined by the City of Jonesboro.

Sec. 86-637. NAICS 4453 – Beer, Wine, and Liquor Stores

The following conditions are assigned in the C-2 district:

(1) Must be located on a street having a classification of arterial (Tara Boulevard).

(2) Must be located in a free-standing building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking) that is a minimum 10,000 square feet, is new, but in any case, not older than 20 years old since original construction and must be located in the C-2 Highway Commercial District zoning district, requiring a conditional use permit.

(3) The retail package distilled spirits license shall be limited by population of the City according to the most recent decennial census, with one (1) such establishment allowed in the City for each 2400 residents.

(4) Such additional regulations as would safeguard the health, safety and welfare of the citizens of the City.

Sec. 86-638. - NAICS 44612 Cosmetics, Beauty Supplies, and Perfume Stores.

The following conditions are assigned in the H-1 and H-2 districts:

(1) Establishments shall be limited to a maximum floor area of 2,000 square feet.

(2) No outdoor display or storage of merchandise or materials shall be permitted.

Sec. 86-639. - NAICS 44412 Paint and Wallpaper Stores.

The following conditions are assigned in the H-1 and H-2 districts:

(1) Establishments shall be limited to a maximum floor area of 2,000 square feet.

(2) No outdoor display or storage of merchandise or materials shall be permitted.

Sec. 86-640. - NAICS 562920 Materials Recovery Facilities, Including Collection Bins for Recyclable Materials

The following conditions are assigned in the O&I and C-2 districts:

For Buildings:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Must be established on a lot having a minimum area of three acres and a minimum frontage of 200 feet.
- (4) All recovery vehicles and equipment shall be located in the rear yard.
- (5) All loose materials shall be contained in proper receptacles.
- (6) A minimum 75-foot wide buffer shall be maintained between built elements (including paved parking areas) of the proposed facility and any adjacent, residentially zoned property.
- (7) All recovery vehicles and equipment shall be screened from the road and adjacent properties.
- (8) All applicable State and Federal regulations shall be met.

For Collection Bins (Mobile structures for temporary storage of recyclable materials):

- (1) Shall not be located on any vacant or undeveloped lots, or any lots with a residential use.
- (2) Shall be limited to a maximum of one bin per single parcel of property and two bins per planned commercial centers or connected storefronts.
- (3) Shall not be located within any rights-of-way or easements, or adjacent to any paths or sidewalks.
- (4) Shall not be located in any designated parking areas, parking aisles, buffer areas, or fire lanes.
- (5) Shall not be located in any front yard of a building.
- (6) Bins shall be placed on a durable, all-weather surface.
- (7) Bins shall be made of painted metal or UV-resistant vinyl, fiberglass, or other durable, low-maintenance material.
- (8) Shall not be used as dumpsters, for rubbish, trash, or waste. Bin shall state for "recyclable materials only."
- (9) A business license for organizations using bins within the City of Jonesboro is required and written permission from the current property owner for use of the bin(s) must be obtained prior to issuance of a business license and placement on a property.
- (10) Bins shall be maintained in good repair and clean condition and free of materials accumulated outside of the bin.
- (11) If any bin violates any of these conditions twice, the City of Jonesboro shall direct the bin owner to remove the bin from the City after written notice is sent to the current property owner and the bin owner via certified mail or personal service.

Sec. 86-641. - NAICS 713990 Adult Entertainment Facilities

The following conditions are assigned in the M-1 district:

- (1) Must comply with all requirements of Chapter 10, Article II.

Sec. 86-642. - NAICS 713990 Cigar Lounges, with or without alcoholic beverage service

The following conditions are assigned in the H-1, H-2, MX, and C-2 districts:

- (1) Shall derive revenue from the sale of food, alcohol or other beverages that is incidental to the sale of the tobacco products;
- (2) Shall prohibit entry to a person under the age of 21 years of age during the time when the establishment is open for business;
- (3) Shall prohibit any food or beverage not sold directly by the business to be consumed on the premises;
- (4) Shall maintain a valid permit for the retail sale of cigar products;
- (5) Shall maintain a valid permit to operate a smoking bar issued by the Georgia Department of Revenue;
- (6) Shall abide by the provisions in Chapter 6 of the City Code regarding the sale and consumption of alcoholic beverages;
- (7) Shall be and remain engaged in the business of selling cigars generated 40 percent or more of its total annual gross income from the on-site sale of such cigar products and the rental of humidors.
- (8) Shall be and remain registered with the State Health Department. A smoking bar registration shall remain in effect for one year and shall be renewable only if in the preceding calendar year the smoking bar generated 40 percent or more of its total annual gross income from the on-site sale of cigar products and the rental of on-site humidors;
- (9) Shall post signs at each entrance and exit clearly stating that smoking is allowed on all or part of the premises and anyone under the age of 21 is prohibited from entering the premises;
- (10) Outdoor seating and dining areas are prohibited in the Historic District;
- (11) Shall designate (where allowed) outdoor seating and dining areas within ten feet of an entrance or exit of the smoking bar as "non-smoking";
- (12) Cigar lounges must have and maintain a ventilation system that exhausts smoke from the business and is designed in accordance with current building code standards for the occupancy classification in use. The air handling systems from the smoking area shall be independent from the main air handling system that serves all other areas of the building and all air within the smoking area shall be exhausted directly to the outside by an exhaust fan. No air from the smoking area shall be recirculated to other parts of the building. During the hours of operation, the interior of the premises

of a smoking bar shall be maintained with adequate illumination to make the conduct of patrons within the premises readily discernible to a person with normal vision.

(13) Where allowed, outdoor smoking areas shall have no ashtrays remain outdoors after normal business hours.

(Ord. No. 8-10-20)

Legal Notice

Public Hearing will be held by the Mayor and Council of the City of Jonesboro at 6:00 P.M. on August 10, 2020 via Zoom Meetings, to consider a proposed text amendment to the City of Jonesboro Code of Ordinances, regarding updates and additions to Article XVII – Additional Conditional Uses, Chapter 86 – Zoning, of the City of Jonesboro Code of Ordinances, including standards for “cigar lounges.”

David Allen
Zoning Administrator / Community Development Director

Publish 7/15/2020



CITY OF JONESBORO, GEORGIA COUNCIL Agenda Item Summary

Agenda Item #

-2

12.2

COUNCIL MEETING DATE
August 10, 2020

Requesting Agency (Initiator) Office of the City Manager	Sponsor(s)
Requested Action (Identify appropriate Action or Motion, purpose, cost, timeframe, etc.) Council to consider approval of Change Order #14 relative to the installation of mondo grass and pine straw on the east side of Broad Street and irrigation. Total amount of said change order is \$15,207.00	
Requirement for Board Action (Cite specific Council policy, statute or code requirement) Cost	
Is this Item Goal Related? (If yes, describe how this action meets the specific Board Focus Area or Goal) Yes Beautification	
Summary & Background Following a site walk last week with the Broad Street Construction Team, we noticed that we had omitted the dirt areas on the east side of the new sidewalk running behind the tenant buildings.	(First sentence includes Agency recommendation. Provide an executive summary of the action that gives an overview of the relevant details for the item.) After speaking with the construction team, we are recommending approval of Changer Order #PCO-14 to furnish and install grass at one foot spacing intervals and pine straw between the new sidewalk on the East side of Broad Street and the backside of the tenant buildings. This would also include another \$3,500 for irrigation for this area.
 Mondo grass is also known as monkey grass. It is an evergreen perennial that makes a great groundcover or standalone grass-like plant. These plants perform well in almost any soil and lighting condition. Mondo grass is a slow growing plant that can be easily propagated by division and requires minimal care once established.	
 The total cost of this change order would be funded by CDBG grant funds.	
Fiscal Impact \$15,207.00	(Include projected cost, approved budget amount and account number, source of funds, and any future funding requirements.)
Exhibits Attached (Provide copies of originals, number exhibits consecutively, and label all exhibits in the upper right corner.) <ul style="list-style-type: none">PCO #14 - Change Order (mondo grass)Broad Street -Mondo Grass Area	
Staff Recommendation (Type Name, Title, Agency and Phone) Approval	

FOLLOW-UP APPROVAL ACTION (City Clerk)

Typed Name and Title Ricky L. Clark, City Manager	Date August, 10, 2020	
Signature	City Clerk's Office	

EXHIBIT D



Public-Private
Partnership
Project
Management, Inc.

**Request for Change Order, Contingency Draw or
Allowance**

Project:

STREETSCAPE

Contractor:

HOGAN CONSTRUCTION GROUP, LLC.

Contractor's Tracking No.:

PCO# 14

Reason for Request:

Contractor Documentation: Contractor acknowledges that with this submittal all back up documentation and verification has been included to support this request.

This change order includes the cost to furnish and install mondo grass at one foot spacing intervals and pine straw between the new sidewalk on the East side of Broad Street and the backside of the tenant building property lines.

Authorized Signature for Contractor

Amount of Request:

Labor/Materials, etc.:

\$10,972.00

General Conditions:

\$263.00

Overhead & Profit:

\$472.00

Total:

\$11,707.00

4PM Recommendation:

Steve Watson - 4PM
By:

Owner/Lender Approval:

Owner/Lender Approval

Authorized Signature for Owner

Authorized Signature for Lender

Hogan

PCO #014

Hogan Construction Group
5075 Avalon Ridge Parkway
Norcross, Georgia 30071
Phone: (770) 242-8588
Fax: (770) 242-7741

Project: 11911 - Jonesboro Broad Street
103 Mill Street
Jonesboro, Georgia 30236

DRAFT

Prime Contract Potential Change Order #014: Mondo Grass East side of Broad Street Sidewalk

TO:	City of Jonesboro 124 North Avenue Jonesboro, Georgia 30236	FROM:	Hogan Construction Group - Norcross 5075 Avalon Ridge Parkway Norcross, Georgia 30071
PCO NUMBER/REVISION:	014 / 0	CONTRACT:	1 - Broad Street Plaza Project
REQUEST RECEIVED FROM:		CREATED BY:	Chris Copeland (Hogan Construction Group - Norcross)
STATUS:	Draft	CREATED DATE:	7/27/2020
REFERENCE:		PRIME CONTRACT CHANGE ORDER:	None
FIELD CHANGE:	No		
LOCATION:	Jonesboro Broad Street	ACCOUNTING METHOD:	Amount Based
SCHEDULE IMPACT:	0 days	PAID IN FULL:	No
		TOTAL AMOUNT:	\$11,707.00

POTENTIAL CHANGE ORDER TITLE: Mondo Grass East side of Broad Street Sidewalk

CHANGE REASON: Owner Request

POTENTIAL CHANGE ORDER DESCRIPTION: (The Contract Is Changed As Follows)

This change order includes the cost to furnish and install mondo grass at one foot spacing intervals and pine straw between the new sidewalk on the East side of Broad Street and the backside of the tenant building property lines.

ATTACHMENTS:

#	Cost Code	Description	Type	Amount
1	01-5001 - LANDSCAPING	Mondo Grass 1' triangular spacing and pinestraw	Subcontract	\$10,972.00
2	37-2060 - BOND	Bond	Subcontract	\$263.00
3	39-1011 - FEE	FEE	Subcontract	\$472.00
				Subtotal: \$11,707.00
				Grand Total: \$11,707.00

Heather Hubble (TSW
Planners/Architects/Landscape
Architects)

1447 Peachtree Street NE Suite 850
Atlanta, Georgia 30309

City of Jonesboro

124 North Avenue
Jonesboro, Georgia 30236

Hogan Construction Group - Norcross

5075 Avalon Ridge Parkway
Norcross, Georgia 30071

SIGNATURE

DATE

SIGNATURE

DATE

SIGNATURE

DATE



CITY OF JONESBORO, GEORGIA COUNCIL

Agenda Item Summary

Agenda Item

- 3

12.3

COUNCIL MEETING DATE

August 10, 2020

FOLLOW-UP APPROVAL ACTION (City Clerk)

Typed Name and Title Ricky L. Clark, City Manager	Date August, 10, 2020	
Signature	City Clerk's Office	

- SENOIA K (002) - Light example

12.3

Staff Recommendation *(Type Name, Title, Agency and Phone)*

Approval



August 3, 2020

CITY OF JONESBORO
 Ricky L. Clark, Jr., City Manager
 BROAD STREET PROJECT
 0 BROAD ST
 JONESBORO, GA 30236

UNMETERED LIGHTING

Thank you for being a valued Georgia Power customer. We look forward to servicing all of your outdoor lighting needs. The following proposal is for install a new Georgia Power Company owned Outdoor Lighting LED System.

Per your request, Georgia Power Company proposes the following estimate:

BILLING OPTIONS:

Standard Operating Lease: 1-month agreement, automatically renews month to month, lease price is fixed. Georgia Power retains ownership of the system. **All materials, labor, energy & maintenance to operate the system are included.**



- Install (10) 100 w LED Post Tops
- Install (10) 16FT BASE-MOUNTED BLACK ALUMINUM POLES
- Install (10) Concrete Bases
- Bore 600 ft underground wire

The option for receptacles and banner arms is not possible due to time length of 16 weeks not available for material to arrive. The City of Jonesboro is aware that the poles installed for this job, will not have banners arms or receptacles, however, each pole will be mounted on bases.

PAYMENT OPTIONS:**No Upfront payment required - \$0.00****Monthly lease amount (energy included) - \$984.90****-OR-****Upfront payment required - \$25,000****Monthly lease amount (energy included) - \$700.00****-OR-****Upfront payment required - \$45,000****Monthly lease amount (energy included) - \$450.00****-OR-****Upfront payment required - \$58,501****Monthly lease amount (energy included) - \$250.00**

Please let me know if you have any questions. This proposal is valid for (30) days from the above date.

Should you have any questions, please call me at the number listed below or email me at your convenience.

Sincerely,

Jennifer L. Williams

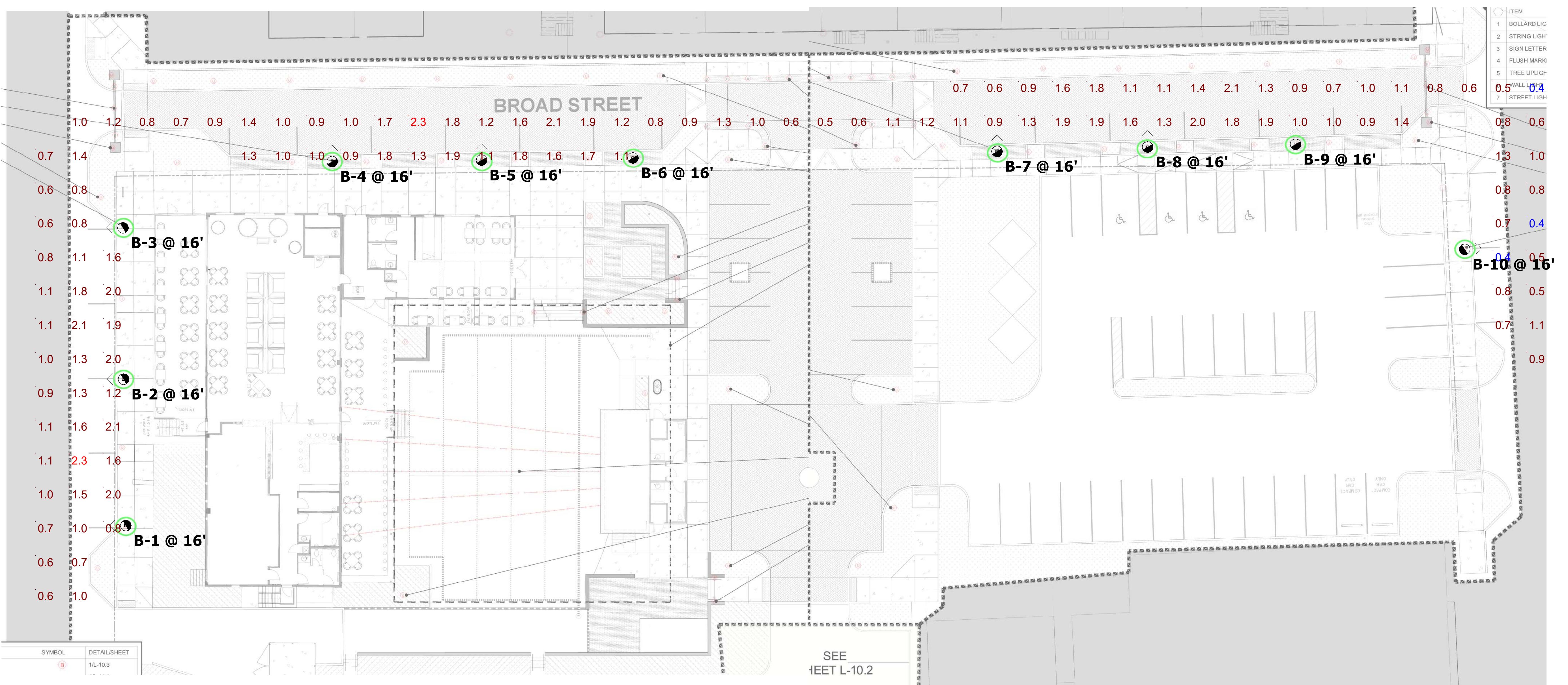
Account Executive

Georgia Power Outdoor Lighting

C: 678-218-8940

jennwill@southernco.com

<https://www.georgiapower.com/business/electric-products/outdoor-lighting/>



Broad Street

Schedule									
Symbol	Label	QTY	Manufacturer	Catalog Number	Description	Number Lamps	Filename	Lumens per Lamp	LLF
^	B	10							97.9

Statistics					
Description	Symbol	Avg	Max	Min	Max/Min Avg/Min
Calc Zone #1	+	1.2 fc	2.3 fc	0.4 fc	5.8:1 3.0:1

Notes

1. Readings are shown in units of maintained footcandles.
2. Total Light Loss Factor (LLF) = .912 LLF for LED
3. Test Plane = 0' Above grade
4. Fixture Mounting Height = 16' Above grade
5. Fixture Spacing = See Plan view.
6. This photometric layout was calculated using specific criteria. Any deviation from stated parameters will affect actual performance.
7. These lighting calculations are not a substitute for independent engineering analysis of lighting system suitability and safety.

Disclaimer

This lighting design is not a professional engineering drawing and is provided for informational purposes only, without warranty as to accuracy, completeness, reliability or otherwise. Frazier Photometrics is not responsible for specifying the lighting or illumination requirements for any specific project. It is the obligation of the end-user to consult with a professional engineering advisor to determine whether this lighting design meets the applicable project requirements for lighting system performance, safety, suitability and effectiveness for use in a particular application. End-user environment and application (including, but not limited to, voltage variation and dirt accumulation) can cause actual field performance to differ from the calculated photometric performance represented in this lighting design. In no event will Frazier Photometrics be held responsible for any loss resulting from any use of this lighting design.

Designer
KF
Date
6/15/2020
Scale
As Shown
Drawing No.
S37220A2
Summary





CITY OF JONESBORO, GEORGIA COUNCIL Agenda Item Summary

Agenda Item #

-4

12.4

COUNCIL MEETING DATE

August 10, 2020

Requesting Agency (Initiator)

Office of the City Manager

Sponsor(s)

Requested Action *(Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)*

Council to consider Resolution #2020-007 authorizing the execution of the coronavirus relief fund terms and conditions and to authorize the creation of the rent and utility assistance program.

Requirement for Board Action *(Cite specific Council policy, statute or code requirement)*

Title V of the CARES Act

Is this Item Goal Related? *(If yes, describe how this action meets the specific Board Focus Area or Goal)*

Summary & Background

(First sentence includes Agency recommendation. Provide an executive summary of the action that gives an overview of the relevant details for the item.)

As you know, Congress passed the Coronavirus Aid, Relief, and Economic Security Act (“CARES” Act) on March 27, 2020 to provide vital resources to governments, businesses, and individuals in combating COVID-19. President Trump signed the Act into law, and his administration continues to provide guidance on the many federal funding streams included in the legislation.

Title V of the CARES Act created the Coronavirus Relief Fund (“CRF”) to provide financial resources to state and local governments. The U.S. Treasury (Treasury) provided Georgia approximately \$4.1 billion for coronavirus-related expenses based on the funding formula provided in the CARES Act. Treasury provided that up to 45% of Georgia’s funding could be transferred to local governments if the transfer qualifies as a necessary expenditure incurred due to the public health emergency.

The local government maximum share of funding is approximately \$1.8 billion. Five local governments with populations over 500,000 received direct allocations, leaving approximately \$1.23 billion remaining for additional allocations.

The first phase of funding will allocate 30% of the \$1.23 billion to local governments that did not receive a direct allocation and are not located in a county that received a direct allocation established on a per capita basis using U.S. Census Bureau’s vintage 2019 sub-county population (“Phase One”). These cities and counties will have access to and be able to request 30% of Phase One funding immediately once the application portal is available. The remaining 70% will be available on a reimbursement basis. Phase One funding should be used by September 1, 2020, or it may be recalled and reallocated for other uses. Please note that funding can only be used for eligible expenses.

We will receive \$259,749 in the Phase 1 allocation of the Cares Act funds. Of that amount 30% (\$77,925) will be advanced. You may recall that on March 27, 2020, in an effort to provide vital resources to governments, businesses and individuals in combating COVID-19, President Trump signed the CARES Act into law. Fund payments may not be used for government revenue replacement, including the replacement of unpaid utility fees.

Staff is recommending that the first portion of the funding be utilized to provide rent and utility assistance to our

FOLLOW-UP APPROVAL ACTION (City Clerk)

Typed Name and Title
Ricky L. Clark, City Manager

Date
August, 10, 2020

Signature

City Clerk's Office

residents. This fund will be used to help families retain stable housing by assisting with rent and utility payments. Grace periods are not offered and to provide financial assistance for additional critical needs. This could be due to temporarily increased expenses or decreased income. To apply, a completed application and a budget form would need to be submitted. If seeking rental assistance, a rental/lease statement will have to be submitted. If seeking rental assistance, it will also require a statement from a landlord that states you are past due. If seeking utility assistance, a utility bill showing a past due status will need to be submitted.

12.4

Fiscal Impact

(Include projected cost, approved budget amount and account number, source of funds, and any future funding requirements.)

Exhibits Attached (Provide copies of originals, number exhibits consecutively, and label all exhibits in the upper right corner.)

- Georgia-CRF-Terms-and-Conditions 07.23.2020 FINAL (002)

Staff Recommendation (Type Name, Title, Agency and Phone)

Approval

WHEREAS, in an effort to mitigate the effects of COVID-19, the United States government has made available grant funding through the Coronavirus Relief Fund (CRF) to the State of Georgia, which was established within Section 601 of the Social Security Act, as added by Section 5001 of the Coronavirus Aid, Relief, and Economic Security Act (CARES Act);

WHEREAS, Governor Brian P. Kemp has authorized the sharing of CRF allocations and disbursements in a phased, measure approach with local governments across the State of Georgia;

WHEREAS, Governor Kemp has acknowledged the critical need that such CRF funding be released to local governments experiencing immediate need as quickly as possible and has directed the Governor's Office of Planning and Budget (OPB) to coordinate with local governments to achieve allocation and disbursement of such CRF funding;

WHEREAS, OPB has created and will administer a grant management system, GeorgiaCARES, which local governments, including the city shall utilize in order to received allocations and disbursements of CRF funding; and

WHEREAS, the OPB and the State of Georgia, require formal, official action of the City governing authority to that the CRF funding may be disbursed to the City.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF JONESBORO, GEORGIA:

Section 1. Execution of Coronavirus Relief Fund (CRF) Terms and Conditions. The Mayor and Council hereby authorize the execution, delivery, and performance of the Coronavirus Relief Fund (CRF) Terms and Conditions (Agreement) in substantially the form attached hereto as a composite Exhibit A and the acceptance of payments, including all, understanding and assurances contained herein.

Section 2. Other Actions Authorized. The city hereby directs and authorizes the Mayor of the City of Jonesboro, Georgia or the designee of the Mayor to act in connection with the Grant application and to provide such additional information as may be required by OPB, federal, or state government.

Section 3. City Attorney. The City, by and through its governing authority, hereby acknowledges that it has had its legal counsel review the Agreement and that the members of the governing authority itself have reviewed the Agreement and

further acknowledge that any rule of construction to the effect that any ambiguities are to be resolved against the party shall not be employed in the interpretation of the Agreement.

12.4

Section 4. Repealer. All motions, orders, ordinances, bylaws, resolutions, and parts thereof inconsistent herewith are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed as reviving any motion, order, ordinance, bylaw, resolution, or part thereof.

Section 5. Effective Date; Severability. This resolution shall become effective immediately, and should the Agreement have been executed by the Mayor or designee before the effective date of this resolution, then this resolution shall stand as an official act of the governing authority of the City approving of such execution of the Agreement. If any section, paragraph, clause, or provision hereof be held invalid or unenforceable, the invalidity or unenforceability thereof shall not affect the remaining provisions hereof.

PASSED, ADOPTED, APPROVED, SIGNED and EFFECTIVE this _____ day of August, 2020.

CITY OF JONESBORO, GEORGIA (SEAL)

BY: _____

Mayor

ATTEST: _____

City Manager/Clerk

CORONAVIRUS RELIEF FUND (CRF) TERMS AND CONDITIONS

About This Document

This agreement (the “Grant Agreement” or “Agreement”) is entered into between the State of Georgia (the “State”) and the undersigned grantee (“Grantee”) (hereinafter collectively referred to as the “Parties”). This Grant Agreement sets forth the terms and conditions applicable to payments distributed by the State in the form of a grant to Grantee, a local unit of government, from the Coronavirus Relief Fund (CRF) established within Section 601 of the Social Security Act, as added by Section 5001 of the Coronavirus Aid, Relief, and Economic Security Act (CARES Act) (hereinafter referred to as “Grant”). The Grantee’s official representative, whose signature appears below, will execute the interest and responsibilities of the Grantee.

These requirements are in addition to those that can be found within the grant management system administered by the Governor’s Office of Planning and Budget (“OPB”), GeorgiaCARES, to which the Grantee agrees when accepting the Grant. Other state and federal requirements and conditions may apply to the Grant, including but not limited to 2 C.F.R. § 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, and applicable subparts; the State funding announcement under which Grant payments are distributed; and any applicable documents referenced in the documents listed above.

To the extent the terms and conditions of this Grant Agreement do not address a particular circumstance or are otherwise unclear or ambiguous, such terms and conditions are to be construed consistent with the general objectives, expectations and purposes of this Grant Agreement and in all cases, according to its fair meaning. The Grantee acknowledges that it and its counsel have reviewed this Grant Agreement and that any rule of construction to the effect that any ambiguities are to be resolved against the drafting party shall not be employed in the interpretation of this Grant Agreement. Any vague, ambiguous or conflicting terms shall be interpreted and construed in such a manner as to accomplish the purpose of the Grant Agreement.

1. Definitions

1.1 As used in this Agreement, the following terms shall have the following meanings:

1. **“CARES Act”** means the federal Coronavirus Aid, Relief, and Economic Security Act of 2020.
2. **“Coronavirus Relief Fund”** or **“CRF”** means the fund established within Section 601 of the Social Security Act, as added by Section 5001 of the CARES Act.
3. **“GeorgiaCARES”** means the grant management system administered by OPB to facilitate distribution of Coronavirus Relief Funds to the Grantee.
4. **“Grant”** means the payments distributed by the State in the form of a grant to the Grantee from the Coronavirus Relief Fund.
5. **“Grant Agreement”** or **“Agreement”** means this agreement between the State of Georgia and the Grantee as defined by the Coronavirus Relief Fund Terms and Conditions and its incorporated documents.
6. **“Grantee”** means the undersigned local unit of government.
7. **“OPB”** means the Governor’s Office of Planning and Budget.
8. **“Parties”** means collectively the parties to this Agreement, namely, the State and the Grantee.
9. **“State”** means the State of Georgia.

2. General Requirements and Conditions

1.2 Applicability of Grant Agreement and Provisions

This Grant Agreement is subject to the additional terms, conditions and requirements of other laws, rules, regulations and plans recited herein and is intended to be the full and complete expression of and constitutes the entire agreement between the parties hereto with respect to the subject matter hereof and all prior and contemporaneous understandings, agreements, promises, representations and terms and conditions, both oral and written, are superseded and replaced by this Grant Agreement.

Notwithstanding any expiration or termination of this Grant Agreement, the rights and obligations pertaining to the Grant close-out, cooperation and provision of additional information, return of Grant funds, audit rights, records retention, public information and any other provision implying survivability shall remain in effect after the expiration or termination of this Grant Agreement.

1.3 Legal Authority

The Grantee certifies that it possesses legal authority to enter into this Grant Agreement and accept payments for which the Grantee is eligible pursuant to the funding announcement. As required by law, a resolution, motion or similar action has been or will be duly adopted or passed as an official act of the Grantee's governing body, authorizing the execution of this Grant Agreement and the acceptance of payments, including all understandings and assurances contained herein, and directing and authorizing the person identified as the official representative, or their designee of the Grantee organization to act in connection with the Grant application and to provide such additional information as may be required.

Grantee hereby represents and warrants that it has the power and is duly authorized to enter into this Grant Agreement with regard to all matters described herein upon the terms set forth and that the persons executing this Agreement on behalf of Grantee are the authorized agents of Grantee for the purpose of executing this Agreement. The Parties acknowledge and agree that this Agreement constitutes a valid and legally binding obligation of each Party, enforceable in accordance with its terms.

1.4 Grant Acceptance

The state funding announcement remains an offer until the fully and appropriately executed copy of this Grant Agreement is received by OPB.

1.5 Performance Period

Funding has been authorized for eligible expenditures incurred between March 1, 2020 and December 30, 2020. The performance period for this Grant is from acceptance of this Grant Agreement to the liquidation date or December 30, 2020, whichever is earlier. All expenditures must be incurred and all services must be received within the performance period. The state will not be obligated to reimburse expenses incurred after the performance period and the Grantee shall return to OPB all funds received and not expended by the Grantee and approved by OPB on or before the performance period end date. A cost is incurred when the responsible unit of government has expended funds to cover the cost. The liquidation date for the Grant is predetermined by the State, see Section 6.7 for details.

1.6 General Responsibility

Per the CARES Act, CRF Grant funds may only be used to cover expenses that:

1. Are necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19);
2. Were not accounted for in the budget most recently approved as of March 27, 2020 for the State or Grantee; and
3. Were incurred during the period that begins on March 1, 2020 and ends on December 30, 2020.

The US Department of Treasury (Treasury) provided additional guidance on the permissible use of

Grant funds. The Grantee certifies compliance with this additional guidance by executing this Grant Agreement. Further explanation and examples can be found on Treasury's website at the following link: <https://home.treasury.gov/policy-issues/cares/state-and-local-governments>. Recipients of CRF Grant funds must also adhere to any applicable state statutes, rules, or regulations as applicable in the expenditure of these funds. In the event that one or more provisions of said applicable state statutes, rules, or regulations shall conflict with the applicable federal laws, rules, or regulations, the federal law, rule, or regulation shall control, however, in the event that the state statute, rule, or regulation is more restrictive it shall control.

The Grantee certifies compliance with these eligible expenses by executing this Grant Agreement, including the CARES Act Coronavirus Relief Fund Eligibility Certification Form in Exhibit C, which is attached hereto and incorporated for all purposes.

The Grantee is responsible for the integrity of the fiscal and programmatic management of the Grant project; accountability for all funds awarded; and compliance with state guidelines, policies and procedures and applicable federal and state laws and regulations.

The Grantee will maintain an appropriate Grant administration system to ensure that all terms, conditions and specifications of the Grant are met.

The Grantee agrees to maintain an accounting system integrated with adequate internal fiscal and management controls to capture and report Grant data with accuracy, providing full accountability for revenues, expenditures, assets and liabilities. This system shall provide reasonable assurance that the Grantee is managing federal and state financial assistance programs in compliance with all applicable laws and regulations, including the reporting requirements outlined at <https://home.treasury.gov/system/files/136/IG-Coronavirus-Relief-Fund-Recipient-Reporting-Record-Keeping-Requirements.pdf>.

1.7 Amendments and Changes to the Grant Agreement

The state may make changes to the Grant. Changes include, but are not limited to, modifying the scope of the Grant project, adding funds to previously un-awarded cost items or categories, changing funds in any awarded cost items or category, de-obligating awarded funds or changing Grant officials. In the event the State determines that changes are necessary to the Grant award document after an award has been made, including changes to period of performance or terms and conditions, the Grantee will be notified of the changes in writing, and any such changes shall be documented in GeorgiaCARES.

The Grantee has no right or entitlement to payment or reimbursement with Grant funds. The Grantee agrees that nothing in this Grant Agreement will be interpreted to create an obligation or liability of the state in excess of the availability of funds for initial payment and reimbursement as provided in the funding announcement. The Grantee agrees that any act, action or representation by either party, their agents or employees that purports to waive or alter the terms of this Grant Agreement or increase the maximum liability of the state is void unless an amendment to this Grant Agreement is consented to by both parties in writing and is documented in GeorgiaCARES. Notwithstanding this requirement, it is understood and agreed by the parties hereto that changes in local, state and federal rules, regulations or laws applicable hereto may occur during the term of this Grant Agreement and that any such changes shall be automatically incorporated into this Grant Agreement without written amendment hereto, and

shall become a part hereof as of the effective date of the rule, regulation or law.

1.8 Jurisdictional Cooperation

If the Grantee is a municipality, it may yield any portion of the payments it is eligible to receive pursuant to this Grant Agreement to the county within which it exists or if Grantee is a county, it may yield any portion of the payments it is eligible to receive pursuant to this Grant Agreement to a municipality within its geographical boundaries for eligible expenses. This may be accomplished in one of the following two ways:

1. By a Grant amendment, made by the state as described in Section 1.7, whereby funds are de-obligated from the Grantee and then added to previously un-awarded costs items or categories of the receiving jurisdiction's grant award; or
2. Upon written approval from the State and documentation of such approval in GeorgiaCARES, the Grantee may use funds pursuant to this Grant Agreement to subcontract with another political subdivision within its jurisdiction for eligible and necessary expenditures incurred due to the Coronavirus Disease 2019 (COVID-19) public health emergency. The Grantee is responsible for ensuring subcontractor eligibility, ensuring expenditures are appropriate, reporting expenditures in GeorgiaCARES and maintaining all required documentation.

1.9 Public Information and Meetings

Notwithstanding any provisions of this Grant Agreement to the contrary, the Grantee acknowledges that the State of Georgia, OPB, and this Grant Agreement are subject to the Georgia Open Records Act, O.C.G.A. § 50-18-71, *et seq* (ORA). The Grantee acknowledges that OPB will comply with the ORA, as interpreted by judicial opinions and opinions of the Attorney General of the State of Georgia.

The Grantee acknowledges that information created or exchanged in connection with this Grant Agreement, including all reimbursement documentation submitted to OPB, is subject to the ORA, whether created or produced by the Grantee or any third party, and the Grantee agrees that information not otherwise excepted from disclosure under the ORA will be available in a format that is accessible by the public at no additional charge to OPB or the State. The Grantee will cooperate with the State and OPB in the production of documents or information responsive to a request for information.

1.10 Remedies for Non-Compliance

If the State determines that the Grantee fails to comply with any term of this Grant Agreement, whether stated in a federal or state statute or regulation, an assurance, a state plan or application, a notice of award, or any other applicable requirement, the State, in its sole discretion, may take actions including:

1. Imposing sanctions;
2. Temporarily withholding payments pending correction of the deficiency or imposing a corrective action plan intended to bring the Grantee into compliance with this Grant Agreement. A corrective action plan shall be a compulsory set of actions mandated by OPB that will ensure the Grantee will take certain actions to bring its jurisdiction into compliance with the terms of this Grant Agreement.

If the Grantee fails to complete any imposed corrective action plan within 60 days, OPB reserves the right to require the Grantee to return any previous Grant fund payments or reimbursements in a manner and timeframe as determined by OPB;

3. Requiring the Grantee to return or offset previous payments or reimbursements to OPB in a manner and timeframe as determined by OPB. By entering into this Grant Agreement Grantee specifically accepts and acknowledges that any noncompliance with the terms of this Grant Agreement shall entitle the State to implement this remedy, regardless of whether or not the previous payments or reimbursements were made for allowable costs;
4. Disallowing or denying use of funds for all or part of the cost of the activity or action not in compliance;
5. Disallowing claims for reimbursement;
6. Wholly or partially suspending or terminating the Grant;
7. Prohibiting the Grantee from applying for or receiving additional funds for other grant programs administered by the State until repayment to OPB is made and any other compliance or audit finding is satisfactorily resolved;
8. Reducing the Grant award maximum liability of the state; or
9. Taking other remedies or appropriate actions.

If OPB elects to implement whole or partial suspension or termination of the Grantee's Grant in accordance with this Section of the Grant Agreement, the Grantee's costs resulting from Grant eligible expenditures incurred during any such suspension or after termination of the Grant are not allowable costs unless OPB expressly authorizes them either in the notice of suspension or termination or subsequently.

The State, at its sole discretion, may impose sanctions without first requiring a corrective action plan.

The Grantee acknowledges and agrees that the State has the rights and remedies stated above and any other rights and remedies set forth in this Grant Agreement which are fair and reasonable and further acknowledges and agrees that no action taken by the State to assert or enforce any of these rights or remedies shall excuse the Grantee from performance of its obligations under this Agreement.

1.11 False Statements by Grantee

By acceptance of this Grant Agreement, the Grantee makes all the statements, representations, warranties, guarantees, certifications and affirmations included in this Grant Agreement. If applicable, the Grantee will comply with the requirements of 31 U.S.C. § 3729-3733, which set forth that no grantee of federal payments shall submit a false claim for payment.

If any of the statements, representations, certifications, affirmations, warranties or guarantees are false or if the Grantee signs or executes this Grant Agreement with a false statement or it is subsequently

determined that the Grantee has violated any of the statements, representations, warranties, guarantees, certifications or affirmations included in this Grant Agreement, then the State may consider this action or activity a possible default under this Grant Agreement and may terminate or void this Grant Agreement for cause and pursue other remedies available to the State under this Grant Agreement and applicable law. False statements or claims made in connection with grants may result in fines, imprisonment and debarment from participating in federal grants or contracts and/or any other remedy available by law, potentially including the provisions of 31 U.S.C. § 3801-3812, which details the administrative remedies for false claims and statements made.

1.12 Conflict of Interest Safeguards

The Grantee will establish safeguards to prohibit its employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest or personal gain, whether for themselves or others, particularly those with whom they have family, business, or other ties. The Grantee will operate with complete independence and objectivity without actual, potential or apparent conflict of interest with respect to its performance under this Grant Agreement in accordance with Title 45 Chapter 10 of the O.C.G.A, 18 U.S.C. § 666, 18 U.S.C. § 1031, and 2 C.F.R. § 200.318.

1.13 Fraud, Waste and Abuse

The Grantee acknowledges and assents that the State of Georgia shall not tolerate fraud, waste or misuse of funds received from any state entity (*See* Title 45 Chapter 10 of the O.C.G.A.) and that any violation of state or federal law, state policies or standards of ethical conduct shall result in penalties including, but not limited to, suspension of current and future funds, suspension or debarment from federal and state grants, recoupment of monies provided under an award, remedies set forth in 2 C.F.R. § 200.338, and civil and/or criminal penalties.

In the event the Grantee becomes aware of any allegation or a finding of fraud, waste or misuse of funds received from OPB that is made against the Grantee, the Grantee is required to immediately report said allegation or finding to the U.S. Department of the Treasury Office of the Inspector General¹ and to OPB and must continue to inform OPB of the status of any such on-going investigations. The Grantee must also promptly refer to OPB as well as the appropriate federal authorities, including, but not limited to, the U.S. Department of the Treasury Office of the Inspector General, any credible evidence that a principal, employee, agent, grantee, contractor, subcontractor or other person has -- (1) submitted a claim for award funds that violates the False Claims Act; or (2) committed a criminal or civil violation of laws pertaining to fraud, conflict of interest, bribery, gratuity or similar misconduct involving award funds. Grantees must also immediately notify OPB in writing of any misappropriation of funds, fraud, theft, embezzlement, forgery, or any other serious irregularities indicating noncompliance with grant requirements. Grantees must notify the local prosecutor's office of any possible criminal violations. Grantees must immediately notify OPB in writing if a project or project personnel become involved in any litigation, whether civil or criminal, and the Grantee must immediately forward a copy of any demand, notices, subpoenas, lawsuits or indictments to OPB.

¹ See 2 C.F.R. § 200.113. Disclosure, in a timely manner, to the Federal awarding agency or pass-through entity is mandatory for all violations of Federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the Federal award. Failure to make required disclosures can result in any of the remedies described in 2 C.F.R. § 200.338.

1.14 Termination of the Agreement

The State may, at its sole discretion, terminate this Grant Agreement, without recourse, liability or penalty against the State, upon written notice to the Grantee. In the event the Grantee fails to perform or comply with an obligation or a term, condition or provision of this Grant Agreement, the State may, upon written notice to the Grantee, terminate this Grant Agreement for cause, without further notice or opportunity to cure. Such notification of termination for cause will state the effective date of such termination, and if no effective date is specified, the effective date will be the date of the notification.

The State and the Grantee may mutually agree to terminate this Grant Agreement at any time. The State, in its sole discretion, will determine if, as part of the agreed termination, the Grantee is required to return any or all of the disbursed Grant funds.

Termination is not an exclusive remedy but will be in addition to any other rights and remedies provided in equity, by law or under this Grant Agreement, including those remedies listed at 2 C.F.R. § 200.207 and 2 C.F.R. § 200.338 – 200.342. Following termination by the State, the Grantee shall continue to be obligated to OPB for the return of Grant funds in accordance with applicable provisions of this Grant Agreement. In the event of termination under this Section, the State may elect to reimburse the Grantee but any such reimbursement shall be limited to allowable costs incurred and paid by the Grantee prior to the effective date of termination, and any allowable costs determined by the State in its sole discretion to be reasonable and necessary to cost-effectively wind down the Grant. Termination of this Grant Agreement for any reason or the expiration of this Grant Agreement shall not release the parties from any liability or obligation set forth in this Grant Agreement that is expressly stated to survive any such termination or expiration.

1.15 Limitation of Liability

TO THE EXTENT ALLOWED BY LAW, THE GRANTEE SHALL DEFEND, INDEMNIFY AND HOLD HARMLESS THE STATE OF GEORGIA, OPB AND/OR THEIR OFFICERS, REGENTS, AGENTS, EMPLOYEES, REPRESENTATIVES, CONTRACTORS, ASSIGNEES AND/OR DESIGNEES FROM ANY AND ALL LIABILITY, ACTIONS, CLAIMS, DEMANDS, OR SUITS, AND ALL RELATED COSTS, ATTORNEY FEES, AND EXPENSES ARISING OUT OF, OR RESULTING FROM, ANY ACTS OR OMISSIONS OF THE GRANTEE OR ITS AGENTS, EMPLOYEES, SUBCONTRACTORS, ORDER FULFILLERS, OR SUPPLIERS OF SUBCONTRACTORS IN THE EXECUTION OR PERFORMANCE OF THIS GRANT AGREEMENT AND ANY PURCHASE ORDERS ISSUED UNDER THIS GRANT AGREEMENT. THE DEFENSE SHALL BE COORDINATED BY THE GRANTEE WITH THE OFFICE OF THE GEORGIA ATTORNEY GENERAL WHEN STATE AGENCIES ARE NAMED DEFENDANTS IN ANY LAWSUIT AND THE GRANTEE MAY NOT AGREE TO ANY SETTLEMENT WITHOUT FIRST OBTAINING THE CONCURRENCE FROM THE OFFICE OF THE GEORGIA ATTORNEY GENERAL. THE GRANTEE AND THE STATE AGREE TO FURNISH TIMELY WRITTEN NOTICE TO EACH OTHER OF ANY SUCH CLAIM.

The Grantee agrees that no provision of this Grant Agreement is in any way intended to constitute a waiver by the State, OPB, or their officers, regents, employees, agents, or contractors, of any privileges, rights, defenses, remedies, or immunities from suit and liability that OPB or the State may have by

operation of law.

1.16 Dispute Resolution

The parties' designees will meet as needed to implement the terms of this Grant Agreement and will make a good faith attempt to informally resolve any disputes.

Notwithstanding any other provision of this Grant Agreement to the contrary, unless otherwise requested or approved in writing by OPB, the Grantee shall continue performance and shall not be excused from performance during the period any breach of this Grant Agreement, claim or dispute is pending.

The laws of the State govern this Grant Agreement and all disputes arising out of or relating to this Grant Agreement, without regard to any otherwise applicable conflict of law rules or requirements. Venue for any action, suit, litigation, or other proceeding arising out of or in any way relating to this Grant Agreement shall be commenced exclusively in the Superior Court of Fulton County, Georgia.

The Grantee hereby irrevocably and unconditionally consents to the exclusive jurisdiction of the court referenced above for the purpose of prosecuting and/or defending such litigation. The Grantee hereby waives and agrees not to assert by way of motion, as a defense, or otherwise, in any suit, action or proceeding, any claim that the Grantee is not personally subject to the jurisdiction of the above-named courts; the suit, action or proceeding is brought in an inconvenient forum; and/or the venue is improper.

1.17 Liability for Taxes

The Grantee agrees and acknowledges that Grantee is entirely responsible for the liability and payment of Grantee and Grantee's employees' taxes of whatever kind, arising out of the performances in this Grant Agreement. The Grantee agrees to comply with all state and federal laws applicable to any such persons, including laws regarding wages, taxes, insurance and workers' compensation. Neither OPB nor the State shall be liable to the Grantee, its employees, its agents or others for the payment of taxes or the provision of unemployment insurance or workers' compensation or any benefit available to a State employee or employee of OPB.

1.18 Required Assurances

The Grantee must comply with the applicable Grantee Assurances, which are attached hereto and incorporated for all purposes as Exhibit A.

1.19 System for Award Management (SAM) Requirements

The Grantee agrees to comply with applicable requirements regarding registration with the System for Award Management (SAM) or with a successor government-wide system officially designated by OMB and, if applicable, the federal funding agency. These requirements include maintaining current registrations and the currency of the information in SAM. The Grantee will review and update information at least annually until submission of the final financial report required under the award or receipt of final payment, whichever is later, as required by 2 C.F.R. § 25.

The Grantee will comply with 2 C.F.R. § 180 that implement Exec. Order 12549, 3 C.F.R. 189 (1986)

and Exec. Order 12689, 3 C.F.R. 235 (1989) that requires “a contract award (see 2 C.F.R. § 180.220) must not be made to parties listed on the government-wide exclusions in the System for Award Management (SAM)”, in accordance with the OMB guidelines at 2 C.F.R. Part 180 that implement Exec. Order 12549, 3 C.F.R. 189 (1986) and Exec. Order 12689, 3 C.F.R. 235 (1989), “Debarment and Suspension.” SAM Exclusions contains the names of parties debarred, suspended or otherwise excluded by agencies, as well as parties declared ineligible under statutory or regulatory authority. The Grantee certifies it will verify each vendor’s status to ensure the vendor is not debarred, suspended, otherwise excluded or declared ineligible by checking the SAM before doing/renewing business with that vendor.

The Grantee certifies that it and its principals are eligible to participate in this Grant Agreement and have not been subjected to suspension, debarment or similar ineligibility determined by any federal, state or local governmental entity; the Grantee is in compliance with the State of Georgia statutes and rules relating to procurement; and the Grantee is not listed in the federal government’s terrorism watch list as described in federal Exec. Order 13224, 3 C.F.R. § 2001 Comp. p. 49077.

1.20 No Obligation by Federal Government

The parties acknowledge and agree that the federal government is not a party to this Grant Agreement and is not subject to any obligations or liabilities to either party, third party or subcontractor pertaining to any matter resulting from this Grant Agreement.

1.21 Notice

Any and all notices, designations, consents, offers, acceptances or any other communication provided for herein shall be given in writing by registered or certified mail with return receipt requested, to a party hereto and shall be addressed to the person who signed the Grant Agreement on behalf of the party at the address set forth below or to such other address as the parties may designate by notice from time to time in accordance with this Grant Agreement.

If to Grantee: (INSERT NAME AND ADDRESS HERE)

If to OPB: Governor’s Office of Planning and Budget
2 Capitol Square SW
Atlanta, Georgia 30334
cares@opb.georgia.gov

1.22 Force Majeure

Neither the Grantee nor the State shall be required to perform any obligation under this Grant Agreement or be liable or responsible for any loss or damage resulting from its failure to perform so long as performance is delayed by force majeure or acts of God, including but not limited to labor shortages caused by strikes or lockouts, embargo, war, terrorism, flood, natural disaster. Each party must inform the other in writing, with proof of receipt, within three (3) business days of the existence of such force majeure, or otherwise waive this right as a defense.

To the extent that the (1) Georgia State of Emergency relating to unlawful assemblage and violence,

and (2) the Georgia Public Health States of Emergency relating to COVID-19, become more severe and lead to the impossibility to perform any obligation under this Grant Agreement, then riots and pandemic may be asserted as force majeure events.

1.23 Severability

If any provision of this Grant Agreement is rendered or declared illegal for any reason, or shall be invalid or unenforceable, this Grant Agreement shall be interpreted as though such provision was modified or deleted in such manner so as to afford the party for whose benefit it was intended the fullest benefit commensurate with making this Grant Agreement, as modified, enforceable, and the remainder of this Grant Agreement and the application of such provision to other persons or circumstances shall not be affected thereby, but shall be enforced to the greatest extent permitted by applicable law.

3. Warranties

2.1 E-Verify

Grantee, by signing this Agreement, represents and warrants that it will comply with the requirements of O.C.G.A. § 50-36-1 entitled “Verification of Lawful Presence Within United States” and verify the lawful presence in the United States of any natural person 18 years of age who has applied for state or local public benefits, as defined in 8 U.S.C. § 1621, or for federal public benefits, defined in 8 U.S.C. § 1611, that is administered by an agency or a political subdivision of this State.

Grantee, by signing this Agreement, represents and warrants that it will comply with the requirements of O.C.G.A. § 13-10-90 entitled “Security and Immigration Compliance.” This requires, among other things, that every public employer, including, but not limited to, every municipality and county, will register and participate in the federal work authorization program to verify employment eligibility of all newly hired employees.

2.2 Compliance with Federal Law, Regulations and Executive Orders

Grantee represents and warrants that federal financial assistance funds will be used to fund this Grant Agreement. The Grantee will comply with all applicable federal law, regulations, executive orders, policies, procedures and directives.

2.3 Clean Air Act

The following is only applicable if the amount of the contract exceeds \$150,000.

1. Grantee represents and warrants that it shall comply with all applicable standards, orders or regulations issued pursuant to the Clean Air Act, as amended, 42 U.S.C. § 7401, *et seq.*
2. Grantee represents and warrants to report each violation to the appropriate federal authorities as well as OPBand acknowledges and agrees that the State will, in turn, report each violation as required to assure notification to the appropriate federal authorities and the appropriate Environmental Protection Agency Regional Office.

3. Grantee represents and warrants to include these requirements in each subcontract exceeding \$150,000 financed in whole or in part with federal assistance provided by this Grant Agreement.

2.4 Federal Water Pollution Control Act

Grantee represents and warrants that it shall comply with all applicable standards, orders or regulations issued pursuant to the Federal Water Pollution Control Act, as amended, 33 U.S.C. § 1251, *et seq.*

Grantee represents and warrants to report each violation to the appropriate federal authorities as well as OPB and acknowledges and agrees that the State will, in turn, report each violation as required to assure notification to the appropriate federal authorities and the appropriate Environmental Protection Agency Regional Office.

Grantee represents and warrants that it shall include these requirements in each subcontract exceeding \$150,000 financed in whole or in part with federal assistance provided by this Grant Agreement.

2.5 Energy Conservation

If applicable, Grantee represents and warrants that it shall comply with mandatory standards and policies relating to energy efficiency which are contained in the state energy conservation plan issued in compliance with the Energy Policy and Conservation Act (42 U.S.C. § 6201).

2.6 Procurement of Recovered Materials

Grantee represents and warrants that it shall comply with Section 6002 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act. The requirements of Section 6002 include procuring only items designated in guidelines of the Environmental Protection Agency at 40 C.F.R. § 247 that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition.

2.7 Copyright, Patents and Intellectual Property Rights

Grantee represents and warrants that it shall affix the applicable copyright notices of 17 U.S.C. § 401 or 402 and an acknowledgement of United States Government sponsorship (including the award number) to any work first produced under federal financial assistance awards.

Unless otherwise provided by law, Grantee is subject to 35 U.S.C. § 200, *et seq.* All Grantee is subject to the specific requirements governing the development, reporting and disposition of rights to inventions and patents resulting from federal financial assistance awards located at 37 C.F.R. § 401 and the standard patent rights clause located at 37 C.F.R. § 401.14.

2.8 Federal Debt Status

Grantee represents and warrants they are and will be non-delinquent in their repayment of any federal debt. Examples of relevant debt include delinquent payroll and other taxes, audit disallowances and benefit overpayments.

2.9 Terminated Contracts

Grantee represents and warrants it has not had a contract terminated or been denied the renewal of any contract for noncompliance with policies or regulations of any state or federally funded program within the past five (5) years nor is it currently prohibited from contracting with a governmental agency. If the Grantee does have such a terminated contract, the Grantee shall identify the contract and provide an explanation for the termination. The Grantee acknowledges that this Grant Agreement may be terminated and payment withheld or return of grant funds required if this certification is inaccurate or false.

2.10 Reporting Requirements

The Grantee represents and warrants that it shall provide adequate support for the expenditure of Grant funds in GeorgiaCARES. Financial documentation to support payment(s) shall be submitted in GeorgiaCARES no later than the grant liquidation date of September 1, 2020 as provided by Section 6.7 of this Agreement. Financial documentation to support a request for reimbursement of expenditures must be submitted at the time of the request for reimbursement. Final financial documentation must be submitted in GeorgiaCARES on or before the grant liquidation date, as provided in Section 6.7, or the State may implement sanctions as necessary up to and including grant termination and recoupment of all payments made to the Grantee.

4. Property and Procurement Requirements

3.1 Property Management and Inventory

The Grantee must ensure equipment purchased with grant funds is used for the purpose of the grant and as approved by the State. The Grantee must develop and implement a control system to prevent loss, damage or theft of property and investigate and document any loss, damage or theft of property funded under the grant.

The Grantee must account for any real and personal property acquired with grant funds or received from the federal government in accordance with 2 C.F.R. § 200.310 through 200.316 and 200.329. This documentation must be maintained by the Grantee, according to the requirements listed herein, and provided to the State upon request, if applicable.

When original or replacement equipment acquired under this award by the Grantee is no longer needed for the original project or program or for other activities currently or previously supported by the federal awarding agency or the State, the Grantee must make proper disposition of the equipment pursuant to 2 C.F.R. § 200.

The Grantee will maintain specified equipment management and inventory procedures for equipment, including replacement equipment, whether acquired in whole or in part with grant funds, until disposition takes place, with a per-unit cost of \$5,000 or greater. The equipment and inventory procedures include, but are not limited to:

1. The Grantee must keep an inventory report on file containing equipment purchased with any grant funds during the grant period. The inventory report must agree with the approved grant budget and accepted documentation and shall be available to the State at all times upon request.

2. The Grantee must maintain property/inventory records which, at minimum, include a description of the property, a serial number or other identification number, the source of property, who holds title, the acquisition date, the cost of the property, the percentage of federal participation in the cost of the property, the location, use and condition of the property, and any ultimate disposition data including the date of disposal and sale price of the property.
3. The Grantee shall permanently identify all such equipment by appropriate tags or labels affixed to the equipment. Exceptions to this requirement are limited to items where placing of the marking is not possible due to the nature of the equipment.

3.2 Procurement Practices and Policies

The Grantee must follow applicable federal and state law, federal procurement standards specified in regulations governing federal awards to non-federal entities, their established policy, and best practices for procuring goods or services with grant funds. Procurement activities must follow the most restrictive of federal, state and local procurement regulations.

In the event that the Grantee uses subcontractors or contractors, the Grantee shall use small, minority, women-owned or disadvantaged business concerns and contractors or subcontractors to the extent practicable as prescribed by applicable federal and state laws.

3.3 Contract Provisions Under Federal Awards

All contracts made by the Grantee under a federal award must contain the provisions outlined in 2 C.F.R. § 200 “Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards,” and 79 F.R. 75871 “Appendix II to Part 200 Contract Provisions for Non-Federal Entity Contracts Under Federal Awards.”

5. Audit and Records Requirements

4.1 Cooperation with Monitoring, Audits, Records Requirements, Assessments and Evaluations

All records and expenditures are subject to, and the Grantee agrees to comply with, monitoring, examinations, demand for documents, and/or audits conducted by any and all federal or state officials and auditors, including but not limited to, the U.S. Department of the Treasury Inspector General, OPB, the Georgia Department of Audits and Accounts, the State of Georgia Inspector General, and the Department of Community Affairs, or their duly authorized representatives or designees. The Grantee shall maintain, under GAAP or GASB, adequate records that enable federal and state officials and auditors to ensure proper accounting for all costs and performances related to this Grant Agreement.

4.2 Single Audit Requirements

Grantees that expend \$750,000.00 or more of federal funds during their fiscal year are required to submit an organization-wide financial and compliance audit report. The audit must be performed in accordance with the Government Accountability Office's Government Auditing Standards, which may be accessed online at <http://www.gao.gov/govaud/ybkOl.htm>, and in accordance with 2 C.F.R. §

200.514 Scope of Audit. Audit reports are currently due to the Federal Audit Clearinghouse no later than nine months after the end of the recipient's fiscal year.

In addition, Grantee must submit the audit report to the State, by sending a copy to the Georgia Department of Audits and Accounts, Nonprofit and Local Governments Audits, 270 Washington Street, SW, Room I-156, Atlanta, Georgia 30334-8400.

If required to submit an audit report under the requirements of 2 C.F.R. § 200(f), the Grantee shall provide OPB with written documentation showing that it has complied with the single audit requirements. The Grantee shall immediately notify OPB in writing at any time that it is required to conduct a single audit and provide documentation within a reasonable time period showing compliance with the single audit requirement.

4.3 Requirement to Address Audit Findings

If any audit, monitoring, investigations, review of awards or other compliance review reveals any discrepancies, inadequacies or deficiencies which are necessary to correct in order to maintain compliance with this grant agreement, applicable laws, regulations, or the Grantee's obligations hereunder, the Grantee agrees to propose and submit to OPB a corrective action plan to correct such discrepancies or inadequacies within thirty (30) calendar days after the Grantee's receipt of the findings. The Grantee's corrective action plan is subject to the approval of OPB.

The Grantee understands and agrees that the Grantee must make every effort to address and resolve all outstanding issues, findings or actions identified by federal or state officials and auditors through the corrective action plan or any other corrective plan. Failure to address these findings promptly and adequately may result in grant funds being withheld, other related requirements being imposed or other sanctions and penalties. The Grantee agrees to complete any corrective action approved by OPB within the time period specified by OPB and to the satisfaction of OPB, at the sole cost of the Grantee. The Grantee shall provide to OPB periodic status reports regarding the Grantee's resolution of any audit, corrective action plan, or other compliance activity for which the Grantee is responsible.

4.4 Records Retention

The Grantee shall maintain appropriate audit trails to provide accountability for all expenditures of grant funds, reporting measures, and funds received from the state under this grant agreement. Audit trails maintained by the Grantee will, at a minimum, identify the supporting documentation prepared by the Grantee to permit an audit of its accounting systems and payment verification with respect to the expenditure of any funds awarded under this grant agreement.

The Grantee must maintain fiscal records and supporting documentation for all expenditures resulting from this grant agreement pursuant to 2 C.F.R. § 200.333 and state law. The Grantee must retain these records and any supporting documentation for a minimum of seven (7) years from the later of the completion of this project's public objective; submission of the final expenditure report; or any litigation, dispute or audit. Records related to real property and equipment acquired with grant funds must be retained for seven (7) years after final disposition. OPB may direct the Grantee to retain documents for longer periods of time or to transfer certain records to OPB or federal custody when it is determined that the records possess long term retention value in accordance with retention schedules

approved by the State Records Committee or the federal government.

6. Prohibited and Regulated Activities and Expenditures

5.1 Prohibited Costs

The following are nonexclusive examples of ineligible expenditures. These requirements are required by federal rule. Therefore, any question about their meaning or to what extent certain activities or action are allowed should be resolved by referencing the guidance provided by the United States Treasury Department²:

1. Funds may not be used to fill shortfalls in government revenue to cover expenditures that would not otherwise qualify under the statute. Revenue replacement is not a permissible use of these grant funds. In accordance with Section 4.1 all records and expenditures are subject to review.
2. Damages covered by insurance.
3. Payroll or benefits expenses for employees whose work duties are not substantially dedicated to mitigating or responding to the COVID-19 public health emergency.
4. Duplication of benefits including expenses that have been or will be reimbursed under any other federal program.
5. Reimbursement to donors for donated items or services.
6. Workforce bonuses other than hazard pay or overtime.
7. Severance pay.
8. Legal settlements.

5.2 Political Activities

Grant funds may not be used in connection with the following acts by agencies or individuals employed by grant funds:

1. Unless specifically authorized to do so by federal law, grant recipients or their Grantee or contractors are prohibited from using grant funds directly or indirectly for political purposes, including lobbying or advocating for legislative programs or changes; campaigning for, endorsing, contributing to, or otherwise supporting political candidates or parties; and voter registration or get-out-the-vote campaigns. Generally, organizations or entities which receive federal funds by way of grants, contracts or cooperative agreements do not lose their rights as organizations to use their own, private, non-federal resources for “political” activities because of or as a consequence of receiving

² See <https://home.treasury.gov/system/files/136/Coronavirus-Relief-Fund-Guidance-for-State-Territorial-Local-and-Tribal-Governments.pdf>.

such federal funds. These recipient organizations must thus use private or other non-federal money, receipts, contributions or dues for their political activities, and may not charge off to or be reimbursed from federal contracts or grants for the costs of such activities.

2. Grant officials or grant funded employees may not use official authority or influence or permit the use of a program administered by the Grantee agency of which the person is an officer or employee to interfere with or affect the result of an election or nomination of a candidate or to achieve any other political purpose.
3. Grant-funded employees may not coerce, attempt to coerce, command, restrict, attempt to restrict or prevent the payment, loan or contribution of anything of value to a person or political organization for a political purpose.
4. As applicable, the Grantee and each contracting tier will comply with 31 U.S.C. § 1352, which provides that none of the funds provided under an award may be expended by the Grantee to pay any person to influence, or attempt to influence, an officer or employee of any agency, a member of Congress, an officer of employee of Congress or an employee of a member of Congress in connection with any federal action concerning the award or renewal. Each contracting tier shall also disclose any lobbying with non-federal funds that takes place in connection with obtaining any federal award. Such disclosures must be forwarded from tier to tier up to the recipient.

7. Financial Requirements

6.1 Payments and Required Documentation

Funding for this Grant Agreement is appropriated under the CARES Act, as amended, to facilitate protective measures for and recovery from the public health emergency in areas affected by COVID-19, which are residentially-declared major disaster areas under Title IV of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. § 5121, *et seq.*). All expenditures under this Grant Agreement must be made in accordance with this Grant Agreement and any other applicable laws, rules or regulations. Further, the Grantee acknowledges that all funds are subject to recapture and repayment for non-compliance pursuant to Section 6.6.

Part One: Once a Grantee executes this Grant Agreement, the Grantee will be eligible to immediately request 30% of the total amount initially available to the Grantee specified in GeorgiaCARES pursuant to the funding announcement. Grantee must submit documentation to OPB through the GeorgiaCARES portal to support the drawdown of the advance amount provided in Section 7 of this Grant Agreement. All documentation for Part One expenditures must be submitted to OPB as soon as practical and without unreasonable delay, but in no case later than the grant liquidation date of September, 1, 2020 as provided by Section 6.7 of this Agreement.

Part Two: After a Grantee has submitted all Part One documentation in GeorgiaCARES and such documentation has been approved and accepted, the Grantee will be authorized to submit requests for reimbursement against the remaining 70% of the allocation available, up to the total amount provided by Section 8 of the Grant Agreement, to the Grantee specified in GeorgiaCARES pursuant to the funding announcement. All documentation of expenditures reimbursed must be submitted in GeorgiaCARES prior to reimbursement, no request for reimbursement shall be accepted later than the

grant liquidation date of September 1, 2020 as provided by Section 6.7 of this Agreement.

The State may provide additional funds to Grantee beyond the total amount initially available to Grantee in Part One and Part Two above. Such provision of additional funding will be at the State's discretion and will be disbursed in accordance with a subsequent funding announcement. All terms and conditions of this Grant Agreement shall apply to any payments made pursuant to such funding announcement, unless otherwise provided therein.

To receive payments, a Grantee must be an eligible vendor in the State Accounting Office's vendor management system. Payments will be made via electronic funds transfer to the bank account associated with the vendor in the vendor management system. If sufficient progress is not made towards expenditure of advanced funds and/or the Grantee fails to meet reporting obligations, the State may implement sanctions as necessary up to and including grant termination and recoupment of all payments made to the Grantee.

6.2 Interest Bearing Accounts

The Treasury guidance referenced in Section 1.6 states the following:

May recipients deposit Fund payments into interest bearing accounts?

Yes, provided that if recipients separately invest amounts received from the Fund, they must use the interest earned or other proceeds of these investments only to cover expenditures incurred in accordance with section 601(d) of the Social Security Act and the Guidance on eligible expenses. If a government deposits Fund payments in a government's general account, it may use those funds to meet immediate cash management needs provided that the full amount of the payment is used to cover necessary expenditures. Fund payments are not subject to the Cash Management Improvement Act of 1990, as amended.

The Grantee shall record any and all interest accrued on Grant funds while Grantee is holding said Grant funds and shall report any such interest to OPB. The Grantee shall either provide documentation showing that said interest was used for allowable costs or remit all unused interest to OPB no later than the grant liquidation date of September 1, 2020 as provided by Section 6.7 of this Agreement.

6.3 Reporting

The Grantee must provide adequate support for the expenditure of grant funds in GeorgiaCARES. The State, in its sole discretion, will determine whether supporting documentation is adequate. Financial documentation to support Part One payment(s) must be submitted in GeorgiaCARES on a monthly basis, no later than 15 days after the end of each month but can be submitted more often. Financial documentation to support a request for reimbursement of expenditures must be submitted at the time of the request for reimbursement. Final financial documentation must be submitted in GeorgiaCARES on or before the grant liquidation date or the State may implement sanctions as necessary up to and including grant termination and recoupment of all payments made to the Grantee.

Grantee is required to comply with the requirements set forth in the government-wide Award Term on Reporting Subawards and Executive Compensation located at 2 C.F.R. § 170, Appendix A, the full text of which is incorporated here by reference in the award terms and conditions.

If the total value of the Grantee's currently active grants, cooperative agreements and procurement contracts from all federal assistance offices exceeds \$10,000,000 for any period of time during the period of performance of this federal financial assistance award, the Grantee must comply with the requirements set forth in the government-wide Award Term and Condition for Recipient Integrity and Performance Matters located at 2 C.F.R. § 200, Appendix XII, the full text of which is incorporated here by reference in the award terms and conditions.

The Grantee shall complete any other reports as requested by OPB and cooperate and assist the State in complying with any and all federal tracking and reporting requirements.

6.4 Reimbursements

The State will reimburse the Grantee for the expenditure of actual and allowable allocable costs incurred and paid by the Grantee pursuant to this Grant Agreement and rules promulgated by the State for the purpose of determining reimbursable expenses. The State is not obligated to pay unauthorized costs or to reimburse expenses that were incurred by the Grantee prior to the commencement or after the termination of this Grant Agreement. The Grantee will pay contractors, vendors, suppliers, etc.

6.5 Refunds and Deductions

If the State determines that the Grantee has been overpaid any grant funds under this Grant Agreement, including payments made inadvertently or payments made but later determined to not be actual and allowable allocable costs, the Grantee shall return to OPB the amount identified by the State as an overpayment. The Grantee shall refund any overpayment to OPB within thirty (30) calendar days of the receipt of the notice of the overpayment from the State unless an alternate payment plan is specified by OPB. Refunds may be remitted to: Governor's Office of Planning and Budget, 2 Capitol Square SW, Atlanta, Georgia 30334, Attention: Coronavirus Relief Fund Payments.

6.6 Recapture of Funds

The discretionary right of the State to terminate under Section 1.14 notwithstanding, the State shall have the right to terminate this Grant Agreement and to recapture and be reimbursed for any payments made by the State: (i) that are not allowed under applicable laws, rules and regulations; or (ii) that are otherwise inconsistent with this Grant Agreement, including any unapproved expenditures.

6.7 Liquidation Period

The grant liquidation dates are as follows:

1. The grant liquidation date for the advanced 30% of the allocation is September 1, 2020.
2. The grant liquidation date for the remaining 70% reimbursable portion is September 1, 2020.

6.8 Project Close Out

The State will close-out the grant award when it determines that all applicable administrative actions and all required work of the grant have been completed by the Grantee.

The Grantee must submit all financial, performance and other reports as required by the terms and conditions of this Grant Agreement.

The Grantee must promptly refund to OPB any balances of cash that the State paid in advance and that are not authorized to be retained by the Grantee for use in other projects.

8. Allocated Amount

Jurisdiction	XXXXXX	Advance Amount	XXXXXX	Total Amount	XXXXXXX
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9. Authorized User

The following list identifies the user(s) authorized to perform tasks in GeorgiaCARES on behalf of Grantee (Authorized User(s)). Any action carried out by an Authorized User in GeorgiaCARES is an action of the Grantee.

1. Authorized User One – Authorized Representative of Grantee (Required)

Name:

Title:

Email:

Phone Number:

2. Authorized User Two (Optional)

Name:

Title:

Email:

Phone Number:

[EXHIBITS AND SIGNATURE PAGE FOLLOW]

EXHIBIT A
Grantee Assurances

As the duly authorized representative of the Grantee, I certify that the Grantee:

1. Has the legal authority to request grant payments from the State of Georgia for federal funds appropriated pursuant to Section 601 of the Social Security Act, as added by Section 5001 of the Coronavirus Aid, Relief, and Economic Security Act, Pub. L. No. 116-136, div. A, Title V (Mar. 27, 2020), and the institutional, managerial and financial capability to ensure proper planning, management and completion of the project(s) contemplated by this application.
2. Shall give any and all federal or State officials and auditors, or their duly authorized representative or designee access to and the right to examine all records, books, papers or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or awarding agency directives.
3. Shall carry out all activities and endeavors with strict adherence to the Code of Ethics for Government Service as established within Title 45, Chapter 10 and Section 1 of the Official Code of Georgia Annotated and shall establish safeguards to prohibit employees from using their positions for a purpose that constitutes or preserves the appearance of personal or organizational conflict of interest or personal gain.
4. Shall initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
5. Shall comply with all federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352), which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. § 1681-1683 and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973 as amended (29 U.S.C. § 794), which prohibits discrimination on the basis of handicaps and the Americans with Disabilities Act of 1990 including Titles I, II and III of the Americans with Disabilities Act which prohibits recipients from discriminating on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation and certain testing entities, 44 U.S.C. § 12101-1221; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. § 6101, *et seq.*), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment, and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to the nondiscrimination on the basis of alcohol abuse or alcoholism; (g) § 523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. § 290dd-3 and 290ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. § 3601, *et seq.*), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute under which application for federal assistance is being made; and (j) the requirements of any other nondiscrimination statute(s) which may apply to this grant.
6. Shall comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. § 276a to 276a-7), the Copeland Act (40 U.S.C. § 276c and 18 U.S.C. § 874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. § 327-333), regarding labor standards for federally assisted construction subagreements.
7. Shall comply with requirements of the provisions of the Uniform Relocation Assistance and Real Property Acquisitions Act of 1970 (P.L. 91-646), which provide for fair and equitable treatment of persons displaced.

Exhibit A

whose property is acquired as a result of federal or federally-assisted programs. These requirements apply to : interests in real property acquired for project purposes regardless of federal participation in purchases.

8. Shall comply with the provisions of the Hatch Political Activity Act (5 U.S.C. § 1501-1508 and 7321-29), which limit the political activity of employees whose principal employment activities are funded in whole or in part with federal funds.
9. Shall comply with the minimum wage and maximum hours provisions of the Federal Fair Labor Standards Act and the Intergovernmental Personnel Act of 1970, as applicable.
10. Shall comply with all applicable federal, State and local environmental and historic preservation (EHP) requirements and shall provide any information requested by the appropriate authority to ensure compliance with applicable laws and regulations, including: federal EHP regulations, laws and executive orders; the National Environmental Policy Act; the National Historic Preservation Act; the Endangered Species Act; and the executive orders on floodplains (Exec. Order 11988, 3 C.F.R. 117 (1977), wetlands (Exec. Order 11990, 3 C.F.R. 121 (1977) and environmental justice (Exec. Order 12898, 59 Fed. Reg. 7629 (Feb. 16, 1994). Failure of the Grantee to meet federal, state and local EHP requirements and obtain applicable permits may jeopardize federal funding.
11. Shall ensure that the facilities under its ownership, lease or supervision which shall be utilized in the accomplishment of the project are not listed on the Environmental Protection Agency's (EPA) list of Violating Facilities and that it will notify the federal grantor agency of the receipt of any communication from the Director of the EPA Office of Federal Activities indicating that a facility to be used in the project is under consideration for listing by the EPA, Exec. Order 11,738, 3 C.F.R. 799 (1971-1975).
12. Shall comply with the statutory requirements for whistleblower protections (if applicable) at 10 U.S.C. § 2404, 41 U.S.C. § 4712 and 10 U.S.C. § 2324, and 41 U.S.C. §§ 4304 & 4310.
13. Shall comply with requirements of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act (USA PATRIOT Act), which amends 18 U.S.C. § 175-177, and comply with Exec. Order 13224, 60 Fed. Reg. 49079 (2001) and U.S. law prohibiting transactions with, and the provision of resources and support to, individuals and organizations associated with terrorism.
14. Shall comply with the flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973, Public Law 93-234. Section 102(a) requires the purchase of flood insurance in communities where such insurance is available as a condition for the receipt of any federal financial assistance for construction acquisition proposed for use in any area that has been identified by the Secretary of the Department of Housing and Urban Development as an area having special flood hazards.
15. Shall comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Exec. Order 11514, 3 C.F.R. 902 (1966-1970); (b) notification of violating facilities pursuant to Exec. Order 11738, 3 C.F.R. 799 (1971-1975); (c) protection of wetlands pursuant to Exec. Order 11990, 3 C.F.R. 121 (1977); (d) evaluation of flood hazards in floodplains in accordance with Exec. Order 11988, 3 C.F.R. 117 (1977); (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. § 1451, *et seq.*); (f) conformity of federal actions to State (Clear Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. § 7401, *et seq.*); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93-523); and (h) protection of endangered species under the Endangered Species Act.

Exhibit A

1973, as amended (P.L. 93-205).

16. Shall comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. § 1271, *et seq.*) related to protection of components or potential components of the national wild and scenic rivers system.
17. Shall assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. § 470), Exec. Order 11593 3 C.F.R. 559 (1971-1975), (identification and protection of historic properties) and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. 469a-1, *et seq.*).
18. Shall comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. § 2131, *et seq.*) which requires the minimum standards of care and treatment for vertebrate animals bred for commercial sale, used in research, transported commercially or exhibited to the public according to the Guide for Care and Use of Laboratory Animals and Public Health Service Policy and Government Principles Regarding the Care and Use of Animals.
19. Shall comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. § 4801, *et seq.*) which prohibits the use of lead-based paint in construction or rehabilitation of residential structures.
20. Will comply with the requirements of Section 106(9) of the Trafficking Victims Protection Act (TVPA) of 2000 as amended (22 U.S.C. 7104) which prohibits grant award recipients or a sub-recipient from (1) engaging in trafficking in persons during the period of time that the award is in effect (2) procuring a commercial sex act during the period of time that the award is in effect or (3) using forced labor in the performance of the award subawards under the award.
21. Shall comply with the Pro-Children Act of 1994 (Public Law 103-277), which prohibits smoking within any portion of any indoor facility used for the provision of services for children.
22. Shall cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and OMB Circular No. A-133, "Audits of States, Local Governments, and Non-Profit Organizations."
23. Shall comply with P.L. 93-348 regarding the protection of human subjects involved in research, development and related activities supported by this award of assistance.
24. Shall comply with all federal tax laws and is solely responsible for filing all required State and federal tax forms.
25. And its principals are eligible to participate and have not been subjected to suspension, debarment or similar ineligibility determined by any federal, State or local governmental entity and it is not listed on a State or federal government's terrorism watch list as described in EO 13224. Entities ineligible for federal procurement have Exclusions listed at <https://www.sam.gov/portal/public/SAM/>.
26. Shall comply with all applicable federal and State Drug-Free Workplace laws and rules.
27. Shall comply with all applicable requirements of all other federal and State laws, executive orders, regulations and policies governing this program.

Exhibit A

EXHIBIT B
Certifications Regarding Lobbying; Debarment, Suspension and Other Responsibility Matters; and
Drug-Free Workplace Requirements

1. LOBBYING

As required by Section 1352, Title 31 of the U.S. Code, and implemented at 34 C.F.R. § 82, for persons entering into a grant or cooperative agreement over \$100,000, as defined at 34 C.F.R. § 82, § 82.105 and 82.110, the applicant certifies that:

- A. No federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making of any federal grant, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal grant or cooperative agreement;
- B. If any funds other than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal grant or cooperative agreement, the undersigned shall complete and submit Standard Form - LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions;
- C. The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subgrants, contracts under grants and cooperative agreements, and subcontracts) and that all subrecipients shall certify and disclose accordingly.

2. DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS

As required by Exec. Order 12549, 3 C.F.R. 189 (1986), Debarment and Suspension, and implemented at 34 C.F.R. § 85, for prospective participants in primary covered transactions, as defined at 34 C.F.R. § 85, § 85.100 and 85.110--

A. The Grantee certifies that it and its principals:

- (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any federal department or agency;
- (b) Have not within a three-year period preceding this application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, state, or local) transaction or contract under a public transaction, violation of federal or state antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false Statements, or receiving stolen property;
- (c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (federal, state, or local) with commission of any of the offenses enumerated in paragraph (2)(b) of this certification and

(d) Have not within a three-year period preceding this application had one or more public transaction (federal, state, or local) terminated for cause or default; and

B. Where the applicant is unable to certify to any of the Statements in this certification, he or she shall attach an explanation to this application.

3. DRUG-FREE WORKPLACE (GRANTEE OTHER THAN INDIVIDUALS)

As required by the Drug-Free Workplace Act of 1988, and implemented at 34 C.F.R. § 85(f), for Grantee, defined at 34 C.F.R. § 85, § 85.605 and 85.610-

A. The Grantee certifies that it will or will continue to provide a drug-free workplace by:

- (a) Publishing a Statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the Grantee's workplace and specifying the action that will be taken against employees for violation of such prohibition;
- (b) Establishing an on-going drug-free awareness program to inform employees about:
 - (1) The dangers of drug abuse in the workplace;
 - (2) The Grantee's policy of maintaining a drug-free workplace;
 - (3) Any available drug counseling, rehabilitation, and employee assistance programs; and
 - (4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;
- (c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the Statement required by paragraph (a);
- (d) Notifying the employee in the Statement required by paragraph (a) that, as a condition of employment under the grant, the employee will:
 - (1) Abide by the terms of the Statement; and
 - (2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;
- (e) Notifying OPB, in writing, within 10 calendar days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Notice shall include the identification number(s) of each affected grant;
- (f) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (d)(2) with respect to any employee who is so convicted:
 - (1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or

(2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a federal, state, or local health, law enforcement, or other appropriate agency

(g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e), and (f).

B. The Grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of Performance (Street address, city, county, State, zip code)

4. DRUG-FREE WORKPLACE (GRANTEE WHO IS AN INDIVIDUAL)

As required by the Drug-Free Workplace Act of 1988, and implemented at 34 C.F.R. § 85(f), for Grantee, defined at 34 C.F.R. §§ 85, 85.605, and 85.610.

A. As a condition of the grant, I certify that I will not engage in the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in conducting any activity with the grant; and

B. If convicted of a criminal drug offense resulting from a violation occurring during the conduct of any grant activity, I will report the conviction, in writing, within 10 calendar days of the conviction, to OPB. Notice shall include the identification number(s) of each affected grant.

By: _____
(Authorized Representative of Grantee)

Signature: _____

Title: _____

Date: _____

EXHIBIT C
Cares Act Coronavirus Relief Fund Eligibility Certification

I, _____ (Print Name), am the _____ (Title) of _____ (“County”/“Municipality”) and I certify that:

1. I have the authority on behalf of County/Municipality to request grant payments from the State for federal funds appropriated pursuant to Section 601 of the Social Security Act, as added by Section 5001 of the Coronavirus Aid, Relief, and Economic Security Act, Pub. L. No. 116-136, div. A, Title V (Mar. 27, 2020).
2. I understand that the State will rely on this certification as a material representation in making grant payments to the County/Municipality.
3. I acknowledge that pursuant to Section 4.4 of this Agreement, County/Municipality must keep records sufficient to demonstrate that the expenditure of funds it has received is in accordance with Section 601(d) of the Social Security Act, as added by Section 5001 of the Coronavirus Aid, Relief, and Economic Security Act, Pub. L. No. 116-136, div. A, Title V (Mar. 27, 2020).
4. I acknowledge that all records and expenditures are subject to audit by the United States Department of the Treasury’s Inspector General, the Governor’s Office of Planning and Budget, the Georgia Department of Audits and Accounts, the State of Georgia Office of Inspector General, and the Department of Community Affairs, or representative or designee.
5. I acknowledge that County/Municipality has an affirmative obligation to identify and report any duplication of benefits. I understand that the State has an obligation and the authority to deobligate or offset any duplicated benefits.
6. I acknowledge and agree that County/Municipality shall be liable for any costs disallowed pursuant to financial or compliance audits of funds received.
7. I acknowledge that if County/Municipality has not used funds it has received to cover costs that were incurred by December 30, 2020, as required by the statute, those funds must be returned to the United States Department of the Treasury.
8. I acknowledge that the County/Municipality’s proposed uses of the funds provided as grant payments from the State by federal appropriation under Section 601 of the Social Security Act will be used only to cover those costs that:
 - a. Are necessary expenditures incurred due to the public health emergency and governor’s disaster declaration on March 14, 2020, as amended, with respect to the Coronavirus Disease 2019 (COVID-19);
 - b. Were not accounted for in the budget most recently approved as of March 27, 2020, for County/Municipality; and
 - c. Were incurred during the period that begins on March 1, 2020 and ends on December 30, 2020.

9. I acknowledge that County/Municipality is required to comply with the requirements set forth in the government-wide Award Term on Reporting Subawards and Executive Compensation located at 2 C.F.R. § 170, Appendix A, the full text of which is incorporated here by reference in the award terms and conditions.

By: _____
(Authorized Representative of Grantee)

Signature: _____

Title: _____

Date: _____

Please initial by each exhibit, acknowledging you have received them, understand them, and agree to abide by them.

- Exhibit A – Grantee Assurances
- Exhibit B – Certifications Regarding Lobbying; Debarment, Suspension and Other Responsibility Matters; And Drug-Free Workplace Requirements
- Exhibit C – CARES Act Coronavirus Relief Fund Eligibility Certification

By signing below the Grantee acknowledges acceptance of the Grant, all terms and conditions of this Grant Agreement, and all exhibits to this Grant Agreement, and agrees to abide by all such terms and conditions.

By: _____
(Authorized Representative of Grantee)

Signature: _____

Title: _____

Date: _____

By: _____
(Authorized Representative of Grantee)

Signature: _____

Title: _____

Date: _____

SIGNATURE PAGE