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August 17, 2021

COUNCIL AGENDA

6:00 PM

PERRY EVENTS CENTER

1121 MACON ROAD, PERRY, GA 31069

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**To join the meeting by Facebook:** Use this URL - [facebook.com/cityofperryga](https://facebook.com/cityofperryga)  
This will allow you to view and hear the meeting.

1. Call to Order: Mayor Randall Walker, Presiding Officer.
2. Roll:
3. Invocation and Pledge of Allegiance to the Flag: Mayor Randall Walker
4. Recognition(s)/Presentation(s):
  - 4a. Introductions from the Perry Police Department – Chief S. Lynn.
    - New hires – Officers Tyler Ward, Braden Johnson, and Clarence Shayne Holmes
    - Promotion – Lt. Quridsha Gilliam
5. Community Partner(s) Update(s):
6. Citizens with Input.
7. Public Hearing: Mayor Randall Walker

The purpose of this Public Hearing is to provide any interested parties with an opportunity to express their views and concerns in accordance with O.C.G.A. Sec. 48-5-32.

  - 7a. Proposed retaining of the operation at 14.050 mills – Mr. L. Gilmour.
8. Review of Minutes: Mayor Randall Walker
  - 8a. Council’s Consideration – Minutes of the August 2, 2021 work session, August 3, 2021 pre council meeting, and August 3, 2021 council meeting. *(Council Member Bynum-Grace was absent from the August 2-3, 2021 meetings.)*
9. Old Business: Mayor Randall Walker

- 9a. Special Exception Application – 170-2021 – Mr. B. Wood.
- 9b. Special Exception Application -171-2021 – Mr. B. Wood.
- 9c. Ordinance(s) for Second Reading(s) and Adoption:
  - 1. **Second Reading** of an ordinance amendment to remove Conservation Subdivision procedures and standards – Mr. B. Wood.
  - 2. **Second Reading** of an ordinance amending Sections 1-13, 4-1.2 and 4-2.4(h) of the Land Management Ordinance to address short-term rentals – Mr. B. Wood.
  - 3. **Second Reading** of an ordinance amending Sections 1-13, 4-3.3 (F), 6-1.3 and 6-1.6 of the Land Management Ordinance to address the definition of parking lot and vehicular use area – Mr. B. Wood.

- 10. Any Other Old Business: Mayor Randall Walker
  - 10a. Mayor Randall Walker
  - 10b. Council Members
  - 10c. City Attorney Brooke Newby
  - 10d. City Manager Lee Gilmour
  - 10e. Assistant City Manager Robert Smith

- 11. New Business: Mayor Randall Walker
  - 11a. Matters referred from August 16, 2021 work session and August 17, 2021 pre council meeting.

- 11b. Award of Bid(s):
  - 1. Rejection of Bid No. 2022-06      4x4 Crew Cab Responder Pickup - Mr. M. Worthington
  - 2. Bid No. 2022-07                      Model Year 2021  
4x4 Crew Cab Responder Pickup – Mr. M. Worthington

- 11c. Resolution(s) for Consideration and Adoption:
  - 1. Resolution establishing a Tobacco-Free Policy – Ms. B. Newby.
  - 2. Resolution amending the City of Perry Fee Schedule to provide FY 2022 budget adjustments – Mr. L. Gilmour.

- 11d. Consider proposal for renewal of City’s health and dental insurance – Mr. L. Gilmour.

12. Council Members Items:
13. Department Heads/Staff Items.
14. General Public Items:
15. Mayor Items:
16. Adjourn.

City of Perry  
 Current Tax Digest and Five Year History of Levy  
 Houston and Peach County

The Perry City Council does hereby announce that the City of Perry millage rate will be set at its Tuesday, September 7, 2021 meeting at 6:00 pm at the Perry Event Center, 1121 Macon Road, Perry Georgia. Pursuant to O.C.G.A. Sec. 48.5.32, as amended, the Council hereby publishes the following presentation for the current year's tax digest and proposed levy along with the tax digests and levies of the past five (5) years.

Tax Year	2016	2017	2018	2019	2020	2021
<b>Digest</b>						
Real/Personal	\$ 451,456,810	\$ 475,875,188	\$ 507,876,101	\$ 552,864,228	\$ 600,669,424	\$ 676,038,302
Motor Vehicle	14,753,270	11,211,480	8,862,230	7,595,300	6,478,460	\$ 5,683,280
Mobile Homes	679,220	703,584	684,436	596,252	564,988	\$ 577,752
Timber	-	36,033	20,343	55,973	135,334	\$ -
Heavy Equipment	-	26,650	11,687	430	22,172	\$ 4,304
Gross Digest	\$ 466,889,300	\$ 487,852,885	\$ 517,454,792	\$ 561,112,183	\$ 607,870,378	\$ 682,303,638
Less Exemptions	(24,128,448)	(27,016,315)	(29,640,748)	(34,312,608)	(40,730,163)	\$ (49,279,735)
Net M&O Digest	\$ 447,760,852	\$ 460,836,570	\$ 487,814,044	\$ 526,799,575	\$ 567,140,215	\$ 633,023,903

Millage	2016	2017	2018	2019	2020	2021
Gross Millage	14.05	14.05	14.05	14.05	14.05	14.05
Less Rollbacks	0.00	0.00	0.00	0.00	0.00	0.00
Proposed Millage Levy	14.05	14.05	14.05	14.05	14.05	14.05
Net Taxes Levied	\$ 6,220,778	\$ 6,474,745	\$ 6,863,786	\$ 7,401,534.03	\$ 7,968,320.02	\$ 8,893,985.84
Net Tax Increase	\$ 203,578	\$ 253,967	\$ 379,041	\$ 537,748.03	\$ 566,785.99	\$ 925,665.82
Net Tax% Increase	3.38%	4.08%	5.85%	7.83%	7.66%	11.62%

## **NOTICE OF PROPERTY TAX INCREASE**

The City of Perry Council has tentatively adopted a millage rate, which will require an increase in property taxes by 4.31 percent.

All concerned citizens are invited to the public hearing on this tax increase to be held at the Perry Event Center, 1121 Macon Road, Perry, Georgia, on August 16, 2021, at 5:00 PM.

Times and places of additional public hearings on this tax increase are at the Perry Event Center, 1121 Macon Road, Perry, Georgia, on August 17, 2021, at 6 PM and on September 7, 2021, at 6:00 PM.

This tentative increase will result in a millage rate of 14.05 mills, an increase of 0.58 mills. Without this tentative tax increase, the millage rate will be no more than 13.470 mills. The proposed tax increase for a home with a fair market value of \$150,000 is approximately \$34.80, and the proposed tax increase for non-homestead property with a fair market value of \$300,000 is approximately \$69.60.

Unless your property has increased due to reassessment, there will be no increase in your City tax bill. The millage rate has remained at 14.05 mills since 2014.

**MINUTES  
WORK SESSION  
OF THE PERRY CITY COUNCIL  
August 2, 2021  
5:00 P.M.**

1. **Call to Order:** Mayor Randall Walker, Presiding Officer, called to order the work session meeting held on August 2, 2021, at 5:00 p.m.

2. **Roll:**

**Elected Officials Present:** Mayor Randall Walker, Mayor Pro-Tempore Robert Jones, and Council Members Willie King, Joy Peterson, Darryl Albritton, and Riley Hunt.

**Elected Officials Absent:** Council Member Phyllis Bynum-Grace

**Staff:** City Manager Lee Gilmour, Assistant City Manager Robert Smith, City Attorney Brooke Newby, and Recording Clerk Christine Sewell

**City Departmental Staffing:** Chief Lee Parker – Fire and Emergency Services Department, Brenda King – Director of Administration, Bryan Wood – Director of Community Development, Tabitha Clark – Communications Administrator, Ashley Hardin – Economic Development Administrator, Ansley Fitzner – Public Works Superintendent, Annie Warren – City Clerk, Mitchell Worthington – Finance Director, Sedrick Swan – Leisure Services Director and Holly Wharton – Community Planner

**Press:** Breanna Sheffield – Houston Home Journal

3. **Items of Review/Discussion:** Mayor Randall Walker

3a. **Department of Leisure Services**

1. **RC Track Update:** Mr. Swan presented a Power Point providing an update on the Remote Control (RC) Park at Rozar Park. Mr. Swan advised the allocated budget was \$7400 and has covered the truckloads of dirt, barriers, and recycled materials to create, which has been done through a collaboration with various City departments and community stakeholders. This past weekend there was a test of the facility which was well received and looking forward there have already been requests to host tournaments. Council Member Albritton inquired when a tournament would be held. Mr. Swan advised he is currently working on a policy and will bring back to Council for review. Council Member Albritton asked what steps are being done for use without an agreement; Mr. Swan advised it is a public track and people are encouraged to use it, if not a tournament.

3b. Office of the City Manager

1. Waste Management contract amendment: Mr. Gilmour provided the proposed agreement that follows what was previously discussed; totes will be provided to the City, including rates and their purchase of them at \$280,000.00 with no increase to customers. Mr. Gilmour stated totes are being provided in bulk and the City will distribute and pick up totes in lieu of Waste Management. Not in the agreement is the transfer station and its requirements, that will be brought forth separately. Administration recommends concurrence to proceed subject to City Attorney's review; Council concurred.
2. Design change to the proposed South Langston Road extension: Mr. Gilmour requested postponement until tomorrow's meeting as a site map is being created, if not it would be on the next Council agenda. Mayor Walker requested, if at all possible, it be discussed at tomorrow's meeting.
3. Extension of Sam Nunn Boulevard (west) sidewalk improvement project: Mr. Gilmour in follow up request from Council Member Albritton from Mr. McMurrin's project review the question on the sidewalk project west of Sam Nunn Blvd to Heritage Oaks Park; Administration recommended connection to Airport Road and Houston Springs. Mr. Gilmour advised fifteen or so years ago grant money was received to install sidewalks on Sam Nunn Blvd. and Macon Road; there are currently sidewalks on portions of Sam Nunn Blvd. on both sides to I-75 to Mason Terrace and stops. It is proposed to retain the same sidewalk going underneath I-75 crossing over by the interstate exit and continue to Heritage Oaks Park, down to Airport Road Ext. to Houston Springs and to the park and into downtown. There had been thought it could go through Valley Drive and the park but cannot get agreement from property owner to do so. The proposed sidewalk provides access and walkability from the hotels at the I-75 exit and to the park and the overflow parking that will be done, thus the reasoning behind the project design. Council Member Hunt inquired on cost; Mr. Gilmour advised it is unknown at this time. Council Member Peterson asked if golf carts can use the sidewalks; Mr. Gilmour advised, yes, they will be ten-foot-wide multi-use sidewalks, for pedestrians, bikes, and golf carts. Mayor Walker requested the portion servicing the park be done first because of the overflow parking. Mr. Gilmour suggested concurrence to proceed forward with phases and costs; Council concurred to proceed with development of project.
4. Succession request. Mr. Gilmour advised Ms. Val Sanders will be retiring effective January 1, 2022 and would like to being process of succession plan for cross training, as her position is a high-profile position and need a complete transition; this has been done in the past with other departments. Council concurred to proceed with current succession plan for position.

5. Survey results relative to smoking policy. Mr. Gilmour provided a memo in follow up of comparable cities concerning their smoking policy. All responses have restrictions in City owned buildings and vehicles. Based on the data Administration is recommending the City Attorney prepare a policy for buildings and vehicles. Ms. Newby requested clarification on definition of smoking, would it include all vaping, chewing, and dipping; Council agreed for all forms to be included. Ms. Newby also asked for clarification on vehicles, would it include enclosed tractors, street sweeper, etc.; Council concurred for any type of vehicle the City owned. Council concurred for the City Attorney to prepare a policy as directed.
6. Update relative to COVID-19. Mr. Gilmour provided the recent COVID-19 status report updates as a point of discussion noting cases and hospital admissions are increasing; there are no deaths but is asking Council if there is any direction it would like to provide on how to address. Does not recommend mandatory vaccination of employees, but should masks be worn in buildings or enclosed areas, testing of non-vaccinated persons. Mr. Gilmour noted the Delta variant from his understanding is highly transmitted and feels it may be advantageous to require all employees to wear a mask per CDC guidelines if they interact with the general public. Mayor Walker inquired if any employee has requested to return to masks; Mr. Gilmour advised none to his knowledge, but the concern is with the growing numbers and what we can do to bring down those numbers. Council Member King felt the recreation department should use due to their interaction with children, and that population under 12 not being able to be vaccinated. Mayor Walker advised he along with the County Chairman and city mayors will be meeting with the health department Wednesday afternoon to discuss this. Council Member Albritton asked if Council could give the Mayor latitude to decide after the Wednesday meeting. Mayor Walker noted the customer service policy in place previously could be reinstated and apply to Leisure Services as well; Mayor Pro Temp Jones agreed. Mr. Swan advised they have barriers in place at the counters, but if one on one meetings, can wear a mask. Council concurred to move forward with Customer Service & Leisure Services being required to wear masks when interacting with the public. Mayor Walker and Council agreed for the sanitation stations and social distancing postings be put back in place.
7. Review options for extension of Jernigan Street. Mr. Gilmour advised project is in the very early stages and provided a proposal to extend Jernigan Street to Charles Avenue with parallel parking, which is the suggested recommendation and from previous discussions and expansions happening there will be a need for more parking. Mr. Gilmour stressed this project is quite a few years out but would like to get a plan started and in place for when the time comes to proceed. Mayor Walker advised with the discussions on downtown living and Andrew Heights a part of that, a plan needs to be put in place for the future.



Council concurred for Administration to start the process for design.

8. Future users proposal. Mr. Gilmour advised there is an increased trend with electric powered vehicles, and he is proposing we contact the power providers to partner with them in installing vehicle charging stations. The trial site would be Heritage Oaks Park; the City would contribute 10% of the installation cost with the provider paying the balance and all future maintenance/replacement costs. There could possibly be other locations, such as the downtown or other parks. Council concurred to move forward, and Administration will bring back a proposal.
9. Consider compensation adjustment for municipal court judges. Mr. Gilmour advised due to caseloads and delays as a result of COVID 19 the Municipal Court arraignment dates are doubling from two per month to four; this plus the added workload for court dates warrants an increase in compensation as provided. Council Member Hunt inquired what other cities Perry size charge; Mr. Gilmour from previous research are part time judges and higher pay scale. Mayor Walker felt we need to have a competitive pay scale. Council concurred to move forward with compensation increase as presented.

4. Council Member Items: None

5. Department Head/Staff Items:

Mr. Smith in follow up to the Strategic Plan Retreat this past Saturday, he thanked everyone for their participation; good input and discussions was had. If there were any additional input/thoughts to please forward to him. Mayor Walker thanked everyone for the hard work done beforehand and it was an engaging discussion.

Ms. Newby advised she had been contacted by the City Attorney from Warner Robins with regard to an appointment for the Animal Control Board. The current Perry appointee Mr. Davis Cosey is not available and there is an emergency meeting tomorrow morning, and an appointee is needed and until one is found Mr. Smith has been recommended. Mayor Walker noted it would be an interim representation and will find a local citizen to appoint.

Mr. Swan advised he was contacted by the local NAACP chapter to host a COVID vigil at Heritage Oaks Park and he is bringing before Council as policy does not allow for groups to host events at the park, it is normally Rozar Park. Mayor Walker inquired of Mr. Gilmour if this would be permissible or set a precedent; Mr. Gilmour advised it should not as we do every couple of years for a Chamber event. Mr. Swan advised he will gather additional information on the Sept. 25<sup>th</sup> event and bring back.

6. Adjourn. There being no further business to come before Council in the work session held August 2, 2021; Council Member Albritton motioned to adjourn the meeting at 6:01 p.m. Council Member King seconded the motion and it carried unanimously.

**MINUTES  
PRE-COUNCIL MEETING  
OF THE PERRY CITY COUNCIL  
August 3, 2021  
5:00 P.M.**

1. **Call to Order:** Mayor Randall Walker, Presiding Officer, called to order the pre council meeting held August 3, 2021 at 5:00 p.m.

2. **Roll:**

**Elected Officials Present:** Mayor Randall Walker, Mayor Pro Tempore Robert Jones and Council Members Joy Peterson, Willie King, Darryl Albritton, and Riley Hunt.

**Elected Official Absent:** Council Member Phyllis Bynum-Grace.

**City Staff:** City Manager Lee Gilmour, Assistant City Manager Robert Smith, City Attorney Brooke Newby, and Recording Clerk Joni Ary.

**Departmental Staffing:** Chief Steve Lynn – Perry Police Department, Chief Lee Parker – Fire and Emergency Services Department, Bryan Wood – Director of Community Development, Brenda King – Director of Administration, Mitchell Worthington – Finance Director, Sedrick Swan – Director of Leisure Services, Ansley Fitzner – Public Works Superintendent, Tabitha Clark – Communications Administrator, Annie Warren – City Clerk, Holly Wharton – Community Planner, Ashley Hardin – Economic Manager, Jazmine Thomas – Downtown Manager, and Anya Turpin – Special Events Manager.

**Media:** Brianna Sheffield – Houston Home Journal

**Guest(s):** None.

3. **Items of Review/Discussion:** Mayor Randall Walker

3a. **Discussion of August 3, 2021 council meeting agenda.**

**4c. Special Events Application: The Perry Chamber of Commerce's Business Battlefield Event.** Ms. Turpin reviewed a request from the Perry Chamber of Commerce for their event on Thursday, October 28<sup>th</sup> from 6 p.m. to 9 p.m. The request is to host their Commerce's Business Battlefield event at Heritage Park with the assistance of the Public Works, Fire and Emergency Services, and the Police department for the private event. Ms. Turpin verified the event will need to utilize the City's outdoor lighting.

**7a. & 7b. SUSE-170-20212 & SUSE-171-2021. Applicant, Preston Dellinger, requests a special exception to allow a multi-family development. The property is located at 200 A & 200 Valley Drive; Tax Map No. oPO380 077000 & oPO380**

016000. Ms. Wharton reviewed the requests and was approved by the Planning Commission and Staff with the following conditions: 1) The proposed development must meet the requirements for parking, landscaping, and design guidelines as reflected in the Land Management Ordinance, 2) The proposed development must ensure building and site are following all applicable building codes, fire codes, and stormwater regulations.

Mayor Pro Tempore Jones questioned if the amount would be market based or income base. Ms. Wharton stated it would not be income base. After discussion, there was concern about this becoming a subsidy housing, who would maintain the property, and the size of the proposed studio and one-bedroom residential rental. Mayor Walker stated that these items could be tabled if Council so chooses.

7c. Land Management Ordinance Sections 2-3.11.3 and 5-6 by removing procedures and standards for Conservation Subdivisions. Conservation subdivisions will be allowed using the Planned Unit Development zoning option. Mr. Wood reviewed the LMO sections to remove conservation subdivisions.

7d. TEXT-177-2021. Applicant, The City of Perry, requests a text modification to the Land Management Ordinance Sections 1-13, 4-1.2, and 4-2.4(h) to address short-term rentals. The amendment modified the definition of “bed and breakfast inn” and adds a definition of “short-term rentals.” Short-term rental is added to the table of uses as a special exception use in the residential districts and permitted use in commercial districts. Short-term rental is added as a specific use in the visitor accommodations use classifications. Mr. Wood reviewed the text amendment to the LMO that addresses short-term rentals. City Manager Gilmour asked if existing short-term rentals would be grandfathered in? Mr. Wood stated they would not.

7e. TEXT-178-2021. Applicant, The City of Perry, requests a text modification to the Land Management Ordinance Sections 1-13, 4-3.3(f), 6-1.3, and 6-1.6 to clarify the definitions of “parking lot” and “vehicular use area” and to clarify the acceptable use of gravel as a paving material based on policies approved by the Planning Commission on April 12, 2021. Mr. Wood reviewed the text modification to the LMO that clarifies the definitions of a parking lot and vehicular use areas and clarifies the acceptable use of gravel as a paving material based on policies approved by the Planning Commission on April 12, 2021. Council Member Peterson asked for clarification on the sale of automobile sites. Mr. Wood stated that on a paved site, the company can put as many as they want, on a grassed area they are only allowed to display up to 10 vehicles.

9a (1). Second Reading of an ordinance for the rezoning of the property from PUD, Planned Unit Development, to R-2, Two-Family Residential District. The property is located on Langston Road; Tax Map No. 0P0610 006000. Mr. Wood stated the Planning Commission and staff recommends approval of rezoning request with the following conditions: 1) Development of the subject

property shall be substantially consistent with the conceptual site plan presented and dated 5/13/2021, and 2) The developer of the subject property shall install a speed table at least 7 feet wide across the street connecting to Greystone subdivision property, and the street shall be designated as “One Way” with the traffic following from Greystone subdivision (from west to east), and, 3) The developer of the property should be synchronized with the City’s Langston Road Regional Detention Pond to ensure stormwater created by the development is properly addressed.

Mayor Walker reminded Council the Ordinance(s) will be a voice vote.

11b. Special Exception Application – 170-2021. Mayor Walker stated this item will need a voice vote.

11c. Special Exception Application – 171-2021. Mayor Walker stated this item will need a voice vote.

11e (1). Bid No. 2022-05 (1) Full-Size SUV, 4-Wheel Drive. Mr. Worthington presented for Council’s consideration an award of bid for the (1) full-size SUV 4-wheel drive. Mr. Worthington stated his office received two responsive bids. Staff recommends awarding the bid to the low bidder Phil Brannen Ford of Perry in the amount of \$44,246.76 and the funding source is the Fire Protection Fund.

11f. Amendment to the City of Perry Purchasing Policy. Mr. Worthington reviewed with the Mayor and Council the amendment to the purchasing policy section 6 that updates the Terms and Conditions relative to Conflict of Interest.

4. Council Member Items:

Council Members – No reports.

Mr. Gilmour and Ms. Newby had no reports.

Mr. Smith presented to Mayor and Council the Small-Town America Civil Volunteer Award that honors extraordinary public service volunteers in localities. The Local government nominates public service volunteer organizations i.e., City organizations and/or City Boards. The deadline is the middle of October, and the local government must submit a maximum of two recommendations. Mr. Smith stated with Council's concurrence to draft the application for Council to review. Council concurred to proceed with the draft application.

Mr. Smith presented to Mayor and Council the Georgia Council for the Arts Cultural Facilities grant application. Mr. Smith state this grant is a 1 to 1 grant match and could be used for the sound/lighting equipment for Heritage Park. Mr. Smith requested for Council’s concurrence to put together a draft scope of a proposal with costs for Council to review at their next Work Session on August 16, 2021. Council concurred to proceed.

Mr. Smith stated that the computers that were ordered for Mayor and Council are still currently back-ordered. Mr. Smith asked if Mayor and Council would consider having an iPad. Mr. Smith stated he will put together the options and get the information back to Council.

5. Adjournment: There being no further business to come before Council in the pre council meeting held August 3, 2021, Council Member Peterson motioned to adjourn the meeting at 5:44 p.m. Council Member King seconded the motion and it carried unanimously.

**MINUTES**  
**REGULAR MEETING OF THE PERRY CITY COUNCIL**  
**August 3, 2021**  
**6:00 P.M.**

1. Call to Order: Mayor Randall Walker, Presiding Officer, called to order the regular meeting of the Perry City Council held on August 3, 2021, at 6:00 p.m.

2. Roll.

Elected Officials Present: Mayor Randall Walker; Mayor Pro Tempore Robert Jones and Council Members Riley Hunt, Willie King, Darryl Albritton, and Joy Peterson.

Elected Official(s) Absent: Council Member Bynum-Grace.

City Staff: City Manager Lee Gilmour, City Attorney Brooke Newby, Assistant City Manager Robert Smith, and Recording Clerk Joni Ary.

Departmental Staffing: Brenda King - Director of Administration, Bryan Wood – Director of Community Development, Chief Lee Parker - Fire and Emergency Services Department, Chief Steve Lynn – Perry Police Department, Ansley Fitzner – Public Works Superintendent, Official, Tabitha Clark – Communications Administrator, Sedrick Swan – Director of Leisure Services, Annie Warren – City Clerk, Jazmine Thomas – Downtown Manager, Anya Turpin – Special Events Manager, Ashley Hardin – Economic Development Administrator, and Holly Wharton – Community Planner.

Media: Brianna Sheffield – Houston Home Journal

Guest(s): None.

3. Invocation and Pledge of Allegiance to the Flag:

Council Member Peterson rendered the invocation and Council Member King led the pledge of allegiance to the flag.

4. Recognition(s)/Presentation(s):

- 4a. Recognition of PFES “B” Shift. Mr. Gilmour stated that the outstanding work of the Fire and Police department goes above and beyond to keep the citizens of Perry safe. Mr. Gilmour presented to Chief Parker on behalf of the Mayor and Council financial appreciation. Chief Parker stated on June 2, 2021, the Perry Fire and Emergency Services “B” shift was dispatched to the SoHo Inn and saved the life of a lady who had barricaded herself in the burning hotel room. Chief Parker presented to Mayor and Council “B” shift: Firefighters Kadie Peterman, Nadad Jeanjulien, David Minter, Vincenn Walls, Joshua

Kelly, Austin Williams, Shawn Jenson, Andrew Rowell and Sam Ansley, Sergeants Austin Redmond and Clint Mixon, and Captain Michael Paull.

4b. Recognition of PPD Squad “3”. Mr. Gilmour wanted to recognize the Police Department squad 3 for their outstanding and safe outcome of the hostage situation, on behalf of the Mayor and Council presented Chief Lynn financial appreciation to the Police Department Squad 3 for going above and beyond to protect the citizens of Perry. Chief Lynn stated on June 11<sup>th</sup> a welfare check became a hostage situation but due to the quick thinking and outstanding work of the police department the family on Nolan Street was rescued and the five individuals holding the family hostage were taken into custody. Chief Lynn presented to Mayor and Council Squad “3”: Detective Jason Jones, Lieutenant Brian Emmons, Corporal Brenna Banks, Officer Taylor Talley, Sergeant Brian Mixon and Officer Jesse Quinones.

4c. Special Events Application.

1. The Perry Chamber of Commerce’s Business Battlefield Event. Ms. Turpin presented to Mayor and Council the following requests from the Perry Chamber of Commerce: to host the event at Heritage Park, utilize the assistance of the public works, Fire and Emergency services, and the Police department for the private event. The event is scheduled for Thursday, October 28<sup>th</sup> from 6 p.m. to 9 p.m. Council Member King motioned to approve the request as outlined and Mayor Pro Tempore Jones seconded the motion and it carried unanimously.

5. Community Partner(s) Update(s): None.

6. Citizens with Input. None.

7. PUBLIC HEARING CALLED TO ORDER AT 6:21 p.m.: Mayor Randall Walker called to order a public hearing at 6:21 p.m. to provide any interested parties with an opportunity to express their views and concerns in accordance with O.C.G.A. Sec. 36-66-4.

7a. SUSE-170-2021. Applicant, Preston Dellinger – Servio Capital, requests a Special Exception to allow a multi-family development. The property is located at 200 A Valley Drive, Tax Map No. 0P0380 077000 – Ms. H. Wharton.

7b. SUSE-171-2021. Applicant, Preston Dellinger – Servio Capital, requests a Special Exception to allow a multi-family development. The property is located at 200 Valley Drive, Tax Map No. 0P0380 016000 – Ms. H. Wharton.

Staff Report: Ms. Wharton reviewed with Council both Special Exception requests, 200 A Valley Drive and 200 Valley Drive. Staff and the Planning Commission recommend approval of the application with the following conditions: 1) The proposed development must meet the requirements for parking, landscaping, and design guidelines as reflected in the Land Management Ordinance, and 2) The proposed development must ensure

building and site follows all applicable building codes, fire codes, and stormwater regulations.

**Public Input:** Mayor Walker called for any public input for or against the application.

**For:** Mr. Kip Oldham, architect for the project, stated that they will be turning the two hotels into 80 one-bedroom apartments with 40 studio apartments. The preliminary rental costs for the studio apartments are from \$700 - \$800 monthly, the one-bedroom apartments are from \$900 - \$1,000. Mr. Oldham answered Council's question relative to the estimated size of the apartments, the apartments will be approximately 1,000 square feet.

**Against:** none

- 7c. **TEXT-176-2021.** Applicant, The City of Perry, requests a text modification to the Land Management Ordinance Sections 2-3.11.3 and 5-6 by removing procedures and standards for Conservation Subdivisions. Conservation subdivisions will be allowed using the Planned Unit Development zoning option - Mr. B. Wood.

**Staff Report:** Mr. Wood reviewed the text amendment and staff recommended approval as submitted.

**Public Input:** Mayor Walker called for any public input for or against the application.

**In Favor:** none.

**Against:** none.

- 7d. **TEXT-177-2021.** Applicant, The City of Perry, requests a text modification to the Land Management Ordinance Sections 1-13, 4-1.2, and 4-2.4(h) to address short-term rentals. The amendment modified the definition of "bed and breakfast inn" and adds a definition of "short-term rentals." Short-term rental is added to the table of uses as a special exception use in the residential districts and permitted use in commercial districts. Short-term rental is added as a specific use in the visitor accommodations use classifications - Mr. B. Wood.

**Staff Report:** Mr. Wood reviewed the text amendment and staff recommended approval as submitted.

**Public Input:** Mayor Walker called for any public input for or against the application.

**For:** none

**Against:** none



- 7e. TEXT-178-2021. Applicant, The City of Perry, requests a text modification to the Land Management Ordinance Sections 1-13, 4-3.3(f), 6-1.3, and 6-1.6 to clarify the definitions of “parking lot” and “vehicular use area” and to clarify the acceptable use of gravel as a paving material based on policies approved by the Planning Commission on April 12, 2021 - Mr. B. Wood.

Staff Report: Mr. Wood reviewed the text amendment and staff recommended approval as submitted.

Public Input: Mayor Walker called for any public input for or against the application.

In Favor: none.

Against: none.

PUBLIC HEARING CLOSED AT 6:53 P.M. Mayor Walker closed the public hearing at 6:53 p.m.

8. Review of Minutes: Mayor Randall Walker

- 8a. Council’s Consideration – Minutes of the July 19, 2021 work session, July 20, 2021 pre council meeting, and July 20, 2021 council meeting. *(Council Member Riley Hunt was absent from the July 19-20, 2021 meetings).*

Council Member King motion to accept the minutes as submitted and Council Member Albritton seconded the motion and it carried with Council Member Hunt abstaining from the vote.

9. Old Business:

9a. Ordinance(s) for Second Reading(s) and Adoption:

1. **Second Reading** of an ordinance for the rezoning of the property from PUD, Planned Unit Development to R-2, Two-Family Residential District. The property is located on Langston Road; Tax Map No. 0P0610 006000 – Mr. B. Wood.

Denial of ordinance for the rezoning of the property from PUD, Planned Unit Development to R-2, Two-Family Residential District. The property is located on Langston Road; Tax Map No. 0P0610 006000. Mr. Wood stated the Planning Commission and staff recommends approval of rezoning request with the following conditions: 1) Development of the subject property shall be substantially consistent with the conceptual site plan presented and dated 5/13/2021, 2) The developer of the subject property shall install a speed table at least 7 feet wide across the street connecting to Greystone subdivision property, and the street shall be designated as

“One Way” with the traffic following from Greystone subdivision (from west to east), and 3) The developer of the property should be synchronized with the City’s Langston Road Regional Detention Pond to ensure stormwater created by the development is properly addressed. Mr. Wood stated the 4<sup>th</sup> condition was not included since it did not relate specifically to this development, so it was not included in the ordinance.

Mayor Walker asked if anyone would like to address Mayor and Council relative to this ordinance. No one came forward to address Mayor and Council.

Mayor Pro Tempore Jones motioned to deny the rezoning ordinance as presented; Council Member Peterson seconded the motion and it carried 4 to 1 with Council Member King opposed.

10. Any Other Old Business: Mayor Randall Walker

- 10a. Mayor Randall Walker - none
- 10b. Council Members - none
- 10c. City Attorney Brooke Newby – none
- 10d. City Manager Lee Gilmour – none
- 10e. Assistant City Manager Robert Smith – none

11. New Business: Mayor Randall Walker

- 11a. Matters referred from August 2, 2021 work session and August 3, 2021 pre council meeting. None
- 11b. Special Exception Application 170-2021. Council Member Albritton motioned to table this item until Council’s August 17, 2021 meeting. Council Member King seconded the motion and it carried unanimously.
- 11c. Special Exception Application 171-2021. Council Member Albritton motioned to table this item until Council’s August 17, 2021 meeting. Council Member King seconded the motion and it carried unanimously.
- 11d. Ordinance(s) for First Reading(s) and Introduction.
  - 1. **First Reading** of an ordinance amendment to remove Conservation Subdivision procedures and standards - Mr. B Wood. *(No action required by Council).*
  - 2. **First Reading** of an ordinance amending Sections 1-13, 4-1.2, and 4-2.4(h) of the Land Management Ordinance to address the short-term rentals - Mr. B. Wood. *(No action required by Council).*
  - 3. **First Reading** of an ordinance amending Sections 1-13, 4-3.3(F),

6-1.3, and 6-1.6 of the Land Management Ordinance to address the definition of parking lot and vehicular use area - Mr. B Wood. *(No action required by Council).*

11e. Award of Bid(s):

1. Bid No. 2022-05 – (1) Full-Size SUV 4-Wheel Drive –  
Mr. M. Worthington

Mr. Worthington presented for Council’s consideration an award of bid for the (1) full-size SUV 4-wheel drive. Mr. Worthington stated his office received two responsive bids. Staff recommends awarding the bid to the low bidder Phil Brannen Ford of Perry in the amount of \$44,246.76 and the funding source is Fire Protection Fund. Council Member King moved to award the bid to the low bidder Phill Brannen Ford of Perry in the amount of \$\$44,246.76; Mayor Pro Tempore Jones seconded the motion and it carried unanimously.

- 11f. Amendment to the City of Perry Purchasing Policy. Mr. Worthington presented to Mayor and Council the amendment to the City of Perry purchasing policy that updated our current policy section 6 – Terms and Conditions for Conflict of Interest. Mayor Pro Tempore Jones motioned to approve the amendment of the City of Perry purchasing policy as presented. Council Member King seconded the motion and it carried unanimously.

12. Council Members Items:

Council Members had no reports.

Mr. Gilmour, Ms. Newby, and Mr. Smith had no reports.

13. Department Heads/Staff Items:

Ms. King, Ms. Warren, Mr. Worthington, Mr. Wood, Ms. Clark, Mr. Swan, Ms. Fitzner, Ms. Hardin, and Ms. Wharton had no reports.

Chief Lynn and Chief Parker wanted to thank Mayor and Council for recognition of the police officers and fire emergency services personnel.

14. General Public Items: none

15. Mayor Items:

- August 16, Work session
- August 17, Pre council and Council

16. Adjournment: There being no further business to come before Council in the council meeting held August 3, 2021 Council Member Hunt motioned to adjourn the meeting at 7:06 p.m. Council Member King seconded the motion and it carried unanimously.



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## **STAFF REPORT**

From the Department of Community Development

July 2, 2021

**CASE NUMBER:** SUSE-170-2021  
**APPLICANT:** Preston Dellinger – Servio Capital  
**REQUEST:** A Special Exception to allow multi-family development  
**LOCATION:** 200 A Valley Drive; Tax Map No. 0P0380 077000  
**ADJACENT ZONING/LAND USES:**

Subject Parcel: C-1, Highway Commercial District; motel  
North: C-1, Highway Commercial District; motel  
South: C-1, Highway Commercial District; motel  
East: Interstate 75  
West: C-1, Highway Commercial District; undeveloped

**REQUEST ANALYSIS:** The applicant requests approval to redevelop the existing Derby Inn motel (previously Days Inn and Holiday Inn), at 200 A Valley Drive into a multi-family development.

The applicant intends to develop both the FairBridge Inn Express motel and Derby Inn motel (both previously Holiday Inn) into a cohesive multi-family property. In total, there will be 120 new, market rate apartment units. The units will include 80 one-bedroom apartments and 40 studio apartments. The applicant provided a preliminary conceptual design that includes a common area for tenants, storage area, and on-site laundry facilities. The applicant has demonstrated a need for additional market rate housing in Perry within the one-bedroom and studio apartment layout format. The applicant also provided a multi-family market report to support this application.

The applicant has considered the highest and best use of the subject properties. The application references the high concentration of hospitality properties within a 3-mile radius of the subject properties. These properties contribute to an oversupply of hotel and motel rooms which place the owners and operators under significant hardship. The properties within this area have deferred maintenance and are rarely productively used. The applicant suggests that converting this motel into market rate apartments will return the property to its highest and best use.

### **STANDARDS FOR SPECIAL EXCEPTIONS:**

1. *Are there covenants and restrictions pertaining to the property which would preclude the proposed use of the property?* There are no known covenants or restrictions on the subject property.
2. *Does the Special Exception follow the existing land use pattern?* All petitions for multi-family development are required to apply for a special exception. The surrounding area consists of hotel, motel, restaurant, and other commercial development. Multi-family development is consistent with the uses allowed within the C-1, highway commercial district.
3. *Will the Special Exception have an adverse effect on the Comprehensive Plan?* The Character Areas Map of the 2017 Joint Comprehensive Plan identifies the property as 'In-Town Corridor'. This character area typically includes long strips of commercial development. The Comprehensive Plan notes that

redevelopment of older commercial areas within this character area should be a priority instead of new commercial development farther away.

4. *Will adequate fire and police protection be available?* The use of the property as a multi-family development will have a similar or reduced impact on fire and police protection. Currently, there are 200 units between the two motels. The applicant is proposing to develop 120 units, a reduction of 80 units.
5. *Will the proposed use be of such location, size, and character that it is not detrimental to surrounding properties?* The proposed use as a multi-family development is not expected to be detrimental to surrounding properties. Multi-family is consistent and appropriate within the C-1, highway commercial district. Further, with a reduction in number of total units, multi-family is expected to be less intense than hospitality use. The applicant states that the proposed development will be a tasteful upgrade to the aesthetics of the exterior and interior of the property.
6. *Will the use interfere with normal traffic, pedestrian or vehicular, in the neighborhood?* The applicant indicates that pedestrian and vehicular traffic is expected to remain unchanged for the proposed use. There is no expected increased burden on existing streets which will serve the development.
7. *Will the use result in an increase in population density overtaxing public facilities?* The proposed multi-family development is not anticipated to overtax the existing public facilities. The reduction in units may decrease the burden placed on public facilities including water, sanitary sewer, and stormwater infrastructure. The Houston County Board of Education has been notified of this proposed development. Staff is not aware of any excess burden placed on educational facilities.
8. *Will the use create a health hazard or public nuisance?* The proposed multi-family development is not expected to create a health hazard or public nuisance.
9. *Will property values in adjacent areas be adversely affected?* The applicant states that the proposed revitalization of the subject properties into a multi-family development will enhance the value of surrounding properties. The applicant cites the proposed development's ability to support and serve local businesses and provide housing for the workforce for a diverse set of industries nearby.
10. *Are there substantial reasons a permitted use cannot be used at this property?* There is no demonstrated evidence that the proposed use cannot be permitted within the C-1, highway commercial district.

**STAFF RECOMMENDATION:** Based on review of the criteria, Staff recommends approval of the special exception, with the following conditions:

1. The proposed development must meet the requirements for parking, landscaping, and design guidelines as reflected in the Land Management Ordinance.
2. The proposed development must ensure building and site is in compliance with all applicable building codes, fire codes, and stormwater regulations.

**PLANNING COMMISSION RECOMMENDATION:** Following an information hearing held on July 12, 2021, the Planning Commission recommends approval of the special exception, with the following conditions:

1. The proposed development must meet the requirements for parking, landscaping, and design guidelines as reflected in the Land Management Ordinance.
2. The proposed development must ensure building and site is in compliance with all applicable building codes, fire codes, and stormwater regulations

  
Eric Z. Edwards, Chairman, Planning Commission

7/14/21  
Date



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**Application for Special Exception**

Contact Community Development (478) 988-2720

Application # SUSE -  
0170 -  
2021

**Applicant/Owner Information**

\*Indicates Required Field

	Applicant	Property Owner
*Name	H. Preston Dellinger / Servio Capital LLC	PARAM KRUPA LLC
*Title	Managing Principal	
*Address	215 N Columbia St Covington LA, 70433	200 A VALLEY DR. PERRY, GA 31069
*Phone	704-650-7877	
*Email	preston@serviocapital.com	

**Property Information**

*Street Address	200 A Valley Dr. Perry GA
*Tax Map #(s)	0P0380 077000
*Zoning Designation	C1

**Request**

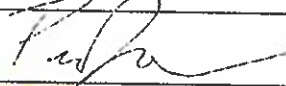
\*Please describe the proposed use: Multifamily apartment units. Converting individual hotel rooms into 1 bedroom and studio apartments

**Instructions**

1. The application and \$91.00 fee (made payable to the City of Perry) must be received by the Community Development Office or filed on the online portal no later than the date reflected on the attached schedule.
2. The applicant/owner must respond to the 'standards' on page 2 of this application (you must answer 'why' you believe the application meets the tests for granting the special exception). See Sections 2-2 and 2-3.5 of the Land Management Ordinance for more information. You may include additional pages when describing the use and addressing the standards.
3. For applications in which a new building, building addition and/or site modifications are required, you must submit a scaled drawing of the proposed site development plan.
4. The staff will review the application to verify that all required information has been submitted. The staff will contact the applicant with a list of any deficiencies which must be corrected prior to placing the application on the planning commission agenda.
5. Special Exception applications require an informational hearing before the planning commission and a public hearing before City Council. The property must be posted at least 15 days prior to the scheduled hearing dates.
6. Please verify all required information is reflected on the plan(s). Submit one (1) paper copy and one (1) electronic version of the plan(s).
7. An application for special exception affecting the same parcel shall not be submitted more often than once every six months.
8. The applicant must be present at the hearings to present the application and answer questions that may arise.
9. Campaign Notice required by O.C.G.A. Section 36-67A-3: Within the past two years, have you, the applicant, made either campaign contributions and/or gifts totaling \$250.00 or more to a local government official? Yes \_\_\_ No   
If yes, please complete and submit a Disclosure Form available from the Community Development office.

10. The applicant and property owner affirm that all information submitted with this application, including any/all supplemental information, is true and correct to the best of their knowledge and they have provided full disclosure of the relevant facts.

11. Signatures:

*Applicant		*Date 6/4/2021
*Property Owner/Authorized Agent	Mayank Patel	*Date 06-04-2021

**Standards for Granting a Special Exception**

- Are there covenants and restrictions pertaining to the property which would preclude the proposed use of the property?  
*No known covenants or restrictions*
- Describe the existing land use pattern surrounding the subject property.  
*Current pattern and that which has abundance of is hotels and restaurants*
- Describe how the proposed use will not have an adverse effect on the Comprehensive Plan.  
*Adding affordable (NOT SUBSIDIZED) housing to meet the needs is necessary to the comprehensive plan*
- Describe how any proposed structures, equipment or materials will be readily accessible for fire and police protection.  
*The public safety infrastructure currently onsite will remain. Prospective owners will work closely with public safety to ensure the safest environment for tenants, visitors and the community.*
- Describe how the proposed use will be of such size, location, and character that it will generally be in harmony with appropriate and orderly development of the surrounding area and adjacent properties, and will not be a detriment to uses permitted on adjacent properties. (Consider the location and height of buildings and other structures, and the extent of landscaping, screening and buffering.)  
*The conversion of the units will be tasteful and will upgrade the aesthetics of the exterior of the building. See attached plan*
- For uses to be located in or adjacent to a residential district, describe how the nature and intensity of the operations of the proposed use will not negatively impact pedestrian and vehicular traffic in the district.  
*The pedestrian and vehicular traffic is estimated to remain unchanged for this proposed use.*
- Describe how the proposed use will not place an undue burden upon public facilities and services.  
*By creating permanent housing with well screened residents in place of transitory quarters.*
- Describe how the proposed use will not create health and safety problems, and will not create a nuisance with regard to traffic congestion, drainage, noise, smoke, odor, electrical interference, or pollution.  
*This will remain unchanged to what is currently in place.*
- Describe how the proposed use will not adversely impact the value of surrounding properties.  
*It will enhance the value of the surrounding properties by providing more consumers to businesses in the area as well as providing businesses with more employees to meet their employment demand in several different industries.*
- State the reasons why the subject property cannot be used for a use permitted in the zoning district in which it is located.

The current zoning of hospitality is not the highest and best use of this property. The abundance of hospitality and zoning of such within a 3 mile radius is causing hotel owners/operators to respond to the over supply of hotel rooms in the area by cutting costs and deferring maintenance on their buildings.

Additionally the need for affordable housing, not subsidized housing, is tremendous within the Perry market.

There is a high amount of subsidized housing in the area compared to market rate housing.

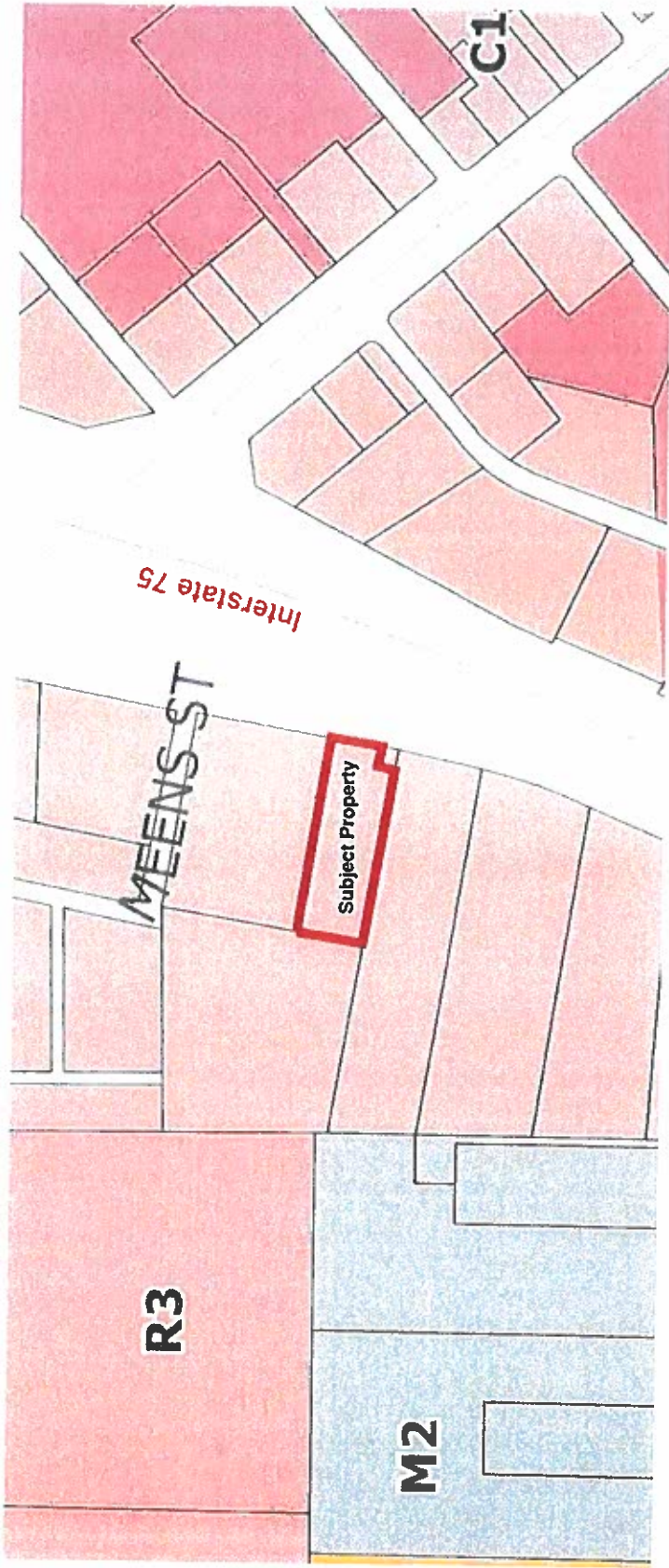
We are proposing market rate housing that is affordable to most people.

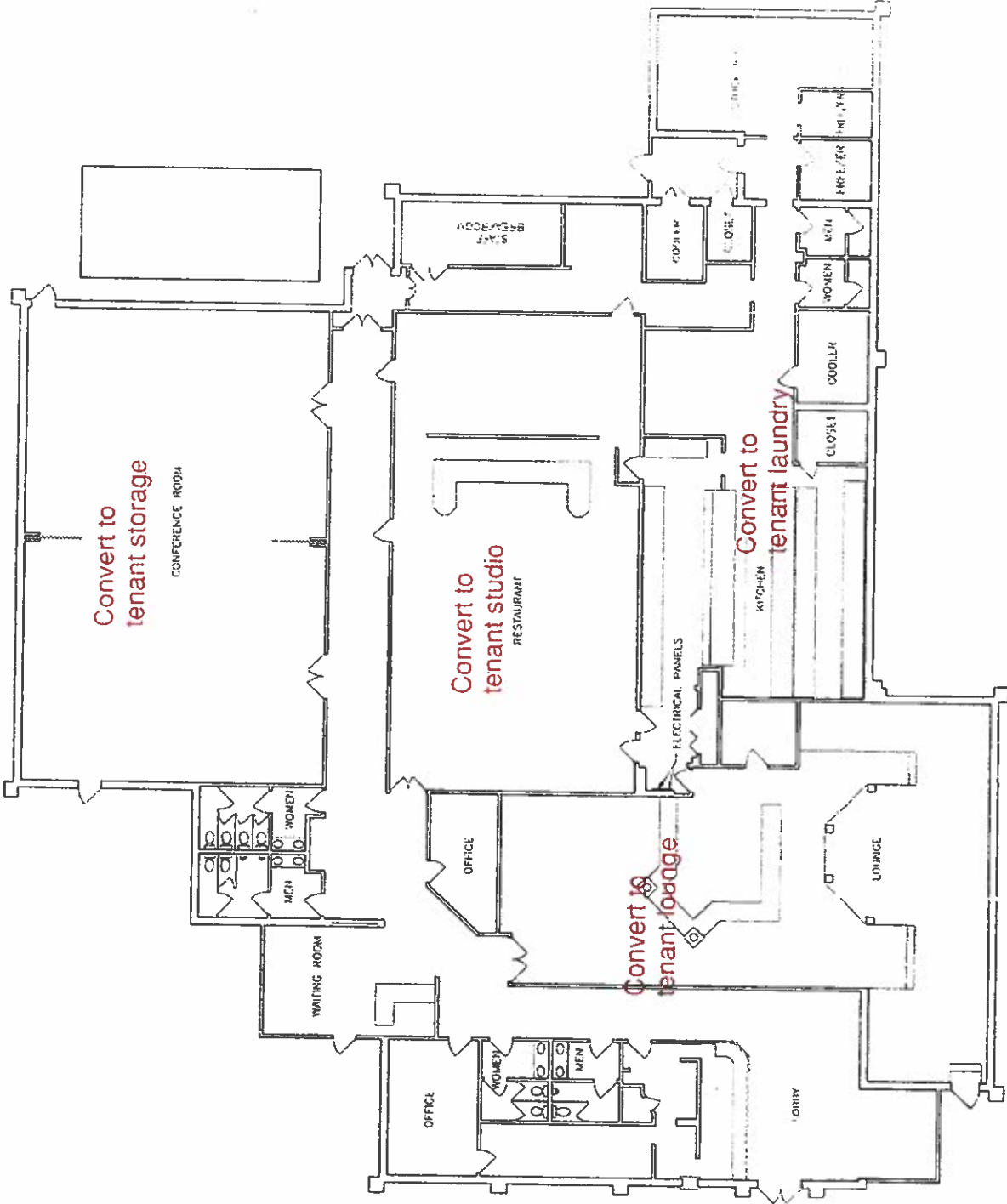
By converting the units into 80 true 1 bedroom apartments and 40 studios, we project the new apartment offerings will be highly well received.



SMS 170-2034



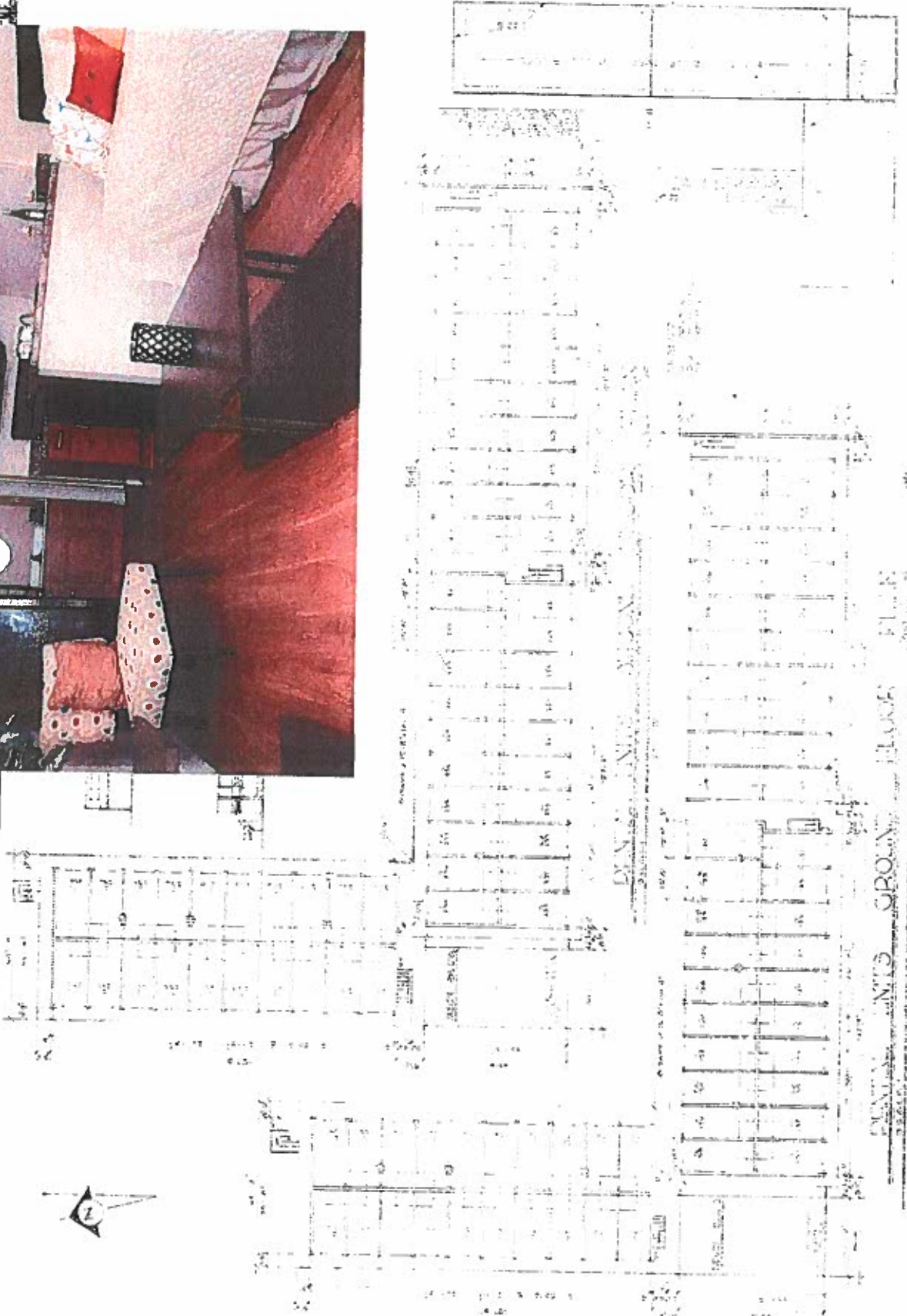
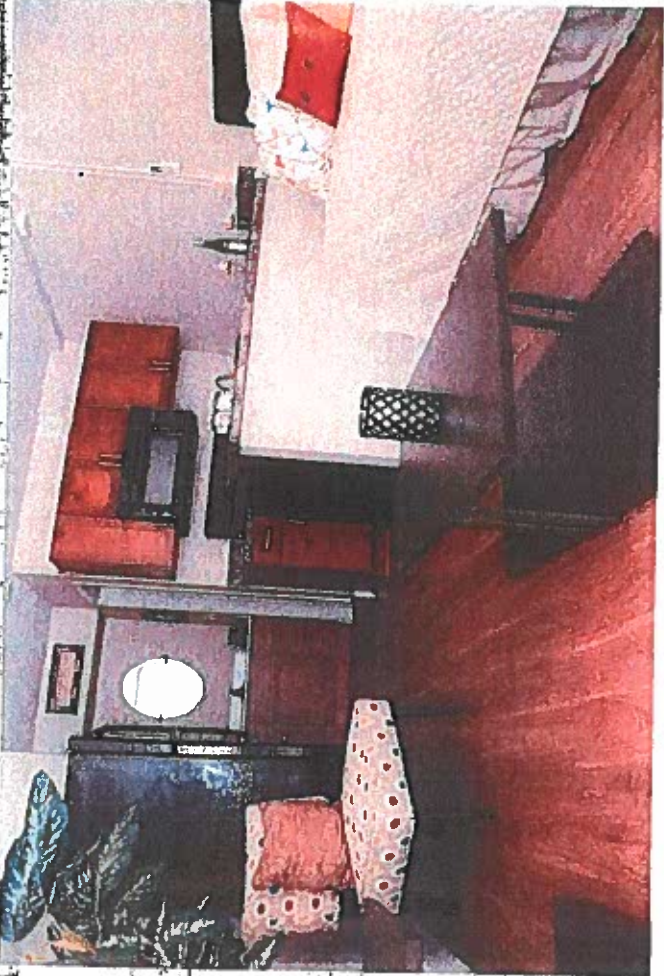




FLOOR PLAN - EXISTING RESTAURANT & LOUNGE

SCALE: 1/8" = 1'-0"

TYPICAL  
CONVERSION



REVISIONS  
DESCRIPTION

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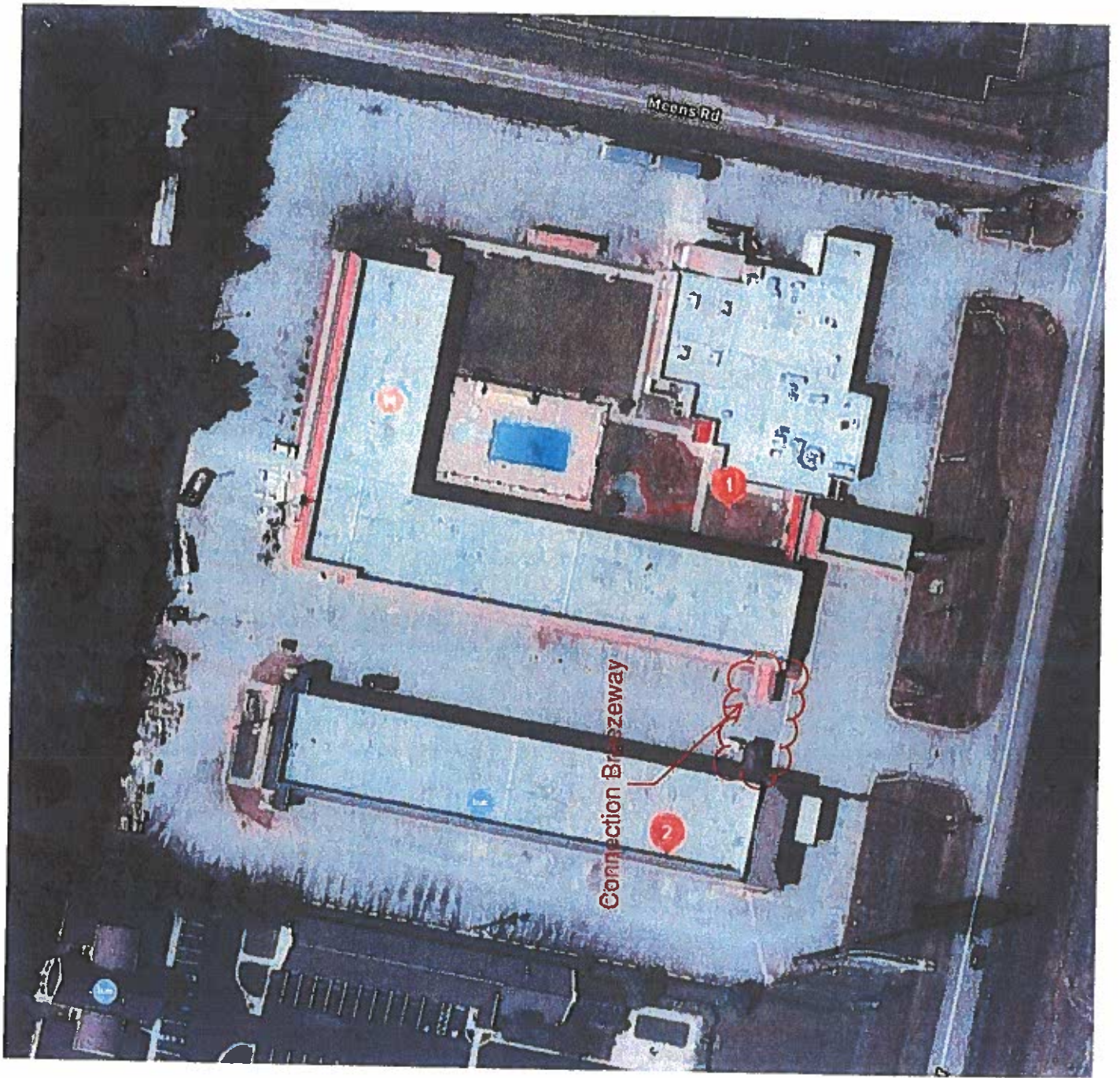
DATE  
BY  
CHECKED

Holiday Inn®



william w. bond, jr. & associates  
architects  
William W. Bond, Jr.

FORM NO  
65007



Means Rd

Connection Bypassway

3

1

2

1










1

# Search Analytics

INVENTORY UNITS	UNDER CONSTRUCTION UNITS	12 MO ABSORPTION UNITS	VACANCY RATE	MARKET RENT/UNIT	MARKET SALE PRICE/UNIT	MARKET CAP RATE
<b>913</b> 	<b>72</b> 	<b>25</b> 	<b>1.4%</b> 	<b>\$805</b> 	<b>\$76.9K</b> 	<b>6.2%</b> 




## Key Metrics

### Availability

Vacant Units	12 	Existing Buildings	16 
Asking Rent/SF	\$0.96 	Average Units Per Bldg	57 
Concession Rate	0.4% 	12 Mo Demolished Units	0 
Studio Asking Rent	\$498 	12 Mo Occupancy % at Delivery	-
1 Bedroom Asking Rent/Unit	\$685 	12 Mo Construction Starts Units	0 
2 Bedroom Asking Rent/Unit	\$835 	12 Mo Delivered Units	0 
3 Bedroom Asking Rent/Unit	\$1,030 	12 Mo Avg Delivered Units	-

### Inventory

### Sales Past Year

Asking Price Per Unit	\$66,250	12 Mo Absorp % of Inventory	2.7% 
Sale to Asking Price Differential	-3.8%	Median Household Income	65.2K
Sales Volume	\$11.1M 	Population Growth 5 Yrs   20-29	4.6%
Properties Sold	2 	Population Growth 5 Yrs   30-39	-1.6%
Months to Sale	1.5	Population Growth 5 Yrs   40-54	11.1%
For Sale Listings	3	Population Growth 5 Yrs   55+	8.9%
Total For Sale Units	64	Population Growth 5 Yrs	5.5%

### Demand

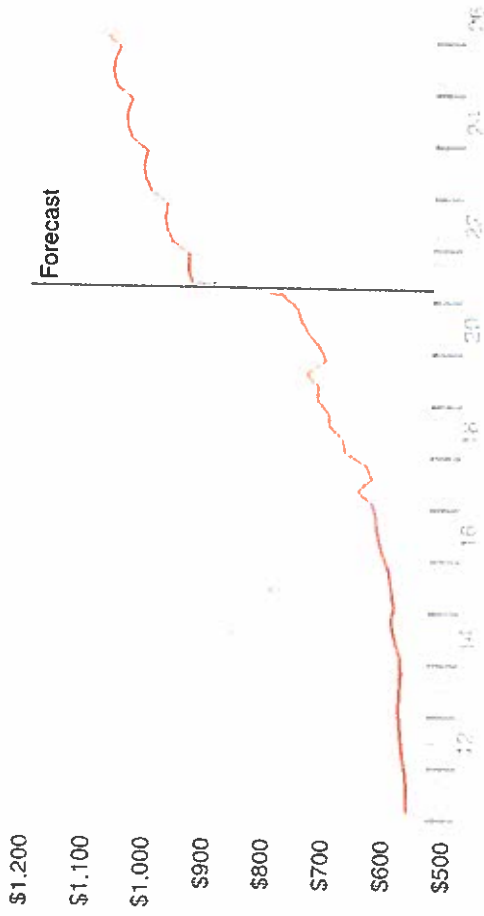
# Search Analytics

## Key Performance Indicators

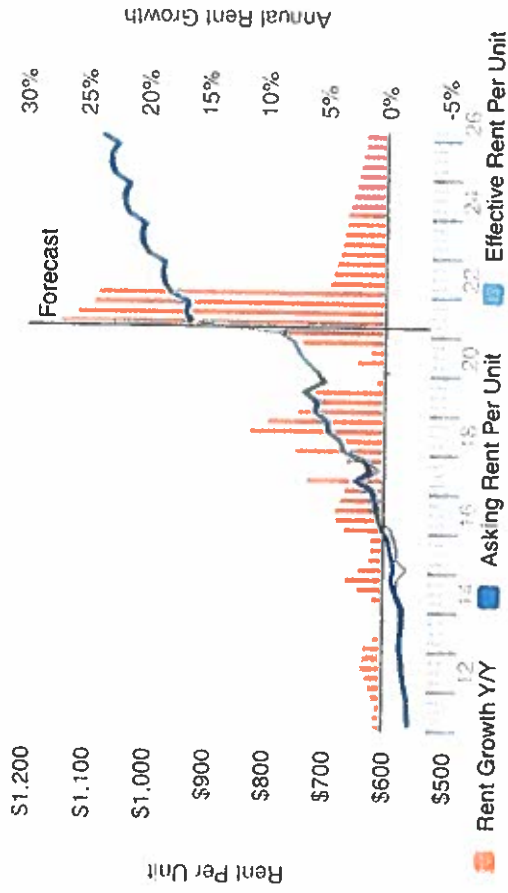


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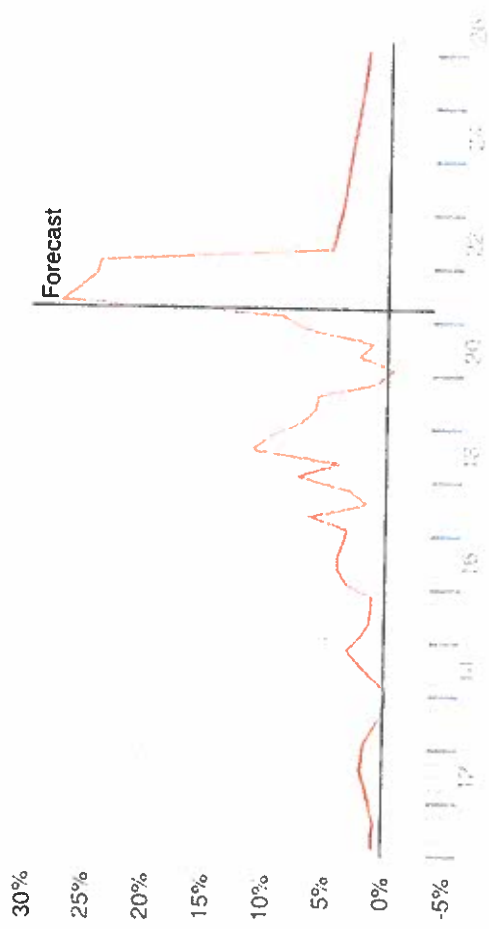
Market Asking Rent Per Unit



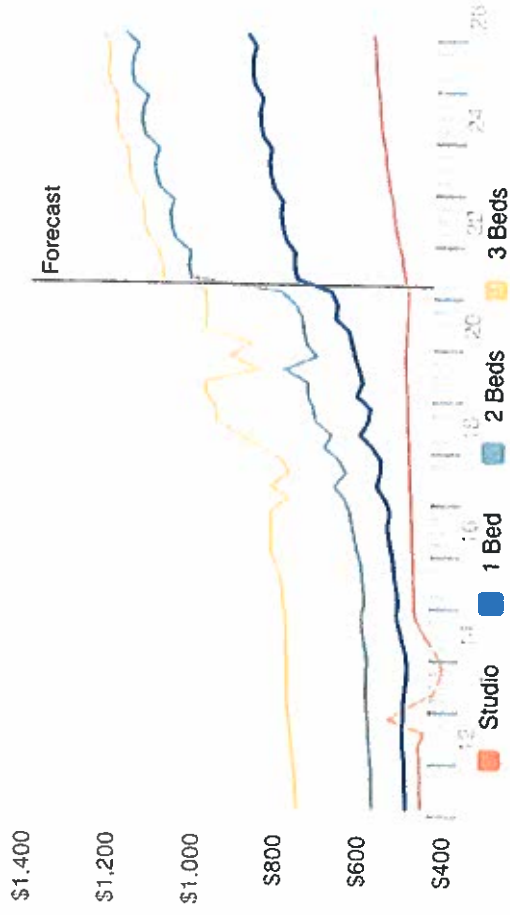
Market Rent Per Unit & Rent Growth



Market Rent Growth (YOY)

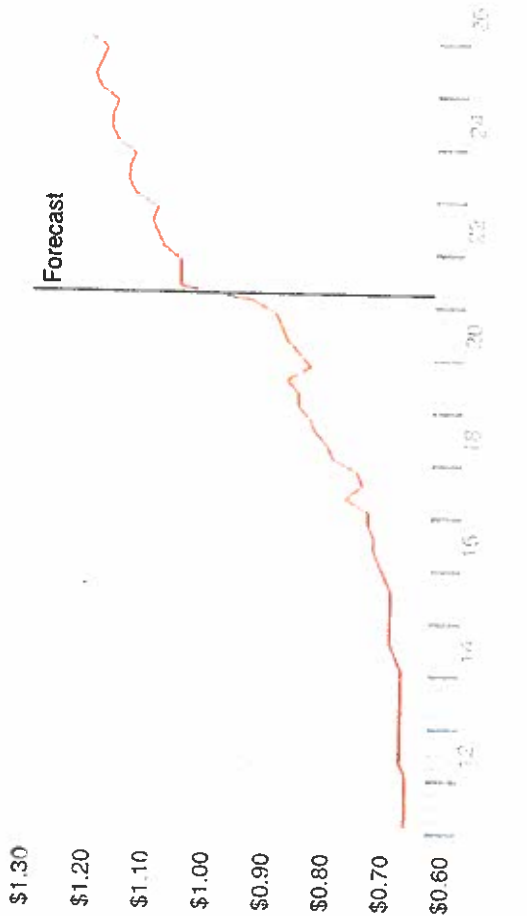


Market Asking Rent Per Unit By Bedroom

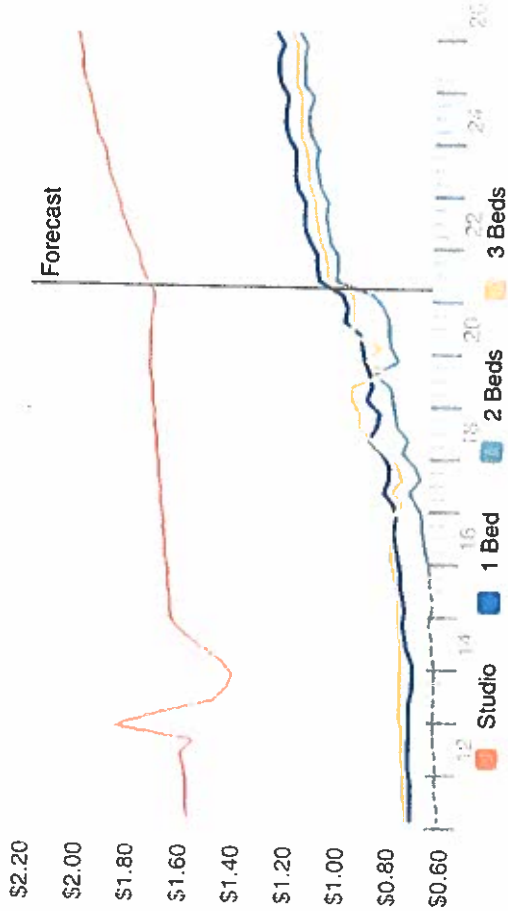


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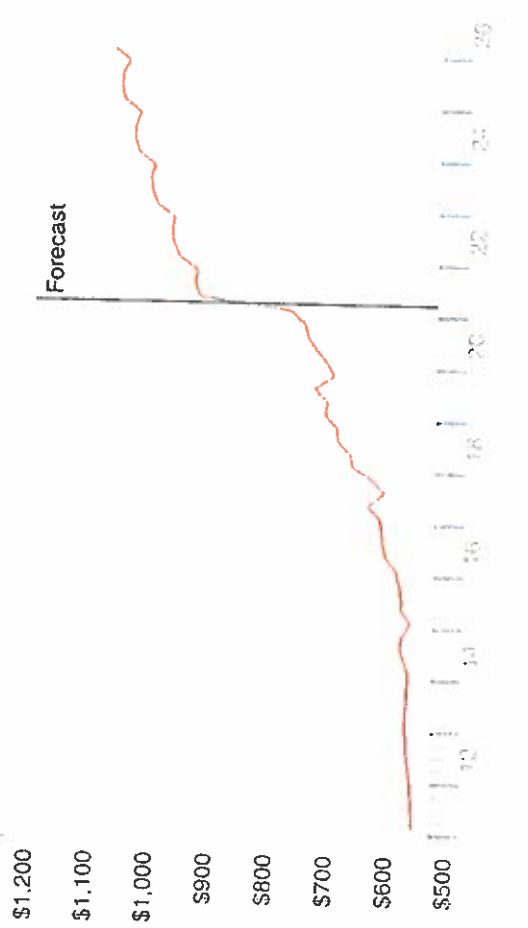
Market Asking Rent Per SF



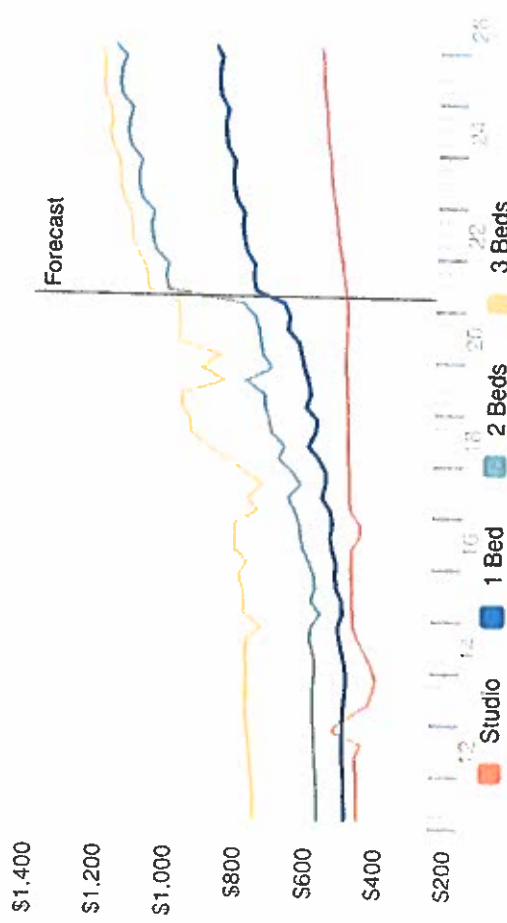
Market Asking Rent Per SF By Bedroom



Market Effective Rent Per Unit



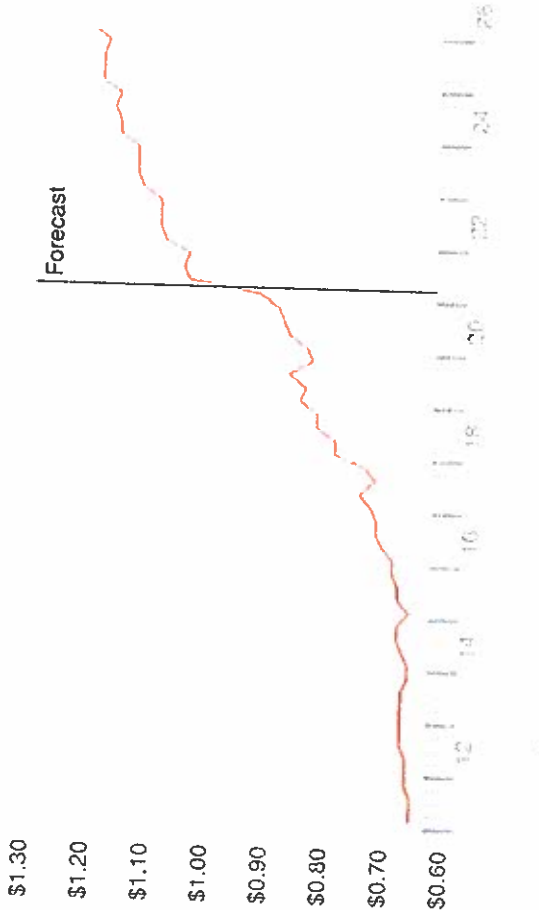
Market Effective Rent Per Unit By Bedroom



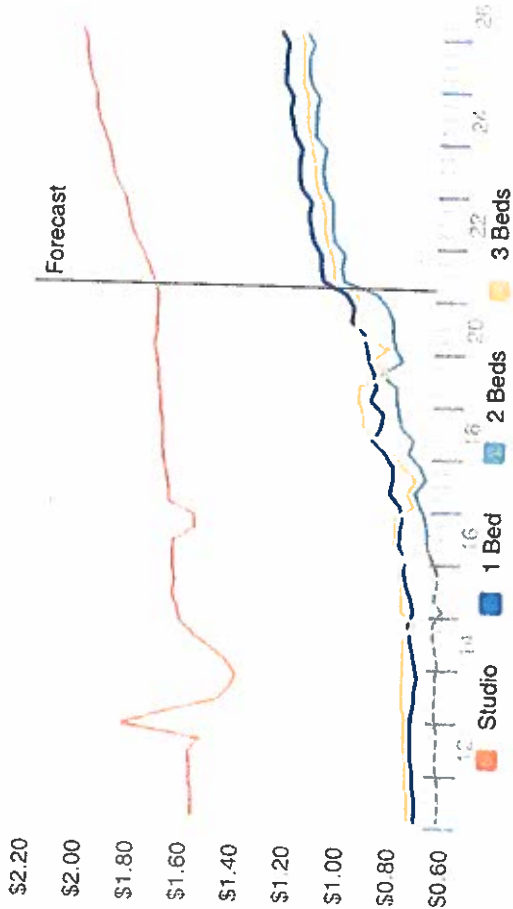


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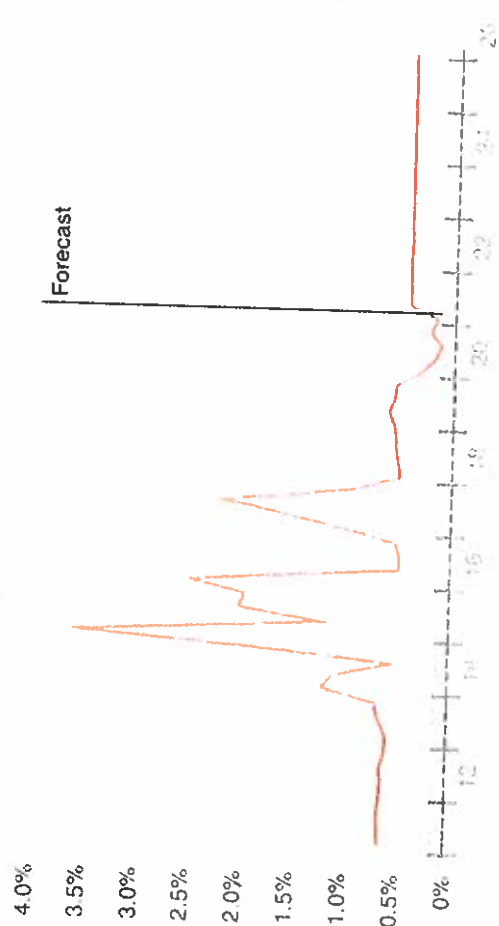
Market Effective Rent Per SF



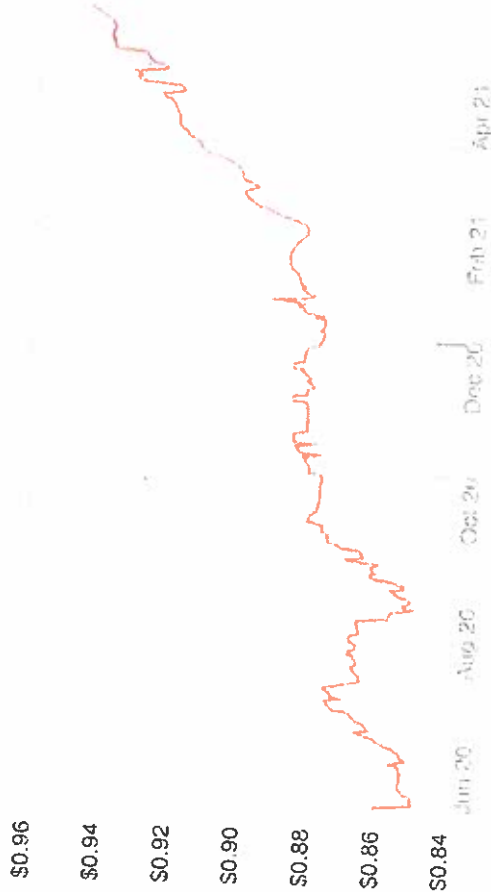
Market Effective Rent Per SF By Bedroom



Concession Rate

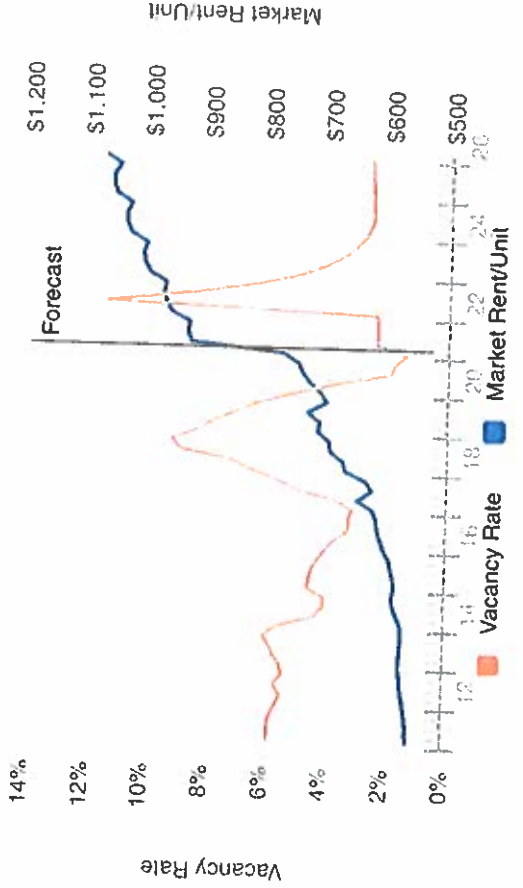


Daily Asking Rent Per SF

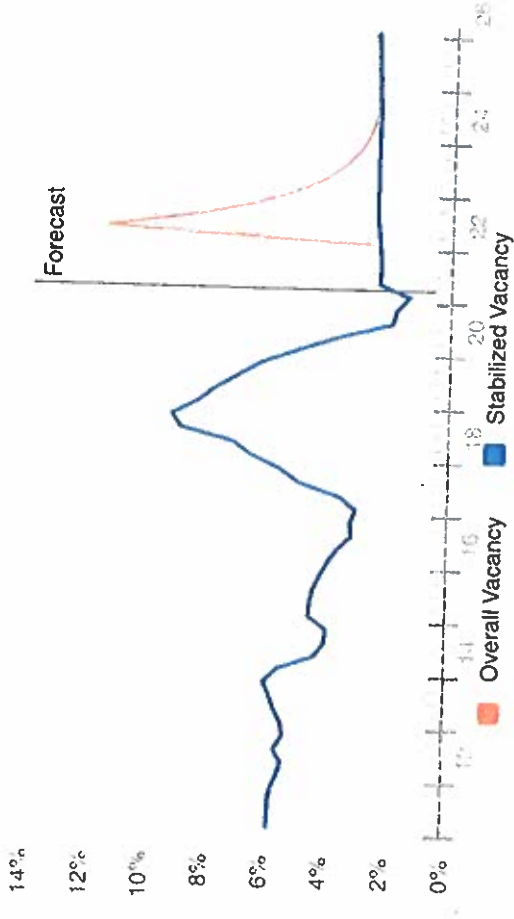


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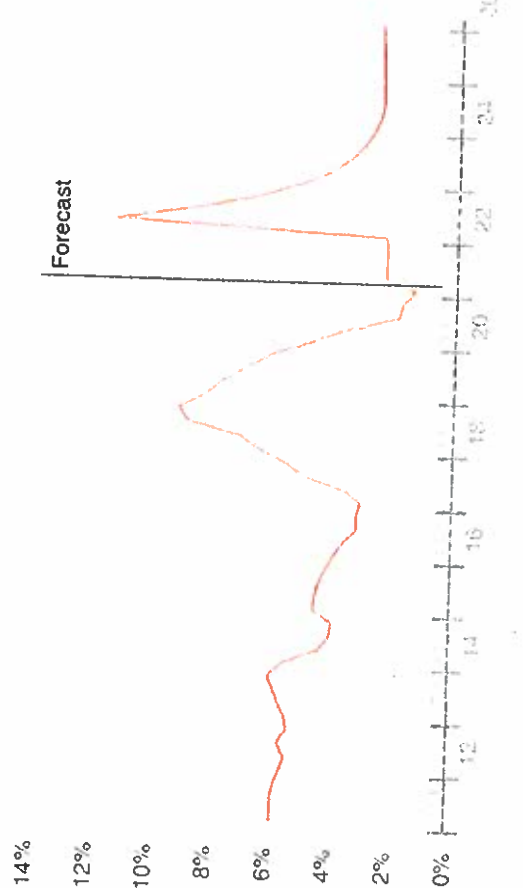
Vacancy & Market Asking Rent Per Unit



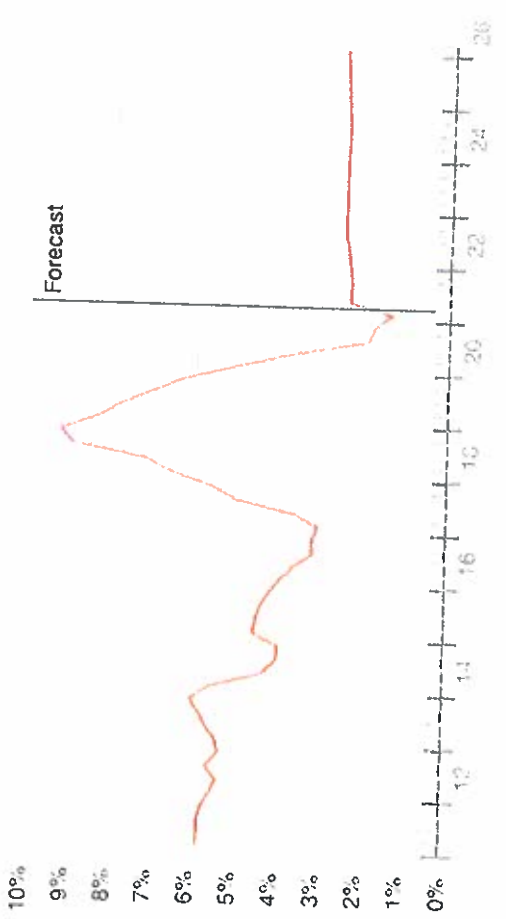
Overall & Stabilized Vacancy



Vacancy Rate

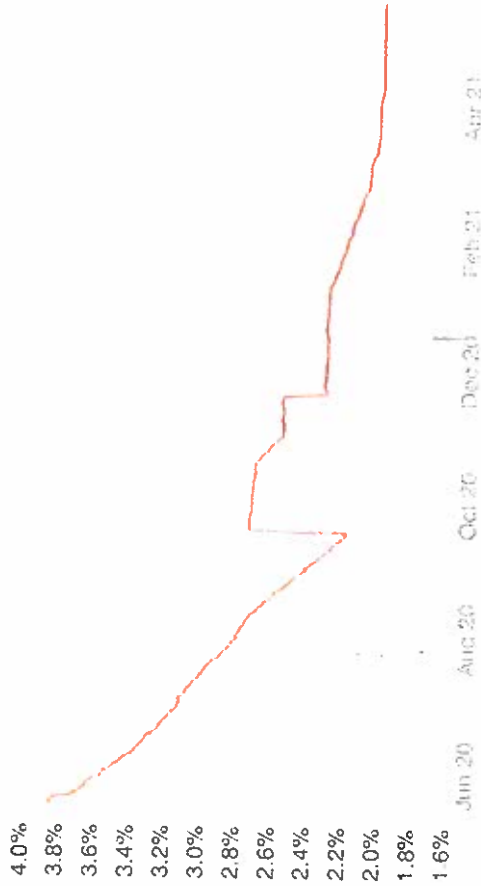


Stabilized Vacancy Rate

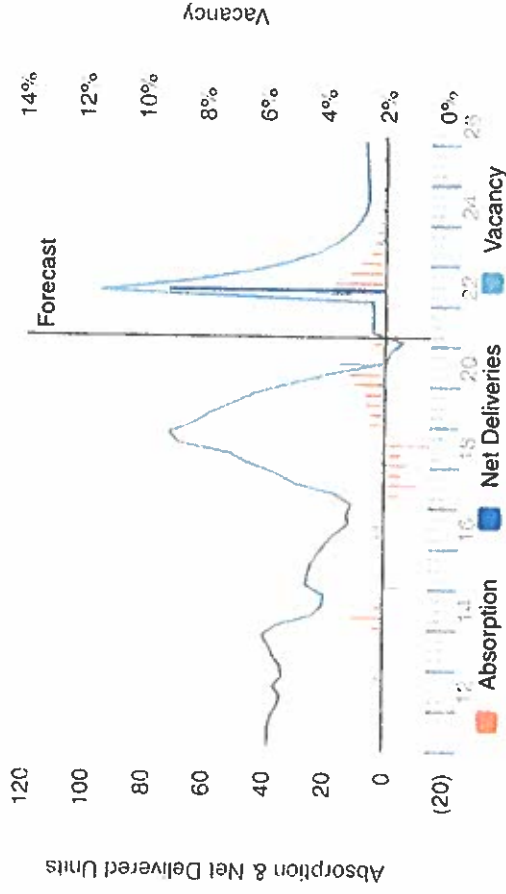


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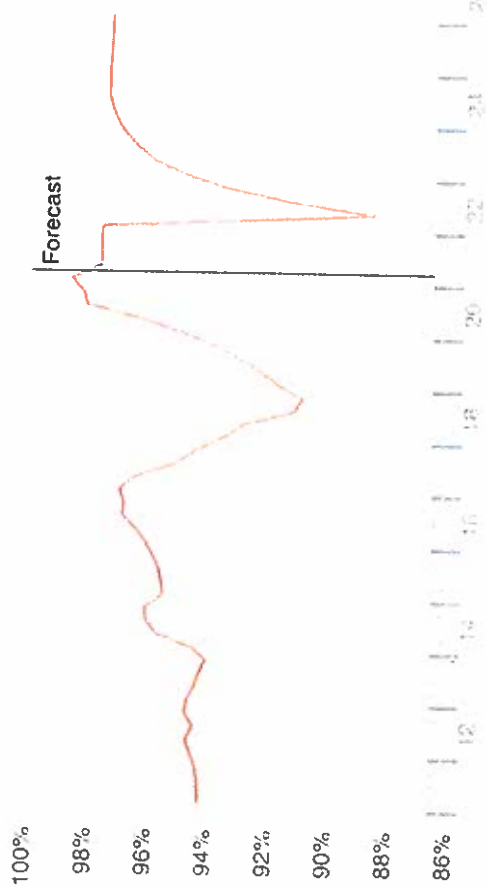
Daily Vacancy Rate



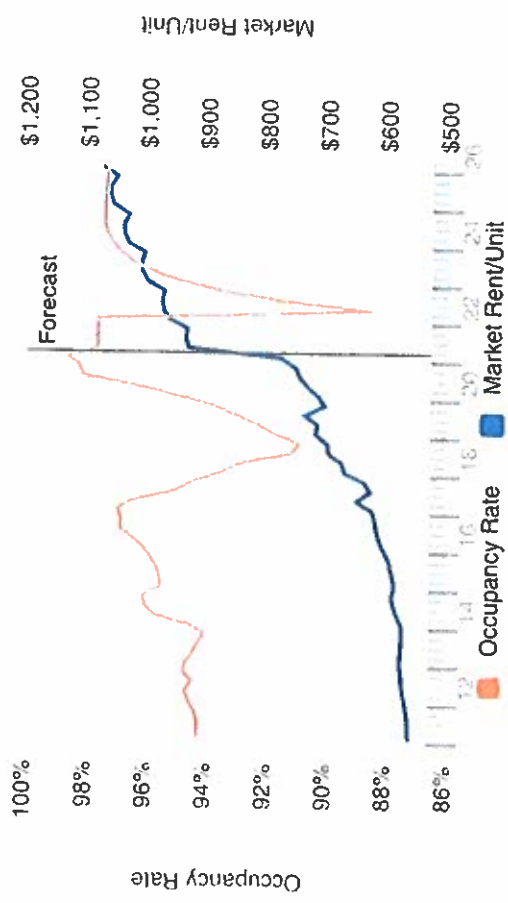
Absorption, Net Deliveries & Vacancy



Occupancy Rate

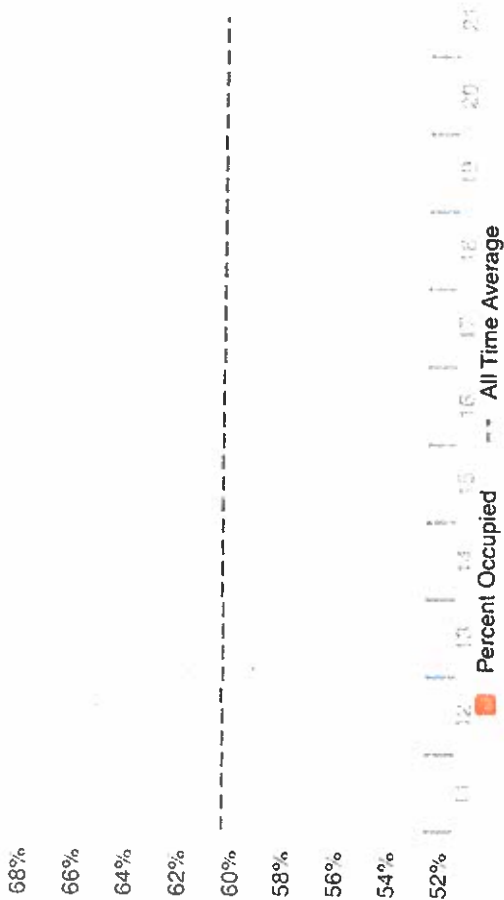


Occupancy & Market Rent Per Unit



# Search Analytics

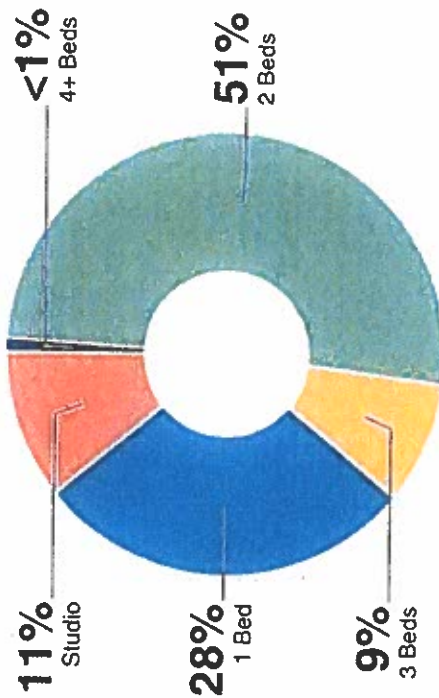
## Occupancy At Delivery



## Absorption Units



## Total Units By Bedroom



## Construction Starts

No Data Available

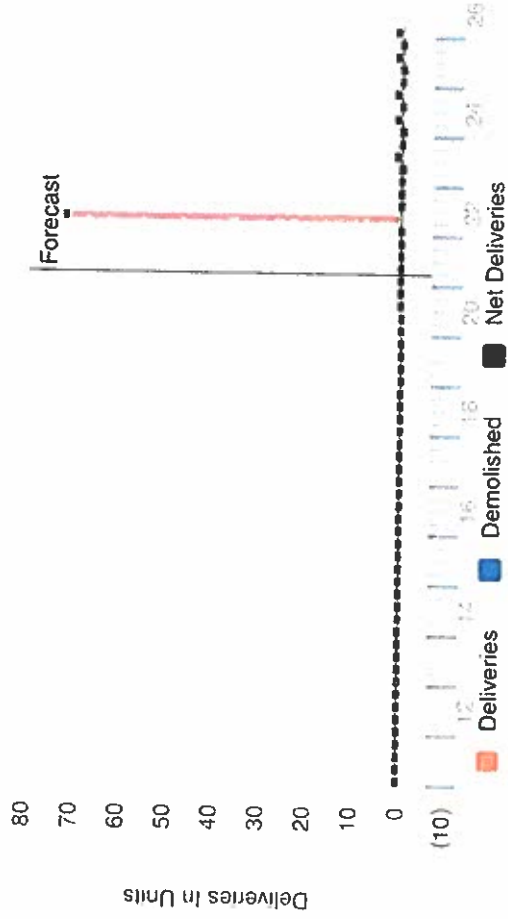
No data available for the past 10 years

# Search Analytics

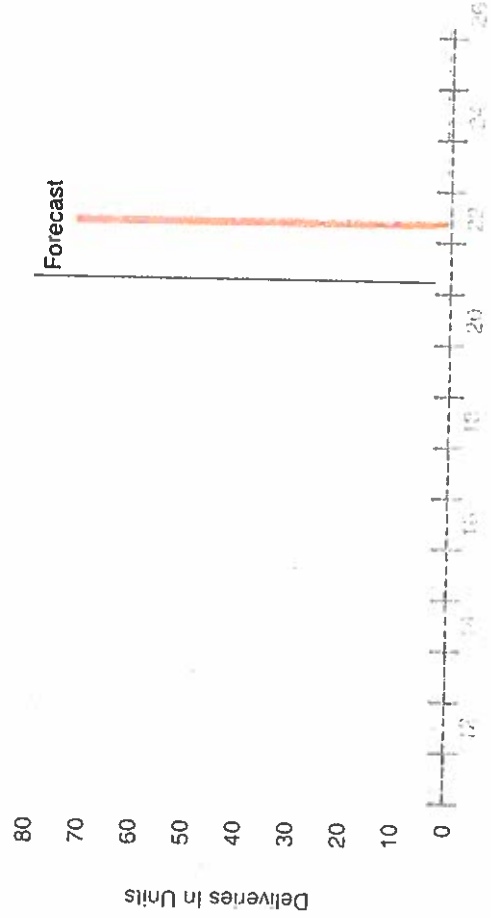
## Under Construction



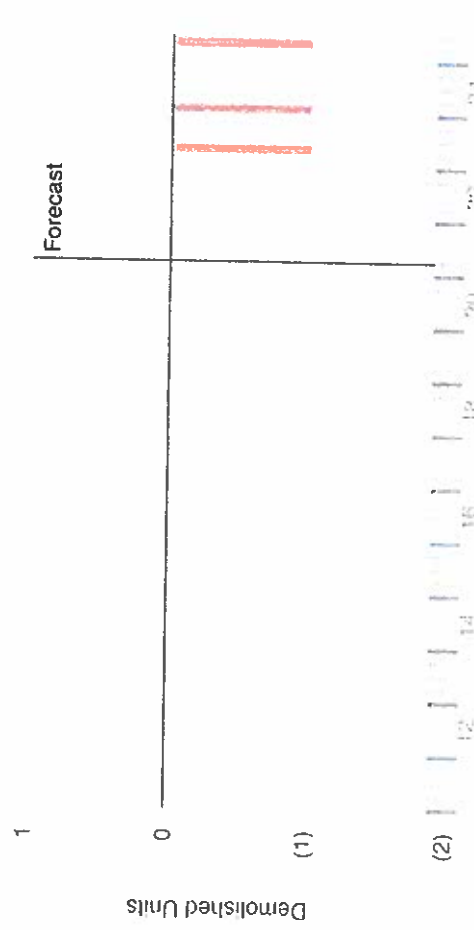
## Deliveries & Demolitions



## Deliveries

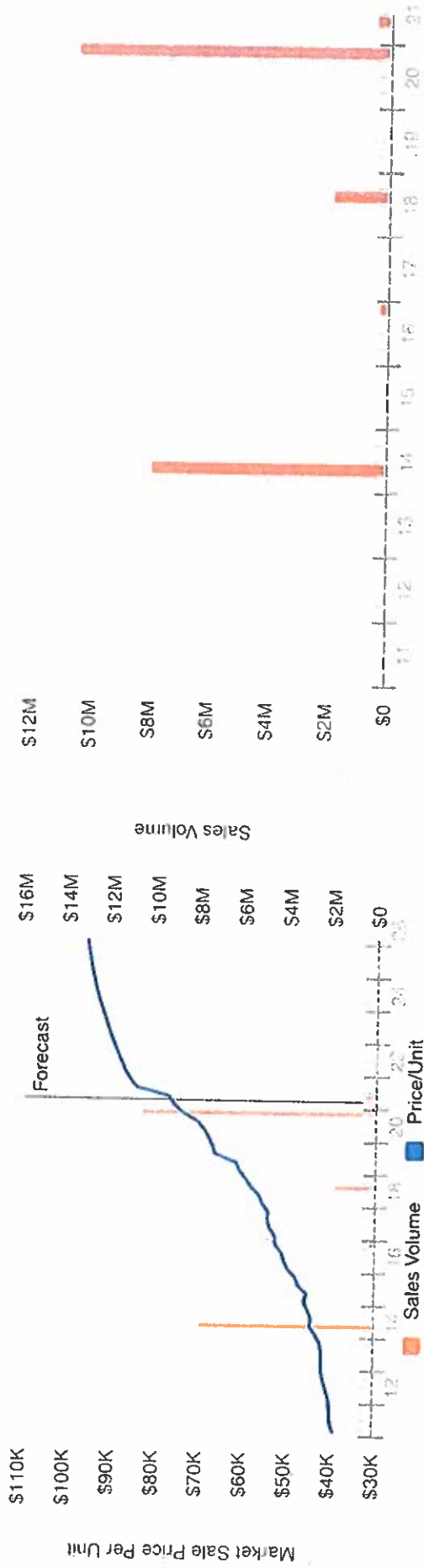


## Demolitions

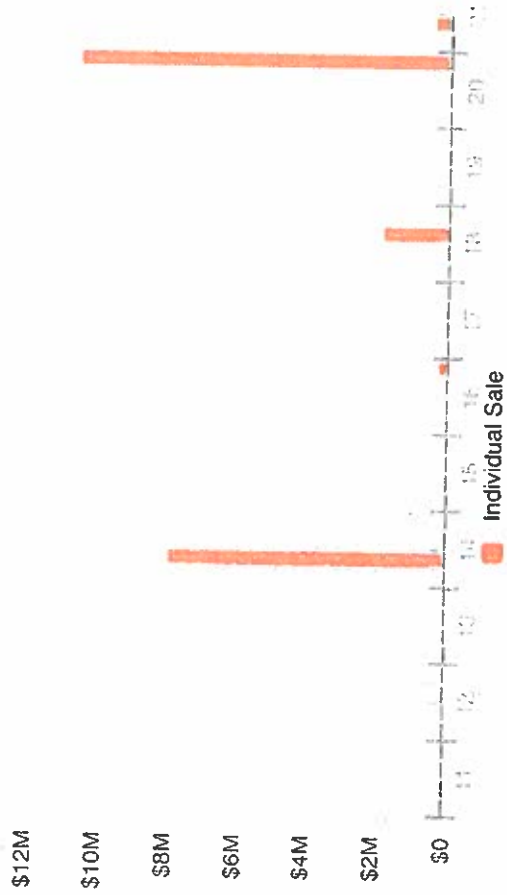


# Search Analytics

Sales Volume & Market Sale Price Per Unit



Sales Volume By Transaction Type

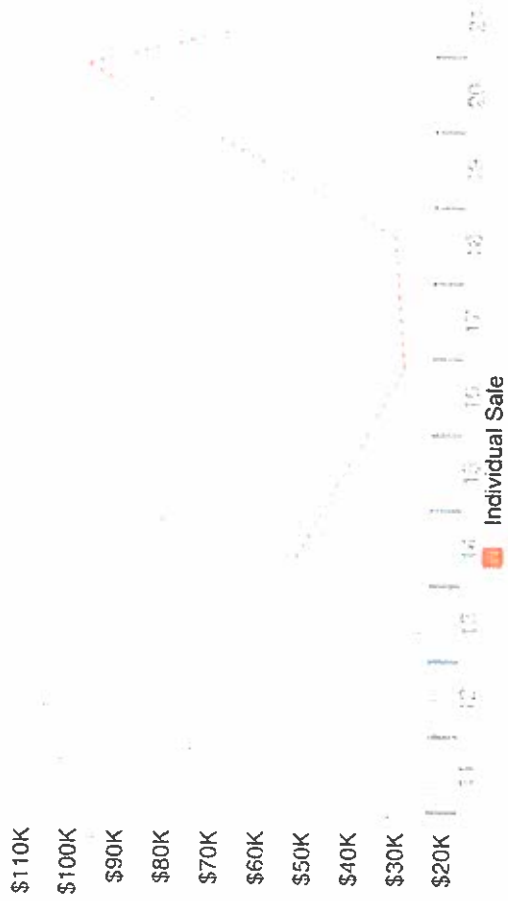


Sale Price Per Unit

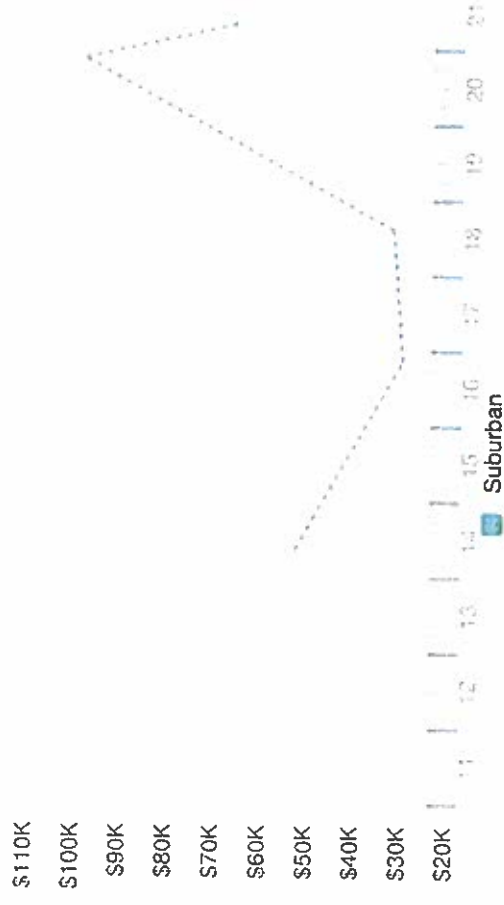


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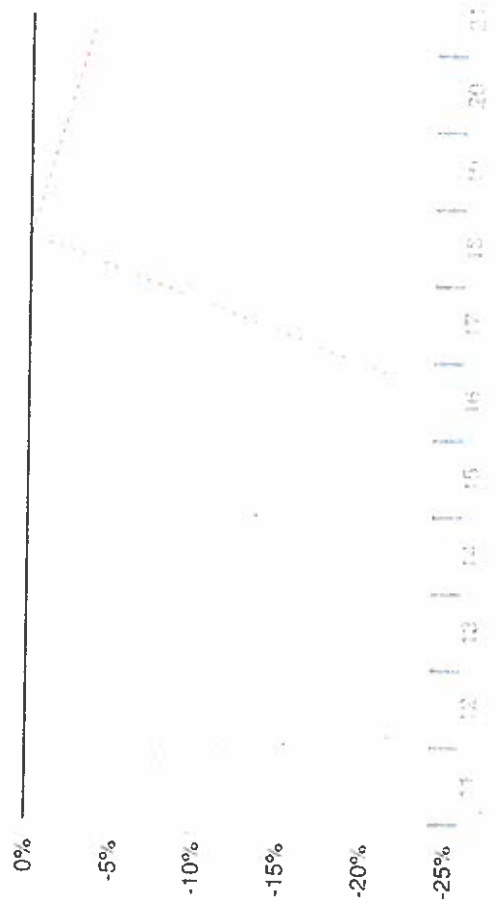
Sale Price Per Unit By Transaction Type



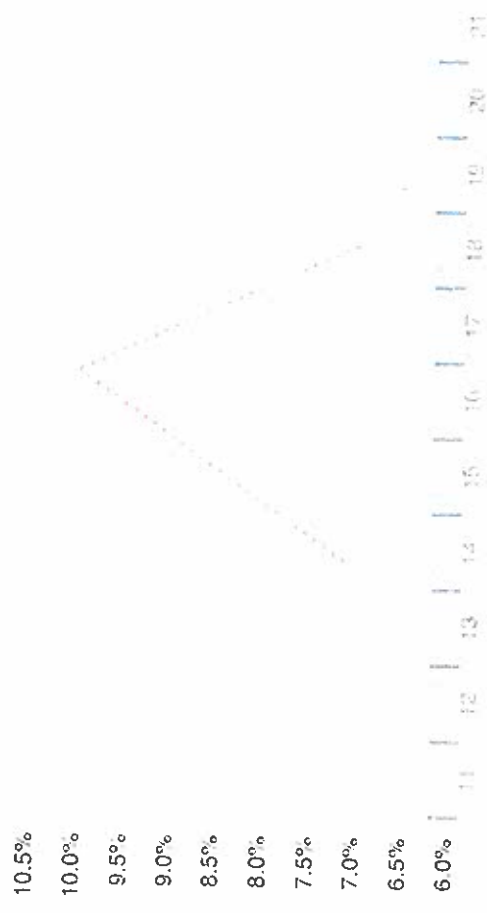
Sale Price Per Unit By Location Type



Sale To Asking Price Differential

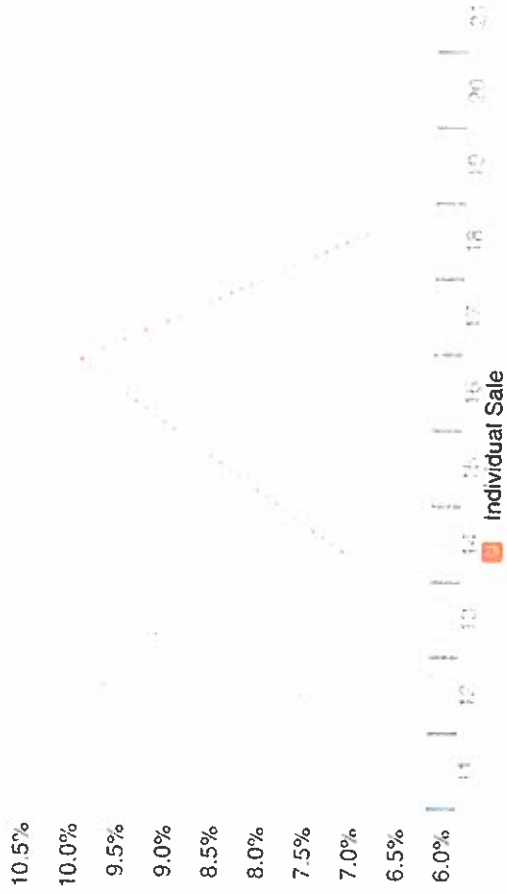


Cap Rate

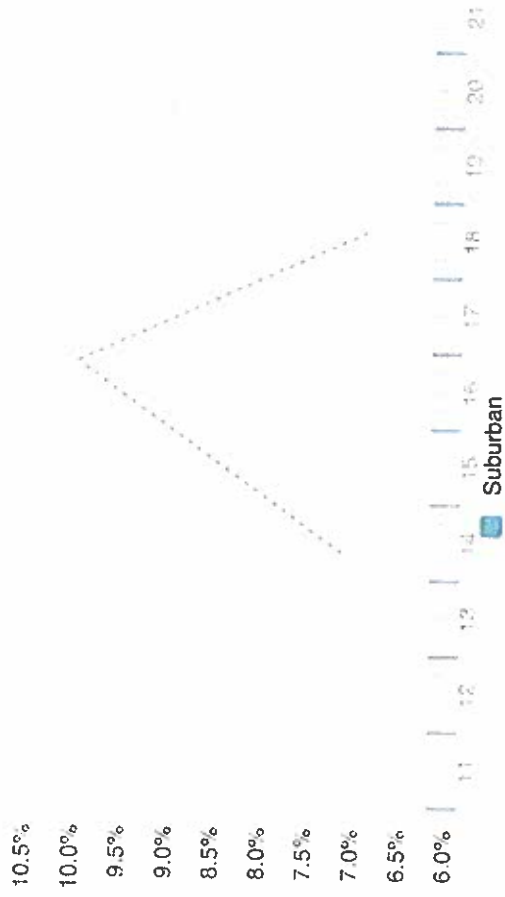


# Search Analytics

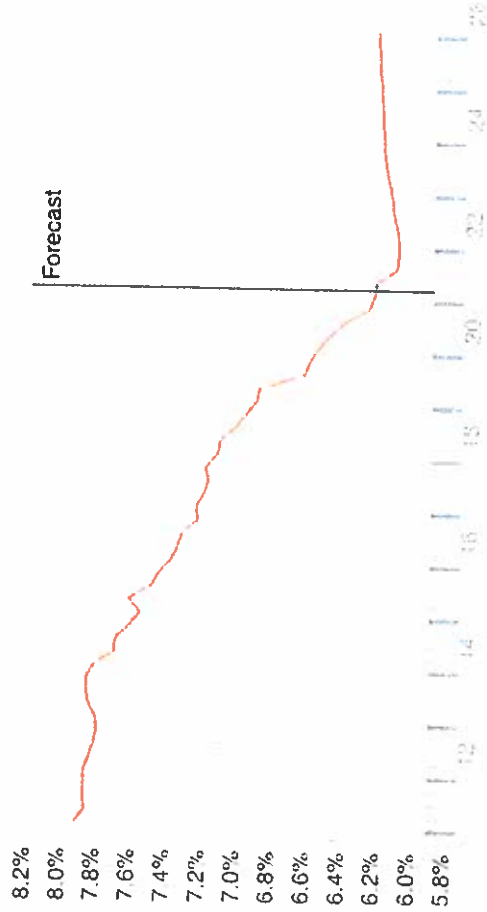
Cap Rate By Transaction Type



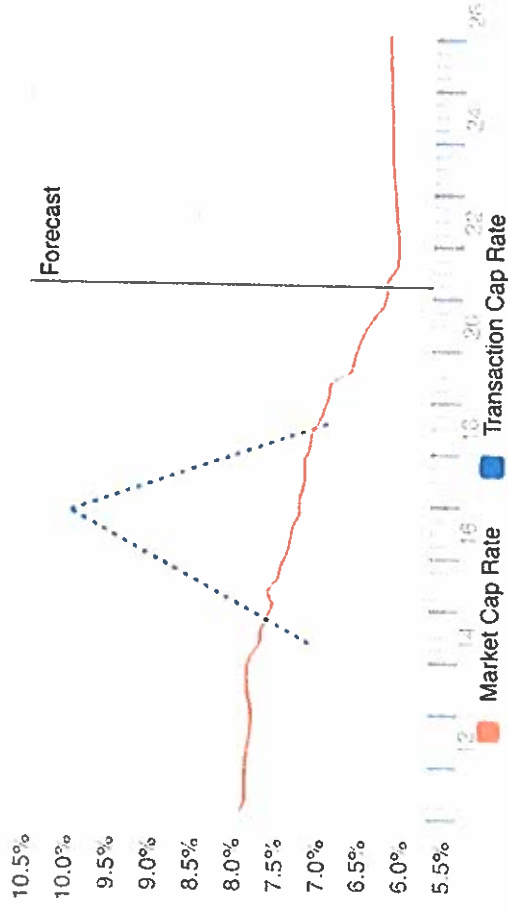
Cap Rate By Location Type



Market Cap Rate



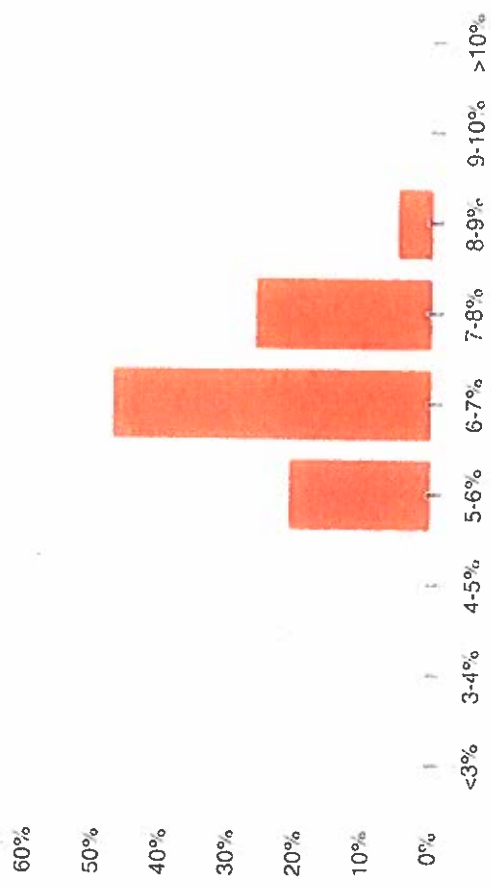
Market Cap Rate & Transaction Cap Rate





# Search Analytics

Market Cap Rate Distribution

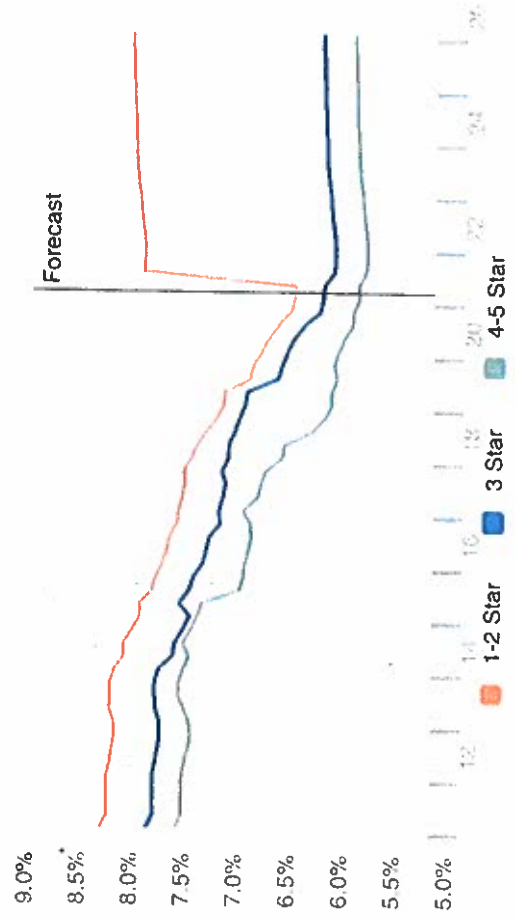


No Data Available

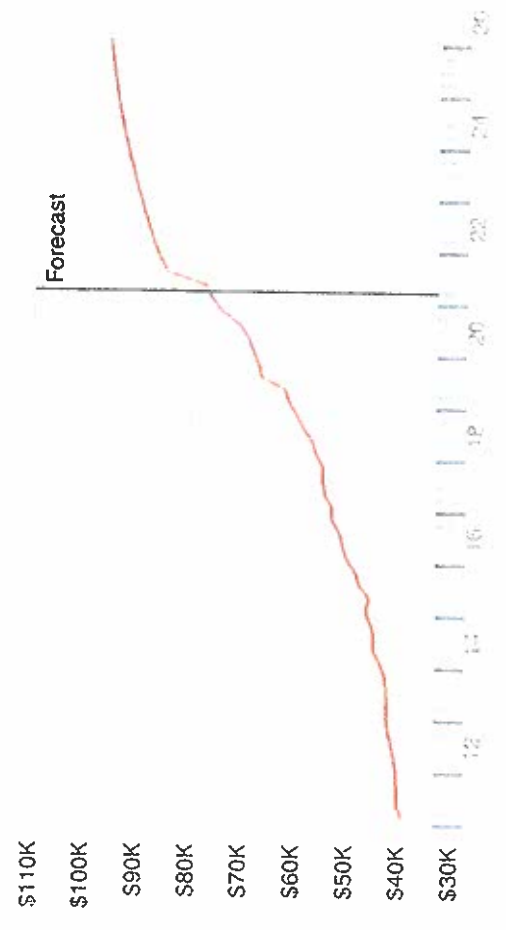
Market Cap Rate By Location Type

Data for this series is considered to be insufficient

Market Cap Rate By Star Rating

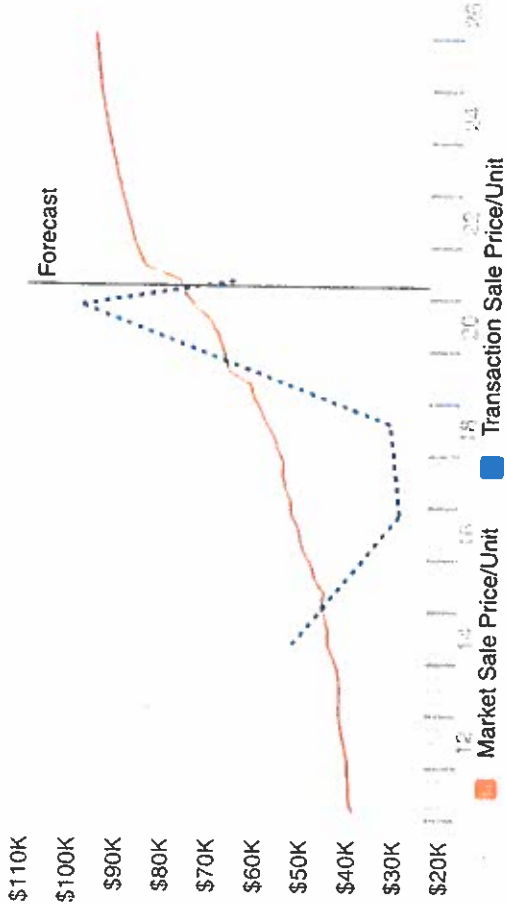


Market Sale Price Per Unit



# Search Analytics

Market Sale Price & Transaction Sale Price Per Unit



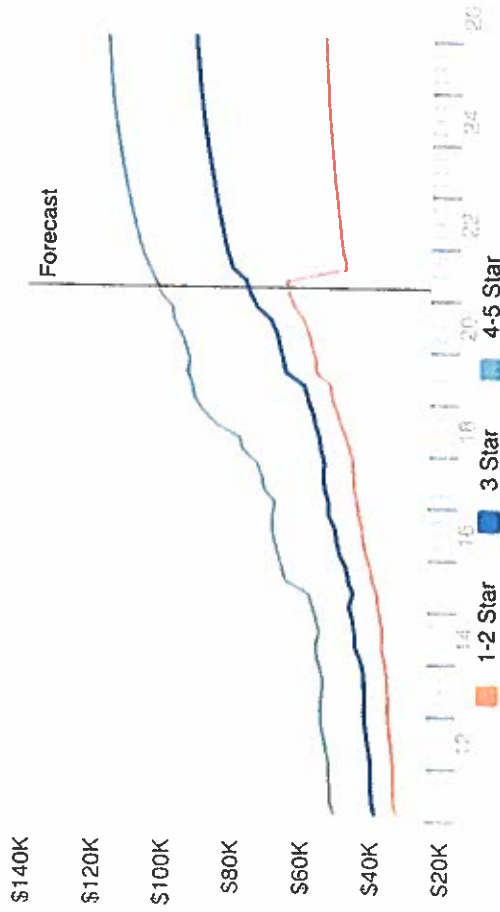
Market Sale Price Per Unit Distribution



Market Sale Price Per Unit By Location Type

No Data Available

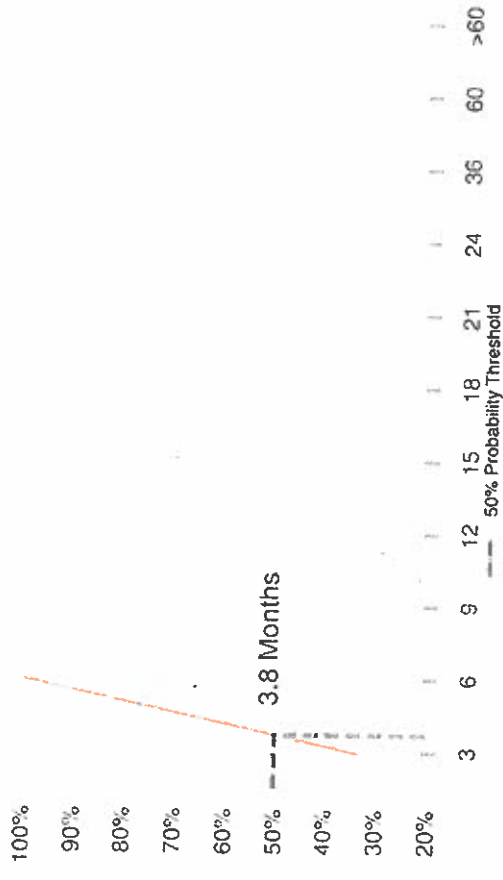
Market Sale Price Per Unit By Star Rating



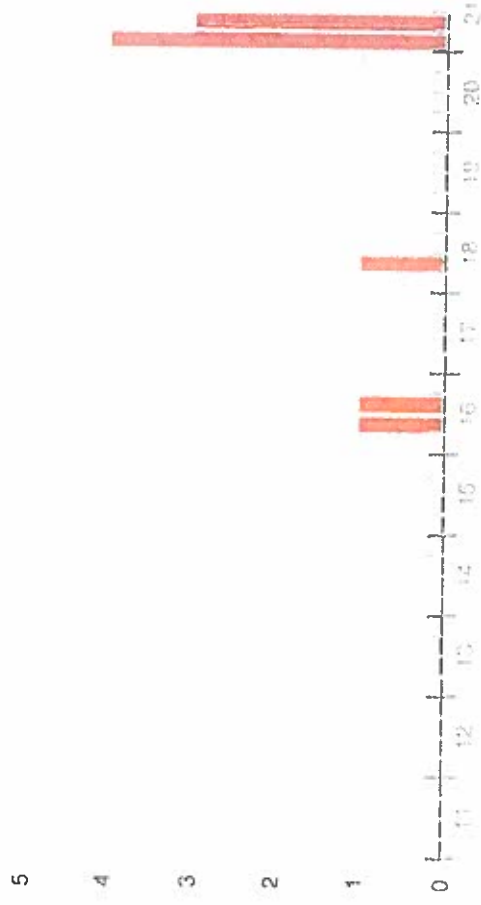
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# Search Analytics

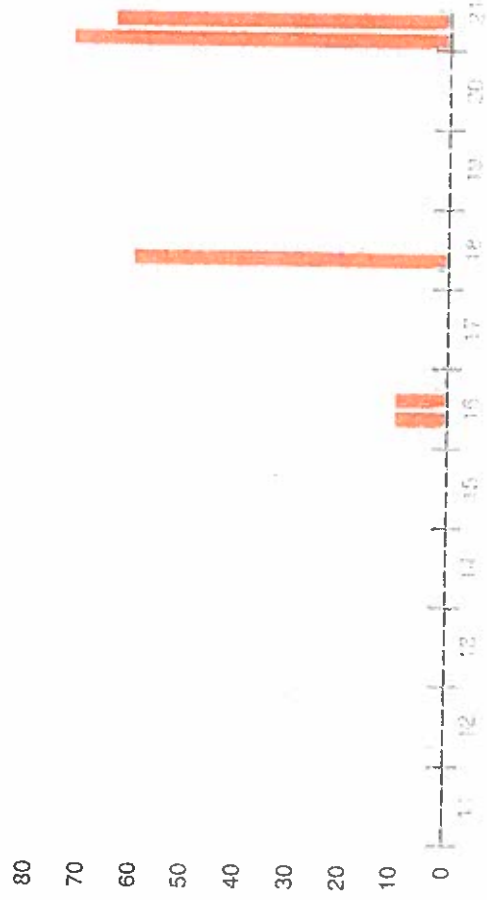
Probability Of Selling In Months



For Sale Total Listings



For Sale Total Units

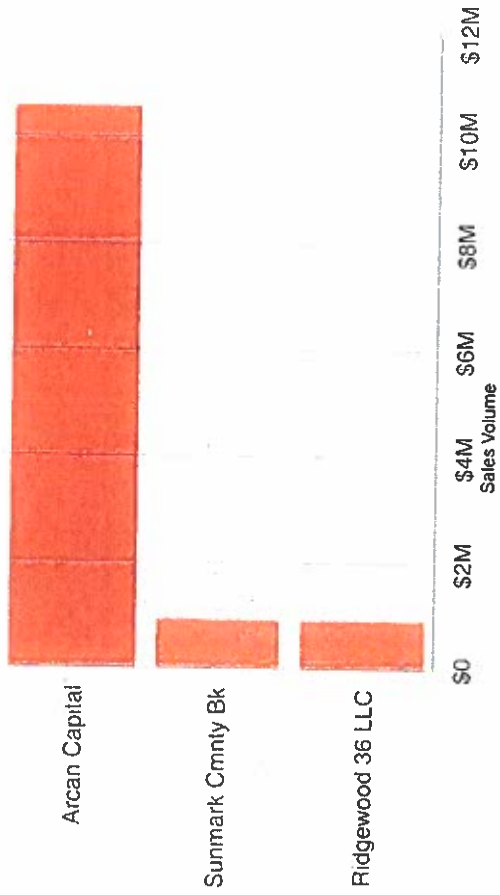


For Sale Asking Price Per Unit

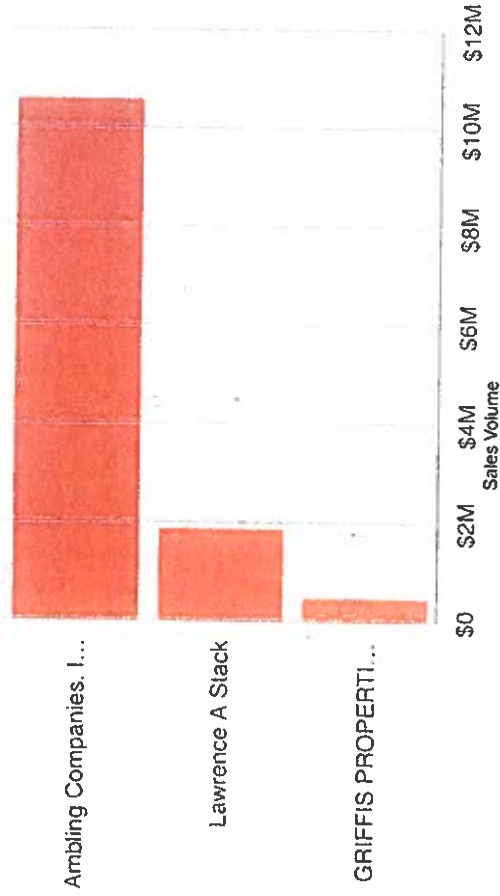


# Search Analytics

## Top Buyers



## Top Sellers

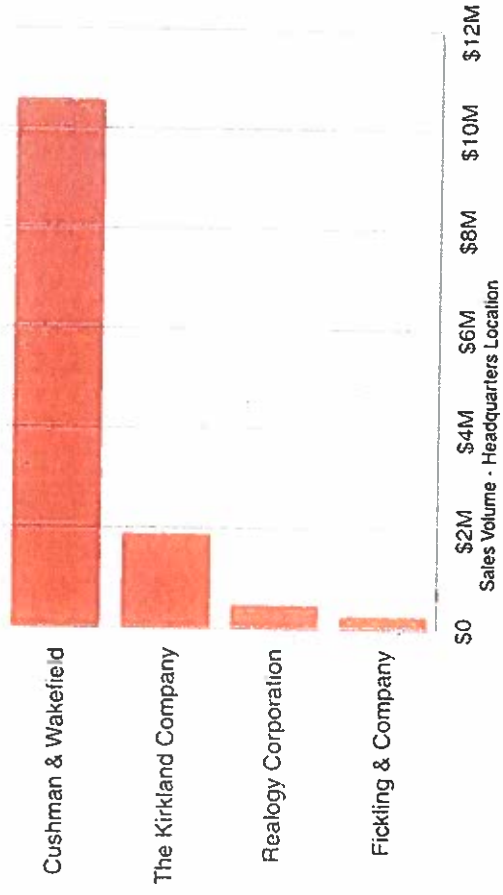


## Top Buyer Brokers

No Data Available

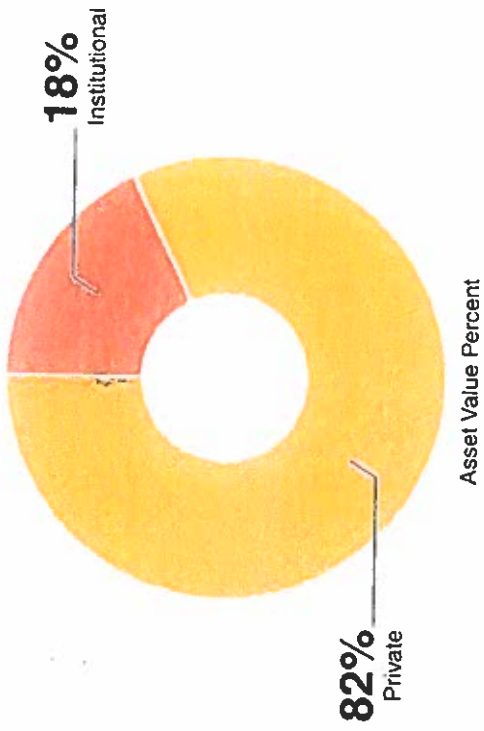
No data available for the current selection

## Top Seller Brokers

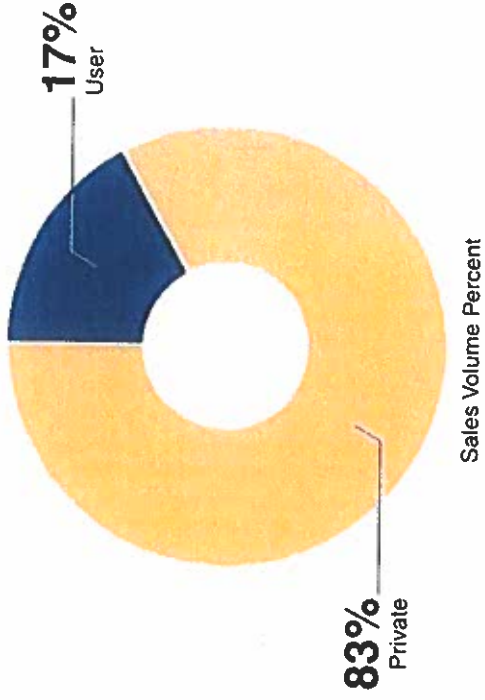


# Search Analytics

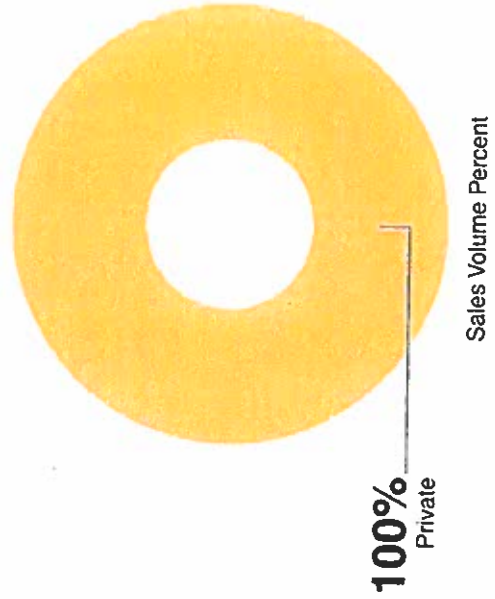
Asset Value By Owner Type



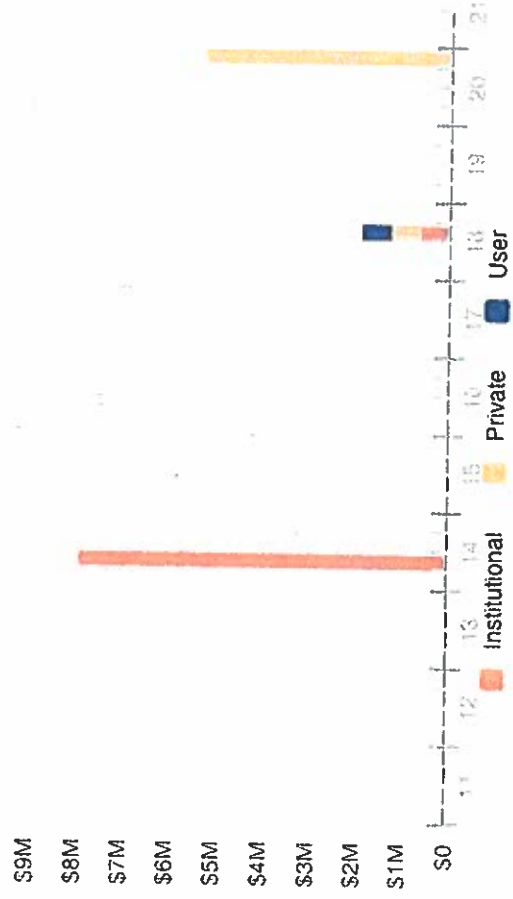
Sales By Buyer Type



Sales By Seller Type

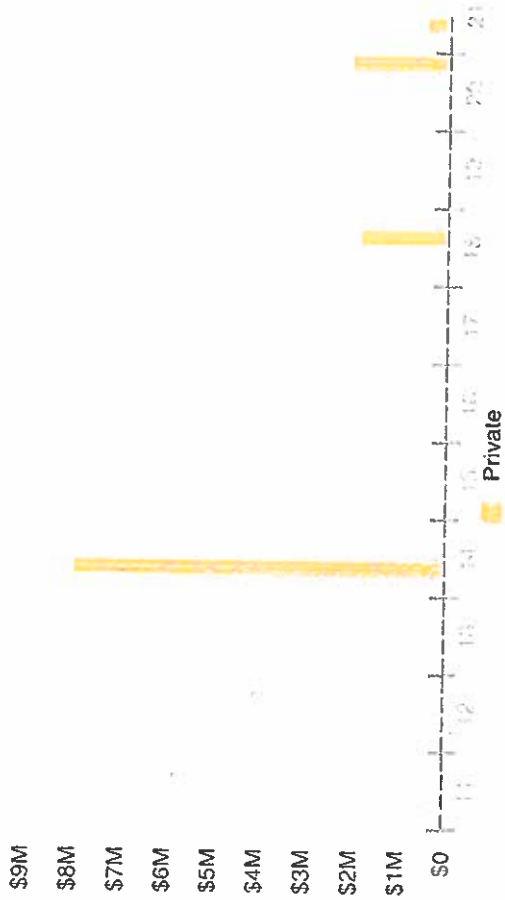


Sales Volume By Buyer Type

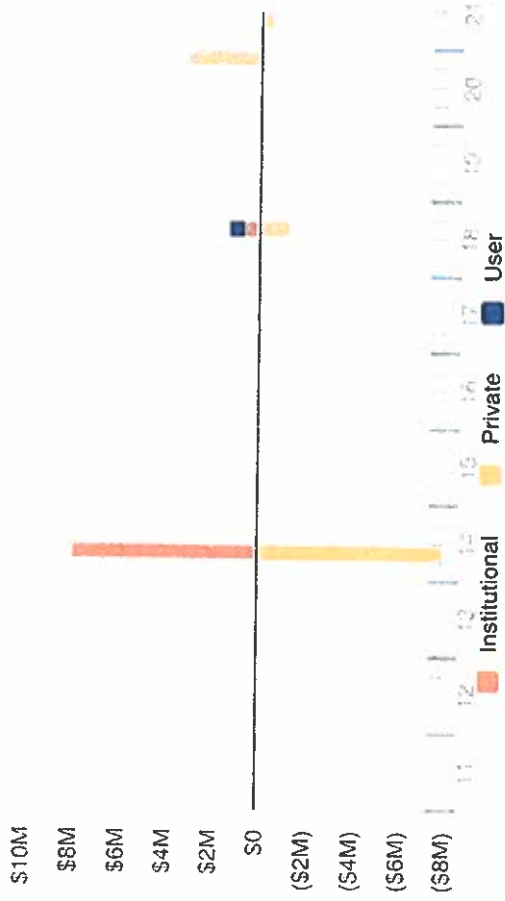


# Search Analytics

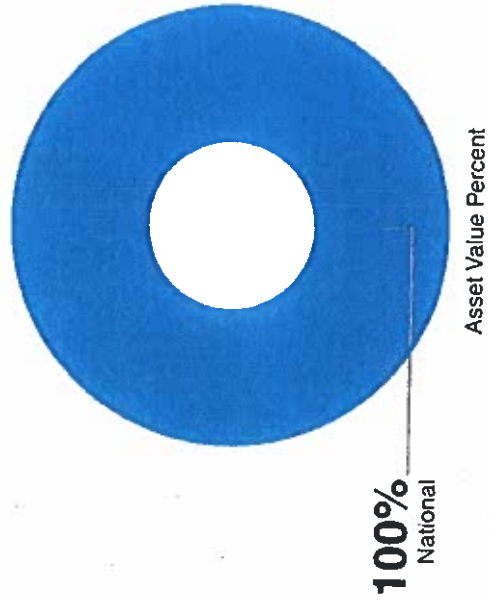
Sales Volume By Seller Type



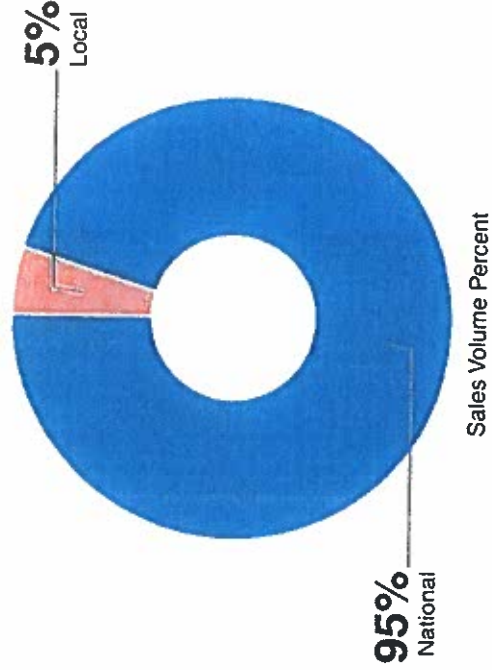
Net Buying & Selling By Owner Type



Asset Value By Owner Origin

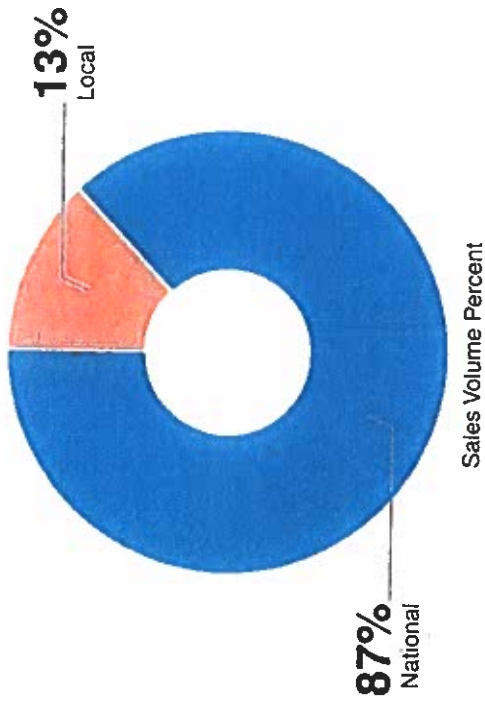


Sales Volume By Buyer Origin

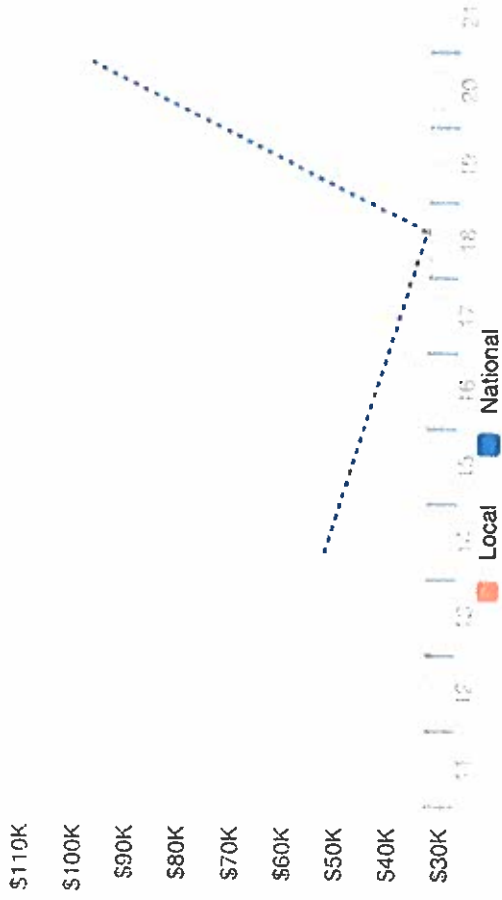


# Search Analytics

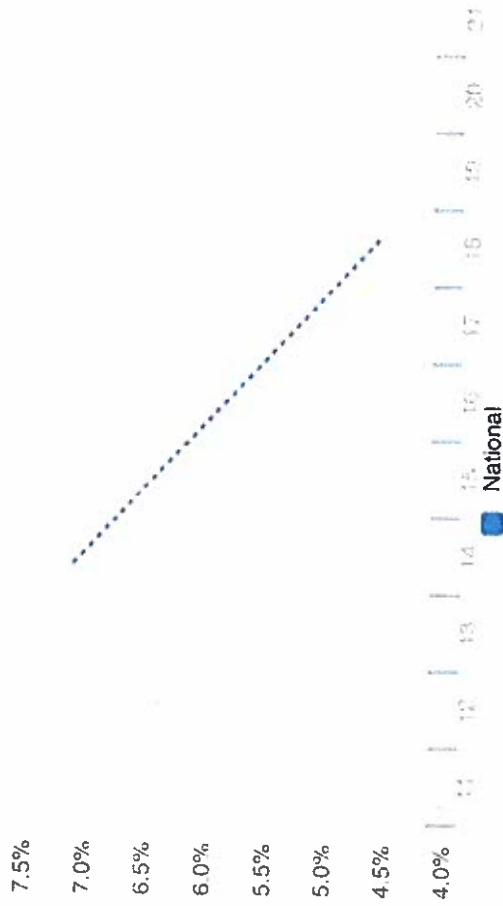
Sales Volume By Seller Origin



Average Price Per Unit By Buyer Origin



Average Cap Rate By Buyer Origin



## Report Criteria

- 19 Properties / 0 Spaces
- City: Perry, GA
- Property Type: Multi-Family
- Exclude: Residential Condos
- Exclude: Co-Ops





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## **STAFF REPORT**

From the Department of Community Development

July 2, 2021

**CASE NUMBER:** SUSE-171-2021  
**APPLICANT:** Preston Dellinger – Servio Capital  
**REQUEST:** A Special Exception to allow multi-family development  
**LOCATION:** 200 Valley Drive; Tax Map No. 0P0380 016000  
**ADJACENT ZONING/LAND USES:**

Subject Parcel: C-1, Highway Commercial District; Single-Family residence  
North: C-1, Highway Commercial District; motel  
South: C-1, Highway Commercial District; motel  
East: Interstate 75  
West: C-1, Highway Commercial District; undeveloped

**REQUEST ANALYSIS:** The applicant requests approval to redevelop the existing FairBridge Inn Express motel (previously Holiday Inn), at 200 Valley Drive into a multi-family development.

The applicant intends to develop both the FairBridge Inn Express motel and Derby Inn motel (both previously Holiday Inn) into a cohesive multi-family property. In total, there will be 120 new, market rate apartment units. The units will include 80 one-bedroom apartments and 40 studio apartments. The applicant provided a preliminary conceptual design that includes a common area for tenants, storage area, and on-site laundry facilities. The applicant has demonstrated a need for additional market rate housing in Perry within the one-bedroom and studio apartment layout format. The applicant also provided a multi-family market report to support this application.

The applicant has considered the highest and best use of the subject properties. The application references the high concentration of hospitality properties within a 3-mile radius of the subject properties. These properties contribute to an oversupply of hotel and motel rooms which place the owners and operators under significant hardship. The properties within this area have deferred maintenance and are rarely productively used. The applicant suggests that converting this motel into market rate apartments will return the property to its highest and best use.

### **STANDARDS FOR SPECIAL EXCEPTIONS:**

- 1. Are there covenants and restrictions pertaining to the property which would preclude the proposed use of the property?* There are no known covenants or restrictions on the subject property.
- 2. Does the Special Exception follow the existing land use pattern?* All petitions for multi-family development are required to apply for a special exception. The surrounding area consists of hotel, motel, restaurant, and other commercial development. Multi-family development is consistent with the uses allowed within the C-1, highway commercial district.
- 3. Will the Special Exception have an adverse effect on the Comprehensive Plan?* The Character Areas Map of the 2017 Joint Comprehensive Plan identifies the property as 'In-Town Corridor'. This character area typically includes long strips of commercial development. The Comprehensive Plan notes that

redevelopment of older commercial areas within this character area should be a priority instead of new commercial development farther away.

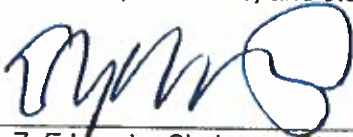
4. *Will adequate fire and police protection be available?* The use of the property as a multi-family development will have a similar or reduced impact on fire and police protection. Currently, there are 200 units between the two motels. The applicant is proposing to develop 120 units, a reduction of 80 units.
5. *Will the proposed use be of such location, size, and character that it is not detrimental to surrounding properties?* The proposed use as a multi-family development is not expected to be detrimental to surrounding properties. Multi-family is consistent and appropriate within the C-1, highway commercial district. Further, with a reduction in number of total units, multi-family is expected to be less intense than hospitality use. The applicant states that the proposed development will be a tasteful upgrade to the aesthetics of the exterior and interior of the property.
6. *Will the use interfere with normal traffic, pedestrian or vehicular, in the neighborhood?* The applicant indicates that pedestrian and vehicular traffic is expected to remain unchanged for the proposed use. There is no expected increased burden on existing streets which will serve the development.
7. *Will the use result in an increase in population density overtaxing public facilities?* The proposed multi-family development is not anticipated to overtax the existing public facilities. The reduction in units may decrease the burden placed on public facilities including water, sanitary sewer, and stormwater infrastructure. The Houston County Board of Education has been notified of this proposed development. Staff is not aware of any excess burden placed on educational facilities.
8. *Will the use create a health hazard or public nuisance?* The proposed multi-family development is not expected to create a health hazard or public nuisance.
9. *Will property values in adjacent areas be adversely affected?* The applicant states that the proposed revitalization of the subject properties into a multi-family development will enhance the value of surrounding properties. The applicant cites the proposed development's ability to support and serve local businesses and provide housing for the workforce for a diverse set of industries nearby.
10. *Are there substantial reasons a permitted use cannot be used at this property?* There is no demonstrated evidence that the proposed use cannot be permitted within the C-1, highway commercial district.

**STAFF RECOMMENDATION:** Based on review of the criteria, Staff recommends approval of the special exception, with the following conditions:

1. The proposed development must meet the requirements for parking, landscaping, and design guidelines as reflected in the Land Management Ordinance.
2. The proposed development must ensure building and site is in compliance with all applicable building codes, fire codes, and stormwater regulations.

**PLANNING COMMISSION RECOMMENDATION:** Following an information hearing held on July 12, 2021, the Planning Commission recommends approval of the special exception, with the following conditions:

1. The proposed development must meet the requirements for parking, landscaping, and design guidelines as reflected in the Land Management Ordinance.
2. The proposed development must ensure building and site is in compliance with all applicable building codes, fire codes, and stormwater regulations



Eric Z. Edwards, Chairman, Planning Commission

7/14/21  
Date



Where Georgia comes together.

**Application for Special Exception**

Contact Community Development (478) 988-2720

Application # SUSE -  
0171 -  
2020

**Applicant/Owner Information**

\*Indicates Required Field

	Applicant	Property Owner
*Name	H. Preston Dellinger / Servio Capital LLC	PARI K LLC
*Title	Managing Principal	
*Address	215 N Columbia St Covington LA, 70433	200 VALLEY DR. PERRY, GA 31069
*Phone	704-650-7877	
*Email	preston@serviocapital.com	

**Property Information**

*Street Address	200 Valley Dr. Perry GA	
*Tax Map #(s)	0P0380 016000	*Zoning Designation C1

**Request**

*Please describe the proposed use:	Multifamily apartment units. Converting individual hotel rooms into 1 bedroom and studio apartments
------------------------------------	---

**Instructions**

1. The application and \$91.00 fee (made payable to the City of Perry) must be received by the Community Development Office or filed on the online portal no later than the date reflected on the attached schedule.
2. The applicant/owner must respond to the 'standards' on page 2 of this application (you must answer 'why' you believe the application meets the tests for granting the special exception). See Sections 2-2 and 2-3.5 of the Land Management Ordinance for more information. You may include additional pages when describing the use and addressing the standards.
3. For applications in which a new building, building addition and/or site modifications are required, you must submit a scaled drawing of the proposed site development plan.
4. The staff will review the application to verify that all required information has been submitted. The staff will contact the applicant with a list of any deficiencies which must be corrected prior to placing the application on the planning commission agenda.
5. Special Exception applications require an informational hearing before the planning commission and a public hearing before City Council. The property must be posted at least 15 days prior to the scheduled hearing dates.
6. Please verify all required information is reflected on the plan(s). Submit one (1) paper copy and one (1) electronic version of the plan(s).
7. An application for special exception affecting the same parcel shall not be submitted more often than once every six months.
8. The applicant must be present at the hearings to present the application and answer questions that may arise.
9. Campaign Notice required by O.C.G.A. Section 36-67A-3: Within the past two years, have you, the applicant, made either campaign contributions and/or gifts totaling \$250.00 or more to a local government official? Yes \_\_\_ No    
 If yes, please complete and submit a Disclosure Form available from the Community Development office.

10. The applicant and property owner affirm that all information submitted with this application, including any/all supplemental information, is true and correct to the best of their knowledge and they have provided full disclosure of the relevant facts.

11. Signatures:

*Applicant		*Date	6/7/2021
*Property Owner/Authorized Agent	Mayank Patel	*Date	06-04-2021

**Standards for Granting a Special Exception**

- Are there covenants and restrictions pertaining to the property which would preclude the proposed use of the property?  
*No known covenants or restrictions*
- Describe the existing land use pattern surrounding the subject property.  
*Current pattern and that which has abundance of is hotels and restaurants*
- Describe how the proposed use will not have an adverse effect on the Comprehensive Plan.  
*Adding affordable (NOT SUBSIDIZED) housing to meet the needs is necessary to the comprehensive plan*
- Describe how any proposed structures, equipment or materials will be readily accessible for fire and police protection.  
*The public safety infrastructure currently onsite will remain. Prospective owners will work closely with public safety to ensure the safest environment for tenants, visitors and the community*
- Describe how the proposed use will be of such size, location, and character that it will generally be in harmony with appropriate and orderly development of the surrounding area and adjacent properties, and will not be a detriment to uses permitted on adjacent properties. (Consider the location and height of buildings and other structures, and the extent of landscaping, screening and buffering.)  
*The conversion of the units will be tasteful and will upgrade the aesthetics of the exterior of the building. See attached plan*
- For uses to be located in or adjacent to a residential district, describe how the nature and intensity of the operations of the proposed use will not negatively impact pedestrian and vehicular traffic in the district.  
*The pedestrian and vehicular traffic is estimated to remain unchanged for this proposed use*
- Describe how the proposed use will not place an undue burden upon public facilities and services.  
*By creating permanent housing with well screened residents in place of transitory quarters*
- Describe how the proposed use will not create health and safety problems, and will not create a nuisance with regard to traffic congestion, drainage, noise, smoke, odor, electrical interference, or pollution.  
*This will remain unchanged to what is currently in place*
- Describe how the proposed use will not adversely impact the value of surrounding properties.  
*It will enhance the value of the surrounding properties by providing more consumers to businesses in the area as well as providing businesses with more employees to meet their employment demand in several different industries.*
- State the reasons why the subject property cannot be used for a use permitted in the zoning district in which it is located.

*The current zoning of hospitality is not the highest and best use of this property. The abundance of hospitality and zoning of such within a 3 mile radius is causing hotel owners/operators to respond to the over supply of hotel rooms in the area by cutting costs and deferring maintenance on their buildings*

*Additionally the need for affordable housing not subsidized housing is tremendous within the Perry market*

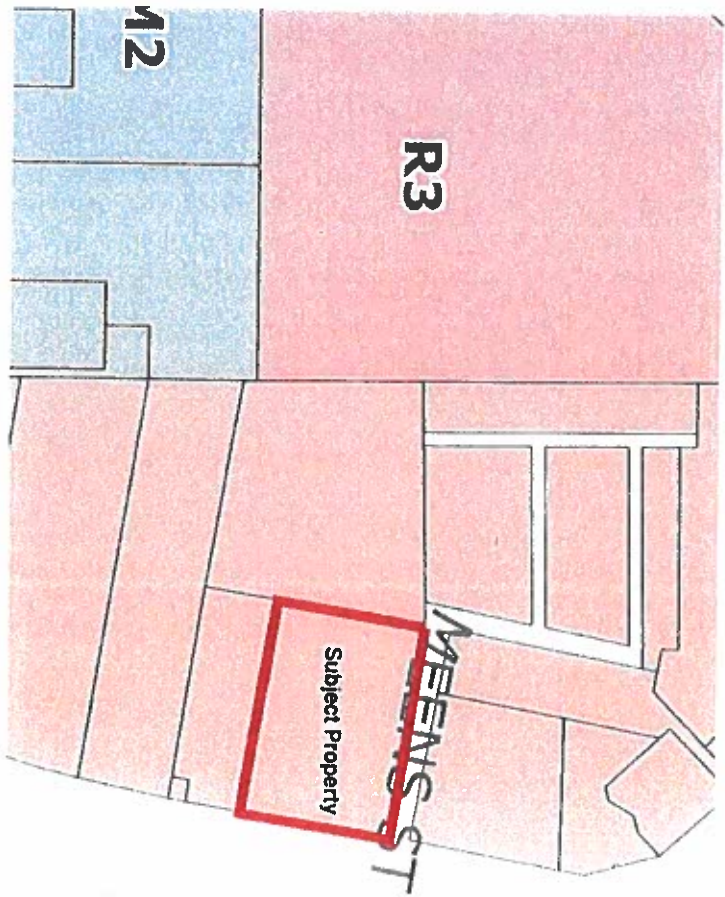
*There is a high amount of subsidized housing in the area compared to market rate housing*

*We are proposing market rate housing that is affordable to most people*

*By converting the units into 80 true 1 bedroom apartments and 40 studios, we project the new apartment offerings will be highly well received*

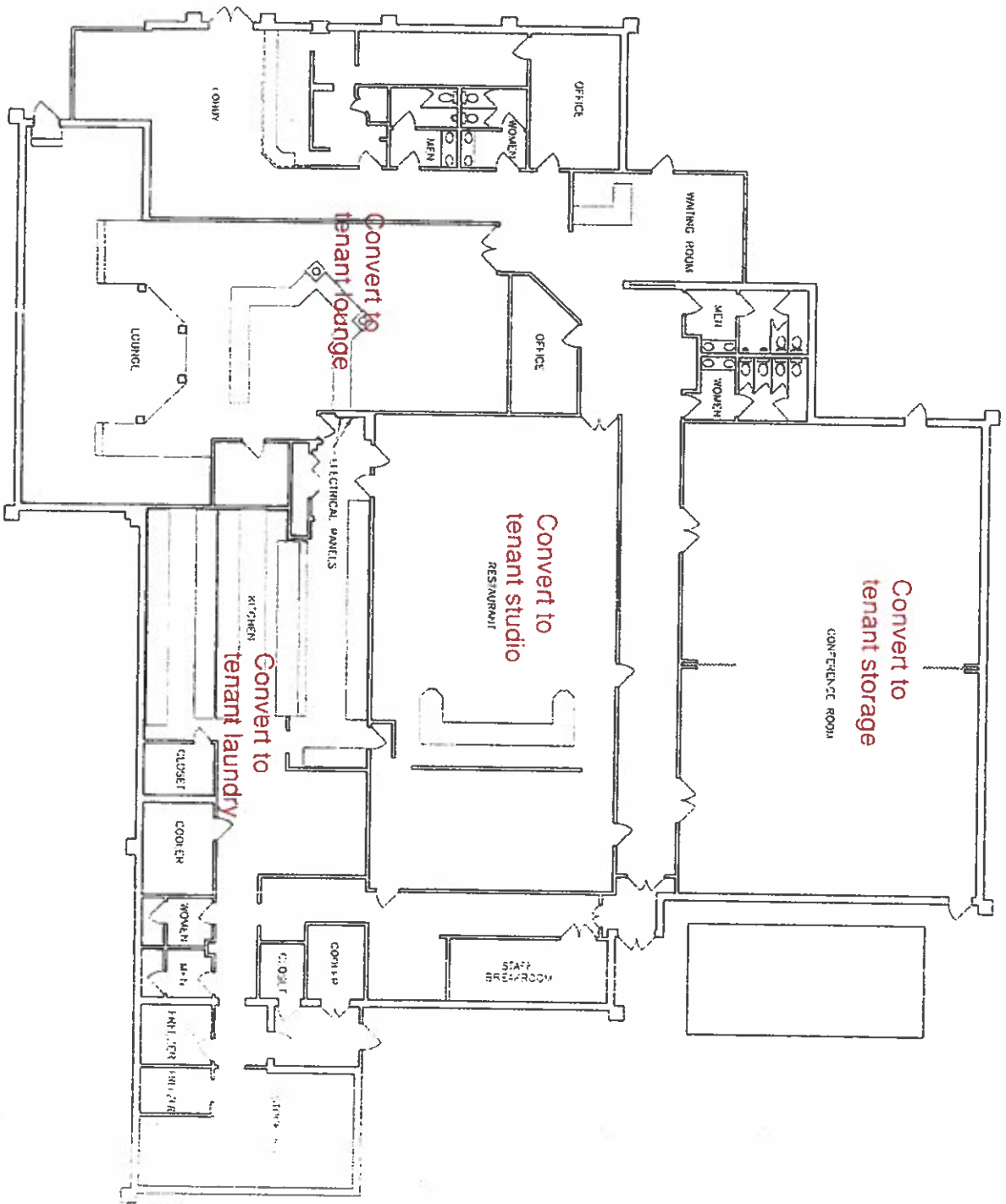


SWR 171-2021



Interstate 75



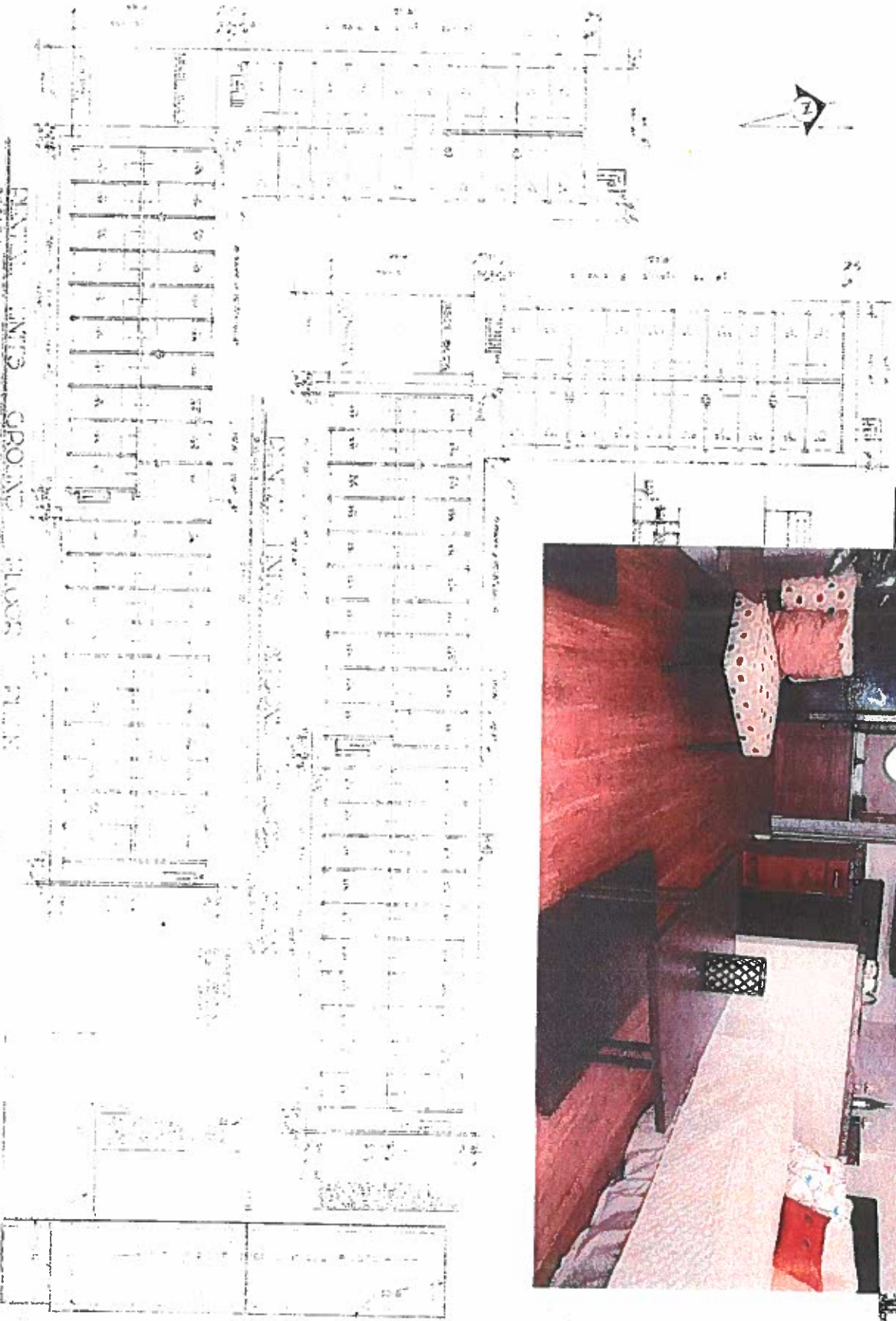
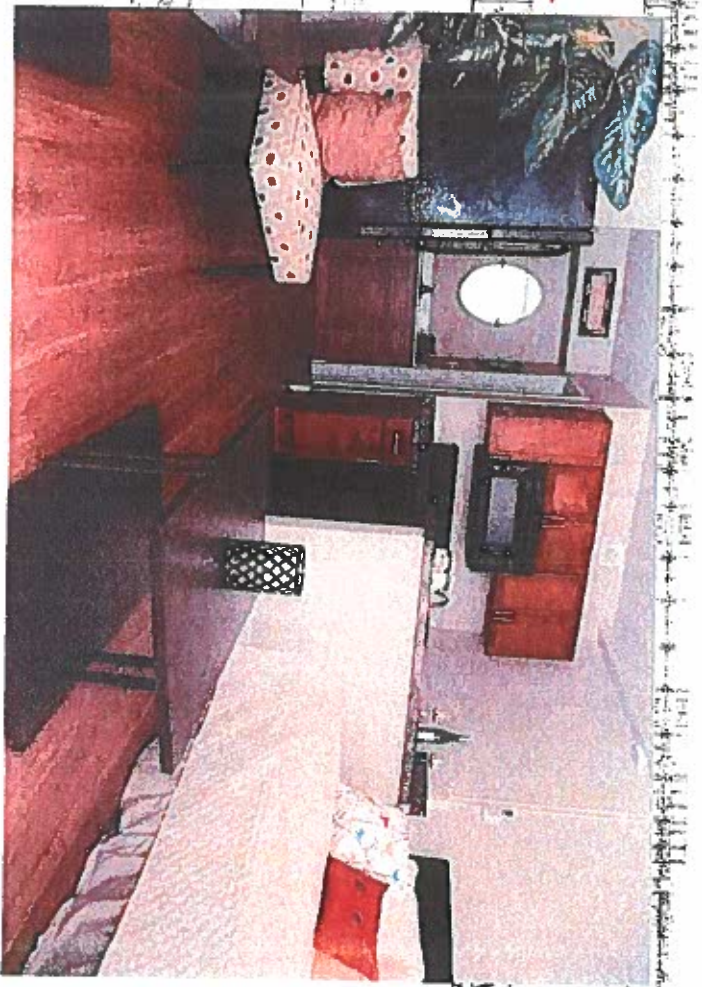


**FLOOR PLAN - EXISTING RESTAURANT & LOUNGE**

SCALE: 1/8" = 1'-0"



TYPICAL  
CONVERSION



REVISIONS  
DRAWN BY  
CHECKED BY  
DATE  
PROJECT NO.  
HOLIDAY INN  
GROUNDFLOOR PLAN  
WILLIAM W. BOND, JR. & ASSOCIATES  
6500 /

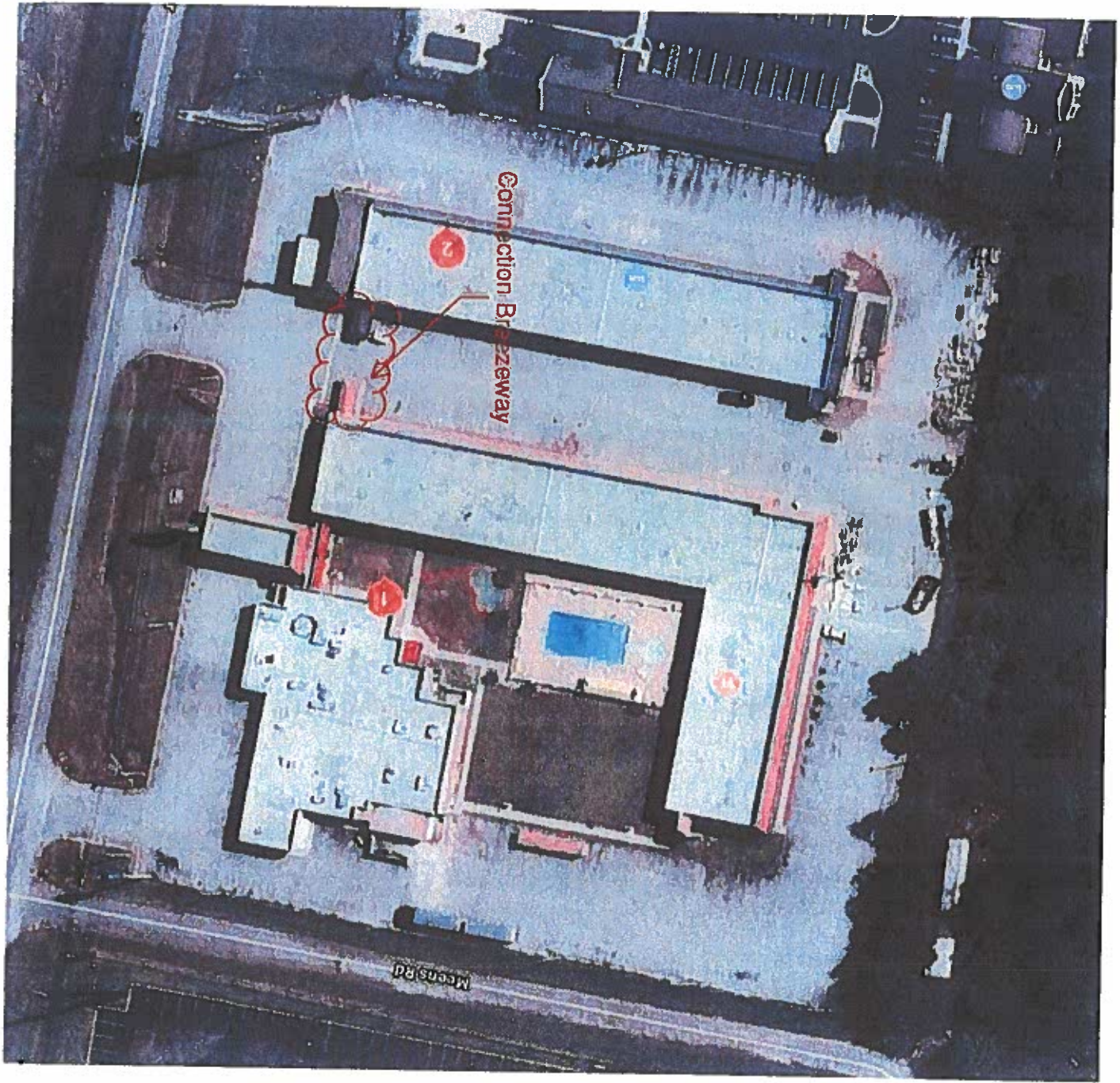
Holiday Inn



WILLIAM W. BOND, JR. & ASSOCIATES  
ARCHITECTS

6500 /





# Search Analytics

**INVENTORY UNITS** **913** +0%   
 **UNDER CONSTRUCTION UNITS** **72** +46.8%   
 **12 MO ABSORPTION UNITS** **25** -29.0%   
 **VACANCY RATE** **1.4%** -2.7%   
 **MARKET RENT/UNIT** **\$805** +11.1%   
 **MARKET SALE PRICE/UNIT** **\$76.9K** +12.2%   
 **MARKET CAP RATE** **6.2%** -0.3%

## Key Metrics

### Availability

Vacant Units	12 ▼	Existing Buildings	16 ▲
Asking Rent/SF	\$0.96 ▲	Average Units Per Bldg	57 ▲
Concession Rate	0.4% ▲	12 Mo Demolished Units	0 ▲
Studio Asking Rent	\$498 ▲	12 Mo Occupancy % at Delivery	-
1 Bedroom Asking Rent/Unit	\$685 ▲	12 Mo Construction Starts Units	0 ▲
2 Bedroom Asking Rent/Unit	\$835 ▲	12 Mo Delivered Units	0 ▲
3 Bedroom Asking Rent/Unit	\$1,030 ▲	12 Mo Avg Delivered Units	-

### Inventory

### Sales Past Year

Asking Price Per Unit	\$66,250	12 Mo Absorp % of Inventory	2.7% ▼
Sale to Asking Price Differential	-3.8%	Median Household Income	65.2K
Sales Volume	\$11.1M ▲	Population Growth 5 Yrs   20-29	4.6%
Properties Sold	2 ▲	Population Growth 5 Yrs   30-39	-1.6%
Months to Sale	1.5	Population Growth 5 Yrs   40-54	11.1%
For Sale Listings	3	Population Growth 5 Yrs   55+	8.9%
Total For Sale Units	64	Population Growth 5 Yrs	5.5%

### Demand

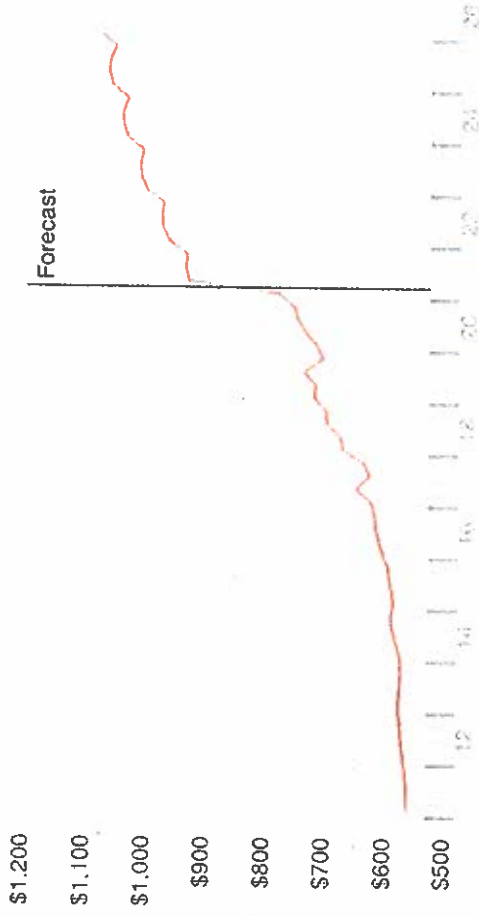
# Search Analytics

## Key Performance Indicators

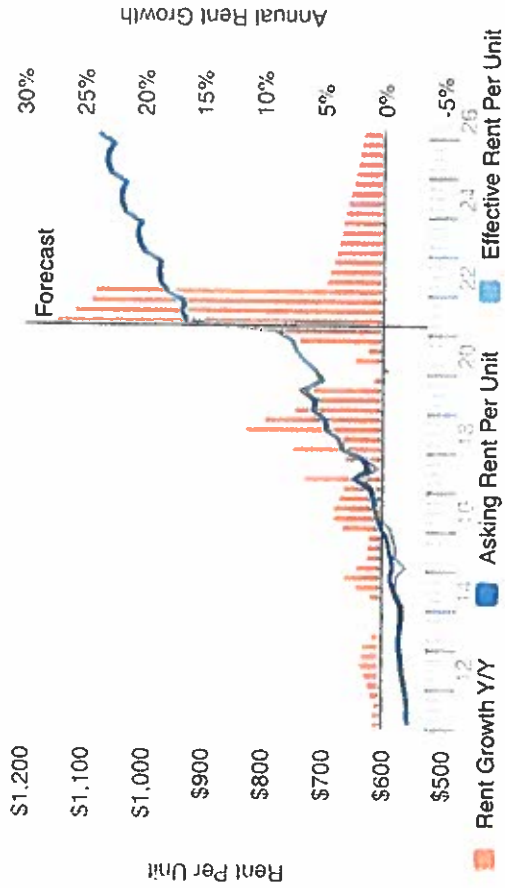


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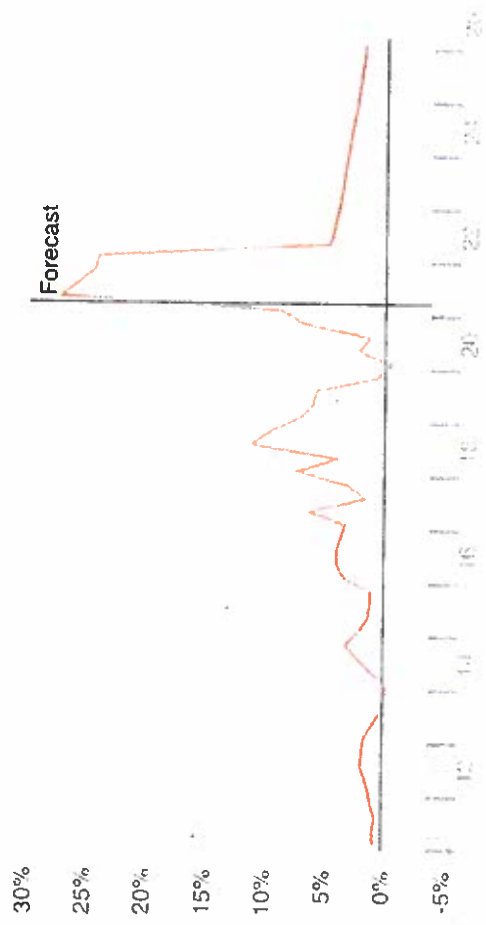
Market Asking Rent Per Unit



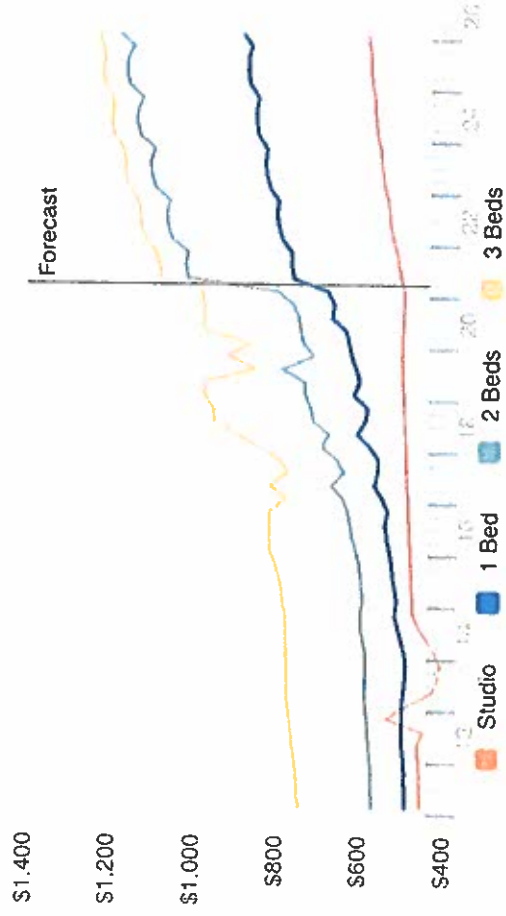
Market Rent Per Unit & Rent Growth



Market Rent Growth (YOY)

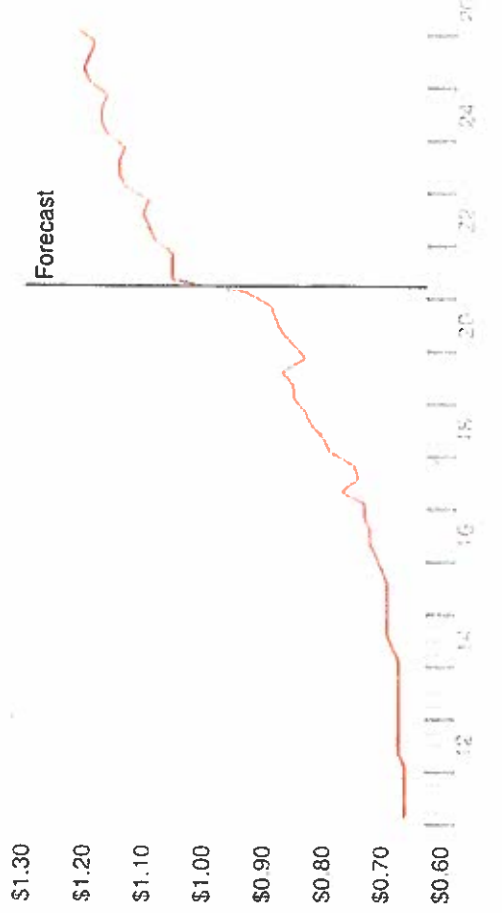


Market Asking Rent Per Unit By Bedroom

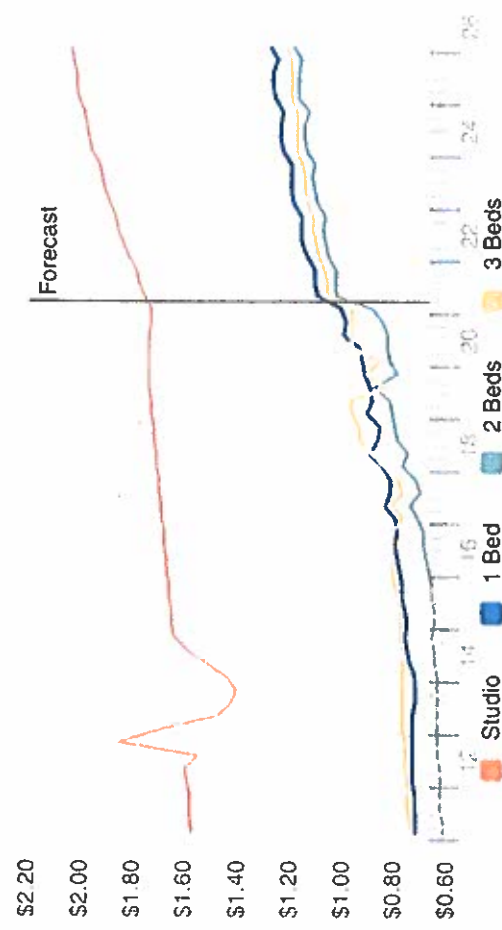


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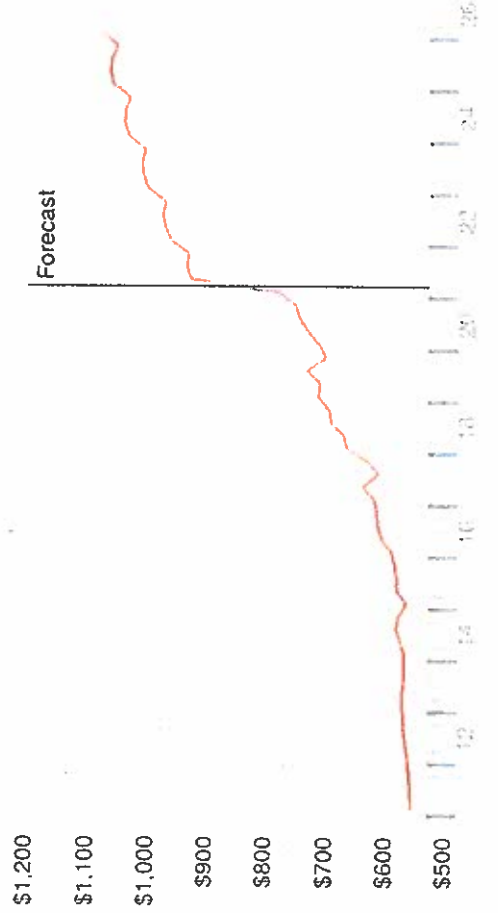
Market Asking Rent Per SF



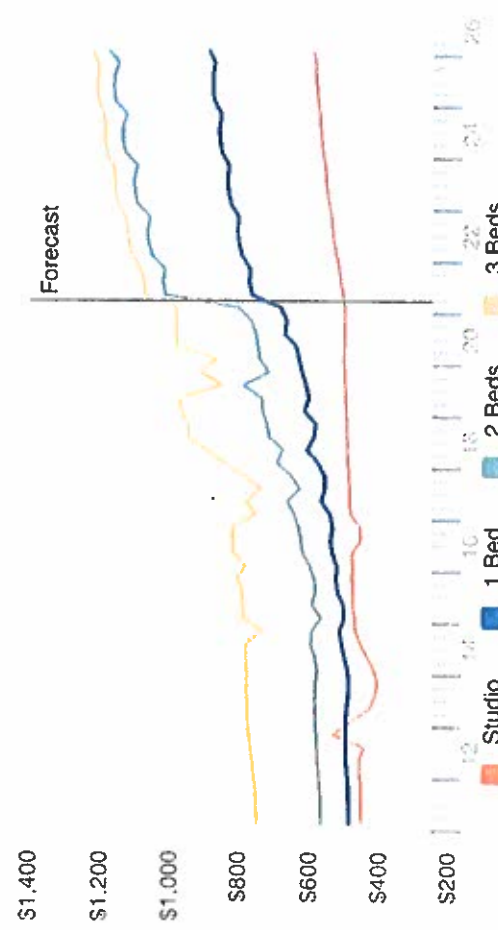
Market Asking Rent Per SF By Bedroom



Market Effective Rent Per Unit

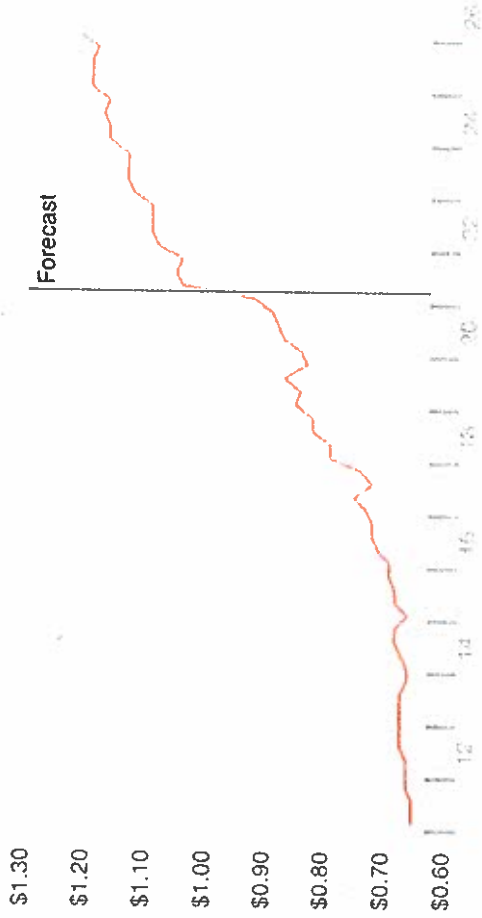


Market Effective Rent Per Unit By Bedroom

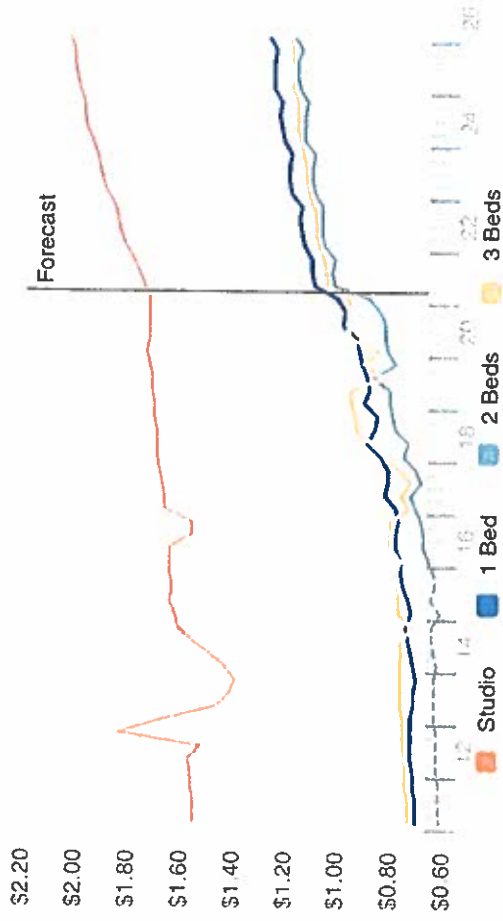


# Search Analytics

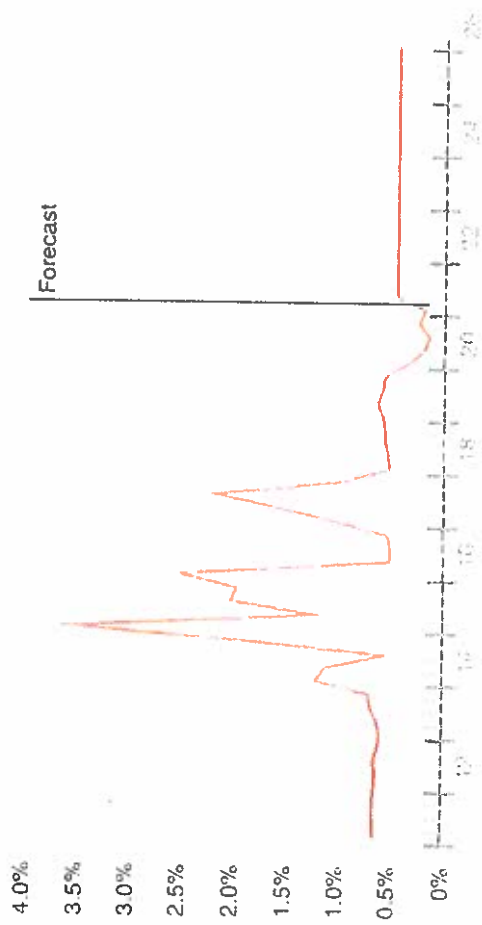
Market Effective Rent Per SF



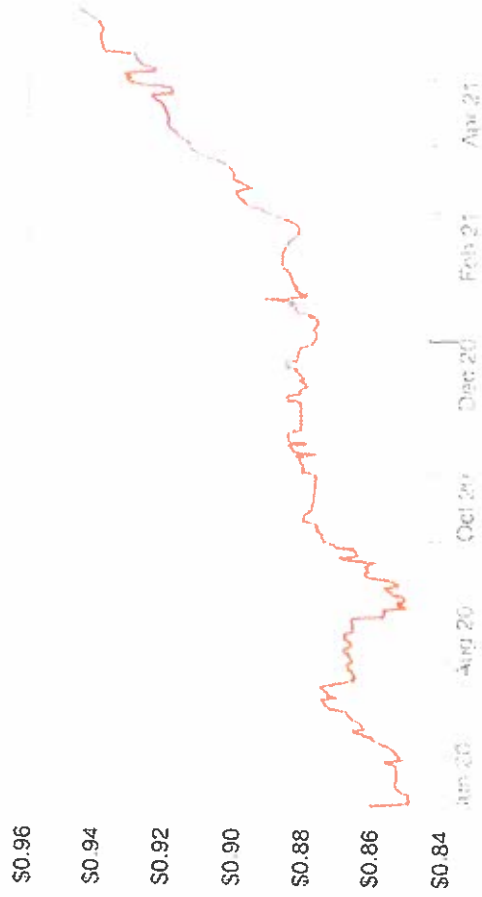
Market Effective Rent Per SF By Bedroom



Concession Rate

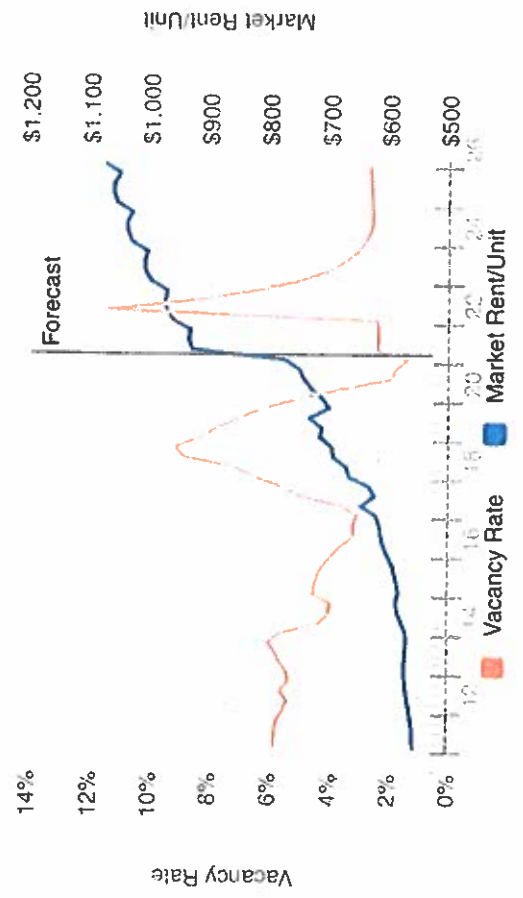


Daily Asking Rent Per SF

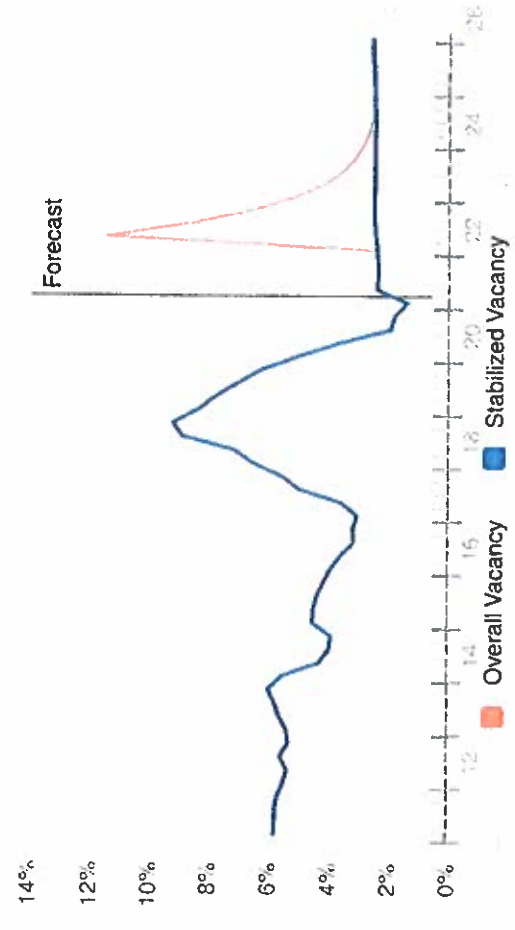


# Search Analytics

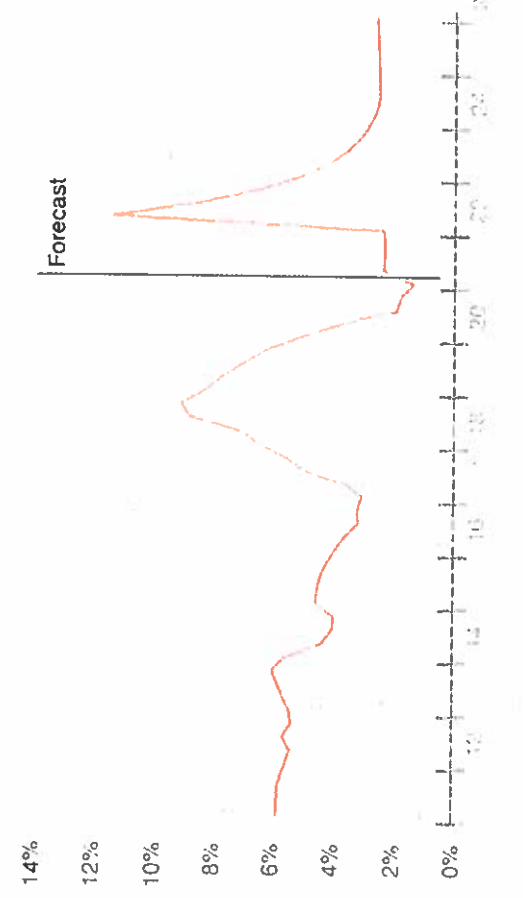
Vacancy & Market Asking Rent Per Unit



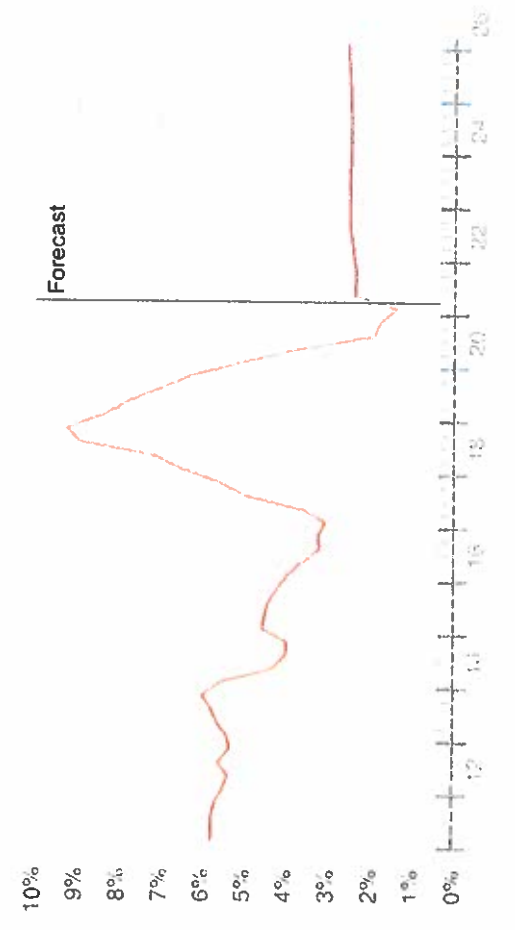
Overall & Stabilized Vacancy



Vacancy Rate

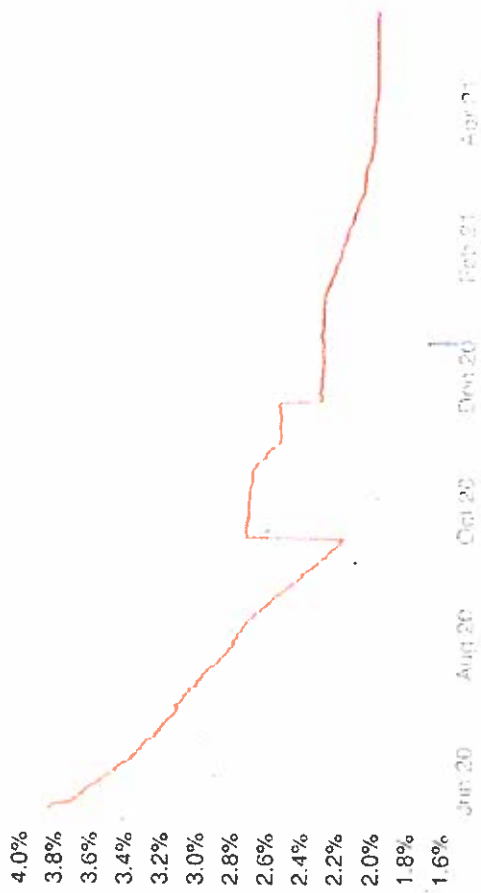


Stabilized Vacancy Rate

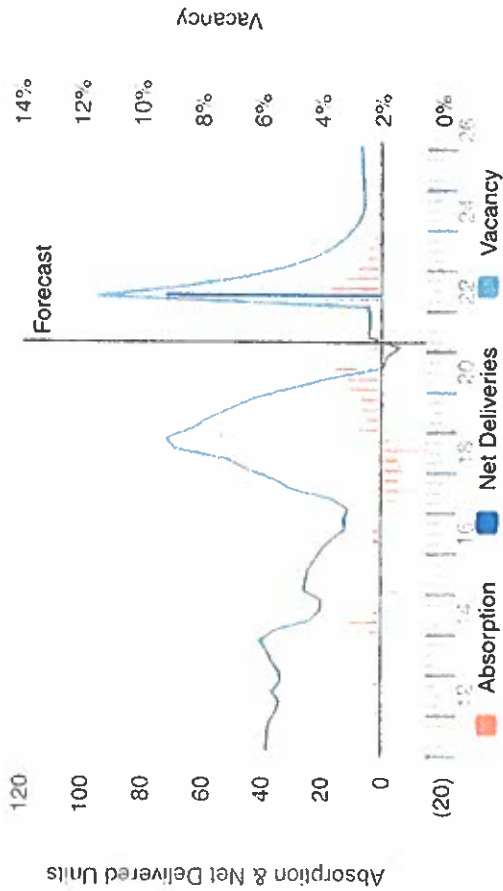


# Search Analytics

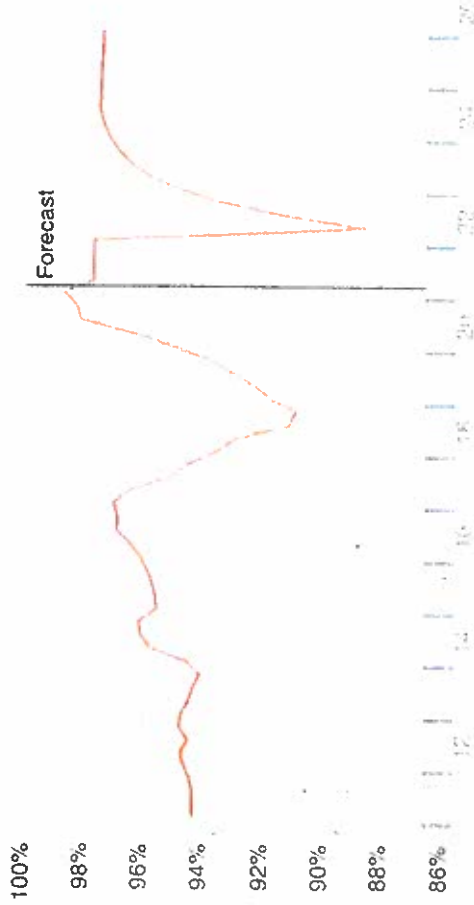
Daily Vacancy Rate



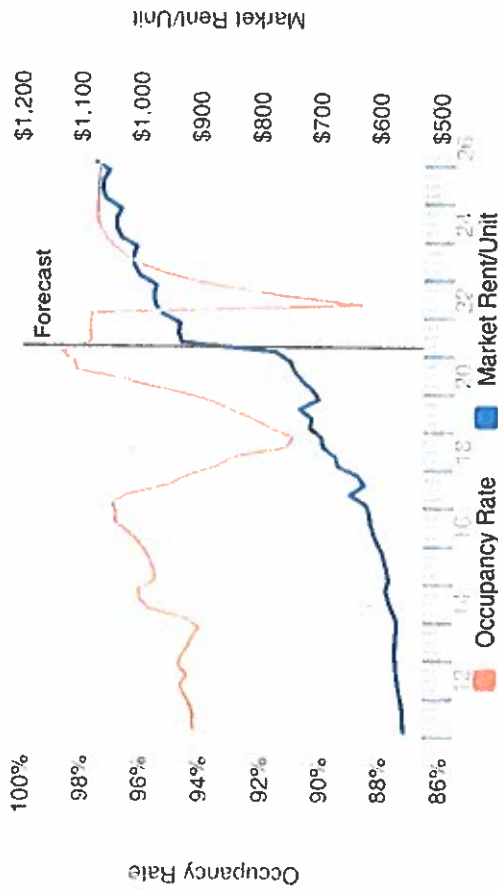
Absorption, Net Deliveries & Vacancy



Occupancy Rate



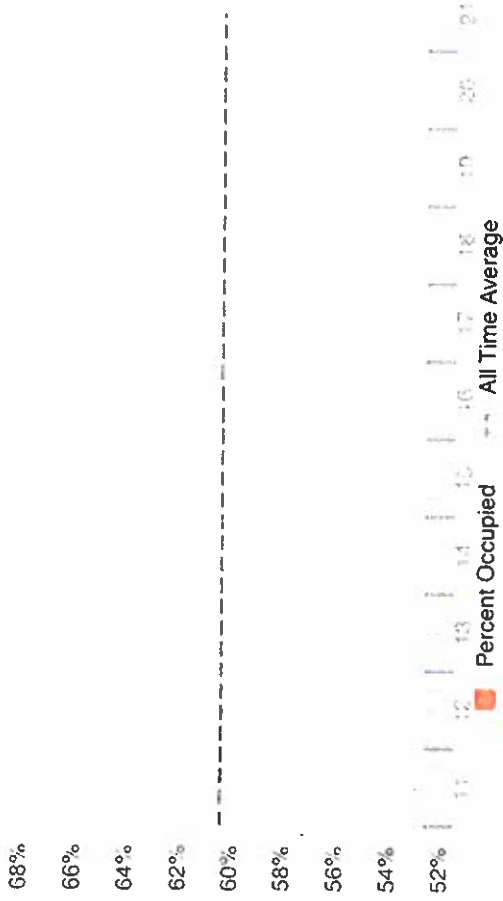
Occupancy & Market Rent Per Unit



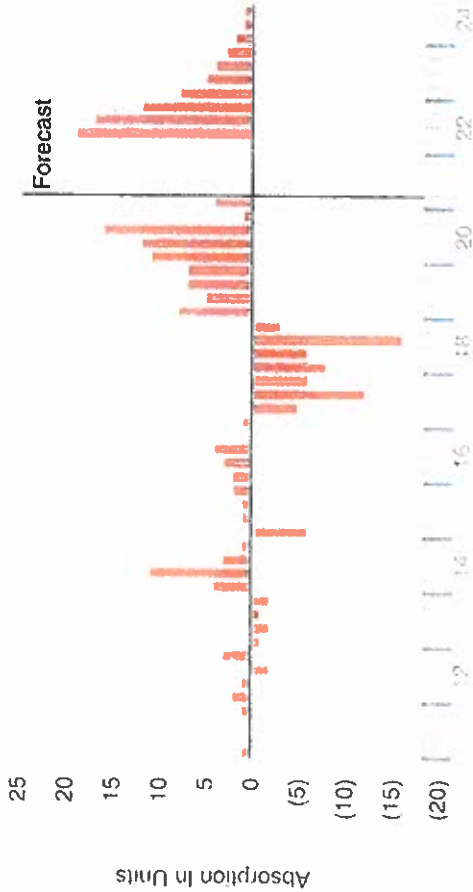


# Search Analytics

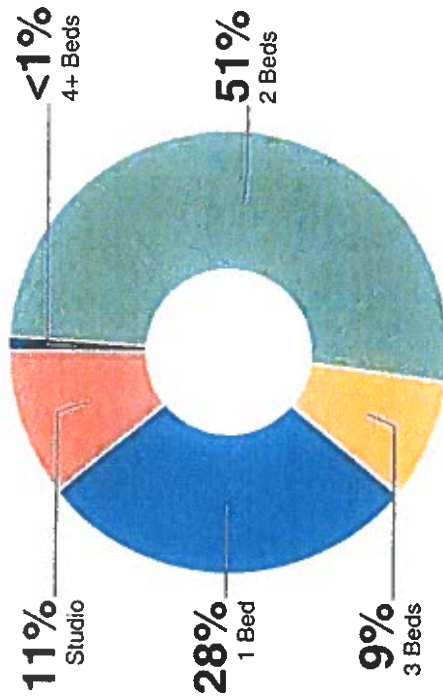
Occupancy At Delivery



Absorption Units



Total Units By Bedroom

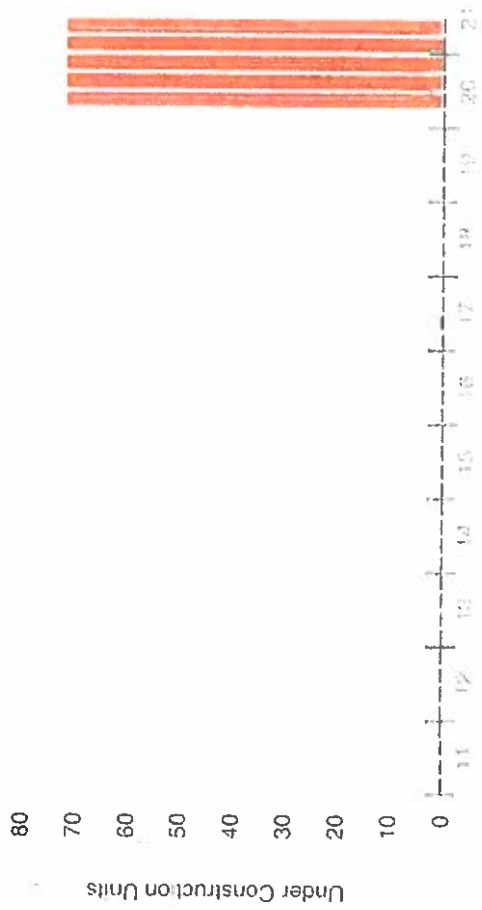


Construction Starts

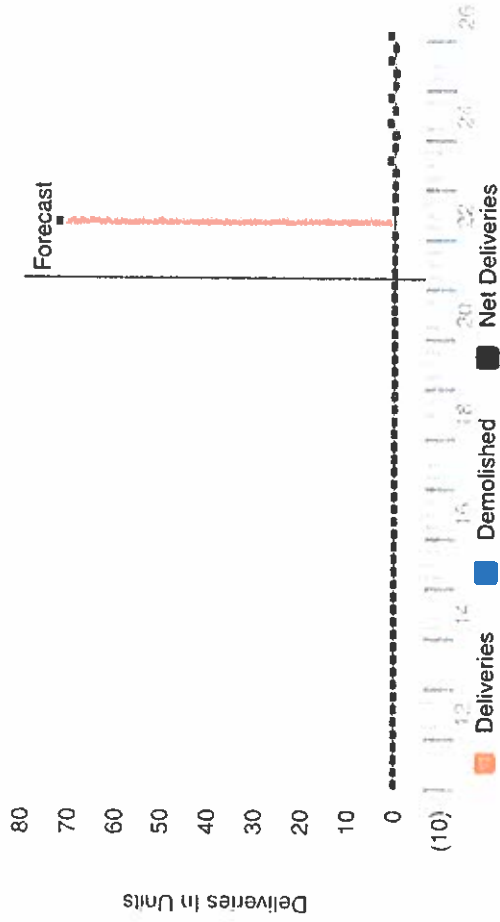
No Data Available

No data available for the past 10 years

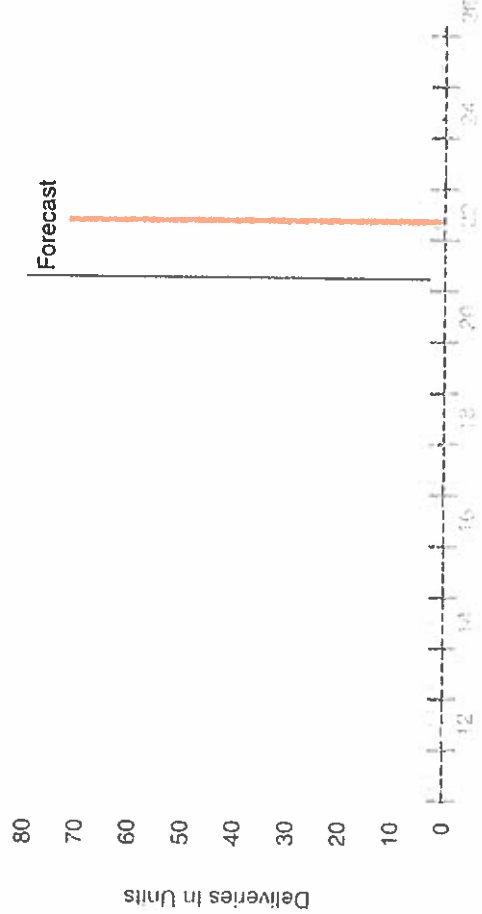
**Under Construction**



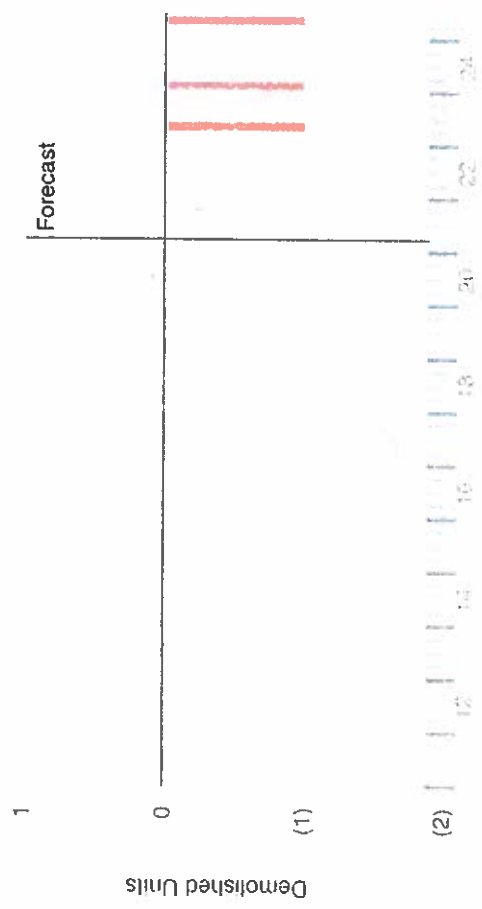
**Deliveries & Demolitions**



**Deliveries**

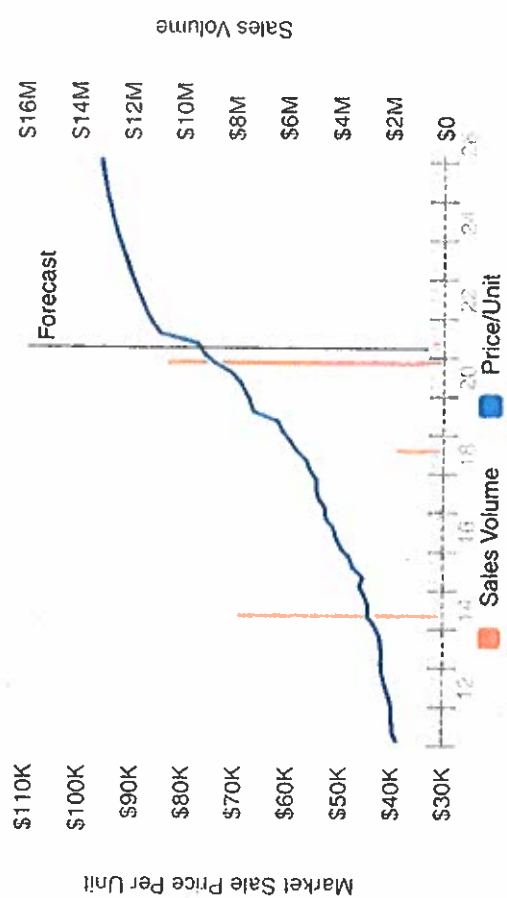


**Demolitions**

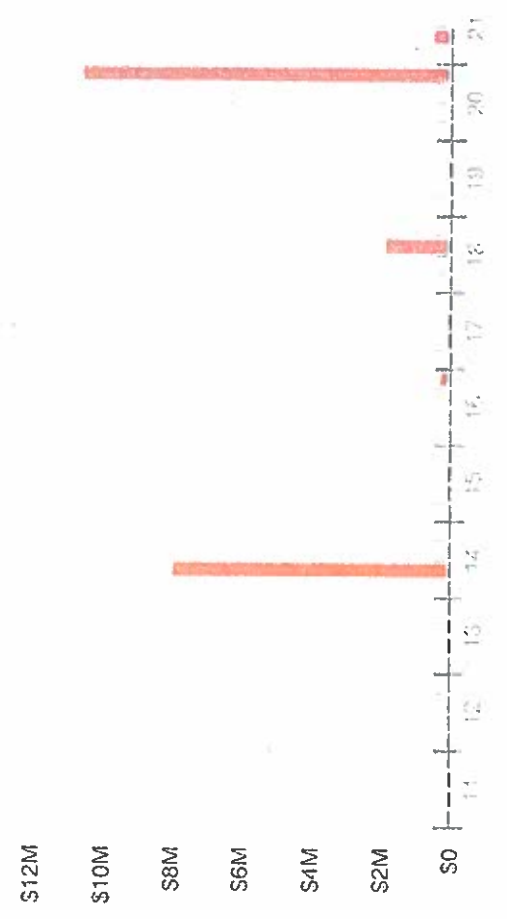


# Search Analytics

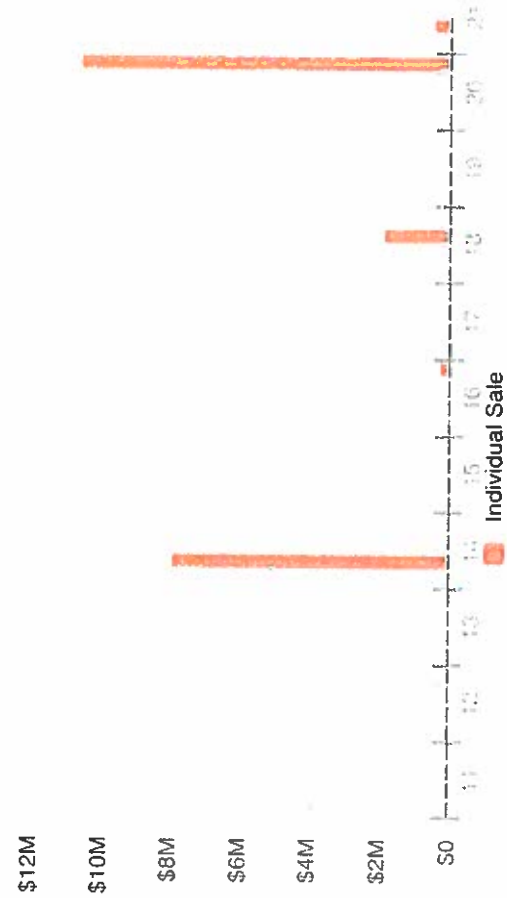
Sales Volume & Market Sale Price Per Unit



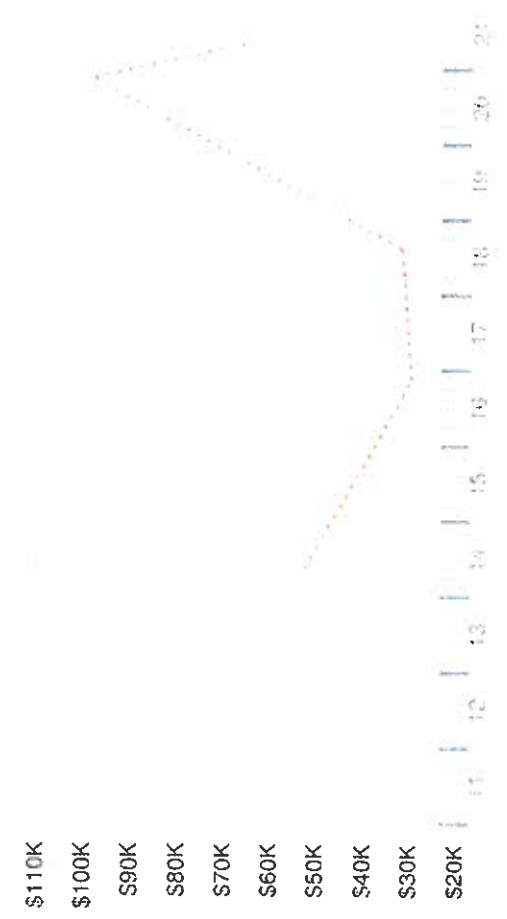
Sales Volume



Sales Volume By Transaction Type

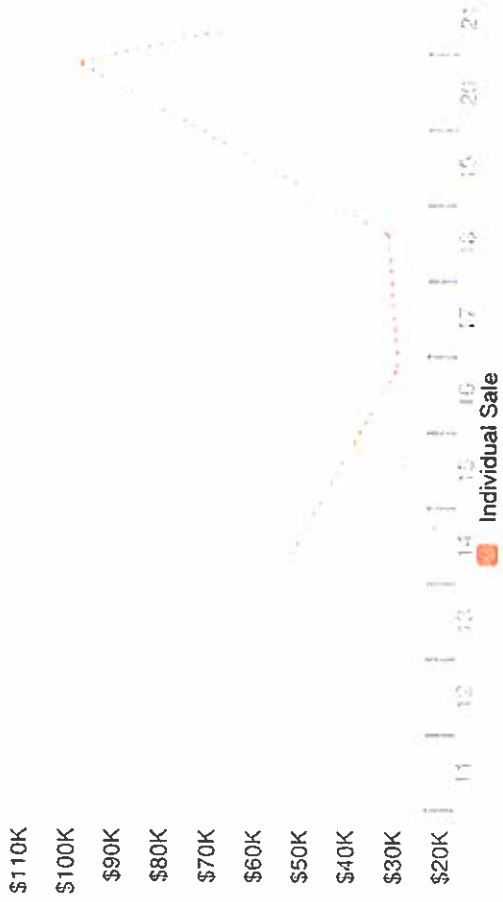


Sale Price Per Unit

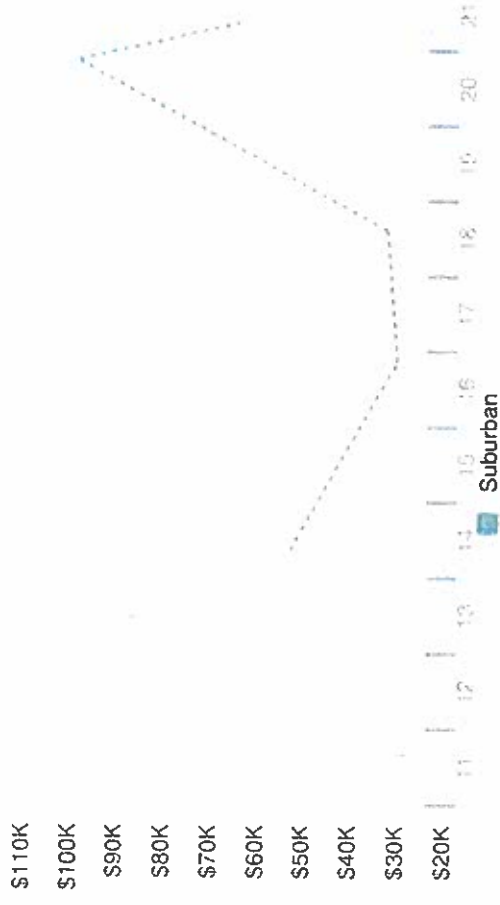


# Search Analytics

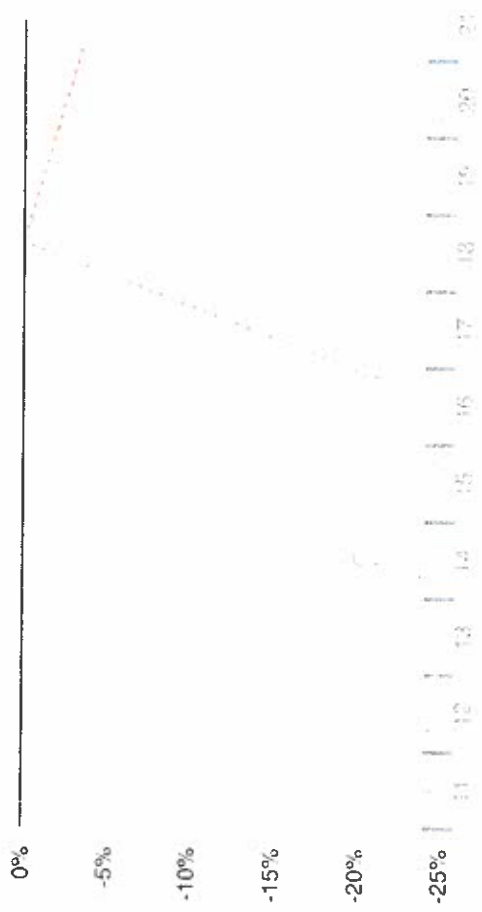
Sale Price Per Unit By Transaction Type



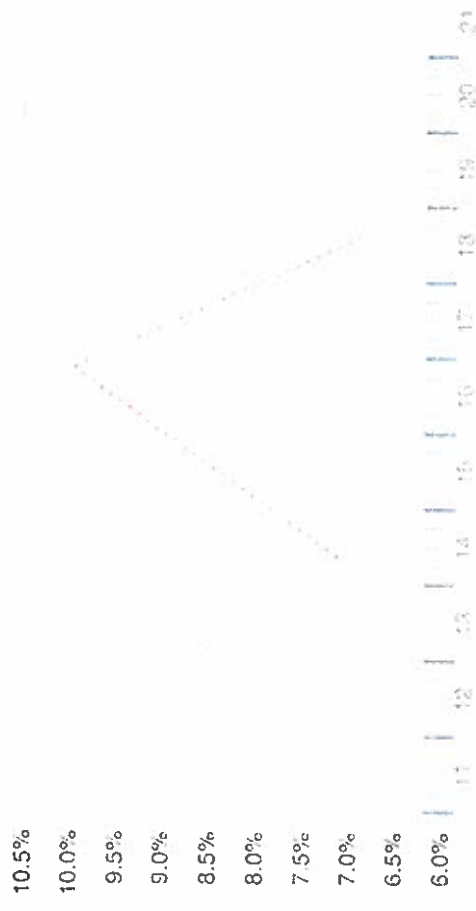
Sale Price Per Unit By Location Type



Sale To Asking Price Differential

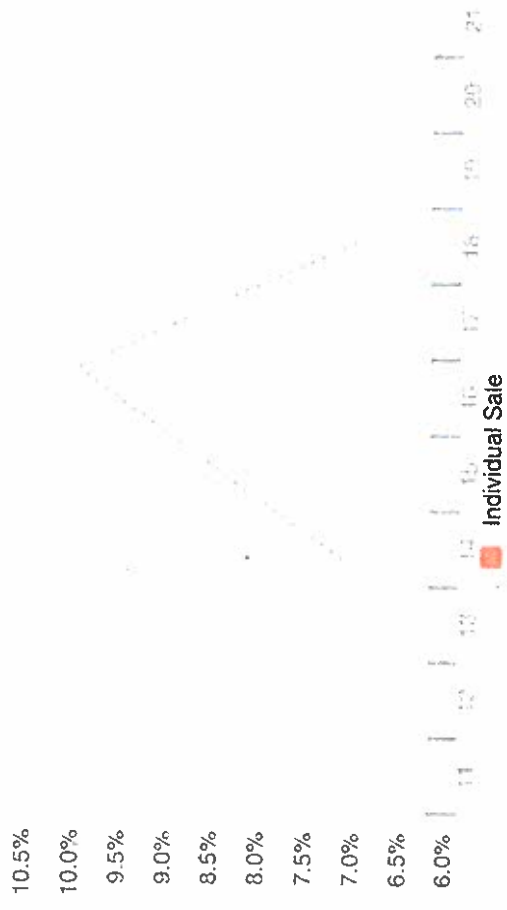


Cap Rate

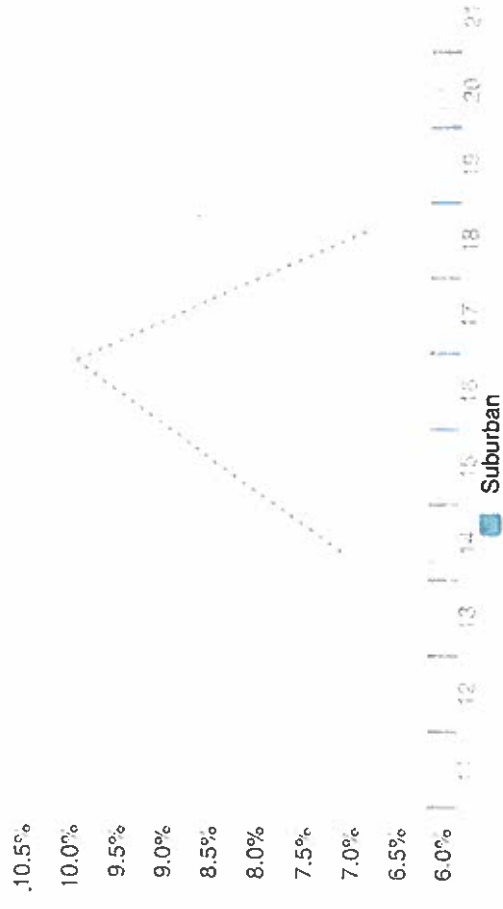


# Search Analytics

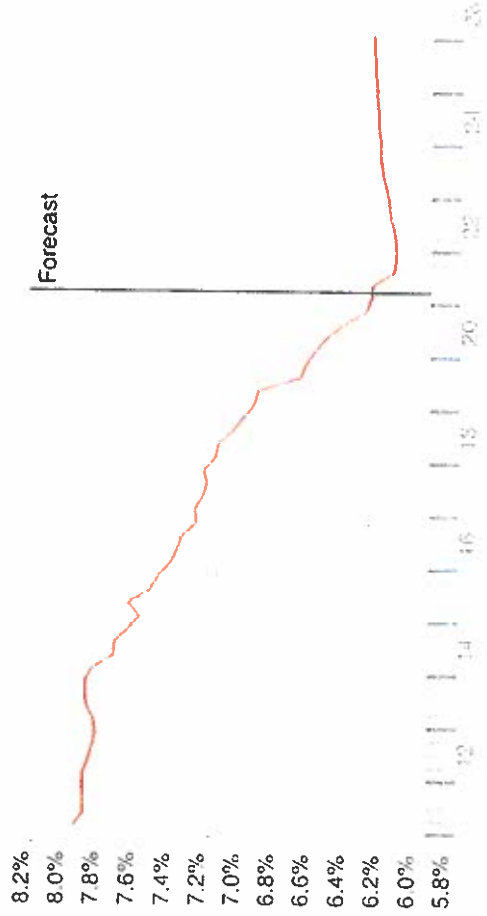
Cap Rate By Transaction Type



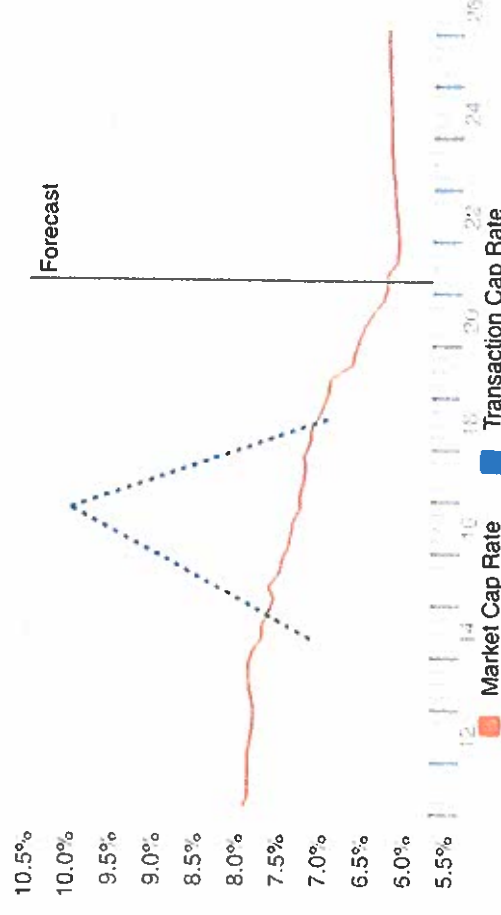
Cap Rate By Location Type



Market Cap Rate

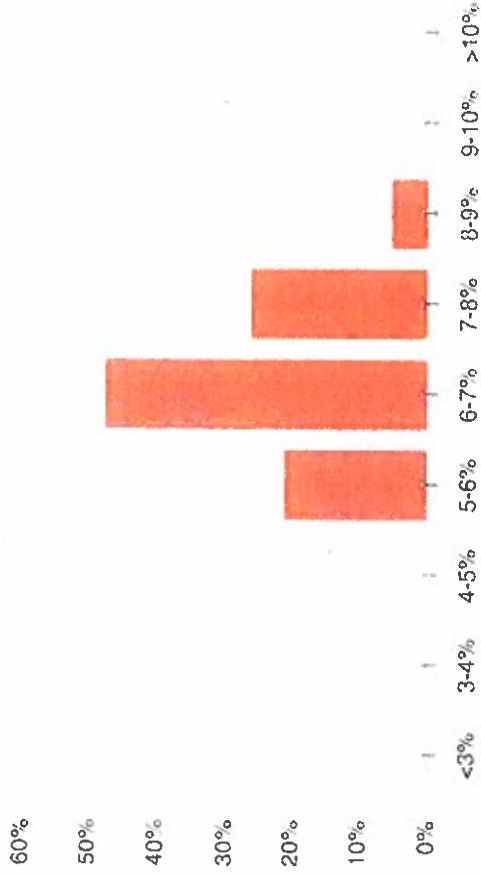


Market Cap Rate & Transaction Cap Rate



# Search Analytics

Market Cap Rate Distribution

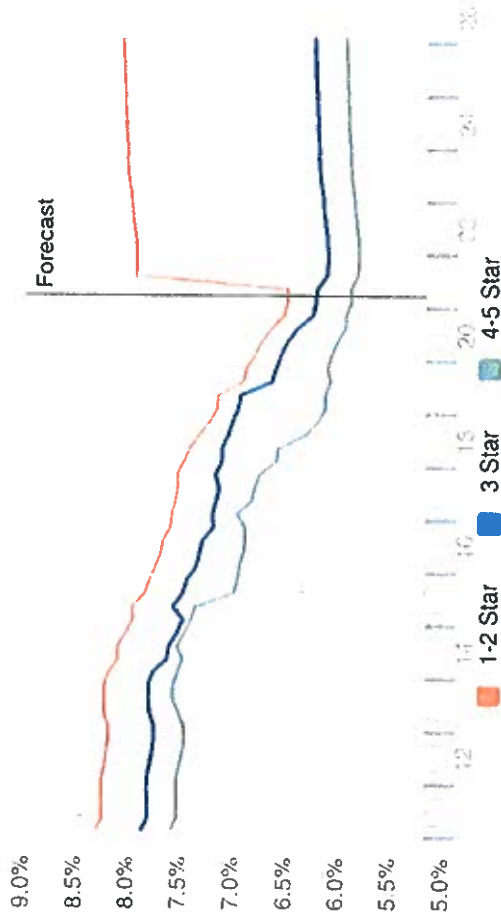


Market Cap Rate By Location Type

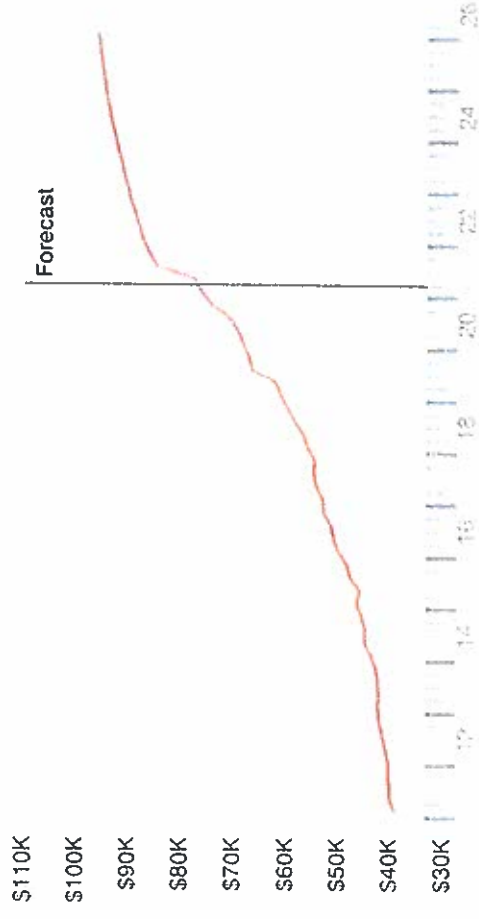
No Data Available

Data for this series is considered to be insufficient

Market Cap Rate By Star Rating

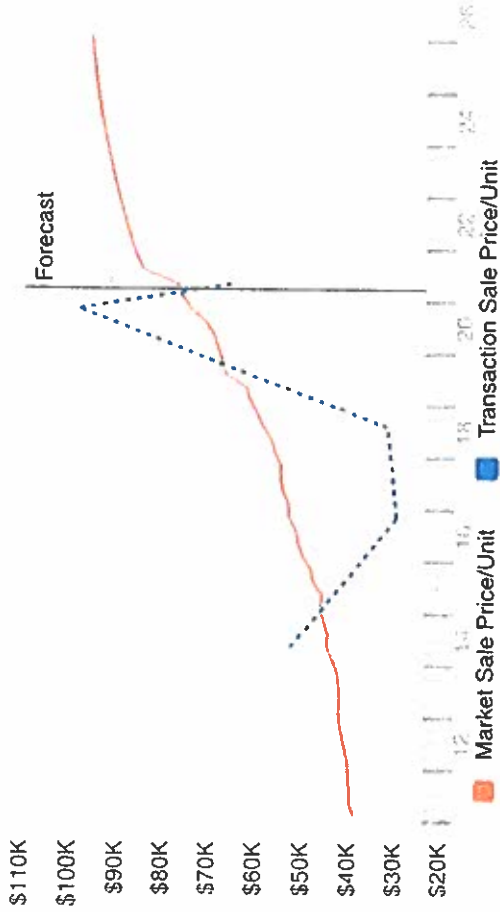


Market Sale Price Per Unit

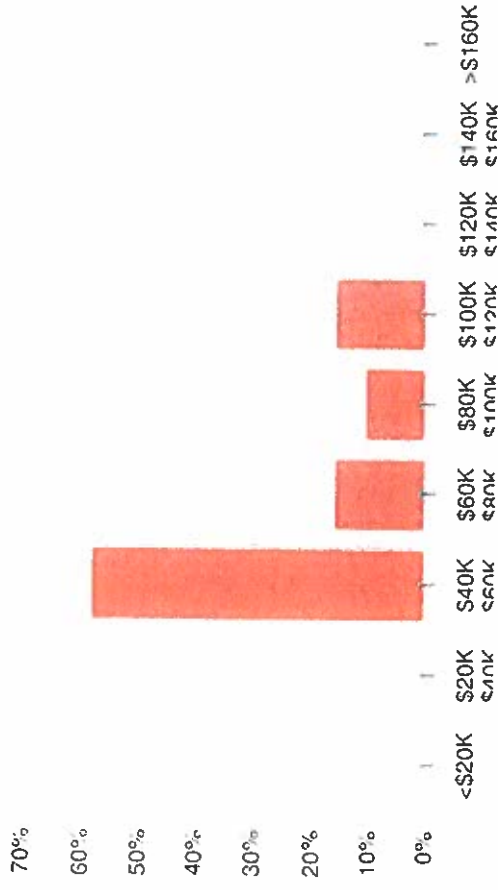


# Search Analytics

Market Sale Price & Transaction Sale Price Per Unit



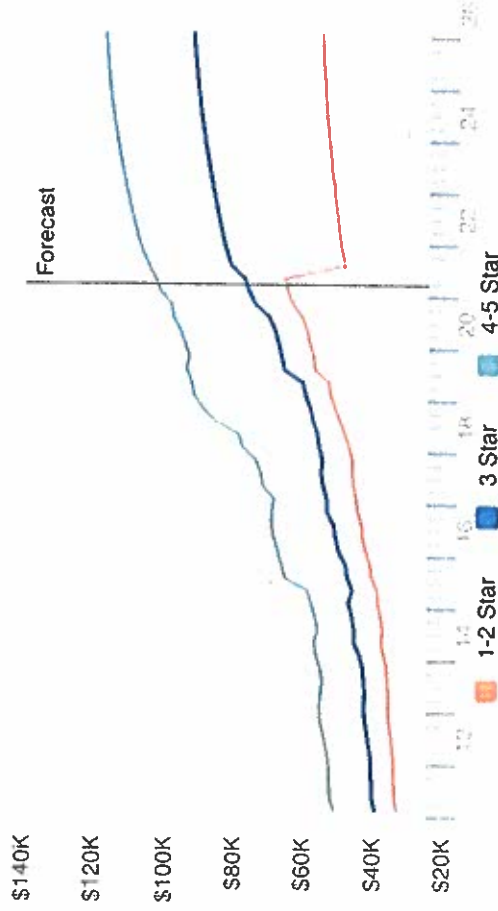
Market Sale Price Per Unit Distribution



Market Sale Price Per Unit By Location Type

No Data Available

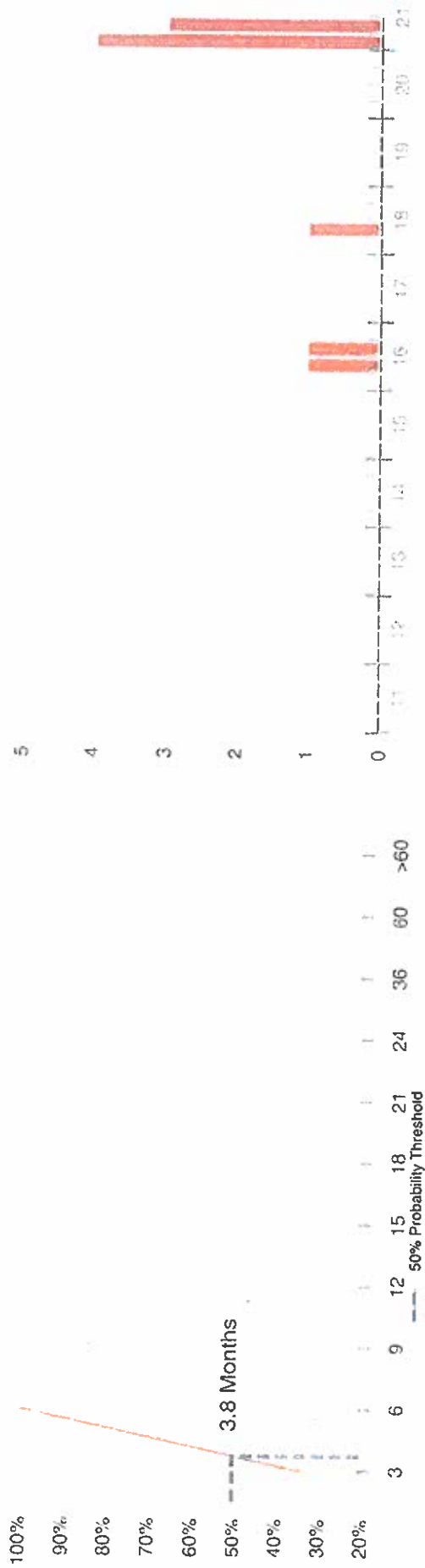
Market Sale Price Per Unit By Star Rating



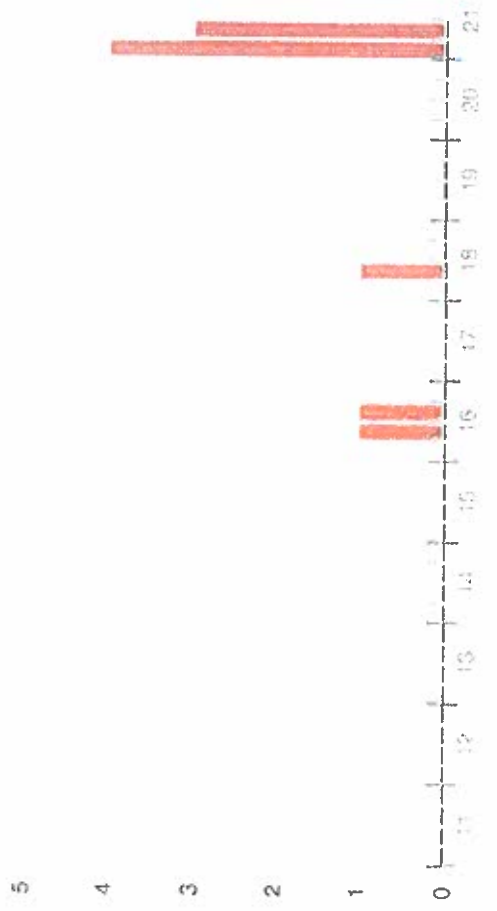
Data for this series is considered to be insufficient

# Search Analytics

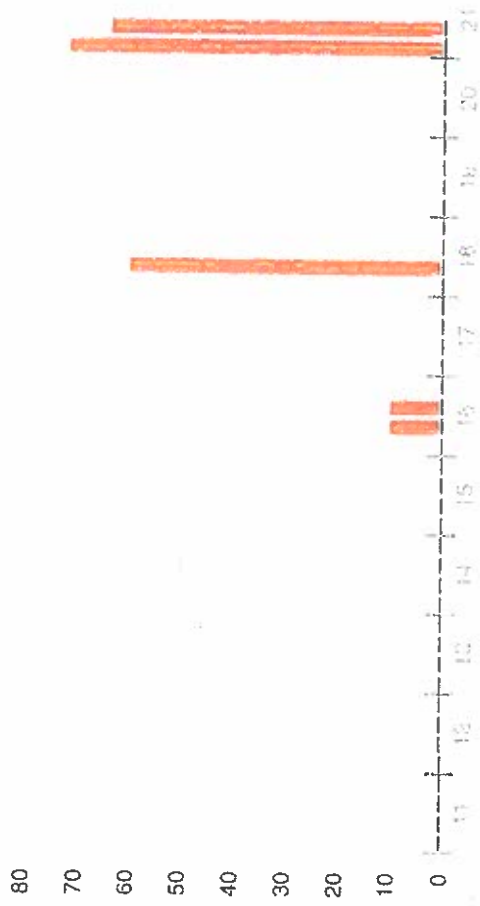
Probability Of Selling In Months



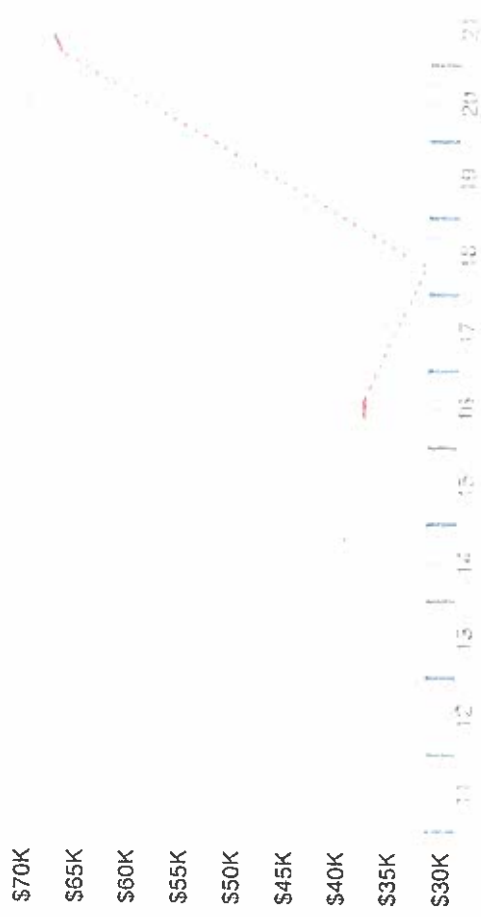
For Sale Total Listings



For Sale Total Units



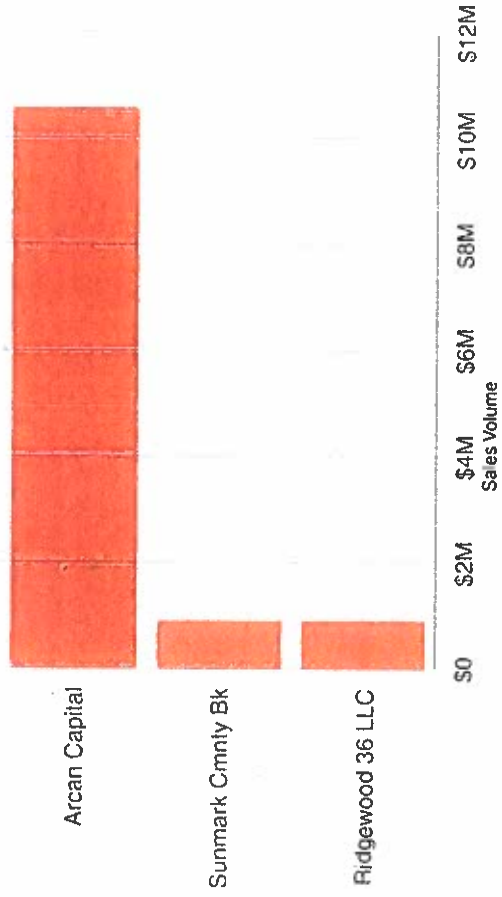
For Sale Asking Price Per Unit



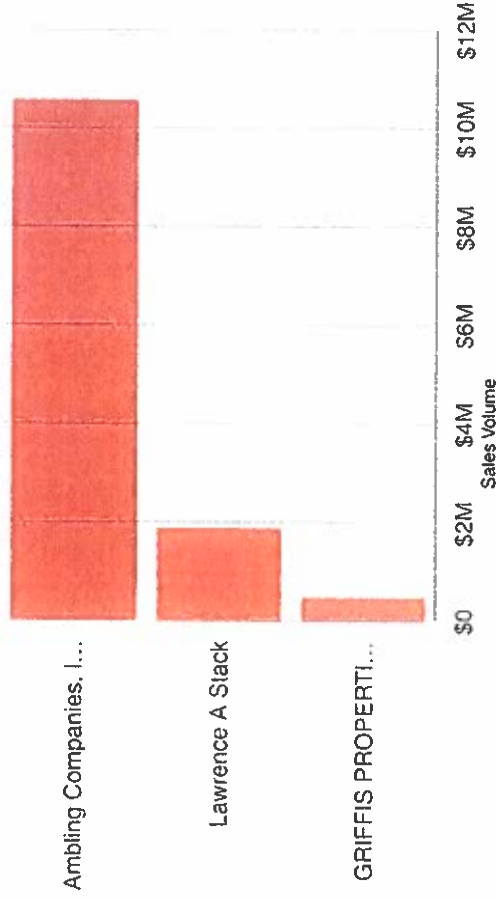


# Search Analytics

## Top Buyers



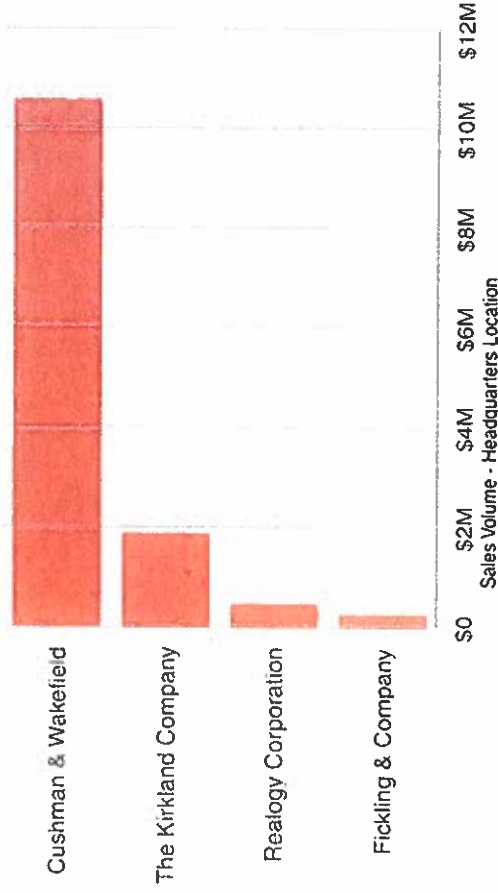
## Top Sellers



## Top Buyer Brokers

No Data Available

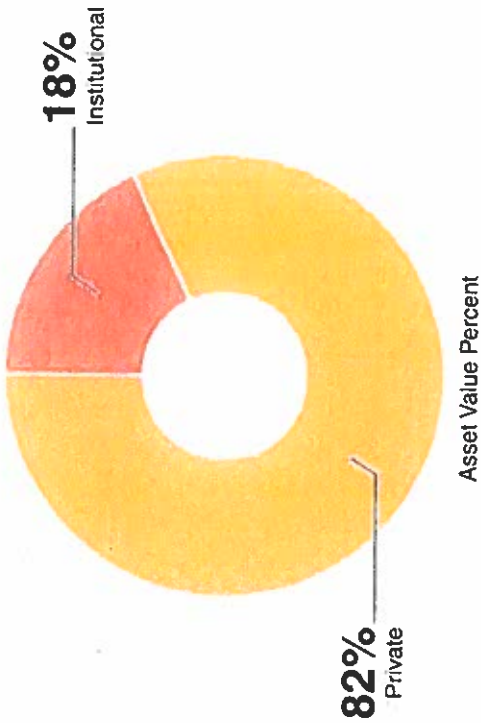
## Top Seller Brokers



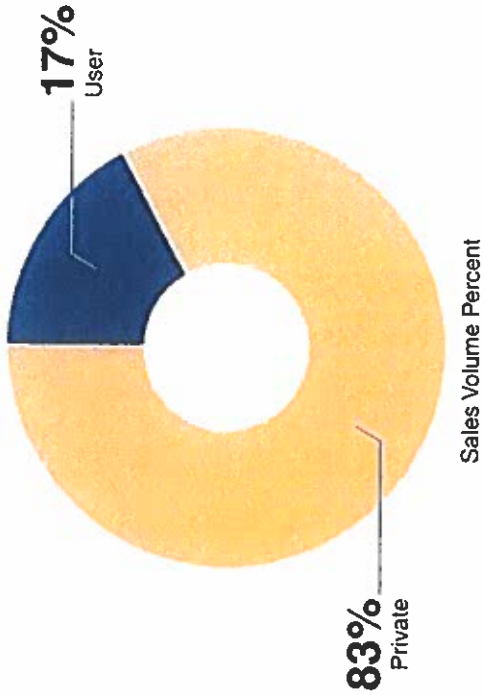
No data available for the current selection

# Search Analytics

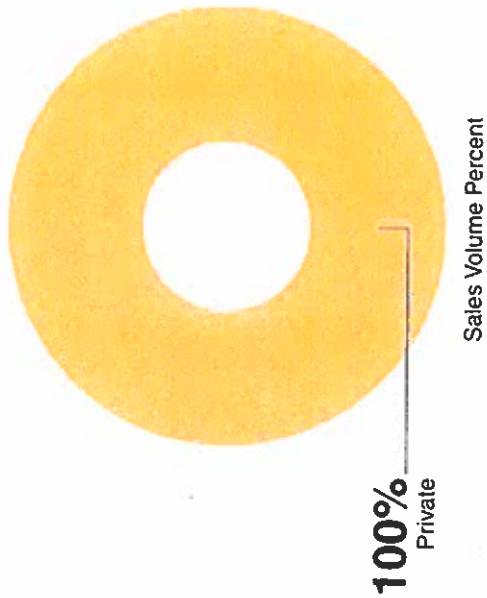
Asset Value By Owner Type



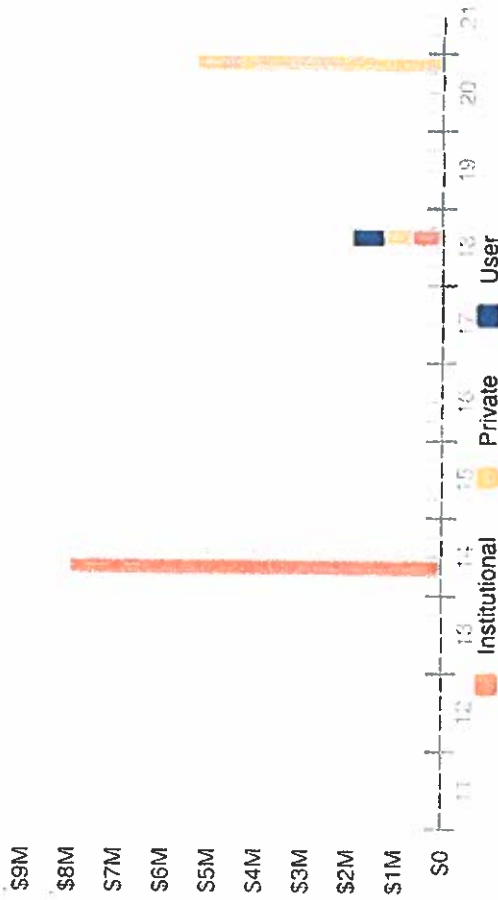
Sales By Buyer Type



Sales By Seller Type

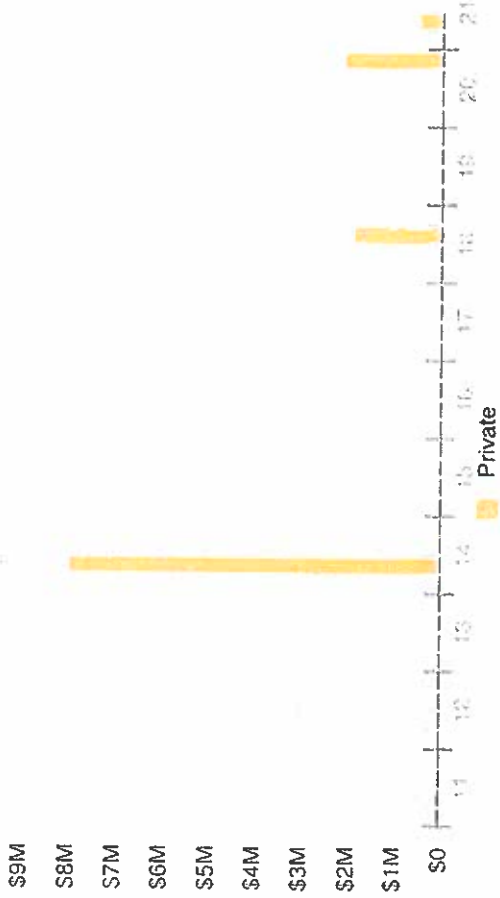


Sales Volume By Buyer Type

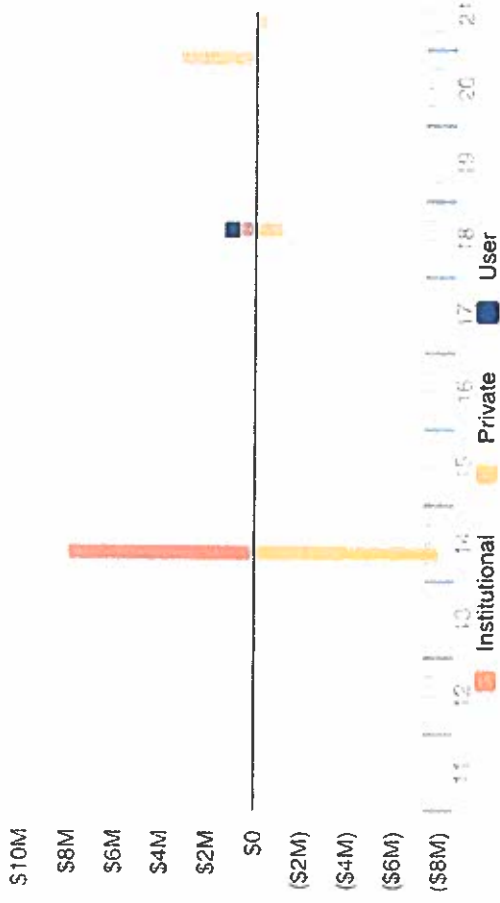


# Search Analytics

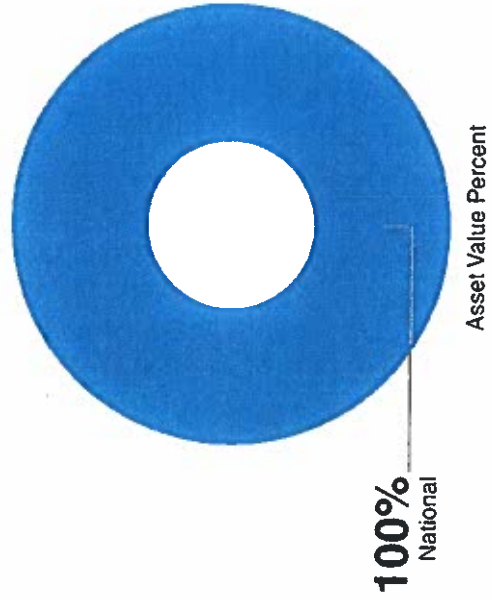
Sales Volume By Seller Type



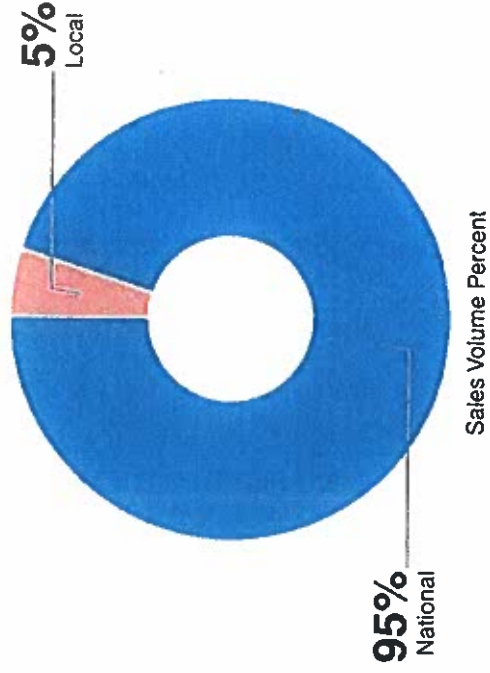
Net Buying & Selling By Owner Type



Asset Value By Owner Origin

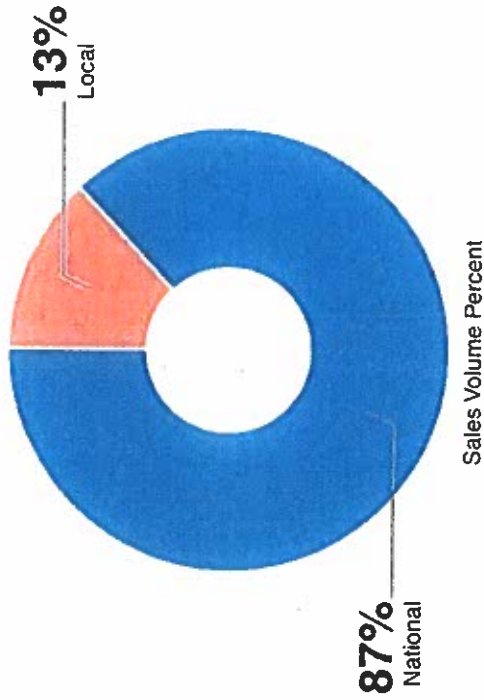


Sales Volume By Buyer Origin

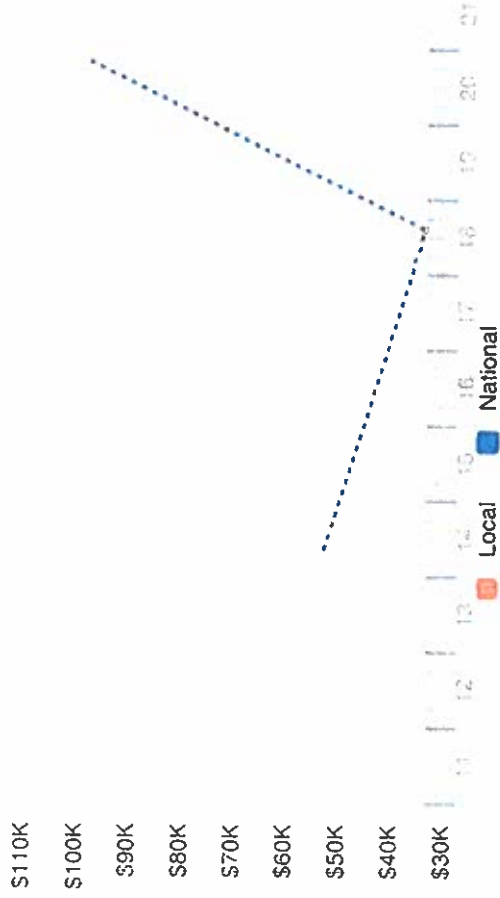


# Search Analytics

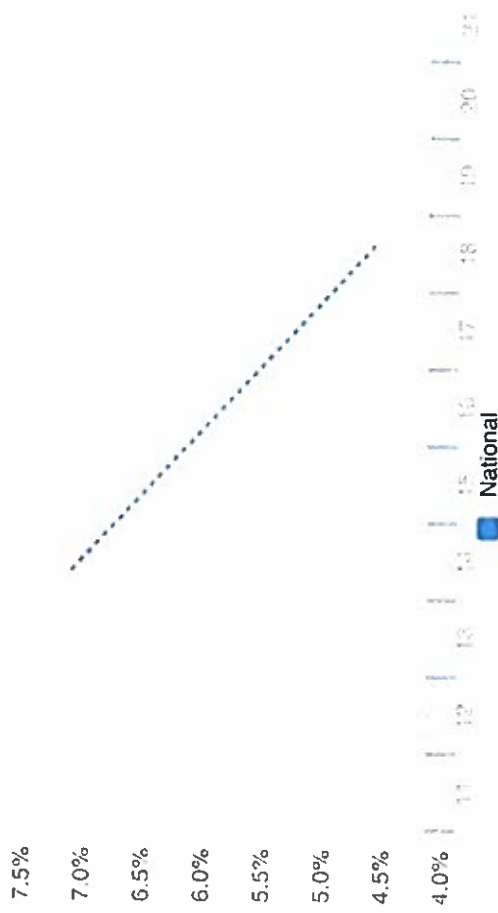
Sales Volume By Seller Origin



Average Price Per Unit By Buyer Origin



Average Cap Rate By Buyer Origin



## Report Criteria

- 19 Properties / 0 Spaces
- City: Perry, GA
- Property Type: Multi-Family
- Exclude: Residential Condos
- Exclude: Co-Ops



**Where Georgia comes together.**

Department of Economic Development

**MEMORANDUM**

TO: Mayor & Council

FROM: Ashley Hardin, CEcD

DATE: August 6, 2021

RE: Workforce Housing

As referenced in my presentation to council at the June 14 work session, **workforce** was the No. 1 addressed topic at the Spring Georgia Economic Developer Association conference among multiple panel sessions. An element to sustain a strong workforce is to attract, support or allow for affordable housing. This does not mean subsidized or federal tax credit housing. It means market rate housing options to give workers in the community opportunities beyond purchasing a 3 or 4-bedroom new construction home or existing home.

***“Housing is critical in economic development as workers need a place to sleep in your community”***

In the August 2021 edition of Georgia Trend magazine, an entire article, *“Bridging the Housing Gap: Cities Across Georgia are Pursuing Creative Solutions for more Affordable Homes”* discusses an affordable housing shortage throughout the state of Georgia.

The article authored by Kenna Simmons started with this scenario,

*“Consider two amounts: \$994 and \$19.11. The first is the fair-market rent for a two-bedroom apartment in Georgia. The second is the hourly wage a household would need to earn to afford that rent and utilities without exceeding 30% of income on housing. That translates to making about \$40,000 annually.”*

In Perry, on average a one-bedroom apartment starts at \$900/month and a two-bedroom averages \$1100-\$1300/month. Starting wages of target industries and primary employers such as Gilmer Warehousing, Sandler and ADS range from \$14-\$17/hour. At



## **Where Georgia comes together.**

Department of Economic Development

\$17/hour, an employee is making \$35,360 annually and would well exceed spending more than 30% income on housing and utilities for a 2-bedroom apartment in Perry.

Currently in Perry the majority of apartment complexes are full with “NO availability” and no openings until September at the earliest. There are no 1-bedrooms available until October 2021. Only one two-bedroom option is available now out of 1,681 total apartment units in Perry. Starting lease rates for studio apartments are \$750/month and none of these are available.

Within a 3-mile radius of the intersection of Sam Nunn and I-75, which captures our central business district and largest commercial corridor, there are nearly 13,000 employees. \* ESRI Data is attached. Approximately 900 jobs are from industrial employers and 60% of the nearly 13,000 jobs are retail, hospitality and service industry jobs with many of those wages in the \$10.00/hour range. Those employees working 40 hours per week translates to around \$20,800 annually. A 1-bedroom apartment at \$900/month plus utilities would exceed more than 50% of their income, even higher if we compared at 2-bedroom rates, which are on average \$1100-\$1300/month in Perry.

As we work to attract new businesses that will locate to Perry and hire locally or bring workers, we need to be cognizant that not everyone can afford to buy. Even those who can, may opt to rent if they know they are only here short-term affiliated with Guardian Centers, Robins Airforce Base or other industries. Graphic Packaging, which employs 340 in Perry, provides intern housing for engineers at the Macon facility. If affordable housing multifamily options were available within several miles of their facility, company representatives said they would consider keeping some units leased for student housing and would bring engineer interns to Perry.

As we work on the new strategic plan, it is important to identify appropriate locations for multi-family developments. In other Georgia cities, multifamily is located near commercial nodes of communities and directly off the Interstates. Woodstock, Georgia has apartments on Interstate 575 and Ridgewalk Parkway and a second apartment complex under construction at this same location. In Alpharetta, Georgia, two apartment complexes are located at the interchange of GA 400 and SR 120, the busiest roads in that city, where roadway infrastructure already exists. In Glynn County and Brunswick, GA, a multifamily apartment complex is in the works to locate off the I-95 and exit 138 Interchange and other multifamily developments are in close proximity within a mile or two of major roadways and commercial arteries.



# Business Summary

Former Applebee's Perry, GA  
Rings: 1, 3, 5 mile radii

Latitude: 32.4722  
Longitude: -83.7454

## Data for all businesses in area

	1 mile	3 mile	5 mile
Total Businesses:	220	651	726
Total Employees:	2,258	12,878	13,839
Total Residential Population:	2,512	15,220	23,606
Employee/Residential Population Ratio (per 100 Residents)	90	85	59

by SIC Codes	Businesses		Employees		Businesses		Employees		Businesses		Employees	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Construction	1	0.5%	12	0.5%	8	1.2%	49	0.4%	12	1.7%	77	0.6%
Manufacturing	4	1.8%	94	4.2%	32	4.9%	291	2.3%	37	5.1%	321	2.3%
Transportation	4	1.8%	81	3.6%	16	2.5%	1,442	11.2%	17	2.3%	1,597	11.5%
Communication	5	2.3%	23	1.0%	16	2.5%	80	0.6%	18	2.5%	91	0.7%
Utility	4	1.8%	23	1.0%	9	1.4%	49	0.4%	9	1.2%	50	0.4%
Wholesale Trade	0	0.0%	0	0.0%	2	0.3%	2,024	15.7%	2	0.3%	2,067	14.9%
Retail Trade Summary	4	1.8%	33	1.5%	12	1.8%	84	0.7%	14	1.9%	92	0.7%
Home Improvement	64	29.1%	966	42.8%	161	24.7%	2,096	16.3%	177	24.4%	2,268	16.4%
General Merchandise Stores	2	0.9%	13	0.6%	7	1.1%	37	0.3%	7	1.0%	38	0.3%
Food Stores	4	1.8%	285	12.6%	8	1.2%	360	2.8%	8	1.1%	361	2.6%
Auto Dealers, Gas Stations, Auto Aftermarket	9	4.1%	41	1.8%	22	3.4%	158	1.2%	24	3.3%	191	1.4%
Apparel & Accessory Stores	8	3.6%	71	3.1%	27	4.1%	263	2.0%	30	4.1%	292	2.1%
Furniture & Home Furnishings	3	1.4%	9	0.4%	5	0.8%	16	0.1%	6	0.8%	17	0.1%
Eating & Drinking Places	2	0.9%	25	1.1%	5	0.8%	45	0.3%	7	1.0%	49	0.4%
Miscellaneous Retail	20	9.1%	401	17.8%	49	7.5%	1,011	7.9%	55	7.6%	1,104	8.0%
Finance, Insurance, Real Estate Summary	16	7.3%	120	5.3%	39	6.0%	206	1.6%	41	5.6%	216	1.6%
Banks, Savings & Lending Institutions	29	13.2%	137	6.1%	70	10.8%	328	2.5%	75	10.3%	348	2.5%
Securities Brokers	12	5.5%	85	3.8%	25	3.8%	186	1.4%	27	3.7%	197	1.4%
Insurance Carriers & Agents	2	0.9%	4	0.2%	5	0.8%	10	0.1%	5	0.7%	12	0.1%
Real Estate, Holding, Other Investment Offices	4	1.8%	13	0.6%	14	2.2%	46	0.4%	15	2.1%	49	0.4%
Services Summary	12	5.5%	34	1.5%	26	4.0%	85	0.7%	28	3.9%	90	0.7%
Hotels & Lodging	84	38.2%	673	29.8%	264	40.6%	5,646	43.8%	294	40.5%	6,074	43.9%
Automotive Services	10	4.5%	84	3.7%	24	3.7%	173	1.3%	25	3.4%	179	1.3%
Motion Pictures & Amusements	8	3.6%	26	1.2%	18	2.8%	72	0.6%	19	2.6%	75	0.5%
Health Services	5	2.3%	36	1.6%	19	2.9%	167	1.3%	22	3.0%	179	1.3%
Legal Services	5	2.3%	39	1.7%	38	5.8%	515	4.0%	42	5.8%	623	4.5%
Education Institutions & Libraries	4	1.8%	25	1.1%	9	1.4%	55	0.4%	10	1.4%	57	0.4%
Other Services	1	0.5%	12	0.5%	12	1.8%	3,461	26.9%	15	2.1%	3,650	26.4%
Government	50	22.7%	452	20.0%	144	22.1%	1,202	9.3%	162	22.3%	1,313	9.5%
Unclassified Establishments	12	5.5%	208	9.2%	44	6.8%	753	5.8%	47	6.5%	813	5.9%
Totals	3	1.4%	9	0.4%	17	2.6%	34	0.3%	24	3.3%	41	0.3%
	220	100.0%	2,258	100.0%	651	100.0%	12,878	100.0%	726	100.0%	13,839	100.0%

Source: Copyright 2021 Data Axle, Inc. All rights reserved. Esri Total Residential Population forecasts for 2021.  
Data Note: Data on the Business Summary report is calculated using Esri's Data allocation method which uses census block groups to allocate business summary data to custom areas.





# Business Summary

Former Applebee's Perry, GA  
Rings: 1, 3, 5 mile radii

Latitude: 32.4722  
Longitude: -83.7454

by NAICS Codes	Businesses		Employees		Businesses		Employees		Businesses		Employees	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Agriculture, Forestry, Fishing & Hunting	0	0.0%	0	0.0%	2	0.3%	5	0.0%	2	0.3%	7	0.1%
Mining	0	0.0%	2	0.1%	1	0.2%	4	0.0%	1	0.1%	4	0.0%
Utilities	0	0.0%	0	0.0%	2	0.3%	2,024	15.7%	2	0.3%	2,067	14.9%
Construction	12	5.5%	130	5.8%	35	5.4%	336	2.6%	40	5.5%	369	2.7%
Manufacturing	5	2.3%	81	3.6%	20	3.1%	1,439	11.2%	22	3.0%	1,595	11.5%
Wholesale Trade	4	1.8%	33	1.5%	11	1.7%	81	0.6%	13	1.8%	89	0.6%
Retail Trade	42	19.1%	551	24.4%	105	16.1%	1,060	8.2%	114	15.7%	1,135	8.2%
Motor Vehicle & Parts Dealers	4	1.8%	43	1.9%	18	2.8%	214	1.7%	20	2.8%	236	1.7%
Furniture & Home Furnishings Stores	2	0.9%	23	1.0%	3	0.5%	37	0.3%	5	0.7%	40	0.3%
Electronics & Appliance Stores	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Bldg Material & Garden Equipment & Supplies Dealers	2	0.9%	13	0.6%	7	1.1%	37	0.3%	7	1.0%	38	0.3%
Food & Beverage Stores	6	2.7%	28	1.2%	20	3.1%	140	1.1%	21	2.9%	170	1.2%
Health & Personal Care Stores	6	2.7%	55	2.4%	11	1.7%	104	0.8%	11	1.5%	107	0.8%
Gasoline Stations	4	1.8%	28	1.2%	9	1.4%	50	0.4%	10	1.4%	56	0.4%
Clothing & Clothing Accessories Stores	3	1.4%	9	0.4%	5	0.8%	16	0.1%	6	0.8%	19	0.1%
Sport Goods, Hobby, Book, & Music Stores	4	1.8%	56	2.5%	6	0.9%	74	0.6%	6	0.8%	77	0.6%
General Merchandise Stores	4	1.8%	285	12.6%	8	1.2%	360	2.8%	8	1.1%	361	2.6%
Miscellaneous Store Retailers	2	0.9%	10	0.4%	6	0.9%	28	0.2%	6	0.8%	30	0.2%
Nonstore Retailers	5	2.3%	0	0.0%	13	2.0%	0	0.0%	13	1.8%	0	0.0%
Transportation & Warehousing	3	1.4%	20	0.9%	12	1.8%	73	0.6%	13	1.8%	82	0.6%
Information	8	3.6%	68	3.0%	16	2.5%	136	1.1%	17	2.3%	139	1.0%
Finance & Insurance	17	7.7%	102	4.5%	44	6.8%	243	1.9%	48	6.6%	259	1.9%
Central Bank/Credit Intermediation & Related Activities	12	5.5%	85	3.8%	26	4.0%	187	1.5%	28	3.9%	198	1.4%
Securities, Commodity Contracts & Other Financial	2	0.9%	4	0.2%	5	0.8%	10	0.1%	5	0.7%	12	0.1%
Insurance Carriers & Related Activities; Funds, Trusts &	4	1.8%	13	0.6%	14	2.2%	46	0.4%	15	2.1%	49	0.4%
Real Estate, Rental & Leasing	15	6.8%	46	2.0%	39	6.0%	125	1.0%	42	5.8%	130	0.9%
Professional, Scientific & Tech Services	20	9.1%	274	12.1%	45	6.9%	503	3.9%	49	6.7%	538	3.9%
Legal Services	4	1.8%	25	1.1%	9	1.4%	55	0.4%	10	1.4%	57	0.4%
Management of Companies & Enterprises	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Administrative & Support & Waste Management & Remediation	5	2.3%	16	0.7%	15	2.3%	60	0.5%	19	2.6%	84	0.6%
Educational Services	0	0.0%	2	0.1%	13	2.0%	3,444	26.7%	16	2.2%	3,632	26.2%
Health Care & Social Assistance	8	3.6%	58	2.6%	47	7.2%	819	6.4%	53	7.3%	965	7.0%
Arts, Entertainment & Recreation	4	1.8%	36	1.6%	13	2.0%	162	1.3%	16	2.2%	174	1.3%
Accommodation & Food Services	31	14.1%	485	21.5%	74	11.4%	1,185	9.2%	81	11.2%	1,285	9.3%
Accommodation	10	4.5%	84	3.7%	24	3.7%	173	1.3%	25	3.4%	179	1.3%
Food Services & Drinking Places	21	9.5%	401	17.8%	50	7.7%	1,012	7.9%	57	7.9%	1,106	8.0%
Other Services (except Public Administration)	30	13.6%	135	6.0%	95	14.6%	391	3.0%	107	14.7%	431	3.1%
Automotive Repair & Maintenance	6	2.7%	19	0.8%	13	2.0%	57	0.4%	14	1.9%	59	0.4%
Public Administration	12	5.5%	208	9.2%	44	6.8%	753	5.8%	47	6.5%	813	5.9%
Unclassified Establishments	3	1.4%	9	0.4%	17	2.6%	34	0.3%	24	3.3%	41	0.3%
Total	220	100.0%	2,258	100.0%	651	100.0%	12,878	100.0%	726	100.0%	13,839	100.0%

Source: Copyright 2021, Data Axle, Inc. All rights reserved. Esri Total Residential Population forecasts for 2021.  
Date Note: Data on the Business Summary report is calculated using Esri's Data Allocation method which uses census block groups to allocate business summary data to custom areas.



**Where Georgia comes together.**  
Department of Community Development

**MEMORANDUM**

**TO:** R. Lee Gilmour, City Manager

**FROM:** Holly Wharton, Community Planner

**DATE:** August 12, 2021

**RE:** Additional Information for SUSE-0170-2021 and SUSE-0171-2021

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Following the public hearing held at the August 3, 2021, Council Meeting, Preston Dellinger of Servio Capital, the applicant for SUSE-0170-2021 and SUSE-0171-2021, produced a response to the following list of questions and requests for more information.

1. List and contact information of the local government for similar projects the petitioner has completed, with preference for Georgia locations.

Servio has not completed an adaptive reuse project as of yet. We have one we are working on but have not fully stabilized one. So we wouldn't have any references in that regard from other cities/municipalities.

Servio does not currently own any real estate in the state of GA

2. Site drawings with measurements showing how the current motel room(s) would be converted to the studio and one room apartments.

We don't have any additional drawings of the rooms and won't have any prior to next week's meeting.

3. Maintenance and management – please describe how the property will be maintained and managed.

The property will be maintained and managed professionally. Professional landscape maintenance and grounds janitorial service weekly.



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4. Fire concerns – Please acknowledge that you understand that the development will be required to be brought into compliance with all fire codes, including sprinklers and any necessary separation measures.

Yes we acknowledge and know we will need to install sprinklers and other fire items.

5. Proposed rents – please advise the estimated rent for the studio units and 1-bedrooms

The proposed rents are \$600-700 for the studios and \$750-900 for the one bedrooms.

6. Square feet – describe how many square feet each type of unit will be.

Each studio will be roughly 300 sq. ft. and one bedrooms will be 600 sq. ft.

7. Exterior upgrades – describe in more detail the planned exterior improvements.

The exterior upgrades, mockups, and initial designs were provided but it will include stone veneer around the entrance areas, new fencing, new landscaping, and painting to enhance the exterior aesthetics of the property.

8. Market study – please explain the market study in more detail and what it means for Perry, specifically (regarding vacancy rates, mix of subsidized vs. market rate, market rents, etc.)

Right now the vacancy rate in Perry with apartments is near 0%. From our research, 60% of the units around the Perry area are subsidized. There is a strong lack of market rate apartment housing in Perry. Our units here will be market rate and not subsidized. The rents of the subsidized 1-bedroom apartments are around \$500-600 per month in the Perry market. Our rents will be much higher than that as they are non-subsidized.

9. Other projects – if possible, please provide some examples of other successful projects Servio has done. Please include as many photos and visuals as possible.

We have around 750 units that we own and operate around the nation. We are vertically integrated in that we have our own property management company, asset management company, and construction management.

**AN ORDINANCE OF THE COUNCIL OF THE CITY OF PERRY, GEORGIA, FOR THE PURPOSE OF AMENDING APPENDIX A, LAND MANAGEMENT ORDINANCE, OF THE CODE OF THE CITY OF PERRY, ARTICLE 2, ADMINISTRATION, BY REPEALING SUBSECTION 2-3.11.3, CONSERVATION SUBDIVISIONS; AND REPEALING SECTION 5-6, CONSERVATION SUBDIVISION OPTION, OF ARTICLE 5, MEASUREMENTS AND DIMENSIONAL STANDARDS.**

**THE COUNCIL OF THE CITY OF PERRY HEREBY ORDAINS that the Land Management Ordinance of the Code of the City of Perry is amended as follows:**

1.

By repealing Subsection 2-3.11.3 – Conservation subdivisions in its entirety. Subsection 2-3-11.3 is reserved.

2.

By repealing Section 5-6 – Conservation subdivision option in its entirety. Section 5-6 is reserved.

**SO ENACTED this 17<sup>th</sup> day of August, 2021.**

**CITY OF PERRY, GEORGIA**

By: \_\_\_\_\_  
Randall Walker, Mayor

Attest: \_\_\_\_\_  
Annie Warren, City Clerk

1<sup>st</sup> Reading: August 3, 2021

2<sup>nd</sup> Reading: August 17, 2021



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**STAFF REPORT**

From the Department of Community Development  
July 2, 2021

**CASE NUMBER:** TEXT-176-2021  
**APPLICANT:** The City of Perry  
**REQUEST:** Modifications to Land Management Ordinance Sections 2-3.11.3 and 5-6 by removing procedures and standards for Conservation Subdivisions. Conservation subdivisions will be allowed using the Planned Unit Development zoning option.

**STAFF ANALYSIS:** The proposed text amendment modifies Section 2-3.11.3, Conservation Subdivisions, and Section 5-6, Conservation Subdivision Option.

The purposes of the conservation subdivision option, as stated in Section 5-6.1 of the Land Management Ordinance (LMO), are to preserve in perpetuity unique or sensitive natural resources, to preserve important historic and archaeological sites, to permit clustering of houses and structures to reduce the amount of infrastructure, including paving, necessary for residential development, to reduce erosion and sedimentation by minimizing land disturbance and removal of vegetation in residential development, to promote interconnected greenways and corridors, to promote contiguous greenspace, to encourage interaction in the community by clustering houses and orienting them closer to the street, providing public gathering places and encouraging use of parks, to promote construction of convenient landscaped walking trails and bike paths, to conserve scenic views and reduce perceived density by maximizing the number of houses with direct access to and views of conservation space, and to protect prime agricultural land and preserve farming as an economic activity.

City Council has concerns of the conservation space and greenspace not being provided in a manner consistent with purposes identified above, but rather conservation subdivisions being utilized only for the reduced lot size requirements and potential for increased density.

On June 15, 2021, Council placed a 90-day moratorium on the permitting of conservation subdivisions to provide Staff time to evaluate and make recommendations to the regulations (see attached). Staff recommends removing sections of the LMO pertaining to the standards and procedures for conservation subdivisions. This will result in conservation subdivisions being allowed only through the use of a Planned Unit Development (PUD) zoning process. The PUD process will provide the City more control over lot sizes and density and will ensure conservation space is suitable for such use and is accessible to the community.

**Delete Section 2-3.11.3 in its entirety:**

**2-3.11.3. Conservation subdivisions.**

- (A) *Procedures.* The procedures and submission requirements for approval of a conservation subdivision shall be the same as those for a standard subdivision as specified in this section 2-3.11, except as specified below.
- (1) Prior to submission of an application for preliminary plat approval, the applicant shall request written consent to prepare a subdivision plat using the Conservation Subdivision Option from the Commission at a regular or special meeting. Such request must be submitted to the administrator at least ten (10) days prior to a regularly scheduled Commission meeting. The Commission shall act on the request on or before the second regularly scheduled meeting

following the date of submission, unless the request includes a conceptual plan review as specified in Section 5-7. When conceptual plan review is requested or required, the Commission shall act on the letter of consent request within forty-five (45) days of the meeting at which the Commission receives the request.

- (2) The Commission's letter of consent shall, at a minimum, reiterate the objectives of the conservation subdivision development option and refer the applicant to the specific standards for conservation subdivision development. A letter of consent shall not constitute nor imply Commission approval of the development plan.
- (B) *Application Requirements.* Concurrent with the submission of a site concept plan, Applicant shall prepare and submit a site analysis map. The purpose of the site analysis map is to ensure that the important site features have been adequately identified prior to the creation of the site design, and that the proposed Conservation Space will meet the requirements of this article. The preliminary site plan shall include the following features:
- (1) Property boundaries;
  - (2) All streams, rivers, lakes, wetlands and other hydrologic features;
  - (3) Topographic contours of no less than ten-foot intervals;
  - (4) All Primary and Secondary Conservation Areas labeled by type, as described in section 5-7;
  - (5) General vegetation characteristics;
  - (6) General soil types;
  - (7) The planned location of protected Conservation Space;
  - (8) Existing roads and structures;
  - (9) Potential connections with existing greenspace and trails.

Delete Section 5-6 in its entirety:

5-6.1. *Purpose.* The purpose of the conservation subdivision is to:

- (A) Preserve in perpetuity unique or sensitive natural resources such as groundwater, floodplains, wetlands, streams, steep slopes, woodlands and wildlife habitat;
- (B) Preserve important historic and archaeological sites;
- (C) Permit clustering of houses and structures on less environmentally sensitive soils which will reduce the amount of infrastructure, including paved surfaces and utility easements, necessary for residential development;
- (D) Reduce erosion and sedimentation by minimizing land disturbance and removal of vegetation in residential development;
- (E) Promote interconnected greenways and corridors throughout the community;
- (F) Promote contiguous greenspace with adjacent jurisdictions;
- (G) Encourage interaction in the community by clustering houses and orienting them closer to the street, providing public gathering places and encouraging use of parks and community facilities as focal points in the neighborhood;
- (H) Promote construction of convenient landscaped walking trails and bike paths both within the subdivision and connected to neighboring communities, businesses, and facilities to reduce reliance on automobiles;
- (I) Conserve scenic views and reduce perceived density by maximizing the number of houses with direct access to and views of conservation space; and

(J) Protect prime agricultural land and preserve farming as an economic activity.

To achieve these objectives, an applicant for a permit to construct a residential development within the R-1, R-2, R-2A, R-3 and R-MH residential zones may elect, with the written consent of the Commission, to submit a subdivision plan utilizing the conservation subdivision option, subject to the provisions set forth in this section. The Commission may permit, upon determination that the proposed development complies with all requirements of this Section, variations in lot area, setbacks, and other dimensional requirements, and a variety of residential building types as necessary to ensure that the conservation subdivision design will achieve the objectives identified above.

5-6.2. *Applicability of Regulations.* This Conservation Subdivision option is available with Planning Commission approval in all residential zoning districts, including R-1, R-2, R-2A, R-3 and R-MH residential districts. Applicant shall comply with all other provisions of the zoning code and all other applicable laws, except those that are incompatible with the provisions contained herein.

5-6.3. *Ownership of Development Site.* The tract of land to be subdivided may be held in single and separate ownership or in multiple ownership. If held in multiple ownership, however, the site shall be developed according to a single plan with common authority and common responsibility.

5-6.4. *Housing Density Determination.* The maximum net density of a Conservation Subdivision shall not exceed the following:

Zoning District	Open Space Provided		
	30 percent	40 percent	50 percent
R-1	1.7 dwellings per acre	2.0 dwellings per acre	2.4 dwellings per acre
R-2 and R-2A	2.1 dwellings per acre	2.5 dwellings per acre	2.9 dwellings per acre
R-3 and RMH	2.6 dwellings per acre	3.0 dwellings per acre	3.4 dwellings per acre

5-6.5. *Minimum Lot Size Adjacent to Existing Single-Family Residential.* The minimum lot size for residential properties (R-1, R-2, and R-3) abutting platted residentially zoned lots shall be at least eighty-five (85) percent the size of the established lot. However, the minimum lot size shall not be more than two (2) times the minimum size required in Table 5-1-1. These standards shall not apply to new or existing multifamily properties.

5-6.6. *Development Requirements.* Conservation subdivisions shall meet the following requirements:

- (A) Minimum subdivision size shall be ten (10) acres.
- (B) Minimum lot width shall be sixty (60) feet as measured at the front building line.
- (C) There is no minimum lot area requirement.
- (D) The maximum allowable lot coverage shall be fifty (50) percent.
- (E) The minimum right-of-way width for minor residential streets shall be fifty (50) feet.
- (F) The minimum setbacks are established in Table 5-6-2:

Zoning District	Front	Interior Side	Exterior Side	Rear
R-1	25	8	20	20
R-2 and R-2A	25	5	20	20
R-3 and RMH	25	5	20	20

- (G) *Conservation Space Management Plan Required.* A conservation space management plan, as described in Section 5-6.9, shall be prepared and submitted prior to the issuance of a land disturbance permit.
- (H) *Instrument of Permanent Protection Required.* An instrument of permanent protection, such as a conservation easement or permanent restrictive covenant and as described in Section 5-6.9, shall be placed on the Conservation Space concurrent with the issuance of a land disturbance permit.
- (I) *Other Requirements.* The Applicant shall adhere to all other applicable requirements of the underlying zoning and Article XII of this Ordinance.

5-6.7. *Conservation Space.*

- (A) *Definition.* Conservation Space is the portion of the conservation subdivision that has been set aside for permanent protection. Activities within the Conservation Space are restricted in perpetuity through the use of an approved legal instrument.
- (B) *Standards to Determine Conservation Space.*
  - (1) The minimum restricted Conservation Space shall be determined by the zoning district and density as established in the administrative manual.
  - (2) The following are considered Primary Conservation Areas and are required to be included within the Conservation Space, unless the Applicant demonstrates that this provision would constitute an unusual hardship and be counter to the purposes of this article:
    - (a) The 100-year floodplain.
    - (b) Riparian zones of at least 75-foot width along all perennial and intermittent streams.
    - (c) Slopes above twenty-five (25) percent of at least five thousand (5,000) square feet contiguous area.
    - (d) Wetlands that meet the definition used by the Army Corps of Engineers pursuant to the Clean Water Act.
    - (e) Populations of endangered or threatened species, or habitat for such species.
    - (f) Archaeological sites, cemeteries and burial grounds.
  - (3) The following are considered Secondary Conservation Areas and should be included within the Conservation Space to the maximum extent feasible.
    - (a) Important historic sites.
    - (b) Existing healthy, native forests of at least one (1) acre contiguous area.
    - (c) Individual existing healthy trees greater than eight (8) inches caliper, as measured from their outermost drip line.
    - (d) Other significant natural features and scenic viewsheds such as ridge lines, peaks and rock outcroppings, particularly those that can be seen from public roads.
    - (e) Prime agricultural lands of at least five (5) acres contiguous area.
    - (f) Existing trails that connect the tract to neighboring areas.
  - (4) Above-ground utility rights-of-way and small areas of impervious surface may be included within the protected Conservation Space but cannot be counted towards the minimum area requirement (exception: historic structures and existing trails may be counted). Large areas of impervious surface shall be excluded from the Conservation Space.
  - (5) At least twenty-five (25) percent of the Conservation Space shall consist of land that is suitable for building.
  - (6) At least seventy-five (75) percent of the Conservation Space shall be in a contiguous tract. The Conservation Space shall adjoin any neighboring areas of Conservation Space, other protected



areas, and non-protected natural areas that would be candidates for inclusion as part of a future area of protected Conservation Space.

- (7) The Conservation Space shall be directly accessible to the largest practicable number of lots within the subdivision. Non-adjoining lots shall be provided with safe, convenient access to the Conservation Space.

(C) *Permitted Uses of Conservation Space.* Uses of Conservation Space may include the following:

- (1) Conservation of natural, archeological or historical resources;
- (2) Meadows, woodlands, wetlands, wildlife corridors, game preserves, or similar conservation-oriented areas;
- (3) Walking or bicycle trails, provided they are constructed of porous paving materials;
- (4) Passive recreation areas, such as open fields;
- (5) Active recreation areas, provided that they are limited to no more than ten (10) percent of the total Conservation Space and are not located within Primary Conservation Areas. Active recreation areas may include impervious surfaces. Active recreation areas in excess of this limit must be located outside of the protected Conservation Space.
- (6) Agriculture, horticulture, silviculture or pasture uses, provided that all applicable best management practices are used to minimize environmental impacts, and such activities are not conducted within Primary Conservation Areas;
- (7) Easements for drainage, access, and underground utility lines;
- (8) Other conservation-oriented uses compatible with the purposes of this ordinance.

(D) *Prohibited uses of Conservation Space.*

- (1) Golf courses;
- (2) Roads, parking lots and impervious surfaces, except as specifically authorized in the previous sections;
- (3) Agricultural and forestry activities not conducted according to accepted Best Management Practices;
- (4) Stormwater facilities;
- (5) Other activities as determined by the Applicant and recorded on the legal instrument providing for permanent protection.

#### 5-6.8. *Ownership and Management of Conservation Space.*

(A) *Ownership of Conservation Space.* Conservation space shall be owned in fee-simple by a mandatory property owner's association; or other entity approved in advance by the Planning Commission during their normal course of business. The developer shall record the deed to the conservation space prior to, or concurrent with, the recording of the first final subdivision plat. An access easement following the alignment of future public streets is acceptable. However, "pocket parks" or "neighborhood greens" may be deeded concurrent with the unit or phase of the final subdivision plat of which it is a part.

(B) *Management Plan.* Applicant shall submit a Plan for Management of Conservation Space and Common Facilities ("Plan") that:

- (1) Allocates responsibility and guidelines for the maintenance and operation of the Conservation Space and any facilities located thereon, including provisions for ongoing maintenance and for long-term capital improvements;
- (2) Estimates the costs and staffing requirements needed for maintenance and operation of, and insurance for, the Conservation Space and outlines the means by which such funding will be obtained or provided;

- (3) Provides that any changes to the Plan be approved by the Planning Commission; and
- (4) Provides for enforcement of the Plan.

(C) In the event the party responsible for maintenance of the Conservation Space fails to maintain all or any portion in reasonable order and condition, the City of Perry may assume responsibility for its maintenance and may enter the premises and take corrective action, including the provision of extended maintenance. The costs of such maintenance may be charged to the Homeowner's Association, or to the individual property owners that make up the Homeowner's Association, and may include administrative costs and penalties. Such costs shall become a lien on all subdivision properties.

**5-6.9. Legal Instrument for Permanent Protection.**

(A) The Conservation Space shall be protected in perpetuity by a binding legal instrument that is recorded with the deed. The instrument shall be one of the following:

(1) A permanent conservation easement in favor of either:

(a) A land trust or similar conservation-oriented non-profit organization with legal authority to accept such easements. The organization shall be bona fide and in perpetual existence and the conveyance instruments shall contain an appropriate provision for retransfer in the event the organization becomes unable to carry out its functions; or

(b) A governmental entity with an interest in pursuing goals compatible with the purposes of this ordinance. If the entity accepting the easement is not the City of Perry, then a third right of enforcement favoring City of Perry shall be included in the easement.

(2) A permanent restrictive covenant for conservation purposes in favor of a governmental entity.

(3) An equivalent legal tool that provides permanent protection, if approved by City of Perry.

(B) The instrument for permanent protection shall include clear restrictions on the use of the Conservation Space. These restrictions shall include all restrictions contained in this article, as well as any further restrictions the applicant chooses to place on the use of the Conservation Space.

**STANDARDS FOR GRANTING A TEXT AMENDMENT:**

1. *Whether, and the extent to which, the proposed amendment is consistent with the Comprehensive Plan;*

The 2017 Joint Comprehensive Plan calls for a diversity of housing options. The Conservation Subdivision option provides the ability to develop smaller residential lots in exchange for preserving open space. The development pattern will still be allowed with additional evaluation through the Planned Unit Development zoning option.

2. *Whether, and the extent to which, the proposed amendment is consistent with the provisions of this chapter and related city regulations;*

The proposed amendment is consistent with the LMO and other city regulations.

3. *Whether, and the extent to which, there are changed conditions from the conditions prevailing at the time that the original text was adopted;*

The City of Perry continues to see on-street parking issues in conservation subdivisions.

4. *Whether, and the extent to which, the proposed amendment addresses a demonstrated community need;*

Additional review through the planned unit development zoning option will allow staff and the reviewing bodies to ensure that developments with smaller lots are appropriate for the proposed location and address other inherent issues related to such developments.

5. *Whether, and the extent to which, the proposed amendment is consistent with the purpose and intent of the zoning districts in this chapter, will promote compatibility among uses, and will promote efficient and responsible development within the city;*

The added review through the planned unit development zoning option will better promote the purpose and intent of the ordinance, provide better compatibility amount uses, and will better promote efficient and responsible development within the City.

6. *Whether, and the extent to which, the proposed amendment will result in logical and orderly development pattern;*

The added review through the planned unit development zoning option will result in a logical and more orderly development pattern.

7. *Whether, and the extent to which, the proposed amendment will result in beneficial impacts on the natural environment and its ecology, including, but not limited to, water, air, noise, stormwater management, wildlife, vegetation, and wetlands.*

The proposed amendment has no impact on the natural environment and its ecology.

8. *Whether, and the extent to which, the proposed amendment will result in development that is adequately served by public facilities and services (roads, potable water, sewerage, schools, parks, police, fire, and emergency medical facilities).*

The proposed amendment has no impact on public facilities or services.

**STAFF RECOMMENDATION:** Staff recommends approval of the proposed text amendment.

**PLANNING COMMISSION RECOMMENDATION:** Following an information hearing held on July 12, 2021, the Planning Commission recommends approval of the text amendment, as submitted.



Eric Z. Edwards, Chairman, Planning Commission

7/14/21

Date

Delete Section 2-3.11.3 in its entirety:

2-3.11.3. Conservation subdivisions.

- (A) *Procedures.* The procedures and submission requirements for approval of a conservation subdivision shall be the same as those for a standard subdivision as specified in this section 2-3.11, except as specified below.
- (1) Prior to submission of an application for preliminary plat approval, the applicant shall request written consent to prepare a subdivision plat using the Conservation Subdivision Option from the Commission at a regular or special meeting. Such request must be submitted to the administrator at least ten (10) days prior to a regularly scheduled Commission meeting. The Commission shall act on the request on or before the second regularly scheduled meeting following the date of submission, unless the request includes a conceptual plan review as specified in Section 5-7. When conceptual plan review is requested or required, the Commission shall act on the letter of consent request within forty-five (45) days of the meeting at which the Commission receives the request.
  - (2) The Commission's letter of consent shall, at a minimum, reiterate the objectives of the conservation subdivision development option and refer the applicant to the specific standards for conservation subdivision development. A letter of consent shall not constitute nor imply Commission approval of the development plan.
- (B) *Application Requirements.* Concurrent with the submission of a site concept plan, Applicant shall prepare and submit a site analysis map. The purpose of the site analysis map is to ensure that the important site features have been adequately identified prior to the creation of the site design, and that the proposed Conservation Space will meet the requirements of this article. The preliminary site plan shall include the following features:
- (1) Property boundaries;
  - (2) All streams, rivers, lakes, wetlands and other hydrologic features;
  - (3) Topographic contours of no less than ten-foot intervals;
  - (4) All Primary and Secondary Conservation Areas labeled by type, as described in section 5-7;
  - (5) General vegetation characteristics;
  - (6) General soil types;
  - (7) The planned location of protected Conservation Space;
  - (8) Existing roads and structures;
  - (9) Potential connections with existing greenspace and trails.

Delete Section 5-6 in its entirety:

5-6.1. *Purpose.* The purpose of the conservation subdivision is to:

- (A) Preserve in perpetuity unique or sensitive natural resources such as groundwater, floodplains, wetlands, streams, steep slopes, woodlands and wildlife habitat;

- (B) Preserve important historic and archaeological sites;
- (C) Permit clustering of houses and structures on less environmentally sensitive soils which will reduce the amount of infrastructure, including paved surfaces and utility easements, necessary for residential development;
- (D) Reduce erosion and sedimentation by minimizing land disturbance and removal of vegetation in residential development;
- (E) Promote interconnected greenways and corridors throughout the community;
- (F) Promote contiguous greenspace with adjacent jurisdictions;
- (G) Encourage interaction in the community by clustering houses and orienting them closer to the street, providing public gathering places and encouraging use of parks and community facilities as focal points in the neighborhood;
- (H) Promote construction of convenient landscaped walking trails and bike paths both within the subdivision and connected to neighboring communities, businesses, and facilities to reduce reliance on automobiles;
- (I) Conserve scenic views and reduce perceived density by maximizing the number of houses with direct access to and views of conservation space; and
- (J) Protect prime agricultural land and preserve farming as an economic activity.

To achieve these objectives, an applicant for a permit to construct a residential development within the R-1, R-2, R-2A, R-3 and R-MH residential zones may elect, with the written consent of the Commission, to submit a subdivision plan utilizing the conservation subdivision option, subject to the provisions set forth in this section. The Commission may permit, upon determination that the proposed development complies with all requirements of this Section, variations in lot area, setbacks, and other dimensional requirements, and a variety of residential building types as necessary to ensure that the conservation subdivision design will achieve the objectives identified above.

5-6.2. *Applicability of Regulations.* This Conservation Subdivision option is available with Planning Commission approval in all residential zoning districts, including R-1, R-2, R-2A, R-3 and R-MH residential districts. Applicant shall comply with all other provisions of the zoning code and all other applicable laws, except those that are incompatible with the provisions contained herein.

5-6.3. *Ownership of Development Site.* The tract of land to be subdivided may be held in single and separate ownership or in multiple ownership. If held in multiple ownership, however, the site shall be developed according to a single plan with common authority and common responsibility.

5-6.4. *Housing Density Determination.* The maximum net density of a Conservation Subdivision shall not exceed the following:

Zoning District	Open Space Provided		
	30 percent	40 percent	50 percent
R-1	1.7 dwellings per acre	2.0 dwellings per acre	2.4 dwellings per acre
R-2 and R-2A	2.1 dwellings per acre	2.5 dwellings per acre	2.9 dwellings per acre
R-3 and RMH	2.6 dwellings per acre	3.0 dwellings per acre	3.4 dwellings per acre

- 5-6.5. *Minimum Lot Size Adjacent to Existing Single-Family Residential.* The minimum lot size for residential properties (R-1, R-2, and R-3) abutting platted residentially zoned lots shall be at least eighty-five (85) percent the size of the established lot. However, the minimum lot size shall not be more than two (2) times the minimum size required in Table 5-1-1. These standards shall not apply to new or existing multifamily properties.
- 5-6.6. *Development Requirements.* Conservation subdivisions shall meet the following requirements:
- (A) Minimum subdivision size shall be ten (10) acres.
  - (B) Minimum lot width shall be sixty (60) feet as measured at the front building line.
  - (C) There is no minimum lot area requirement.
  - (D) The maximum allowable lot coverage shall be fifty (50) percent.
  - (E) The minimum right-of-way width for minor residential streets shall be fifty (50) feet.
  - (F) The minimum setbacks are established in Table 5-6-2:

Zoning District	Front	Interior Side	Exterior Side	Rear
R-1	25	8	20	20
R-2 and R-2A	25	5	20	20
R-3 and RMH	25	5	20	20

- (G) *Conservation Space Management Plan Required.* A conservation space management plan, as described in Section 5-6.9, shall be prepared and submitted prior to the issuance of a land disturbance permit.
  - (H) *Instrument of Permanent Protection Required.* An instrument of permanent protection, such as a conservation easement or permanent restrictive covenant and as described in Section 5-6.9, shall be placed on the Conservation Space concurrent with the issuance of a land disturbance permit.
  - (I) *Other Requirements.* The Applicant shall adhere to all other applicable requirements of the underlying zoning and Article XII of this Ordinance.
- 5-6.7. *Conservation Space.*
- (A) *Definition.* Conservation Space is the portion of the conservation subdivision that has been set aside for permanent protection. Activities within the Conservation Space are restricted in perpetuity through the use of an approved legal instrument.
  - (B) *Standards to Determine Conservation Space.*
    - (1) The minimum restricted Conservation Space shall be determined by the zoning district and density as established in the administrative manual.
    - (2) The following are considered Primary Conservation Areas and are required to be included within the Conservation Space, unless the Applicant demonstrates that this provision would constitute an unusual hardship and be counter to the purposes of this article:
      - (a) The 100-year floodplain.

- (b) Riparian zones of at least 75-foot width along all perennial and intermittent streams.
  - (c) Slopes above twenty-five (25) percent of at least five thousand (5,000) square feet contiguous area.
  - (d) Wetlands that meet the definition used by the Army Corps of Engineers pursuant to the Clean Water Act.
  - (e) Populations of endangered or threatened species, or habitat for such species.
  - (f) Archaeological sites, cemeteries and burial grounds.
- (3) The following are considered Secondary Conservation Areas and should be included within the Conservation Space to the maximum extent feasible.
- (a) Important historic sites.
  - (b) Existing healthy, native forests of at least one (1) acre contiguous area.
  - (c) Individual existing healthy trees greater than eight (8) inches caliper, as measured from their outermost drip line.
  - (d) Other significant natural features and scenic viewsheds such as ridge lines, peaks and rock outcroppings, particularly those that can be seen from public roads.
  - (e) Prime agricultural lands of at least five (5) acres contiguous area.
  - (f) Existing trails that connect the tract to neighboring areas.
- (4) Above-ground utility rights-of-way and small areas of impervious surface may be included within the protected Conservation Space but cannot be counted towards the minimum area requirement (exception: historic structures and existing trails may be counted). Large areas of impervious surface shall be excluded from the Conservation Space.
- (5) At least twenty-five (25) percent of the Conservation Space shall consist of land that is suitable for building.
- (6) At least seventy-five (75) percent of the Conservation Space shall be in a contiguous tract. The Conservation Space shall adjoin any neighboring areas of Conservation Space, other protected areas, and non-protected natural areas that would be candidates for inclusion as part of a future area of protected Conservation Space.
- (7) The Conservation Space shall be directly accessible to the largest practicable number of lots within the subdivision. Non-adjoining lots shall be provided with safe, convenient access to the Conservation Space.
- (C) *Permitted Uses of Conservation Space.* Uses of Conservation Space may include the following:
- (1) Conservation of natural, archeological or historical resources;
  - (2) Meadows, woodlands, wetlands, wildlife corridors, game preserves, or similar conservation-oriented areas;
  - (3) Walking or bicycle trails, provided they are constructed of porous paving materials;
  - (4) Passive recreation areas, such as open fields;

- (5) Active recreation areas, provided that they are limited to no more than ten (10) percent of the total Conservation Space and are not located within Primary Conservation Areas. Active recreation areas may include impervious surfaces. Active recreation areas in excess of this limit must be located outside of the protected Conservation Space.
- (6) Agriculture, horticulture, silviculture or pasture uses, provided that all applicable best management practices are used to minimize environmental impacts, and such activities are not conducted within Primary Conservation Areas;
- (7) Easements for drainage, access, and underground utility lines;
- (8) Other conservation-oriented uses compatible with the purposes of this ordinance.

(D) *Prohibited uses of Conservation Space.*

- (1) Golf courses;
- (2) Roads, parking lots and impervious surfaces, except as specifically authorized in the previous sections;
- (3) Agricultural and forestry activities not conducted according to accepted Best Management Practices;
- (4) Stormwater facilities;
- (5) Other activities as determined by the Applicant and recorded on the legal instrument providing for permanent protection.

5-6.8. *Ownership and Management of Conservation Space.*

- (A) **Ownership of Conservation Space.** Conservation space shall be owned in fee-simple by a mandatory property owner's association; or other entity approved in advance by the Planning Commission during their normal course of business. The developer shall record the deed to the conservation space prior to, or concurrent with, the recording of the first final subdivision plat. An access easement following the alignment of future public streets is acceptable. However, "pocket parks" or "neighborhood greens" may be deeded concurrent with the unit or phase of the final subdivision plat of which it is a part.
- (B) **Management Plan.** Applicant shall submit a Plan for Management of Conservation Space and Common Facilities ("Plan") that:
  - (1) Allocates responsibility and guidelines for the maintenance and operation of the Conservation Space and any facilities located thereon, including provisions for ongoing maintenance and for long-term capital improvements;
  - (2) Estimates the costs and staffing requirements needed for maintenance and operation of, and insurance for, the Conservation Space and outlines the means by which such funding will be obtained or provided;
  - (3) Provides that any changes to the Plan be approved by the Planning Commission; and
  - (4) Provides for enforcement of the Plan.
- (C) In the event the party responsible for maintenance of the Conservation Space fails to maintain all or any portion in reasonable order and condition, the City of Perry may assume responsibility for its maintenance and may enter the premises and take corrective action, including the provision of extended maintenance. The costs of such maintenance may be charged to the Homeowner's Association, or to the individual



property owners that make up the Homeowner's Association, and may include administrative costs and penalties. Such costs shall become a lien on all subdivision properties.

5-6.9. *Legal Instrument for Permanent Protection.*

- (A) The Conservation Space shall be protected in perpetuity by a binding legal instrument that is recorded with the deed. The instrument shall be one of the following:
  - (1) A permanent conservation easement in favor of either:
    - (a) A land trust or similar conservation-oriented non-profit organization with legal authority to accept such easements. The organization shall be bona fide and in perpetual existence and the conveyance instruments shall contain an appropriate provision for retransfer in the event the organization becomes unable to carry out its functions; or
    - (b) A governmental entity with an interest in pursuing goals compatible with the purposes of this ordinance. If the entity accepting the easement is not the City of Perry, then a third right of enforcement favoring City of Perry shall be included in the easement.
  - (2) A permanent restrictive covenant for conservation purposes in favor of a governmental entity.
  - (3) An equivalent legal tool that provides permanent protection, if approved by City of Perry.
- (B) The instrument for permanent protection shall include clear restrictions on the use of the Conservation Space. These restrictions shall include all restrictions contained in this article, as well as any further restrictions the applicant chooses to place on the use of the Conservation Space.



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Application # TEXT-176-2021

### Application for Text Amendment

Contact Community Development (478) 988-2720

#### Applicant Information

\*Indicates Required Field

Applicant	
*Name	Bryan Wood for the City of Perry
*Title	Director of Community Development
*Address	1211 Washington Street, Perry, GA 31069
*Phone	478-988-2714
*Email	bryan.wood@perry-ga.gov


#### Request

\*Please provide a summary of the proposed text amendment:

Modify Land Management Ordinance Sections 2-3.11.3 and 5-6 by removing procedures and standards for Conservation Subdivisions. Conservation subdivisions will be allowed using the Planned Unit Development zoning option.

#### Instructions

1. The application, fee (made payable to the City of Perry), and proposed text of the amendment must be received by the Community Development Office no later than 4:30 pm on the date reflected on the attached schedule.
2. Fees: Actual cost of required public notice.
3. The applicant must state the reason for the proposed text amendment. See Sections 2-2 and 2-3.2 of the Land Management Ordinance for more information.
4. The staff will review the application to verify that all required information has been submitted. The staff will contact the applicant with a list of any deficiencies which must be corrected prior to placing the application on the planning commission agenda.
5. Text amendment applications require an informational hearing before the planning commission and a public hearing before City Council.
6. The applicant must be present at the hearings to present the application and answer questions that may arise.
7. Campaign Notice required by O.C.G.A. Section 36-67A-3: Within the past two years, have you, the applicant, made either campaign contributions and/or gifts totaling \$250.00 or more to a local government official? Yes  No  If yes, please complete and submit the attached Disclosure Form.
8. The applicant affirms that all information submitted with this application, including any/all supplemental information is true and correct to the best of their knowledge and they have provided full disclosure of the relevant facts.
9. Signatures:

<p>*Applicant  Bryan Wood, Director of Community Development, for the City of Perry</p>	<p>*Date 6/14/2021</p>
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**Standards for Amendments to the Text of the Land Management Ordinance**

In reviewing an application for an amendment to the text of the ordinance and acting on said application, the planning commission and city council may consider the following standards:

- (1) Whether, and the extent to which, the proposed amendment is consistent with the Comprehensive Plan.

The 2017 Joint Comprehensive Plan calls for a diversity in housing options. The Conservation subdivision option provides the ability to develop smaller residential lots in exchange for preserving open space. The development pattern will still be allowed with additional evaluation through the Planned Unit Development zoning option.

- (2) Whether, and the extent to which, the proposed amendment is consistent with the provisions of this chapter and related city regulations.

The proposed amendment is consistent with the LMO and other city regulations.

- (3) Whether, and the extent to which, there are changed conditions from the conditions prevailing at the time that the original text was adopted.

The City continues to see on-street parking issues in conservation subdivisions.

- (4) Whether, and the extent to which, the proposed amendment addresses a demonstrated community need.

Additional review through the planned unit development zoning option will allow staff and the reviewing bodies to ensure that developments with smaller lots are appropriate for the proposed location and address other inherent issues related to such developments.

- (5) Whether, and the extent to which, the proposed amendment is consistent with the purpose and intent of the zoning districts in this chapter, will promote compatibility among uses, and will promote efficient and responsible development within the city.

The added review through the planned unit development zoning option will better promote the purpose and intent of the ordinance, provide better compatibility amount uses, and will better promote efficient and responsible development in the city.

- (6) Whether, and the extent to which, the proposed amendment will result in logical and orderly development pattern.

The added review through the planned unit development zoning option will result in a logical and more orderly development pattern.

- (7) Whether, and the extent to which, the proposed amendment will result in beneficial impacts on the natural environment and its ecology, including, but not limited to, water, air, noise, stormwater management, wildlife, vegetation, and wetlands.

The proposed amendment has no impact on the natural environment and its ecology.

- (8) Whether, and the extent to which, the proposed amendment will result in development that is adequately served by public facilities and services (roads, potable water, sewerage, schools, parks, police, fire, and emergency medical facilities).

The proposed amendment has no impact on public facilities or services.

**RESOLUTION OF THE COUNCIL OF THE CITY OF PERRY, GEORGIA, IMPOSING A MORATORIUM OF NINETY (90) DAYS (UNLESS SOONER TERMINATED) UPON THE APPLICATION FOR AND PERMITTING OF CONSERVATION SUBDIVISIONS IN THE CITY OF PERRY IN ORDER TO ALLOW FOR THE CONSIDERATION, REVIEW AND ADOPTION OF REVISIONS TO SAID SUBDIVISION OPTION**

**WHEREAS**, the City of Perry is charged with preserving the health, safety and welfare of the citizens of the City; and

**WHEREAS**, the City Council has provided a conservation subdivision option for residential development within the City; and

**WHEREAS**, the purposes of the conservation subdivision option are to preserve in perpetuity unique or sensitive natural resources, to preserve important historic and archaeological sites, to permit clustering of houses and structures to reduce the amount of infrastructure, including paving, necessary for residential development, to reduce erosion and sedimentation by minimizing land disturbance and removal of vegetation in residential development, to promote interconnected greenways and corridors, to promote contiguous greenspace, to encourage interaction in the community by clustering houses and orienting them closer to the street, providing public gathering places and encouraging use of parks, to promote construction of convenient landscaped walking trails and bike paths, to conserve scenic views and reduce perceived density by maximizing the number of houses with direct access to and views of conservation space, and to protect prime agricultural land and preserve farming as an economic activity; and

**WHEREAS**, the City has concerns of the conservation space and greenspace not being provided in a manner consistent with purposes identified above, but rather conservation subdivisions being utilized only for the reduced lot size requirements and potential for increased density; and

**WHEREAS**, the City Council has concerns of permitting conservation subdivisions within the City; and

**WHEREAS**, the City wishes to study and review the use of conservation subdivisions to ensure the continued use and best placement for the health, safety and welfare of the public; and

**WHEREAS**, a reasonable amount of time is necessary in order to accomplish the aforesaid actions; and

**WHEREAS**, the Mayor and City Council find that a ninety (90) day period of time to conduct review of said use and districts and adoption of the necessary revisions is a reasonable period of time.

**NOW, THEREFORE, BE IT RESOLVED, AND IT IS HEREBY RESOLVED**, by the Council of the City of Perry that a moratorium is imposed on the issuance of any permits for conservation subdivisions. In the event an ordinance is adopted prior to September 13, 2021, that addresses the concerns of this moratorium, then the moratorium shall be repealed by adoption of such ordinance; otherwise the moratorium shall stand repealed effective September 13, 2021, unless extended by City Council.

**IT IS FURTHER RESOLVED**, that any application for permitting a conservation subdivision that was filed prior to the date hereof and is currently pending with the Department of Community Development is exempt from this moratorium.

So RESOLVED this 15th day of June, 2021.

**CITY OF PERRY, GEORGIA**

By:   
RANDALL WALKER, MAYOR

Attest:   
ANNIE WARREN, CITY CLERK



**AN ORDINANCE OF THE COUNCIL OF THE CITY OF PERRY, GEORGIA, FOR THE PURPOSE OF AMENDING APPENDIX A, LAND MANAGEMENT ORDINANCE, OF THE CODE OF THE CITY OF PERRY, ARTICLE 1, GENERAL PROVISIONS; AMENDING SECTION 1-13, DEFINITIONS; AND ARTICLE 4, USE REGULATIONS; AMENDING SECTIONS 4-1.2, TABLE OF USES AND 4-2.4, COMMERCIAL USE CATEGORIES, TO PROVIDE FOR SHORT-TERM RESIDENTIAL RENTALS**

**THE COUNCIL OF THE CITY OF PERRY HEREBY ORDAINS that the Land Management Ordinance of the Code of the City of Perry is amended as follows:**

1.

By amending the definition of “Bed and breakfast inn” within **Section 1-13 – Definitions** to read as follows:

*Bed and breakfast inn* means an owner-occupied dwelling having ten or fewer guest rooms where overnight accommodations are provided to transients for compensation. Meals may or may not be provided. The short-term rental of individual rooms in an owner-occupied dwelling is classified as a bed and breakfast inn. This use type is regulated under the “visitor accommodations” use category in Article 4, Use Regulations.

2.

By adding a definition of “Short-term residential rental” within **Section 1-13 – Definitions**, such term to be incorporated alphabetically within the other terms, and to read as follows:

*Short-term residential rental* means a furnished dwelling unit used to provide overnight accommodations for periods of less than 30 days to transients for compensation. This use type is regulated under the “visitor accommodations” use category in Article 4, Use Regulations.

3.

By amending the “Visitor Accommodations” use category in **Table 4-1-1: Table of Uses of Section 4-1.2** to provide for the use of Short-Term Residential Rental as follows:

**Sec. 4-1.2 Table of Uses.**

Use Category	Use Type	Zoning Districts															Additional Regulations				
		Residential							Nonresidential							Form Based Code <sup>1</sup>					
		R-1g	R-1	R-2A	R-2	R-3	RM-1H	OC	IN	C-1	C-2	C-3	LC	M-1	M-2	GU		BMU	BMUC	MOU	FSB
Visitor Accommodations	Bed and breakfast inn	S	S	S	S	S	S	C	C			C					S	S	S	S	Sec. 4-3.3(B)
	Campground										S										
	Hotel or motel									P	P	P					P	P	S		
	Recreational vehicle park										S										Sec. 4-3.3(D)
	Short-Term Residential Rental	S	S	S	S	S	S	P	P	P	P	P					P	P	P	S	

4.

By amending subsection (H) of **Section 4-2.4 – Commercial use categories** to read as follows:

**4-2.4. Commercial use categories.**

**(H) Visitor accommodations.**

- (1) *Characteristics.* This category includes dwelling units arranged for short-term stays of less than 30 days for rent, lease, or interval occupancy. Accessory uses may include pools and other recreational facilities, limited storage, restaurants, bars, meeting facilities, and offices.
- (2) *Examples.* Examples include bed and breakfast inns, hotels, motels, and short-term residential rentals.

**SO ENACTED this 17<sup>th</sup> day of August, 2021.**

**CITY OF PERRY, GEORGIA**

By: \_\_\_\_\_  
Randall Walker, Mayor

Attest: \_\_\_\_\_  
Annie Warren, City Clerk

1<sup>st</sup> Reading: August 3, 2021

2<sup>nd</sup> Reading: August 17, 2021



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**STAFF REPORT**

From the Department of Community Development  
July 2, 2021

**CASE NUMBER:** TEXT-177-2021  
**APPLICANT:** The City of Perry  
**REQUEST:** Modifications to Land Management Ordinance Sections 1-13, 4-1.2, and 4-2.4(h) to address short-term rentals. The amendment modifies the definition of "bed and breakfast inn" and adds a definition of "short-term rental." Short-term rental is added to the table of uses as a special exception use in the residential districts and a permitted use in commercial districts. Short-term rental is added as a specific use in the visitor accommodations use classification.

**STAFF ANALYSIS:** The proposed text amendment modifies Section 1-13, Definitions, Section 4-1.2, Table of Uses, and Section 4-2.4(h), Visitor Accommodations.

The proposed amendment is intended to codify City Council's recent directive regarding the regulation of short-term rentals. Such uses will require a special exception in residentially-zoned districts and the residential-agricultural district.

**Sec. 1-13. Definitions.**

*Bed and breakfast inn* means an owner-occupied dwelling having ten or fewer guest rooms where overnight accommodations ~~and a morning meal~~ are provided to transients for compensation. Meals may or may not be provided. The short-term rental of individual rooms in an owner-occupied dwelling is classified as a bed and breakfast inn. This use type is regulated under the "visitor accommodations" use category in article 4, use regulations.

*Short-term residential rental* means a furnished dwelling unit used to provide overnight accommodations for periods of less than 30 days to transients for compensation. This use type is regulated under the "visitor accommodations" use category in article 4, use regulations.



**Sec. 4-1. Table of uses.**

4-1.2. *Table of uses.*

Use Category	Use Type	Zoning Districts																	Additional Regulations			
		Residential						Nonresidential										Form Based Code <sup>2</sup>				
		R-AB	R1	R2A	R2	R3	RMH	OC	IN	C1	C2	C3	LC	M1	M2	GU	IMU	MUC		NMU	FBR	
Visitor Accommodations	Bed and breakfast inn	S	S	S	S	S	S	C	C			C					S	S	S	S	Sec. 4-3.3(8)	
	Campground									S												
	Hotel or motel									P	P	P					P	P	S			
	Recreational vehicle park									S												Sec. 4-3.3(D)
Short-Term Residential Rental	S	S	S	S	S	S	P	P	P	P	P					P	P	P	S			

**Sec. 4-2. - Use classifications.**

4-2.4. *Commercial use categories.*

(H) *Visitor accommodations.*

- (1) *Characteristics.* This category includes dwelling units arranged for short-term stays of less than 30 days for rent, lease, or interval occupancy. Accessory uses may include pools and other recreational facilities, limited storage, restaurants, bars, meeting facilities, and offices.
- (2) *Examples.* Examples include bed and breakfast inns, hotels, motels, and short-term rentals.

**STANDARDS FOR GRANTING A TEXT AMENDMENT:**

1. *Whether, and the extent to which, the proposed amendment is consistent with the Comprehensive Plan;*

The proposed amendment is consistent with the 2017 Joint Comprehensive Plan, in that short-term rental properties remain residential in character.

2. *Whether, and the extent to which, the proposed amendment is consistent with the provisions of this chapter and related city regulations:*

The proposed amendment is consistent with the LMO and other city regulations.

3. *Whether, and the extent to which, there are changed conditions from the conditions prevailing at the time that the original text was adopted;*

The short-term rental of residential properties is increasing. The special exception process will provide an opportunity for the city to determine if the specific proposed use and location are appropriate and will establish a record of short-term rental.

4. *Whether, and the extent to which, the proposed amendment addresses a demonstrated community need;*

With the increasing popularity of short-term rentals as an alternative to hotels, the proposed amendment allows the city to address any potential issues with individual short-term rental properties.

5. *Whether, and the extent to which, the proposed amendment is consistent with the purpose and intent of the zoning districts in this chapter, will promote compatibility among uses, and will promote efficient and responsible development within the city;*

The amendment is consistent with the purpose and intent of the LMO and will promote compatibility among residential uses.

6. *Whether, and the extent to which, the proposed amendment will result in logical and orderly development pattern;*

Residential short-term rentals occur in existing developments and will have no impact on the logical and orderly development pattern.

7. *Whether, and the extent to which, the proposed amendment will result in beneficial impacts on the natural environment and its ecology, including, but not limited to, water, air, noise, stormwater management, wildlife, vegetation, and wetlands.*

The proposed amendment has no impact on the natural environment and its ecology.

8. *Whether, and the extent to which, the proposed amendment will result in development that is adequately served by public facilities and services (roads, potable water, sewerage, schools, parks, police, fire, and emergency medical facilities).*

The proposed amendment has no impact on public facilities or services.

**STAFF RECOMMENDATION:** Staff recommends approval of the proposed text amendment.

**PLANNING COMMISSION RECOMMENDATION:** Following an information hearing held on July 12, 2021, the Planning Commission recommends approval of the text amendment, as submitted.

  
Eric Z. Edwards, Chairman, Planning Commission

7/14/21  
Date

Replace existing definition of "Bed and breakfast inns" in Section 1-13 and add the definition of "short-term residential rental" as listed below.

**Sec. 1-13. Definitions.**

*Bed and breakfast inn* means an owner-occupied dwelling having ten or fewer guest rooms where overnight accommodations are provided to transients for compensation. Meals may or may not be provided. The short-term rental of individual rooms in an owner-occupied dwelling is classified as a bed and breakfast inn. This use type is regulated under the "visitor accommodations" use category in article 4, use regulations.

*Short-term residential rental* means a furnished dwelling unit used to provide overnight accommodations for periods of less than 30 days to transients for compensation. This use type is regulated under the "visitor accommodations" use category in article 4, use regulations.

Replace the "Visitor Accommodations" portion of the Table of Uses in Section 4-1.2 as stated below.

**Sec. 4-1. Table of Uses.**

4-1.2. Table of uses.

Use Category	Use Type	Zoning Districts																Additional Regulations			
		Residential						Nonresidential						Form Based Code <sup>2</sup>							
		R-Ag	R1	R2A	R2	R3	RMH	OC	IN	C1	C2	C3	LC	M1	M2	GU	IMU		MUC	NMU	FBR
Visitor Accommodations	Bed and breakfast inn	S	S	S	S	S	S	C	C								S	S	S	S	Sec. 4-3.3(B)
	Campground									S											
	Hotel or motel									P	P	P					P	P	S		
	Recreational vehicle park									S											
	Short-Term Residential Rental	S	S	S	S	S	S	P	P	P	P	P					P	P	P	S	Sec. 4-3.3(D)

Replace subsection 4-2.4(H) with the language listed below.

**Sec. 4-2. - Use classifications.**

4-2.4. Commercial use categories.

(H) Visitor accommodations.

- (1) Characteristics. This category includes dwelling units arranged for short-term stays of less than 30 days for rent, lease, or interval occupancy. Accessory uses may include pools and other recreational facilities, limited storage, restaurants, bars, meeting facilities, and offices.
- (2) Examples. Examples include bed and breakfast inns, hotels, and motels, and short-term residential rentals.



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Application # TEXT-177-2021

## Application for Text Amendment

Contact Community Development (478) 988-2720

### Applicant Information

\*Indicates Required Field

	Applicant
*Name	Bryan Wood for the City of Perry
*Title	Director of Community Development
*Address	1211 Washington Street, Perry, GA 31069
*Phone	478-988-2714
*Email	bryan.wood@perry-ga.gov


### Request

\*Please provide a summary of the proposed text amendment:

Modify Land Management Ordinance Sections 1-13, 4-1.2 and 4-2.4(h) to address short-term rentals. The amendment modifies the definition of "bed and breakfast inn" and adds a definition of "short-term rental." Short-term rental is added to the table of uses as a special exception use in the residential districts and a permitted use in commercial district. Short-term rental is added as a specific use in the visitor accommodations use classification.

### Instructions

1. The application, fee (made payable to the City of Perry), and proposed text of the amendment must be received by the Community Development Office no later than 4:30 pm on the date reflected on the attached schedule.
2. Fees: Actual cost of required public notice.
3. The applicant must state the reason for the proposed text amendment. See Sections 2-2 and 2-3.2 of the Land Management Ordinance for more information.
4. The staff will review the application to verify that all required information has been submitted. The staff will contact the applicant with a list of any deficiencies which must be corrected prior to placing the application on the planning commission agenda.
5. Text amendment applications require an informational hearing before the planning commission and a public hearing before City Council.
6. The applicant must be present at the hearings to present the application and answer questions that may arise.
7. Campaign Notice required by O.C.G.A. Section 36-67A-3: Within the past two years, have you, the applicant, made either campaign contributions and/or gifts totaling \$250.00 or more to a local government official? Yes  No  X  
If yes, please complete and submit the attached Disclosure Form.
8. The applicant affirms that all information submitted with this application, including any/all supplemental information is true and correct to the best of their knowledge and they have provided full disclosure of the relevant facts.
9. Signatures:

*Applicant 	Bryan Wood, Director of Community Development, for the City of Perry	*Date 6/14/2021
--	--	--------------------

**Standards for Amendments to the Text of the Land Management Ordinance**

In reviewing an application for an amendment to the text of the ordinance and acting on said application, the planning commission and city council may consider the following standards:

- (1) Whether, and the extent to which, the proposed amendment is consistent with the Comprehensive Plan.

The proposed amendment is consistent with the 2017 Joint Comprehensive Plan, in that short-term rental properties remain residential in character.

- (2) Whether, and the extent to which, the proposed amendment is consistent with the provisions of this chapter and related city regulations.

The proposed amendment is consistent with the LMO and other city regulations.

- (3) Whether, and the extent to which, there are changed conditions from the conditions prevailing at the time that the original text was adopted.

The short-term rental of residential properties is increasing. The special exception process will provide an opportunity for the city to determine if the specific proposed use and location are appropriate and will establish a record of short-term rental.

- (4) Whether, and the extent to which, the proposed amendment addresses a demonstrated community need.

With the popularity of short-term rentals as an alternative to hotels, the proposed amendment allows the city to address any potential issues with individual short-term rental properties.

- (5) Whether, and the extent to which, the proposed amendment is consistent with the purpose and intent of the zoning districts in this chapter, will promote compatibility among uses, and will promote efficient and responsible development within the city.

The amendment is consistent with the purpose and intent of the LMO and will promote compatibility among residential uses.

- (6) Whether, and the extent to which, the proposed amendment will result in logical and orderly development pattern.

Residential short-term rentals occur in existing developments and will have no impact on the logical and orderly development pattern.

- (7) Whether, and the extent to which, the proposed amendment will result in beneficial impacts on the natural environment and its ecology, including, but not limited to, water, air, noise, stormwater management, wildlife, vegetation, and wetlands.

The proposed amendment has no impact on the natural environment and its ecology.

- (8) Whether, and the extent to which, the proposed amendment will result in development that is adequately served by public facilities and services (roads, potable water, sewerage, schools, parks, police, fire, and emergency medical facilities).

The proposed amendment has no impact on public facilities or services.

**AN ORDINANCE OF THE COUNCIL OF THE CITY OF PERRY, GEORGIA, FOR THE PURPOSE OF AMENDING APPENDIX A, LAND MANAGEMENT ORDINANCE, OF THE CODE OF THE CITY OF PERRY, AMENDING ARTICLE 1, GENERAL PROVISIONS, SECTION 1-13, DEFINITIONS; AMENDING ARTICLE 4, USE REGULATIONS, SUBSECTION 4-3.3, COMMERCIAL USES; AND AMENDING ARTICLE 6, DEVELOPMENT AND DESIGN STANDARDS, SUBSECTION 6-1.3, OFF-STREET PARKING REQUIREMENTS, AND SUBSECTION 6-1.6, PARKING DESIGN AND LOCATION STANDARDS; TO REPEAL ALL CODE PROVISIONS, ORDINANCES, OR PARTS THEREOF, IN CONFLICT HERewith; AND FOR OTHER PURPOSES**

**THE COUNCIL OF THE CITY OF PERRY HEREBY ORDAINS that the Land Management Ordinance of the Code of the City of Perry is amended as follows:**

1.

By deleting and replacing the definitions of "Parking lot" and "Vehicular use area" of **Section 1-13** as follows:

**Sec. 1-13 Definitions.**

*Parking lot* means any area not within a structure used to maneuver and park vehicles. Areas used for the display or storage of farm and lawn equipment, golf carts, ATVs, utility trailers, and similar equipment for sale or rent are not considered parking lots. A parking lot may be an accessory use or a principal use. As a principal use, this use type is regulated under the "parking, commercial" use category in article 4, Use Regulations.

*Vehicular use area* means any area which is not located within an enclosed structure, and which is devoted to a use by and for motor vehicles, including parking (accessory or non-accessory) or storage of automobiles, trucks or other vehicles, service areas and driveways. Areas designated solely for the display of new and used vehicles for sale or lease, and any area designed to be used solely for access between a street and a vehicular use area is not considered part of the vehicular use area.

2.

By deleting **subsection (F) of Subsection 4-3.3 – Commercial uses** in its entirety and replacing it to read as follows:

**Sec. 4-3 Standards for specific uses.**

**4-3.3. Commercial uses.**

(F) *Vehicle sales and services.* All such uses shall comply with the following standards:

- (1) Vehicles, parts, or equipment shall not be stored, parked, or displayed in any landscape area (except as provided in section 4-3.3(F)(3)(b), the right-of-way, or in a location which obstructs visibility in sight triangles for streets and driveways.
- (2) All vehicles not displayed for sale or lease, automobile parts, discarded parts, and similar materials shall be stored within an enclosed building or within an outdoor storage area which complies with screening requirements in subsection 19-6.2.5, additional screening requirements.
- (3) Automobile sales and rental, boat/recreational vehicle sales and rental. Automobile sales and rental uses and boat/recreational vehicle sales and rental uses shall be subject to the following standards:

- (a) *Minimum site size.* Automobile sales or rental uses, and boat/recreational vehicle sales and rental uses shall be located on a site at least one acre in area dedicated solely to such use.
- (b) *Vehicle display/storage areas.* Vehicle display/storage areas shall be subject to the following standards:
  1. A vehicle display/storage area shall not be located within a required setback, required landscaping area, or required parking space.
  2. Vehicle display devices shall not be elevated more than two feet above grade.
  3. Areas used for display or storage of vehicles shall be surfaced with concrete, asphalt concrete, or approved pervious paving surfaces approved by the administrator, except that up to ten (10) vehicles may be displayed on turf located on the premises of an authorized automobile sales use. Gravel is not an acceptable paving surface for display or storage of vehicles. All surfaces shall be maintained in sound condition free of potholes, weeds and other vegetation, dust, trash, and debris.
  4. Display vehicles shall be arranged in an orderly fashion and provide reasonable room for pedestrian and vehicular maneuvering.
  5. No vehicles shall be displayed on top of a building.
  6. Junked or salvage vehicles are prohibited. All motor vehicles for sale shall be maintained in running condition.
- (c) *Service areas.* Vehicle service areas shall be placed entirely within an enclosed building. Service bay or garage doors that face a public right-of-way shall be recessed at least 15 feet beyond the main facade of the building. Service bay and garage doors shall not face residential districts.
- (d) *Outdoor storage.* Outdoor storage of materials, supplies, and equipment may be allowed only within an area screened in accordance with section 6-3-7, additional screening requirements. Outdoor storage lots may contain a gravel surface, provided it is maintained free of potholes, weeds and other vegetation, dust, trash, and debris.

3.

By amending **Table 6-1-1: Off-Street Parking Requirements Schedule A** of **Subsection 6-1.3 – Off-street parking requirements** as follows:

**Sec. 6-1. Off-street parking and loading.**

**6-1.3. Off-street parking requirements.**

*Schedule A.* Unless otherwise expressly stated in this chapter, off-street parking spaces shall be provided in accordance with Table 6-1-1.

Use Category	Use Type	Minimum Spaces Required	Maximum Spaces Allowed
		Square footage refers to total gross floor area, excluding accessory warehouse and storage areas unless otherwise indicated	
<b>COMMERCIAL USES (CONTINUED)</b>			
Vehicle sales and service	Automobile rental and sales	1 per 300 square feet	See Schedule B
	Automobile repair	1 per 300 square feet	See Schedule B
	Automobile servicing	1 per 300 square feet	See Schedule B
	Automobile wash and detailing	1 per 500 square feet of sales, office, and lounge area, plus vehicle stacking spaces (See § 6-1.7)	See Schedule B
	Boat/ Recreational vehicle rental and sales	1 per 300 square feet	See Schedule B
	Towing service	1 per 300 square feet	See Schedule B
	Truck or trailer rental	1 per 300 square feet	See Schedule B

By amending subsections (A), (B) and (D) of Subsection 6-1.6—Parking design and location standards to read as follows:

**6-1.6. Parking design and location standards.** In addition to the design standards listed in section 6-6, the following shall apply to all parking lots:

- (A) *Surfacing and maintenance.* All required parking and vehicular driving surfaces shall be graded for drainage in accordance with article 7, stormwater management. All parking and vehicular driving surfaces required pursuant to minimum spaces required in Table 6-1-1, except for parking and driveways for one-family detached and two-family dwellings, shall be surfaced with concrete or asphalt concrete pavement except as required or allowed in subsections 6-1.6(B), (D) and (E) of this section. Alternative materials may be approved by the administrator. Alternative materials shall only be considered if such material exhibits equivalent load bearing and wear characteristics as concrete or asphalt concrete. Gravel is not an acceptable alternative paving material except for overflow parking and vehicular use areas located in an M-1 or M-2 zoning district. All surfaces shall be maintained in sound condition free of potholes, weeds, dust, trash, and debris.
- (B) *Low impact development (LID) techniques required.* All parking areas, for uses other than single-family detached and two-family dwellings, which exceed the number of parking spaces required by the minimum spaces required column and equal to or less than the maximum spaces allowed column as listed in Table 6-1-1 should incorporate low impact development (LID) techniques for the area in which there are excess spaces. Each LID technique shall be approved by the administrator. Examples include but are not limited to bioretention areas and vegetative filter strips. The LID technique shall be sized to treat the first 0.5 inches of runoff from the excess spaces and will be in addition to the stormwater requirements set forth in article 7, stormwater management.
- (D) *Overflow parking.* All parking areas above the maximum number of spaces required in Table 6-1-1 are considered as overflow parking and shall be turf or an approved pervious paving system. Turf may be used for parking areas and vehicular driving surfaces only for parking areas which are designed to be used no more than ten times per year.

**BE IT FURTHER ORDAINED** that all ordinances and Code sections, or parts thereof, in conflict with the foregoing are expressly repealed; and that should any provision of this ordinance be rendered invalid by any court of law, the remaining provisions shall continue in force and effect until amended or repealed by action of this governing authority.

**SO ENACTED** this 17<sup>th</sup> day of August, 2021.

**CITY OF PERRY, GEORGIA**

By: \_\_\_\_\_  
Randall Walker, Mayor

Attest: \_\_\_\_\_  
Annie Warren, City Clerk

1<sup>st</sup> Reading: August 3, 2021

2<sup>nd</sup> Reading: August 17, 2021





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### STAFF REPORT

From the Department of Community Development  
July 2, 2021

**CASE NUMBER:** TEXT-178-2021  
**APPLICANT:** The City of Perry  
**REQUEST:** Modifications to Land Management Ordinance Sections 1-13, 4-3.3(F), 6-1.3, and 6-1.6 to clarify the definitions of "parking lot" and "vehicular use area" and to clarify the acceptable use of gravel as a paving material based on policies approved by the Planning Commission on April 12, 2021.

**STAFF ANALYSIS:** The proposed text amendment modifies Section 1-13, Definitions, Section 4-3.3(F), Vehicle sales and services, Section 6-1.3, Off-street parking requirements, and Section 6-1.6, Parking design and location standards.

The proposed amendment will make the language in the Land Management Ordinance consistent with the policies adopted by the Planning Commission on April 12, 2021 (see attached).

#### **Sec. 1-13. Definitions.**

~~*Parking lot* means any area, paved or unpaved, used for egress or ingress or to store or park vehicles. The areas designated for the display of new and used vehicles for sale are not included in this definition. This use type is regulated under the "parking, commercial" use category in article 4, use regulations.~~

*Parking lot* means any area not within a structure used to maneuver and park vehicles. Areas used for the display or storage of farm and lawn equipment, golf carts, ATVs, utility trailers, and similar equipment for sale or rent are not considered parking lots. A parking lot may be an accessory use or a principal use. As a principal use, this use type is regulated under the "parking, commercial" use category in article 4, use regulations.

~~*Vehicular use area* means any area of a property which is not located within an enclosed structure and which is devoted to a use by and for motor vehicles, including parking (accessory or non-accessory) or storage of automobiles, trucks or other vehicles; service areas and drives driveways. Areas designated solely for the display of new and used vehicles for sale or lease, and any paved area designed to be used solely for access between a street and a vehicular use area is not considered part of the vehicular use area.~~

#### **Sec. 4-3. Standards for specific uses.**

##### **4-3.3. Commercial uses.**

(F) *Vehicle sales and services*. All such uses shall comply with the following standards:

- (1) Vehicles, parts, or equipment shall not be stored, parked or displayed in any landscape area (except as provided in section 4-3.3(F)(3)(b), the right-of-way, or in a location which obstructs visibility in sight triangles for streets and driveways.

- (2) All automobiles ~~vehicles~~ not displayed for sale or lease, automobile parts, discarded parts, and similar materials shall be stored within an enclosed building or within an outdoor storage area which complies with screening requirements in subsection 19-6.2.5, additional screening requirements.
- (3) Automobile sales and rental. Automobile sales and rental, boat/recreational sales and rental. Automobile sales and rental uses and boat/recreational sales and rental uses shall be subject to the following standards:
- (a) *Minimum site size*. Automobile sales or rental uses and boat/recreational sales and rental uses shall be located on a site at least one acre in area dedicated solely to such use.
- (b) *Vehicle display/storage areas*. Vehicle display/storage areas shall be subject to the following standards:
1. A vehicle display/storage area shall not be located within a required setback, required landscaping area, or required parking space.
  2. Vehicle display devices shall not be elevated more than two feet above grade.
  3. Areas used for display or storage of vehicles shall be surfaced with concrete, asphalt concrete, or approved pervious paving surfaces ~~listed in the administrative manual~~ approved by the administrator, except that up to ten (10) vehicles may be displayed on turf located on the premises of an authorized automobile sales use. Gravel is not an acceptable paving surface for display or storage of vehicles. All surfaces shall be maintained in sound condition free of pot holes, weeds and other vegetation, dust, trash, and debris.
  - ~~4. Areas used for display or storage of vehicles which are paved with pervious paving surfaces shall provide a street buffer yard in accordance with section 6-3.6, street buffer yards.~~
  5. Display vehicles shall be arranged in an orderly fashion and provide reasonable room for pedestrian and vehicular maneuvering.
  6. No vehicles shall be displayed on top of a building.
  7. Junked or salvage vehicles are prohibited. All motor vehicles for sale shall be maintained in running condition.
- (c) *Service areas*. Automobile Vehicle service areas shall take place entirely within an enclosed building. Service bay or garage doors that face a public right-of-way shall be recessed at least 15 feet beyond the main facade of the building. Service bay and garage doors shall not face residential districts.
- (d) *Outdoor storage*. Outdoor storage of materials, supplies, and equipment may be allowed only within an area screened in accordance with section 6-3-7, additional screening requirements. Outdoor storage lots may contain a gravel surface, provided it is maintained free of potholes, weeds, and other vegetation, dust, trash, and debris.

## Sec. 6-1. Off-street parking and loading.

### 6-1.3. Off-street parking requirements.

- (A) *Schedule A*. Unless otherwise expressly stated in this chapter, off-street parking spaces shall be provided in accordance with Table 6-1-1.

Use Category	Use Type	Minimum Spaces Required	Maximum Spaces Allowed
		Square footage refers to total gross floor area, excluding accessory warehouse and storage areas unless otherwise indicated	
Vehicle sales and service	Automobile rental and sales	<del>See Schedule B-1</del> per 300 square feet	See Schedule B
	Automobile repair	1 per 300 square feet	See Schedule B
	Automobile servicing	1 per 300 square feet	See Schedule B
	Automobile wash and detailing	1 per 500 square feet of sales, office, and lounge area, plus vehicle stacking spaces (See § 6-1.7)	See Schedule B
	Recreational vehicle rental and sales	<del>See Schedule B-1</del> per 300 square feet	See Schedule B
	Towing service	<del>See Schedule B-1</del> per 300 square feet	See Schedule B
	Truck or trailer rental	<del>See Schedule B-1</del> per 300 square feet	See Schedule B

6-1.6. *Parking design and location standards.* In addition to the design standards listed in section 6-6, the following shall apply to all parking lots:

- (A) *Surfacing and maintenance.* All required parking and vehicular driving surfaces shall be graded for drainage in accordance with article 7, stormwater management. All parking and vehicular driving surfaces required pursuant to minimum spaces required in Table 6-1-1, with the exception of parking and driveways for one-family detached and two-family dwellings, shall be surfaced with concrete or asphalt concrete pavement except as required or allowed in subsections 6-1.6(B), (C), (D) and (E) of this section. Alternative materials may be approved by the administrator. Alternative materials shall only be considered if such material exhibits equivalent load bearing and wear characteristics as concrete or asphalt concrete. Gravel is not an acceptable alternative paving material except for overflow parking and vehicular use areas located in an M-1 or M-2 zoning district. All surfaces shall be maintained in sound condition free of pot holes, weeds, dust, trash, and debris.
- (B) *Low impact development (LID) techniques required.* All parking areas, for uses other than single-family detached and two-family dwellings, which exceed the number of parking spaces required by the minimum spaces required column and equal to or less than the maximum spaces allowed column as listed in Table 6-1-1 shall ~~shall~~ should incorporate low impact development (LID) techniques for the area in which there are excess spaces. Each LID technique shall be approved by the administrator. Examples include but are not limited to bioretention areas and vegetative filter strips. The LID technique shall be sized to treat the first 0.5 inches of runoff from the excess spaces and will be in addition to the stormwater requirements set forth in article 7, stormwater management.
- (D) *Overflow parking.* All parking areas above the maximum number of spaces required in Table 6-1-1 are considered as overflow parking and shall be turf or an approved pervious paving system. Turf may be used for parking areas and vehicular driving surfaces only for parking areas which are designed to be used no more than ten times per year ~~or for storage lots which generate less than 30 average daily trips.~~

**STANDARDS FOR GRANTING A TEXT AMENDMENT:**

1. *Whether, and the extent to which, the proposed amendment is consistent with the Comprehensive Plan;*

The proposed amendment is consistent with the 2017 Joint Comprehensive Plan.

2. *Whether, and the extent to which, the proposed amendment is consistent with the provisions of this chapter and related city regulations;*

The proposed amendment is consistent with the provisions of the LMO and other city regulations.

3. *Whether, and the extent to which, there are changed conditions from the conditions prevailing at the time that the original text was adopted;*

Since the adoption of provisions allowing the use of gravel paving surfaces, the Planning Commission adopted policies regulating the use of gravel.

4. *Whether, and the extent to which, the proposed amendment addresses a demonstrated community need;*

The proposed amendment will improve the appearance of the community.

5. *Whether, and the extent to which, the proposed amendment is consistent with the purpose and intent of the zoning districts in this chapter, will promote compatibility among uses, and will promote efficient and responsible development within the city;*

The amendment is consistent with the purpose and intent of the LMO and will promote compatibility among uses and will promote efficient and responsible development.

6. *Whether, and the extent to which, the proposed amendment will result in logical and orderly development pattern;*

The proposed amendment has no impact on development patterns.

7. *Whether, and the extent to which, the proposed amendment will result in beneficial impacts on the natural environment and its ecology, including, but not limited to, water, air, noise, stormwater management, wildlife, vegetation, and wetlands.*

For stormwater calculation purposes, gravel surfaces are 85% impervious. The proposed amendment will have a limited impact on the natural environment and its ecology.

8. *Whether, and the extent to which, the proposed amendment will result in development that is adequately served by public facilities and services (roads, potable water, sewerage, schools, parks, police, fire, and emergency medical facilities).*

The proposed amendment has no impact on public facilities or services.

**STAFF RECOMMENDATION:** Staff recommends approval of the proposed text amendment.

**PLANNING COMMISSION RECOMMENDATION:** Following an information hearing held on July 12, 2021, the Planning Commission recommends approval of the text amendment, as submitted.



Eric Z. Edwards, Chairman, Planning Commission

7/14/21

Date

Replace the definitions of "Parking lot" and "Vehicular use area" in Section 1-13 as stated below:

**Sec. 1-13. Definitions.**

*Parking lot* means any area not within a structure used to maneuver and park vehicles. Areas used for the display or storage of farm and lawn equipment, golf carts, ATVs, utility trailers, and similar equipment for sale or rent are not considered parking lots. A parking lot may be an accessory use or a principal use. As a principal use, this use type is regulated under the "parking, commercial" use category in article 4, use regulations.

*Vehicular use area* means any area which is not located within an enclosed structure, and which is devoted to a use by and for motor vehicles, including parking (accessory or non-accessory) or storage of automobiles, trucks or other vehicles; service areas and driveways. Areas designated solely for the display of new and used vehicles for sale or lease, and any area designed to be used solely for access between a street and a vehicular use area is not considered part of the vehicular use area.

Replace subsection 4-3.3(F) with language listed below:

**Sec. 4-3. Standards for specific uses.**

4-3.3. *Commercial uses.*

(F) *Vehicle sales and services.* All such uses shall comply with the following standards:

- (1) Vehicles, parts, or equipment shall not be stored, parked, or displayed in any landscape area (except as provided in section 4-3.3(F)(3)(b), the right-of-way, or in a location which obstructs visibility in sight triangles for streets and driveways.
- (2) All vehicles not displayed for sale or lease, automobile parts, discarded parts, and similar materials shall be stored within an enclosed building or within an outdoor storage area which complies with screening requirements in subsection 19-6.2.5, additional screening requirements.
- (3) Automobile sales and rental, boat/recreational sales and rental. Automobile sales and rental uses, and boat/recreational sales and rental uses shall be subject to the following standards:
  - (a) *Minimum site size.* Automobile sales or rental uses, and boat/recreational sales and rental uses shall be located on a site at least one acre in area dedicated solely to such use.
  - (b) *Vehicle display/storage areas.* Vehicle display/storage areas shall be subject to the following standards:
    1. A vehicle display/storage area shall not be located within a required setback, required landscaping area, or required parking space.
    2. Vehicle display devices shall not be elevated more than two feet above grade.
    3. Areas used for display or storage of vehicles shall be surfaced with concrete, asphalt concrete, or approved pervious paving surfaces approved by the administrator, except that up to ten (10) vehicles may be displayed on turf located on the premises of an authorized automobile sales use. Gravel is not an acceptable paving surface for display or storage of vehicles. All surfaces shall be maintained in sound condition free of potholes, weeds and other vegetation, dust, trash, and debris.
    4. Display vehicles shall be arranged in an orderly fashion and provide reasonable room for pedestrian and vehicular maneuvering.
    5. No vehicles shall be displayed on top of a building.
    6. Junked or salvage vehicles are prohibited. All motor vehicles for sale shall be maintained in running condition.
  - (c) *Service areas.* Vehicle service areas shall take place entirely within an enclosed building. Service bay or garage doors that face a public right-of-way shall be recessed at least 15 feet beyond the main facade of the building. Service bay and garage doors shall not face residential districts.
  - (d) *Outdoor storage.* Outdoor storage of materials, supplies, and equipment may be allowed only within an area screened in accordance with section 6-3-7, additional screening requirements. Outdoor

storage lots may contain a gravel surface, provided it is maintained free of potholes, weeds and other vegetation, dust, trash, and debris.

Replace the "Vehicle sales and service" section of table 6-1-1 in Section 6-1.3 as follows:

**Sec. 6-1. Off-street parking and loading.**

6-1.3. *Off-street parking requirements.*

*Schedule A.* Unless otherwise expressly stated in this chapter, off-street parking spaces shall be provided in accordance with Table 6-1-1.

<i>Use Category</i>	<i>Use Type</i>	<i>Minimum Spaces Required</i>	<i>Maximum Spaces Allowed</i>
<i>Square footage refers to total gross floor area, excluding accessory warehouse and storage areas unless otherwise indicated</i>			
<b>COMMERCIAL USES (CONTINUED)</b>			
	Automobile rental and sales	1 per 300 square feet	See Schedule B
	Automobile repair	1 per 300 square feet	See Schedule B
	Automobile servicing	1 per 300 square feet	See Schedule B
Vehicle sales and service	Automobile wash and detailing	1 per 500 square feet of sales, office, and lounge area, plus vehicle stacking spaces (See § 6-1.7)	See Schedule B
	Recreational vehicle rental and sales	1 per 300 square feet	See Schedule B
	Towing service	1 per 300 square feet	See Schedule B
	Truck or trailer rental	1 per 300 square feet	See Schedule B

Replace Subsections 6-1.6(A), (B) and (D) as follows:

6-1.6. *Parking design and location standards.* In addition to the design standards listed in section 6-6, the following shall apply to all parking lots:

- (A) *Surfacing and maintenance.* All required parking and vehicular driving surfaces shall be graded for drainage in accordance with article 7, stormwater management. All parking and vehicular driving surfaces required pursuant to minimum spaces required in Table 6-1-1, except for parking and driveways for one-family detached and two-family dwellings, shall be surfaced with concrete or asphalt concrete pavement except as required or allowed in subsections 6-1.6(B), (D) and (E) of this section. Alternative materials may be approved by the administrator. Alternative materials shall only be considered if such material exhibits equivalent load bearing and wear characteristics as concrete or asphalt concrete. Gravel is not an acceptable alternative paving material except for overflow parking and vehicular use areas located in an M-1 or M-2 zoning district. All surfaces shall be maintained in sound condition free of potholes, weeds, dust, trash, and debris.
- (B) *Low impact development (LID) techniques required.* All parking areas, for uses other than single-family detached and two-family dwellings, which exceed the number of parking spaces required by the minimum spaces required column and equal to or less than the maximum spaces allowed column as listed in Table 6-1-1 should incorporate low impact development (LID) techniques for the area in which there are excess spaces. Each LID technique shall be approved by the administrator. Examples include but are not limited to bioretention areas and vegetative filter strips. The LID technique shall be sized to treat the first 0.5 inches of runoff from the excess spaces and will be in addition to the stormwater requirements set forth in article 7, stormwater management.
- (D) *Overflow parking.* All parking areas above the maximum number of spaces required in Table 6-1-1 are considered as overflow parking and shall be turf or an approved pervious paving system. Turf may be used for parking areas and vehicular driving surfaces only for parking areas which are designed to be used no more than ten times per year.



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## Memorandum

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To: Planning Commission  
From: Bryan Wood, Community Development Director  
Date: April 1, 2021  
Re: Recommendation on Non-conforming Parking and Use of Gravel Paving

Following up on the Commission's 3/8/21 discussion on this issue, and with input from the City Manager, Staff recommends adoption of the following policies:

### Nonconforming Parking Lots

1. Businesses which have used grass and or gravel for parking prior to 2005 are determined to be legally-established non-conforming situations and are allowed to maintain the nonconforming situation, subject to the provisions of Article 9, Nonconforming Uses and Situations.
2. Businesses which began using grass or gravel for parking since 2005 and which have an explicit approval for such use are allowed to maintain the approved parking surface. A change in the use of the property will cause the City to re-evaluate the appropriateness of the grass or gravel parking area and may result in the parking area being required to be paved.
3. Automobile sales and automobile rental establishments are allowed to display up to 10 vehicles on a grass surface on the parcel on which the primary business is located, provided the grass is properly maintained. Otherwise, all vehicle use areas including vehicle display areas, shall be paved with asphalt, concrete, or an approved paver system.
4. Any lot established since 2005 without approval is subject to code enforcement action.

### Standard for Use of Gravel for Parking Lots

1. Gravel shall not be allowed for parking lots in the Downtown Development Overlay District.
2. Gravel shall not be used to meet minimum parking requirements.
3. Gravel shall be allowed for overflow parking and other vehicle use areas in the M-1, Wholesale and Light Industrial District, and the M-2, General Industrial District.
4. Gravel shall be allowed in Outdoor Storage Lots.
5. Any gravel lot allowed must be designed so that the gravel is retained on the site.

### Uses That Are Not Parking Lots

1. Areas used for the display or storage of farm and lawn equipment, golf carts, ATVs, utility trailers, and similar equipment for sale or rent are not subject to the provisions for parking lots. Grass or gravel surfaces must be properly maintained.
2. Areas used for the sale and display of portable buildings are classified as use type "Prefabricated building sales and display". Parking regulations only apply to the parking lots associated with such uses.

### Needed Amendments to the Land Management Ordinance

Staff will prepare amendments to the Land Management Ordinance as may be needed to clarify or to correct any conflicts with these policies.

Approved by Planning Commission April 12, 2021





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Application # TEXT-178-2021

### Application for Text Amendment

Contact Community Development (478) 988-2720

#### Applicant Information

\*Indicates Required Field

Applicant	
*Name	Bryan Wood for the City of Perry
*Title	Director of Community Development
*Address	1211 Washington Street, Perry, GA 31069
*Phone	478-988-2714
*Email	bryan.wood@perry-ga.gov


#### Request

\*Please provide a summary of the proposed text amendment:

Modify Land Management Ordinance Sections 1-13, 4-3.3(F), 6-1.3 and 6-1.6 to clarify the definitions of "parking lot" and "vehicular use area" and to clarify the acceptable use of gravel as a paving material based on policies approved by the Planning Commission on April 12, 2021.

#### Instructions

1. The application, fee (made payable to the City of Perry), and proposed text of the amendment must be received by the Community Development Office no later than 4:30 pm on the date reflected on the attached schedule.
2. Fees: Actual cost of required public notice.
3. The applicant must state the reason for the proposed text amendment. See Sections 2-2 and 2-3.2 of the Land Management Ordinance for more information.
4. The staff will review the application to verify that all required information has been submitted. The staff will contact the applicant with a list of any deficiencies which must be corrected prior to placing the application on the planning commission agenda.
5. Text amendment applications require an informational hearing before the planning commission and a public hearing before City Council.
6. The applicant must be present at the hearings to present the application and answer questions that may arise.
7. Campaign Notice required by O.C.G.A. Section 36-67A-3: Within the past two years, have you, the applicant, made either campaign contributions and/or gifts totaling \$250.00 or more to a local government official? Yes \_\_\_ No X  
If yes, please complete and submit the attached Disclosure Form.
8. The applicant affirms that all information submitted with this application, including any/all supplemental information is true and correct to the best of their knowledge and they have provided full disclosure of the relevant facts.
9. Signatures:

*Applicant 	Bryan Wood, Director of Community Development, for the City of Perry	*Date 6/14/2021
--	--	--------------------

**Standards for Amendments to the Text of the Land Management Ordinance**

In reviewing an application for an amendment to the text of the ordinance and acting on said application, the planning commission and city council may consider the following standards:

- (1) Whether, and the extent to which, the proposed amendment is consistent with the Comprehensive Plan.

The proposed amendment is consistent with the 2017 Joint Comprehensive Plan.

- (2) Whether, and the extent to which, the proposed amendment is consistent with the provisions of this chapter and related city regulations.

The proposed amendment is consistent with the provisions of the LMO and other city regulations.

- (3) Whether, and the extent to which, there are changed conditions from the conditions prevailing at the time that the original text was adopted.

Since the adoption of provisions allowing the use of gravel paving surfaces, the Planning Commission adopted policies regulating the use of gravel.

- (4) Whether, and the extent to which, the proposed amendment addresses a demonstrated community need.

The proposed amendment will improve the appearance of the community.

- (5) Whether, and the extent to which, the proposed amendment is consistent with the purpose and intent of the zoning districts in this chapter, will promote compatibility among uses, and will promote efficient and responsible development within the city.

The amendment is consistent with the purpose and intent of the LMO and will promote compatibility among uses and will promote efficient and responsible development.

- (6) Whether, and the extent to which, the proposed amendment will result in logical and orderly development pattern.

The proposed amendment has no impact on development patterns.

- (7) Whether, and the extent to which, the proposed amendment will result in beneficial impacts on the natural environment and its ecology, including, but not limited to, water, air, noise, stormwater management, wildlife, vegetation, and wetlands.

For stormwater calculation purposes, gravel surfaces are 85% impervious. The proposed amendment will have a limited impact on the natural environment and its ecology.

- (8) Whether, and the extent to which, the proposed amendment will result in development that is adequately served by public facilities and services (roads, potable water, sewerage, schools, parks, police, fire, and emergency medical facilities).

The proposed amendment has no impact on public facilities or services.

Planning Commission  
Minutes - July 12, 2021

1. Call to Order : Chairman Edwards called the meeting to order at 6:00pm.
2. Roll Call: Chairman Edwards; Commissioners Clarington, Coody, Butler, Jefferson and Mehserle were present. Commissioner Kemp was absent.

Staff: Bryan Wood – Community Development Director, Holly Wharton – Community Planner, and Christine Sewell – Recording Clerk.

Guests: Chad and Courtney Bryant, Preston Dillinger, Ryan Enk and Breanna Sheffield – Houston Home Journal.

3. Invocation: was given by Commissioner Clarington
4. Approval of Minutes from meeting on June 14, 2021: Commissioner Clarington motioned to approve as submitted; Commissioner Butler seconded; all in favor and was unanimously approved.
5. Announcements – Chairman Edwards referred to the notices as listed
  - Per O.C.G.A. 36-67A-3 if any opponent of a rezoning or annexation application has made campaign contributions and/or provided gifts totaling \$250 or more within the past two years to a local government official who will consider the application, the opponent must file a disclosure statement.
  - Policies and Procedures for Conducting Zoning Hearings are available at the entrance.
  - Please place cell phones on silent mode.
6. Old Business
  - **ANNX-145-2021**. Annexation and designation of C-2, General Commercial District zoning of property located at 1946 Houston Lake Road. The property is zoned C-2 in Houston County. The applicant is Chad Bryant. (Postponed from the June 14, 2021, meeting)

Mr. Wood advised staff was recommending postponement as there are still issues to be resolved and if granted must be on the request of the applicant. Mr. Chad Bryant advised he would like to postpone the matter to the August 9, 2021 meeting. Commissioner Coody motioned to postpone the request until the August 9, 2021 meeting; Commissioner Mehserle seconded; all in favor and was unanimously approved for postponement.

7. New Business
  - A. Informational Hearing (Planning Commission recommendation – Scheduled for public hearing before City Council on August 3, 2021)
    - **SUSE-0170-2021**. Special exception for multi-family development on property at 200-A Valley Drive. The applicant is H. Preston Dellinger/Servio Capital, LLC

Ms. Wharton read the applicants' request which was for approval to redevelop the existing Derby Inn motel (previously Days Inn and Holiday Inn), at 200 A Valley Drive into a multi-

family development. The applicant intends to develop both the Fair Bridge Inn Express motel and Derby Inn motel (both previously Holiday Inn) into a cohesive multi-family property. In total, there will be 120 new, market rate apartment units. The units will include 80 one-bedroom apartments and 40 studio apartments. The applicant provided a preliminary conceptual design that includes a common area for tenants, storage area, and on-site laundry facilities. The applicant has demonstrated a need for additional market rate housing in Perry within the one-bedroom and studio apartment layout format. The applicant also provided a multi-family market report to support this application. The applicant has considered the highest and best use of the subject properties. The application references the high concentration of hospitality properties within a 3-mile radius of the subject properties. These properties contribute to an oversupply of hotel and motel rooms which place the owners and operators under significant hardship. The properties within this area have deferred maintenance and are rarely productively used. The applicant suggests that converting this motel into market rate apartments will return the property to its highest and best use. On conclusion Ms. Wharton advised staff is recommending approval with the following conditions: 1. The proposed development must meet the requirements for parking, landscaping, and design guidelines as reflected in the Land Management Ordinance; 2. The proposed development must ensure building and site is in compliance with all applicable building codes, fire codes, and stormwater regulations

Chairman Edwards opened the public hearing at 6:15pm and called for anyone in favor of the request. Mr. Ryan Enk on behalf of the applicant reiterated the request. He works with a national company who seek struggling properties such as this and assist with obtaining the highest and best use of them. The units will not be income tax credits, but market rate and investment of \$9million will be done for improvements. Mr. Dellinger advised there is a need in the area for housing as their market analysis shows, there is a 2% multi-family vacancy for the area.

Chairman Edwards called for anyone opposed; there being none the hearing was closed at 6:18pm.

Commissioner Clarington inquired how many residents per unit; Mr. Dellinger advised max is three for the apartments and one to two for the studio units.

Commissioner Butler motioned to recommend approval of the application to Mayor and Council of the application as submitted with the following conditions: 1. The proposed development must meet the requirements for parking, landscaping, and design guidelines as reflected in the Land Management Ordinance; 2. The proposed development must ensure building and site is in compliance with all applicable building codes, fire codes, and stormwater regulations; Commissioner Coody seconded; all in favor and was unanimously recommended for approval.

- **SUSE-0171-2021.** Special exception for multi-family development on property at 200 Valley Drive. The applicant is H. Preston Dellinger/Servio Capital, LLC

Ms. Wharton read the applicants' requests which was for approval to redevelop the existing Fair Bridge Inn Express motel (previously Holiday Inn), at 200 Valley Drive into a multi-family development. The applicant intends to develop both the Fair Bridge Inn Express motel and Derby Inn motel (both previously Holiday Inn) into a cohesive multi-family property. In total, there will be 120 new, market rate apartment units. The units will include 80 one-bedroom apartments and 40 studio apartments. The applicant provided a preliminary conceptual design

that includes a common area for tenants, storage area, and on-site laundry facilities. The applicant has demonstrated a need for additional market rate housing in Perry within the one-bedroom and studio apartment layout format. The applicant also provided a multi-family market report to support this application. The applicant has considered the highest and best use of the subject properties. The application references the high concentration of hospitality properties within a 3-mile radius of the subject properties. These properties contribute to an oversupply of hotel and motel rooms which place the owners and operators under significant hardship. The properties within this area have deferred maintenance and are rarely productively used. The applicant suggests that converting this motel into market rate apartments will return the property to its highest and best use. Ms. Wharton advised staff was recommending approval with the following conditions: 1. The proposed development must meet the requirements for parking, landscaping, and design guidelines as reflected in the Land Management Ordinance; 2. The proposed development must ensure building and site is in compliance with all applicable building codes, fire codes, and stormwater regulations

Chairman Edwards opened the public hearing at 6:23pm and called for anyone in favor or opposed to the request; there being none the hearing was closed at 6:24pm.

Commissioner Clarrington motioned to recommend approval of the application to Mayor and Council of the application as submitted with the following conditions: 1. The proposed development must meet the requirements for parking, landscaping, and design guidelines as reflected in the Land Management Ordinance; 2. The proposed development must ensure building and site is in compliance with all applicable building codes, fire codes, and stormwater regulations; Commissioner Butler seconded; all in favor and was unanimously recommended for approval.

- **TEXT-176-2021.** Text amendment to remove Conservation Subdivision standards and procedures. The applicant is the City of Perry.

Mr. Wood advised the proposed text amendment modifies Section 2-3.11.3, Conservation Subdivisions, and Section 5-6, Conservation Subdivision Option. The purposes of the conservation subdivision option, as stated in Section 5-6.1 of the Land Management Ordinance (LMO), are to preserve in perpetuity unique or sensitive natural resources, to preserve important historic and archaeological sites, to permit clustering of houses and structures to reduce the amount of infrastructure, including paving, necessary for residential development, to reduce erosion and sedimentation by minimizing land disturbance and removal of vegetation in residential development, to promote interconnected greenways and corridors, to promote contiguous greenspace, to encourage interaction in the community by clustering houses and orienting them closer to the street, providing public gathering places and encouraging use of parks, to promote construction of convenient landscaped walking trails and bike paths, to conserve scenic views and reduce perceived density by maximizing the number of houses with direct access to and views of conservation space, and to protect prime agricultural land and preserve farming as an economic activity. City Council has concerns of the conservation space and greenspace not being provided in a manner consistent with purposes identified above, but rather conservation subdivisions being utilized only for the reduced lot size requirements and potential for increased density. On June 15, 2021, Council placed a 90-day moratorium on the permitting of conservation subdivisions to provide Staff time to evaluate and make

recommendations to the regulations (see attached). Staff recommends removing sections of the LMO pertaining to the standards and procedures for conservation subdivisions. This will result in conservation subdivisions being allowed only through the use of a Planned Unit Development (PUD) zoning process. The PUD process will provide the City more control over lot sizes and density and will ensure conservation space is suitable for such use and is accessible to the community

Chairman Edwards opened the public hearing at 6:28pm and called for anyone in favor or opposed to the request; there being none the hearing was closed at 6:29pm.

Commissioner Butler motioned to recommend approval of the text amendment as presented to Mayor & Council; Commissioner Clarington seconded; all in favor and was unanimously recommended for approval.

- **TEXT-177-2021.** Text amendment to establish short-term rentals as a special exception use in residential districts. The applicant is the City of Perry.

Mr. Wood advised the proposed text amendment modifies Section 1-13, Definitions, Section 4-1.2, Table of Uses, and Section 4-2.4(h), Visitor Accommodations. The proposed amendment is intended to codify City Council's recent directive regarding the regulation of short-term rentals. Such uses will require a special exception in residentially zoned districts and the residential-agricultural district.

Chairman Edwards opened the public hearing at 6:35pm and called for anyone in favor or opposed to the request; there being none the hearing was closed at 6:36pm.

Commissioner Butler motioned to recommend approval of the text amendment as presented to Mayor & Council; Commissioner Coody seconded; all in favor and was unanimously recommended for approval.

- **TEXT-178-2021.** Text amendment to modify parking standards and limit the use of gravel. The applicant is the City of Perry.

Mr. Wood advised the request is for modifications to Land Management Ordinance Sections 1-13, 4-3.3(F), 6-1.3, and 6-1.6 to clarify the definitions of "parking lot" and "vehicular use area" and to clarify the acceptable use of gravel as a paving material based on policies approved by the Planning Commission on April 12, 2021. The proposed text amendment modifies Section 1-13, Definitions, Section 4-3.3(F), Vehicle sales and services, Section 6-1.3, Off-street parking requirements, and Section 6-1.6, Parking design and location standards. The proposed amendment will make the language in the Land Management Ordinance consistent with the policies adopted by the Planning Commission on April 12, 2021.

Chairman Edwards opened the public hearing at 6:42pm and called for anyone in favor or opposed to the request; there being none the hearing was closed at 6:43pm.

Chairman Edwards asked if the amendment would codify previous discussions; Mr. Wood advised it would. Commissioner Mehserle asked if it would eliminate gravel parking in the City, Mr. Wood advised yes, parking for customers must be paved, there are some alternatives for the industrial district. Commissioner Clarington inquired how it would affect the used car lots, Mr.

Wood advised the Beckham Property on Courtney Hodges, Victory Lane Auto Sales, and BJ & Carlos are all in compliance. Commissioner Mehserle stated there are smart developments standards so to not have to pave all areas and inquired why the City is opposed to gravel. Mr. Wood advised pavers are allowed, but with regard to gravel there is no less impact with stormwater runoff, and often times it is not laid properly and causes issues, and the cost is similar. Council is concerned with the appearance of gravel in the downtown and major corridors, as well gravel tracked onto public roads can cause damage and additional maintenance issues.

Commissioner Clarrington motioned to recommend approval of the text amendment as presented to Mayor & Council; Commissioner Jefferson seconded; all in favor and was unanimously recommended for approval

**B. Public Hearing (Planning Commission decision)**

- **PLAT-143-2021.** Preliminary Plat for a 43 single-family lot conservation subdivision on property located at 1380 Cambridge Drive. The applicant is Chad Bryant.

Mr. Wood advised the property is undeveloped and consists of 18.03 acres. The applicant proposes to develop approximately 9 acres into a 43-residential-lot conservation subdivision which includes approximately 9 acres of open space, per the requirements for conservation subdivisions. The property contains a wet weathered stream traversing the site from the western portion of the site to the southeastern portion. Per the R-1 conservation subdivision requirements, 2.4 dwellings per acre are permitted with at least 50 percent of open space provided. There is no minimum lot area required for conservation subdivisions. The minimum lot width is 60 feet, front setbacks are 25 feet, interior side setbacks are 8 feet, exterior side setbacks are 20 feet, and rear setbacks are 20 feet. Staff has determined that all lots meet the minimum requirements for a conservation subdivision. A 50-foot right-of-way is shown, which is the minimum for conservation subdivisions. The Perry Planning Commission consented to the use of Conservation Subdivision standards at their June 14, 2021, meeting. Staff recommends approval of the preliminary plat containing 43 single-family residential lot conservation subdivision with the following conditions: 1. A wetland delineation study must be performed per City of Perry regulations; Applicant shall follow all wetland credit regulations; 3. No certificates of occupancy will be issued until the City of Perry has adequate sewer capacity to serve the development. Mr. Wood also noted, there currently is no sewer capacity to the area, should be in a year; furthermore, the site was originally designed to connect via Cambridge Drive and Cambridge Road, it will now have the connection through Broad Street.

Chairman Edwards opened the public hearing at 6:55pm and called for anyone in favor or opposition to the application; there being none the hearing was closed at 6:56pm.

Commissioner Butler motioned to approve of the application as submitted with conditions as recommended by staff; Commissioner Coody seconded; all in favor and was unanimously approved.

- **PLAT-144-2021.** Preliminary Plat for a 157 single-family lot conservation subdivision on properties located on Perimeter Road. The applicant is Chad Bryant.

Ms. Wharton advised the property is undeveloped and consists of six parcels which total 74.58 acres. The applicant proposes to develop approximately 38 acres into a 157-residential-lot conservation subdivision which includes approximately 36 acres of open space, per the requirements for conservation subdivisions. The property contains rolling hills and a wetland system on the eastern portion of the site. Per the R-3 conservation subdivision requirements, 2.6 dwellings per acre are permitted with at least 30 percent of open space provided. There is no minimum lot area required for conservation subdivisions. The minimum lot width is 60 feet, front setbacks are 25 feet, interior side setbacks are 8 feet, exterior side setbacks are 20 feet, and rear setbacks are 20 feet. Staff has determined that all lots meet the minimum requirements for a conservation subdivision. A 50-foot right-of-way is shown, which is the minimum for conservation subdivisions. The Perry Planning Commission consented to the use of Conservation Subdivision standards at their June 14, 2021, meeting. Staff recommends approval of the preliminary plat containing 157 single-family residential lots with the following conditions: 1. Prior to submitting a site plan permit application, applicant must demonstrate approval from FEMA and all regulatory organizations regarding any flood map amendments, including a Letter of Map Amendment Revision; 2. A wetland delineation study must be performed per City of Perry regulations; 3. Applicant shall follow all wetland credit regulations.

Chairman Edwards opened the public hearing at 7:02pm and called for anyone in favor or opposed to the request.

Mr. Chad Bryant, the applicant requested clarity on condition #1 as there are numerous requirements and approvals that will have to be maintained from FEMA and the process is arduous and lengthy, and they will advise what is required with regards to flood delineation and the flood certifications. If held to that condition it could delay the process of site plan review by the City. Mr. Wood advised the City ordinance states no lot cannot be located in a flood plain; unfortunately, this has not always been enforced, and when issues arise it becomes a matter for the City to handle. Mr. Bryant advised when application is made with FEMA, they will assign a project engineer who will essentially review his work and then advise what permit they will fall under with FEMA and will review all the criteria, site plan, and hydrology report. Mr. Wood advised the condition could be revised, but a land disturbance permit could not be issued until FEMA's approval is received and the applicant may be charged additional site review fees. There being no further comment the public hearing was closed at 7:16pm.

Commissioner Jefferson advised this property was brought before the Commission years ago for development and had anything changed since then; Mr. Wood advised he was not aware it had.

Commissioner Butler motioned to approve of the application as submitted with the following conditions: 1. Prior to submitting a site plan permit application, applicant must demonstrate approval from FEMA and all regulatory organizations regarding any flood map amendments, including a Letter of Map Amendment Revision; 2. A wetland delineation study must be performed per City of Perry regulations; 3. Applicant shall follow all wetland credit regulations; Commissioner Coody seconded; all in favor with Commissioner Jefferson opposed; resulting vote was 6 to 1 for approval.

Commissioner Jefferson stated for the record her opposition was because developers are building in areas where residents come back years later because their property is flooding and



this same property was brought before the Commission years ago and denied and all people want to do is make money.

8. Other Business

- Presentation of Capital Improvement Projects - Chad McMurrin, Engineering Services Manager.

Mr. McMurrin presented to the Commission a PowerPoint of various City infrastructure projects; those currently being done and those proposed.

- Commission questions or comments – none

9. Adjournment: there being no further business to come before the Commission the meeting was adjourned at 7:50pm.

**Bid Submittal Summary Sheet**

<b>Bid Title/Number:</b>	2022-06
	4x4 Crew Cab Responder Pickup
	Quantity: One (1)
<b>M&amp;CC Meeting Date:</b>	8/17/2021
<b>Funding Source:</b>	Fire Protection Fund
	via GMA Lease Program
<b>Budgeted Expense?</b>	Yes

<b>Responsive Bidders:</b>		<b>Bid Amount</b>	
	Prater Ford, Inc	\$	45,216.76

<b>Posting Sources:</b>		
	City of Perry's Website:	<a href="http://www.perry-ga.gov">www.perry-ga.gov</a>
	GA Procurement Registry	<a href="https://ssl.doas.state.ga.us/PRSapp/">https://ssl.doas.state.ga.us/PRSapp/</a>

**Department/Purchasing Agent Recommendation:**  
Reject the single bid received as the delivery time-frame does not meet City's needs.

**Bid Submittal Summary Sheet**

<b>Bid Title/Number:</b>	2022-07 Model Year 2021 4x4 Crew Cab Responder Pickup Quantity: One (1)
<b>M&amp;CC Meeting Date:</b>	8/17/2021
<b>Funding Source:</b>	Fire Protection Fund via GMA Lease Program
<b>Budgeted Expense?</b>	Yes

<b>Responsive Bidders:</b>	<b>Bid Amount</b>
Phil Brannen Ford of Perry	\$ 43,500.00


**Posting Sources:**

City of Perry's Website:	<a href="http://www.perry-ga.gov">www.perry-ga.gov</a>
GA Procurement Registry	<a href="https://ssl.doas.state.ga.us/PRSapp/">https://ssl.doas.state.ga.us/PRSapp/</a>

**Department Recommendation:**

Vendor:	Phil Brannen Ford of Perry
Amount:	\$ 43,500.00
Department:	Vehicle Maintenance
Department Representative:	Bob Taylor, Vehicle Maint Manager

**Purchasing Agent Recommendation:**

Vendor:	Phil Brannen Ford of Perry
Amount:	\$ 43,500.00
Purchasing Agent:	Mitchell Worthington, Finance Director
Signature:	

**A RESOLUTION OF THE COUNCIL OF THE CITY OF PERRY, GEORGIA TO  
ESTABLISH A PERSONNEL POLICY FOR A TOBACCO-FREE,  
SMOKE-FREE, AND VAPE-FREE WORKPLACE**

**WHEREAS**, the City of Perry is committed to protecting the health of its employees and individuals in city buildings, facilities, and vehicles by eliminating exposure to secondhand smoke; and

**WHEREAS**, the Georgia Smoke-free Air Act of 2005 (*O.C.G.A. § 31-12A-1, et seq.*) prohibits smoking inside most public areas and sets forth specific regulations governing smoking in Georgia; and

**WHEREAS**, the Georgia Smoke-free Air Act authorizes local governments to enact rules and regulations which further regulate smoking within their respective jurisdictions; and

**WHEREAS**, an employer may designate smoking areas which shall be located in a nonwork area where no employee, as part of his or her work responsibilities, shall be required to enter, except such work responsibilities shall not include custodial or maintenance work carried out in the smoking area when it is unoccupied (*O.C.G.A. § 31-12A-6 (a)(11)(A)*); and

**WHEREAS**, the City Council desires through this resolution to amend its personnel policies in protection of City employees.

**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the City of Perry that the Tobacco-Free Policy for Employees of the City of Perry, Georgia, attached hereto as Exhibit "A", shall establish guidelines for smoking, vaping and tobacco use for City of Perry personnel.

SO RESOLVED, this \_\_\_\_\_ day of August, 2021.

CITY OF PERRY, GEORGIA

By: \_\_\_\_\_  
Randall Walker, Mayor

Attest: \_\_\_\_\_  
Annie Warren, City Clerk

[SEAL]

Exhibit "A"

**TOBACCO-FREE POLICY FOR EMPLOYEES OF THE CITY OF PERRY, GEORGIA**

The City of Perry, Georgia ("City") is committed to providing a safe and healthy workplace and to promoting the health and well-being of its employees. As such, the following policy has been adopted and applies to all employees of the City.

**Policy**

It is the policy of the City to prohibit smoking, vaping, and all other tobacco use in all City buildings, facilities, vehicles, enclosed rolling stock/equipment and enclosed areas, as the same are defined by O.C.G.A. § 31-12A-2.

Smoking is defined as the act of lighting, smoking or carrying a lighted or smoldering cigar, cigarette or pipe of any kind. Vaping refers to the use of electronic nicotine delivery systems or electronic smoking devices such as e-cigarettes, e-pipes, e-hookahs and e-cigars. Tobacco use is defined as the use of tobacco leaves that may be smoked (in cigarettes, cigars and pipes), applied to gums (as dipping or chewing tobacco), or inhaled (as snuff).

**Scope**

This policy applies to:

- All buildings, facilities, vehicles, enclosed rolling stock/equipment and enclosed areas, as defined by O.C.G.A. § 31-12A-2, which are owned, leased or rented by the City.
- All City employees.

Use of tobacco in any form, smoking or vaping is permitted only in designated outdoor areas. Such areas shall be designated by the city manager and/or department head for each facility/building.

**Procedures**

Employees who violate this policy will be subject to disciplinary action up to and including immediate discharge.

**Statement of Understanding**

I have read and fully understand the terms of this policy.

I understand that any violation of this policy will result in disciplinary action up to and including immediate discharge.

I understand that the City reserves the right to make changes to this policy as needed.

\_\_\_\_\_  
Employee Name

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date



Where Georgia comes together.

**OFFICE OF THE CITY MANAGER**

**MEMORANDUM**

**TO:** Mayor/Council  
**FROM:** Lee Gilmour, City Manager *LS*  
**DATE:** August 12, 2021  
**REFERENCE:** Fee Schedule

Attached is the resolution proposing to amend the City of Perry Fee Schedule to fund the FY 2022 adopted budget. The fees are recommended to be adjusted as follows:

1. Per City policy all fees, unless restricted by state law or amended elsewhere in this resolution are increased 2.00%.
2. There is no increase in the residential fire protection fee. Non-residential is increased to meet its portion of the costs. Non-residential rates have not increased in three (3) years. The non-residential maximums continue to have a phased in increase.
3. There is no recommended increase in the stormwater fee rate. The maximum amount is recommended to increase 6%.
4. The solid waste totter charge is not changed. Container service is adjusted to new waste management rates.
5. Water/sewer charges are adjusted as follows:
  - a. Base fee increases from \$3.00/billing to \$4.25/billing.
  - b. Water consumption rate is reduced 3%.
  - c. Sewer rate increases 5%.

Due to account growth the city was able to avoid a 6.00% consumption rate increase.

6. Natural gas charges are:
  - a. Base charge increases from \$ 4.00/month to \$ 4.25/month.
  - b. The city gate consumption rate remains the same.

7. Recreation and rental fees are adjusted to recoup costs.

cc: Mr. R. Smith

**A RESOLUTION TO AMEND  
THE CITY OF PERRY  
FEE SCHEDULE**

**WHEREAS**, the Council has adopted its FY 2022 Operating Budget; and

**WHEREAS**, the City's fees and charges need to be adjusted accordingly:

**NOW, THEREFORE, THE COUNCIL OF THE CITY OF PERRY  
HEREBY RESOLVES** that the City of Perry Fee Schedule is amended to read as shown in attached Exhibit "A" hereby made a part of this Resolution effective September 1, 2021.

SO RESOLVED THIS \_\_\_\_\_ DAY OF AUGUST 2021.

CITY OF PERRY

By: \_\_\_\_\_  
RANDALL WALKER, MAYOR

City Seal

Attest: \_\_\_\_\_  
ANNIE WARREN, CITY CLERK



# EXHIBIT "A"

## CITY OF PERRY FEE SCHEDULE

### A. Licenses and Permits

#### 1. Alcoholic Beverage Licenses

a.	Malt package sales/consumption	\$ 610.00/yr 305.00/½ yr
b.	Wine package sales/consumption	\$ 610.00/yr 305.00/½ yr
c.	Distilled spirits package sales	\$ 3,975.00/yr 1,975.00/½ yr
d.	Malt, wine, distilled spirits package sales	\$ 4,575.00/yr 2,275.00/½ yr
e.	Distilled spirits consumption	\$ 5,225.00/yr 2,600.00/½ yr
f.	Malt, wine, distilled spirits consumption	\$ 5,100.00/yr (I) 2,550.00/½ yr
g.	Caterer License	\$ 425.00/yr 225.00/½ yr
	1. Special Event Alcoholic Beverage License	\$ 50.00/event (I)
h.	Manager/Franchise	
	1. Manager Transfer	\$ 150.00/each
	2. New Manager	135.00/each
i.	Wholesale Alcohol Beverage License	
	1. Malt packages sales	\$ 150.00/yr 75.00/½ yr
	2. Wine package sales	\$ 150.00/yr 75.00/½ yr

3.	Distilled spirits package sales	\$ 1,025.00/yr 525.00/½ yr
4.	Malt, wine, distilled spirits package sales	\$ 1,225.00/yr 610.00/½ yr
j.	Administrative Fee	
1.	Standard	\$ 47.00/each
2.	On-line	\$ 25.00/each
k.	Special event alcoholic beverage permit	\$ 127.00/per permit
l.	Brown bagging permit	
	Daily (limit three (3) consecutive days)	\$ 61.00/each
	Annual	\$ 245.00/yr
		125.00½ yr
2.	<u>Occupational Business License/Permits</u>	
a.	Administrative Fee	
1.	Standard	\$ 47.00/each
2.	On-line	\$ 25.00/each
b.	Financial Institutions	\$1,725.00/minimum
c.	Insurance Companies/Agents	\$ 75.00/business (1)
d.	Other business	
1.	Employees 1-2	\$ 125.00/business
2.	Employees 3-9	\$ 110.00 plus 25.00 for each employee over 2
3.	Employees 10-99	\$ 270.00 plus 20.00 for each employee over 9
4.	Employees 100-499	\$1,750.00 plus 9.00 for each employee over 99
5.	Employees 500 – up	\$3,470.00 plus 5.00 for each employee over 499 <i>Maximum charge \$4,390.00</i>
e.	Transient business permit	\$ 275.00/each/yr 137.00/each/½ yr
f.	Vehicle for hire license	\$ 91.75/yr (plus business license)

g.	Pawn broker license	\$ 91.75/yr (plus business license)
h.	Professional business license	\$ 400.00/yr <sup>(1)</sup>
i.	Closing-out Sale & Existing business license	
	1. Period not to exceed thirty (30) days	\$ 46.75/each
	2. Period not to exceed sixty (60) days	83.75/each
	3. Period not to exceed ninety (90) days	114.25/each
j.	Closing-out Sale non-existing business license	
	1. Period not to exceed thirty (30) days	\$ 625.00/each
	2. Period not to exceed sixty (60) days	1,225.00/each
	3. Period not to exceed ninety (90) days	1,950.00/each
k.	Additions to Inventory Business License	
	1. Period not to exceed thirty (30) days	163.00/each
	2. Period not to exceed sixty (60) days	316.00/each
	3. Period not to exceed ninety (90) days	475.00/each
l.	Adult Business License	
	1. Adult use	\$ 2,050.00/yr
	2. Manager license	95.00/yr
	3. Entertainer license	95.00/yr
	4. Server license	95.00/yr
m.	Barber, Beautician, Manicurist, Massage Technician	
	Self-employed	\$ 110.00/yr
n.	Produce stands business license	\$ 99.00/each/yr 50.00/each/½ yr
o.	Septic waste contractor permit	\$ 175.00/yr \$ 85.00/½ yr
p.	Food Truck Permit	\$ 110.00/each

3. Non-Business Permits

- a. Structure Permits

1. Valuation Schedule
  - (a) \$0.00 - \$15,000.00  
\$57.00 for the first \$2,100 plus  
\$7.25 for each additional thousand  
or fraction thereof, to and including  
\$15,000.00
  - (b) \$15,000.01 - \$50,000.00  
\$163.00 for the first \$15,400.00 plus  
\$7.25 for each additional thousand  
or fraction thereof, to and including  
\$50,000.00
  - (c) \$50,000.01 - \$100,000.00  
\$410.00 for first \$50,000.00 plus  
\$6.10 for each additional thousand  
or fraction thereof, to and including  
\$100,000.00
  - (d) \$100,000.01 - \$500,000.00  
\$690.00 for the first \$100,000.00 plus  
\$4.60 for each additional thousand  
or fraction thereof, to and including  
\$500,000.00
  - (e) \$500,000.01 –  
\$2,450.00 for the first \$500,000.00 plus  
\$3.60 for each additional thousand  
or fraction thereof
  
2. Valuation Rates
  - (a) New construction and additions  
\$94.00/square foot of heated space
  - (b) Renovations/Alterations  
\$47.00/square foot of heated space
  - (c) Other uses  
Estimated cost unless otherwise noted  
in fee schedule
  
3. Solid Waste Franchise Fee
 

(a) Residential (1-2 units)	\$ 25.00/permit/site
(b) Other	\$ 34.00/permit/site
  
4. Building Permit Water Consumption Charge
 

	\$ 122.00/each
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- b. Curb cut permit
 

	\$ 62.00/each
--	---------------
  
- c. Moving structure permit
 

	\$ 62.00/each
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d.	Demolition structure permit	\$ 140.00/minimum each
e.	Manufactured Structures	
	1. Single-wide	Per 3 (a)
	2. Double-wide	Per 3 (a)
f.	Soil Erosion Permit	
	1. Georgia Department of Natural Resources Environmental Protection Division	\$ 40.00/disturbed acre (1)
	2. Local issuing authority	40.00/disturbed acre (1)
g.	Mass Gathering Permit	\$ 67.00/each
h.	Parade Permit	\$ 166.00/each
i.	Swimming pool permit	
	1. Private above ground swimming pool	\$ 94.00/each
	2. Private below ground swimming pool	130.00/each
	3. Public swimming pool	235.00/each
j.	Portable/Temporary sign permit	\$ 62.00/each
k.	Sanitary dumping permit	\$ 62.00/each
l.	Bingo Permit	\$ 62.00/year
m.	Block Party Permit	\$ 94.00/each
n.	Tree Removal permit	\$ 62.00/each
	<i>(Note: Homeowners/residential owners exempt from permit requirements for removal of pines.)</i>	
o.	After hours cemetery access permit	\$ 163.00/each
p.	Fire Safety Permits	
	Fireworks Sale Location	\$ 500.00/each (1)
	New Business Locations	\$ -
	Burn Permit-Commercial	\$ 150.00/each
	Blasting Permit	\$ 112.00/each
	Hazardous Materials Permits	\$ 150.00/each
q.	Special Event Permit	\$ 72.00/each

r. Individual well permit \$ 62.00/each

## B. Charge for Services

### 1. General

#### a. Planning and Zoning

##### 1. Rezoning Request

- a. Residential \$ 140.00 plus \$16.25/acre  
(maximum \$1,700.00)
- b. Planned Development \$ 160.00 plus \$16.25/acre  
(maximum \$3,000.00)
- c. Commercial/Industrial \$ 245.00 plus \$22.65/acre  
(maximum \$3,170.00)

#### d. Code Enforcement (Except Environmental)

##### 1. Violations (per site/year)

- First Offense \$ 52.00
- Second Offense \$ 84.00
- Third Offense \$156.00
- Plus mandatory Municipal Court appearance

##### 2. Environmental Violation Fees (per site/year)

###### a. Illegal dumping of solid waste

- First Offense \$130.00
- Second Offense \$220.00
- Third Offense \$425.00
- Plus mandatory Municipal Court appearance

###### b. Illegal dumping of sewage (City-wide/year)

- First Offense \$155.00
- Second Offense \$290.00
- Third Offense \$575.00
- Plus mandatory Municipal Court appearance

##### 3. Enforcement Activity

Actual City cost times 150%  
plus 10% administrative cost

- e. Building Permit Re-inspection Fee
  - Third site visit \$ 114.00 each
  - Each subsequent visit,  
previous amount plus \$ 62.00/visit
- 2. Variance/Special Exception/  
Conditional Use/Administrative Appeal \$ 92.00/each
- 3. Temporary Use Permit \$ 32.00/location
- 4. Subdivision Review
  - a. Minor Plat \$ 62.00
  - b. Preliminary Plat Approval \$ 114.00
  - c. Final Plat \$ 47.00, plus recording  
cost, if required
- 5. Site Plan Review
  - a. Single-family Residential (subdivisions)
    - (1) Initial and second submission/review  
\$19.50/lot; minimum \$125.00/plat, maximum  
\$1,665.00/review
    - (2) Third and each subsequent review  
Actual consultant cost, plus five percent (5%)
  - b. All Non-single-Family Residential
    - (1) Initial and second submission/review
      - 1-3 Acres \$2,345
      - 3.01+ \$2,345 plus \$235 each additional acre  
or portion thereof. Maximum \$7,755/review
    - (2) Third and each subsequent review  
Actual consultant cost, plus five percent (5%)
  - c. Minor site review \$110.00/each
- 6. Any work started prior to obtaining a permit shall double the permit amount.
- 7. Delinquent Certificate of Appropriateness \$220.00/event
- a. Printing/Duplicating
  - a. Copies

	1-3 pages	No charge
	4 plus	\$.10/page (1)
b.	Zoning/land use maps	\$ 17.00/plat
c.	City Street Map	42.00/each
d.	City Zoning Map	42.00/each
e.	Perry Land Development Ord	42.00/each
	Updates Subscription	32.00/year
f.	Sign Ordinance	17.00/each
g.	City Code of Ordinances	52.00/each
h.	Tree Ordinance	17.00/each
i.	CD-Room Copies	42.00/per diskette
b.	Election fees	
	Mayor	\$ 360.00/election (1)
	Council Member	198.00/election (1)
c.	Perry Municipal Court	
1.	Court Cost	\$ 43.00
2.	Public Safety	
a.	Police Services	
1.	Accident reports	
	First report/accident	No Charge
	Second and subsequent reports	\$ 9.50/each
2.	False alarms	85.00/each
	<i>(after 3 in twelve month period at same location)</i>	
3.	Records	
	(a) Background check	16.25/each
	(b) Expungement	25.00/each (1)
4.	Miscellaneous	
	(a) Video tapes	32.00/tape
	(b) Photographs	7.50/each
	(c) Notarize	7.50/each
5.	Firearms Class	
	Participant Fee	\$ 27.00/each/class
6.	Automated Traffic Safety Zone	
	First Offense	\$ 75.00/citation (1)



Second and Subsequent 125.00/each (1)

b. Fire Services

1. Fire alarms

With a twelve (12) month period should the following occur:

a. False alarm

- First two (2) calls no charge
- Third call \$ 80.00
- Fourth call 210.00
- Fifth and more 525.00/each

b. Fire alarm placed in test or disabled is prohibited

- First violation \$ 80.00
- Second violation 155.00
- Third violation 210.00
- Fourth violation and more 325.00/each

2. CPR Class \$ 42.00/each

3. Fire Safety Inspections

a) Inspections

- First Inspection No Charge
- First Follow-up \$ 220.00/each
- Second Follow-up \$ 220.00/each
- Each Subsequent Follow-up \$ 220.00/each
- Non Single-family Residential Certificate of Occupancy \$ 155.00/each
- Annual Fire Re-Inspection
- First No Charge
- First Follow-up \$ 155.00/each
- Additional Subsequent Follow-up \$ 220.00/each

Fire Watch

- Person/Hour \$ 62.00/hour
- Apparatus/Hour \$ 220.00/hour
- Special Events \$ 155.00/each
- Tank Installation/Removal \$ 155.00/each

4. Fire Protection Service Fee

a. ERU value

- Residential \$ 22.00/ERU
- Non-residential 16.00/ERU

b. Meter Maximums

1. Moderate Risk

	Non-Residential	Residential	
Single Meter	\$170/billing	Per unit	\$ 12.00/billing
Master Meter	\$360/billing	Maximum	\$ 1,800/billing

2. Significant Risk

Single Meter	\$550/billing
Master Meter	\$1,175/billing

3. Maximum Risk

Single Meter	\$725/billing
Master Meter	\$1,175/billing

5. Fire Marshal Review Fees

a. Site Review	\$145.00/each
b. New Structure	
1) Less than 10,000 sq. ft.	175.00/each
2) Greater than 10,000 sq. ft.	.018/sq. ft./each
c. Remodeling Structure	
1) Less than 2,500 sq. ft.	61.00/each
2) 2,501 – 10,000 sq. ft.	172.00/each
3) Greater than 10,000 sq. ft.	0.019/sq. ft./each
d. Fire Alarm Review	165.00/each
e. Sprinkler Review	165.00/each

3. Public Works Services

a. City of Perry Stormwater Utility District	
1. ERU Fee	\$ 5.00 /billing
2. Billing maximum	\$ 490.00/billing

4. Sanitation

a. Tire Disposal Fee	
1. Car (16" and smaller)	\$ 7.75/each
2. Truck tire	9.90/each
3. Tractor/equipment	12.25 /each
b. Totter Service	
1. First totter	\$ 24.40/billing
Each extra totter	8.00/billing
c. Container Services	
1. Base fee	\$ .75/billing

- |    |                       |    |                                    |
|----|-----------------------|----|------------------------------------|
| 2. | Containers            |    |                                    |
|    | 2 cubic yard          | \$ | 8.25/pull                          |
|    | 4 cubic yard          |    | 16.45/pull                         |
|    | 6 cubic yard          |    | 24.70/pull                         |
|    | 8 cubic yard          |    | 32.90/pull                         |
| 3. | Bulk pick-up          |    | 16.50/pull                         |
| 4. | Roll on/off container |    | 206.00/pull<br>plus disposal costs |
| 5. | Recycling totter      |    |                                    |
|    | 8 cubic yard          |    | 8.00/each/billing                  |
|    | 65 gallon cart        |    | 8:00/each/billing                  |
- d. Late fee ten percent (10.00%) amount at due
- e. Extra Services
- |    |   |    |                     |
|----|---|----|---------------------|
| 1. | Totter customer   |    |                     |
|    | a. Yard debris/leaves bagged/<br>credit                   | \$ | 3.60/pick-up        |
|    | b. Special services                                       | \$ | 210/load            |
|    | contractor yard/tree service debris; excessive bulk items |    |                     |
|    | c. Special pickup   | \$ | 25.00/each          |
| 2. | Container customers                                       |    |                     |
|    | a. Yard debris/leaves                                     | \$ | 120.00/each pick up |
|    | b. Bulk collection  |    |                     |
|    | 1) 1-10 items   | \$ | 175.00/each pick-up |
|    | 2) 11+ items  |    | 300.00/each pick-up |
|    | 3) City schedule bulk customers                           |    | Contract prices     |
- f. Activation Fees (if not billed on water meter)
- |    |                 |    |                     |
|----|-----------------|----|---------------------|
| 1. | Residential     | \$ | 48.00/each location |
| 2. | Non-residential | \$ | 70.00/each location |
5. Water/Sewerage
- |    |                |    |             |
|----|----------------|----|-------------|
| a. | Water Services |    |             |
|    | 1. Meter       |    |             |
|    | a. Reread      | \$ | 38.00/each  |
|    | b. Test        |    | 127.00/each |

- c. Activation Fee (Non-refundable)
  - 1. Residential 48.00/each location
  - 2. Other 70.00/each location
- d. Customer Request Reloc. 132.00
- e. Hydrant water meter deposit \$1,700.00
- f. Should a current customer with an account in good standing desire to relocate or add additional service(s)
  - 1. If there is a closing of one location and adding another within the system, no activation fee will be charged.
  - 2. If the customer desires to add an additional account(s), and retain the current account, an activation fee will be \$32.00/account.
- g. Water Usage During Residential Construction \$127/flat fee

2. Meter Installations

- a. New Service Connection
  - 1. 1" Meter \$ 4,800.00/each
  - 2. 1 ½" Meter 12,600.00/each
  - 3. 2" Meter 12,600.00/each
  - 4. Other Meter 10,800.00/plus cost of meter
- b. Existing Service Meter Replacements
  - 1. 1" Meter \$ 600.00/each
  - 2. 1 ½ " Meter 2,400.00/each
  - 3. 2" Meter 2,400.00/each
  - 4. Larger Meter Actual meter cost
  - 5. Meter box/lid 77.00

- |     |   |                       |
|-----|---|-----------------------|
| 6.  | Water box replacement<br>(2 <sup>nd</sup> time and every additional time) | 43.00/each            |
| 7.  | Register  | \$ 115/each event     |
| d.  | Construction Replacement  |                       |
| 1.  | Replace meter   | \$ 335.00/each        |
| 2.  | Replace meter box/lid   | 75.00/each            |
| 3.  | MXU   | 250.00/each           |
| e.  | City Installation   |                       |
|     | Add \$72.00 to each meter cost  |                       |
| 3.  | Services  |                       |
| a.  | Base charge   |                       |
| 1.  | Water/Sewer meter   | \$ 4.25/billing       |
| 2.  | Water only  | 3.00/billing          |
| b.  | Consumption   |                       |
| 1.  | Residential /Irrigation   |                       |
|     | 1- x units  | \$.3728/unit/billing  |
| 2.  | Commercial /Industrial  |                       |
| (a) | 1 - x units   | \$.3728/unit/billing  |
| (b) | Flat rate   | 4.00/unit             |
| (c) | Users required to install pre-treatment infrastructure                    |                       |
|     | 1 - x units   | \$.2652/unit/ billing |
| 4.  | Other Service   |                       |
| a.  | Reconnect   |                       |
| -   | During business hours   | \$ 58.00/ea.          |
| -   | After business hours  | 93.00/ea.             |
|     | Meter blockage  | 55.00/ea.             |
|     | Repeat visit  | 22.00/ea.             |
|     | On/Off charge   | 45.00/ea.             |

b. Sewerage Service

1. Installation

- a. Backflow preventer  
Second and subsequent replacement \$110.00/each

2. Service

a. Consumption

- 1) Residential  
1-80 units \$.8410/unit/billing  
81 + units .6869/unit/billing

- 2) Non-Residential  
a. Regular User  
1-180 units \$.8410/unit/billing  
181 + units .6869/unit/billing

- b. Users required to install pre-treatment infrastructure  
1 – 180 units \$.5900/unit/billing  
181 –x units .4808/unit/billing

- b. No meter fee \$ 2.00/billing

3. Activation Fee (if no water meter)

- a. Residential \$ 48.00/each  
b. Other \$ 70.00/each

6. Natural Gas

a. Meter

1. Activation Fee (Non-refundable)

- a. Residential \$ 43.00/each location  
b. Other \$ 70.00/each location

- c. Should current customer with an account in good standing desire to relocate or add additional service(s)

1. If there is a closing of one location and adding another within the system, no activation fee will be charged.

2. If the customer desires to add an additional account(s), and retain the current account, an activation fee will be \$30.00/account.

2. Reread \$ 43.00/each  
 3. Test 130.00/each  
 4. Installation

a. Residential connection \$ 320.00/each  
 b. Additional service line \$ 4.80/linear foot  
 c. Commercial Connection \$ 320.00 or actual contractor cost whichever is greater for each tap

5. Customer Requested  
 a. Relocation \$ 130.00/each

b. Service

a. Base charge \$ 4.25/month

b. Consumption  
 City Distribution Charge .4327/ccf

c. Other services

1. Reconnect Charge

a. Business hours \$ 53.00/each  
 b. Non-business hours 86.00/each

2. Meter Blockage Charge 53.00/each  
 3. Repeat visit 22.00/each  
 4. On/off charge 43.00/each

d. Gas Furnishings

1. Formula for Rebate

- Furnace/water heater  
 /3<sup>rd</sup> appliance \$ 675.00/each  
 - Hydro-heater (combination  
 furnace/water heater) 390.00/each  
 - Water heater 325.00/each  
 - Furnace 250.00/each  
 - Range, outdoor light, dryer, space  
 heater, logs, fireplace 100.00/each  
 - Future drop (limit 2) 75.00/each

7. Cable Franchise
- a. Application fee \$ 175.00/each
  - b. Franchise Fee 5% monthly subscriber cost
8. Animal Control/Shelter
- a. Field Charges
    - 1. Impoundment
      - a. First Offense \$ 52.00/animal
      - b. Second Offense 90.00/same animal
      - c. Third and subsequent 160.00/same animal
    - 2. Pick-up fee 38.00/animal/incident
  - b. Shelter services
    - 1. Boarding \$ 17.00/animal/day
  - c. Dangerous Dog Registration \$ 375.00/annually
  - d. Animal Limit Variance Application Fee \$ 52.00/each
9. Other fees
- a. Surety Bond for moving 250.00/each  
(refunded after move)
  - b. Tax Enforcement
    - 1. Levy Papers \$ 15.50/each
    - 2. Tax Fi Fa
      - Recording cost \$ 17.00/each
      - Remove 16.00/each
    - 3. Tax Interest .542% per month of the tax amount
    - 4. Tax Penalty 5% after 120 days with an additional  
5% after each successive 120 days to a  
maximum of 20%
  - c. Advertising Actual cost



d.	Bad check fee		
	Administration	\$	30.00 (I)
	Financial Institute		5.00 (I)
e.	Cemetery fee		
	1. Purchase of Plot	\$	1,125.00/each
	2. Recording Fee		30.00/each
10.	Culture and Recreation		
a.	Youth Athletic Fees		
1.	Football		
	Participant	\$	115.00 / participant
2.	Basketball		
	Age Group		
	5-6 years old	\$	47.00/participant
	7-12 years old		85.00/participant
	13 – 17 years old		90.00/participant
3.	Fall Soccer		
	Classification		
	U-6	\$	52.00/participant
	U-8 – up		78.00/participant
4.	Baseball/Softball		
	Age		
	T-Ball	\$	47.00/participant
	7-12 years old		80.00/participant
5.	Spring Soccer		
	Category		
	U6		
	New	\$	55.00/participant
	Spring Returnee		80.00/participant
	U8-up		
	New	\$	90.00/participant
	Spring Returnee		85.00/participant
6.	Spring Basketball	\$	30.00/participant

- 7. Cheerleading \$ 50.00/participant
- 8. E-gaming \$ 20.00/participant
- 9. Late Registration Fee \$ 15.00/each application

Note 1: Second family participant in same sport pays 75% of fee, third and remaining family participant per sport pays 50% of fee, if a City resident.

Note 2: Participants from families qualifying as indigent pay one half (1/2) the participant/sport program if a City resident.

- b. Program fee As set by Department of Leisure Services to cover costs.
- c. Adult Program Fee
  - 1. Church League Softball \$500.00/team

*(1) Mandated per the State of Georgia*

C. Miscellaneous Revenue

1. Rental Income

a. James E. Worrall Community Center

1. Community Room/Kitchen

a. Monday - Thursday

- 8:00am – 4:00pm \$ 230.00
- 4:00pm – 12:00am 340.00
- 8:00am – 12:00am 570.00

b. Friday – Sunday

- 8:00am – 4:00pm 320.00
- 4:00pm – 12:00am 420.00
- 8:00am – 12:00am 900.00

c. Deposit of \$ 120.00 for each rental event.

2. Multi-Purpose room

- a. Hourly rate at \$ 20.00
- b. Deposit of \$ 170.00 for each rental event

3. Gym

- a. Monday – Friday (no holiday)

8:00am – 4:00pm                      No Charge

b. Saturday – Sunday, holidays, nights

1) 8:00am – 4:00pm  
    1-4 hours                      \$110.00/event  
    5-8 hours                      220.00/event  
2) 4:00pm – 12:00am              230.00/event

b. Rozar Park

1. Pavilion                      \$ 42.00/ hour  
2. Ballfield  
    - Day                      \$ 25.00/hour  
    - Night                      35.00/hour  
    - Tournament deposit              250.00/event  
  
3. Adult Soccer Field              \$ 50.00/hour  
    75.00/hour for tournament  
    190.00/deposit  
  
4. Disc Golf Course  
    (a) For-profit group              \$ 330.00/day  
    (b) Non-profit group              220.00/day  
    (c) Deposit                      220.00/event

c. Creekwood Park

1. Pavilion                      \$ 45.00/hour  
  
2. Ballfield  
    - Day                      \$ 25.00/hr  
    - Night                      35.00/hr  
    - Tournament deposit              \$ 250.00/event  
  
3. Football field  
    - Day                      \$ 25.00/hr/day  
    - Night                      35.00/hr/day  
    - Tournament deposit              250.00/event

d. Perry Events Center

1. Community Room              \$ 30.00/hour  
  
2. Main Hall  
  
    a) Monday – Thursday  
        8:00am – 4:00pm              \$ 420.00/day

4:00pm – 12:00am	630.00/day
8:00am – 12:00am	1,100.00/day

b) Friday – Saturday	
8:00am - 4:00pm	\$ 800.00/day
4:00pm – 12:00am	1,100.00/day
8:00am – 12:00am	1,800/day

3) Deposit	\$200.00/event
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e. Barbara Calhoun Park

1. Tennis Courts	
Day	
2 courts	\$ 220.00/day
4 courts	440.00/day
Tournament deposit	250.00/event



**Where Georgia comes together.**

**OFFICE OF THE CITY MANAGER**

**MEMORANDUM**

**TO:** Mayor/Council  
**FROM:** Lee Gilmour, City Manager  
**DATE:** August 12, 2021  
**REFERENCE:** Health/dental insurance renewal

Attached is the quote from our third-party administrator for the upcoming year's health and dental insurance. Note that there is no increase in the costs for administration and reinsurance. The Administration recommends Council approve this proposal.



# Administrative Solutions, Inc.

## CITY OF PERRY 9/1/2021

<u>NUMBER OF PLAN PARTICIPANTS</u>	<u>Medical &amp; Rx</u>		<u>Dental</u>	
	114		129	
Single	61		51	
Family	53		78	
<b>AGGREGATE STOP LOSS</b>				
Aggregate Benefits Includes <u>Medical, Dental &amp; Rx</u>				
	<b>CURRENT</b>		<b>RENEWAL</b>	
Contract Basis Specific			12/15	
Contract Basis Aggregate	12/12		12/12	
Specific Deductible	50,000		50,000	
	<u>EE</u>	<u>FAM</u>	<u>EE</u>	<u>FAM</u>
Specific Premium	\$ 354.18	\$ 865.95	\$ 354.18	\$ 865.95
Aggregate Premium	\$ 34.58	\$ 34.58	\$ 34.58	\$ 34.58
Administrative Fee - Medical	\$ 14.00	\$ 14.00	\$ 14.00	\$ 14.00
Administrative Fee - Dental	\$ 2.75	\$ 2.75	\$ 2.75	\$ 2.75
COBRA/HIPAA	\$ 2.50	\$ 2.50	\$ 2.50	\$ 2.50
PPO	\$ 7.25	\$ 7.25	\$ 7.25	\$ 7.25
Pre-Cert	\$ 2.00	\$ 2.00	\$ 2.00	\$ 2.00
My Ideal Dr	\$ 4.00	\$ 4.00	\$ 4.00	\$ 4.00
Total Fixed Monthly	\$ 421.26	\$ 933.03	\$ 421.26	\$ 933.03
Claims Funding	\$ 747.22	\$ 2,344.60	\$ 747.22	\$ 2,344.60
Total Cost Monthly	\$ 1,168.48	\$ 3,277.63	\$ 1,168.48	\$ 3,277.63
Dental / Vision Claims	\$ 41.72	\$ 82.55	\$ 41.72	\$ 82.55
	<b>MONTHLY COST</b>	<b>ANNUAL COST</b>	<b>MONTHLY COST</b>	<b>ANNUAL COST</b>
Fixed Cost	\$ 75,147.45	\$ 901,769.40	\$ 75,147.45	\$ 901,769.40
Claims Funding - Medical	\$ 169,844.22	\$ 2,038,130.64	\$ 169,844.22	\$ 2,038,130.64
Claims Funding - Dental	\$ 8,566.62	\$ 102,799.44	\$ 8,566.62	\$ 102,799.44
Total Cost	\$ 253,558.29	\$ 3,042,699.48	\$ 253,558.29	\$ 3,042,699.48
<b>LASERED CLAIMANTS:</b>				
Claimant # 1 - Gilliam - \$150,000				
Claimant # 2 - Hamsley - \$300,000				
Claimant #3 - Hunt - \$250,000				
Claimant #4 - Taylor- \$250,000				
Updated claims experience through 8/31/21				
Above costs do not include printing of the Summary Plan Descriptions or 1099's printing and reporting.				
1099's will be printed and mailed to providers at a cost of \$7 per 1099				