

Mayor and Council

700 Doug Davis Drive  
Hapeville, GA 30354

April 5, 2016

Agenda  
7:00PM

1. Call To Order
2. Roll Call
  - Mayor Alan Hallman
  - Alderman at Large Ruth Barr
  - Councilman at Large Michael Randman
  - Councilman Ward I Joshua Powell
  - Councilman Ward II Diane Dimmick
3. Welcome
4. Pledge Of Allegiance
5. Invocation
6. Presentations
  - 6.I. Audit Update
7. Public Hearing
  - 7.I. 1st Reading Ordinance 2016-09 Surfacing Definitions

**BACKGROUND:**

A moratorium was placed on the enforcement of parking on gravel lots in 2015. The purpose of the moratorium was to evaluate current policy and standards for parking on gravel. A review of other cities parking ordinances and a review of ADA requirements for parking only resulted in updating the defining of terms in the current ordinance.

**Alternate Off-Street Parking Standards**

The Director of Community Services, Police Chief, City Attorney, City Engineer, City Planner and I reviewed parking lot ordinances from other cities and ADA standards for permanent parking lots. The review revealed the following: Pavement applications consisting of loose aggregate do not meet ADA standards for approved permanent parking lots and are not allowed other than for overflow or temporary parking.

Further review of our ordinance revealed only a need to define the terms that are used in Section 93-2-5, Surfacing and Maintenance. In addition, staff will also document (via google earth photos) areas that are to be grandfathered and exempt from the new standards.

The current ordinance reads as follows:

Sec. 93-23-5. *Surfacing and maintenance*

(a) Nonresidential. All driveways, off-street parking and loading facilities required,

pursuant to the provisions of this chapter, shall be hard surfaced pavement, drained, lighted and maintained by the owner in accordance with specifications of the city. Parking areas that are in excess of the parking requirements of this chapter may consist of pervious materials provided the total number of parking spaces does not exceed 110 percent of the requirement.

(b) Residential. Single-family residential development may utilize porous concrete, asphalt or other permeable pavements in driveway construction.

Such terms as “pervious materials,” “porous concrete” and “permeable pavements” are used but, are not defined. The proposed amendment clearly defines the range of terms used in the ordinance so that the surfaces that are permitted and those that are prohibited will not be subject to effective debate.

The value in adopting the text amendment is that the City will be in a better position to promote the use of desirable pavements, with definite advantages for stormwater management, and to prohibit undesirable pavement applications such as #57 stone gravel. The latter is only appropriate in temporary industrial applications. Staff recommends approval.

For further information contact the City Planner or City Manager

Documents: [SURFACING DEFINITIONS ORDINANCE.PDF](#)

#### 7.II. Consideration And Action On Ordinance 2016-08 Signs

##### **Background:**

### **Content-Driven Sign Ordinance Amendments**

The City Attorney, City Planner and I have generated amendments to the Sign Ordinance in response to recent Supreme Court decisions and the potential for legal challenge to the City's ordinance based on regulation of content. The City Attorney has also performed an exhaustive review of the entire ordinance to increase the rigor of various ordinance provisions. No substantive changes are proposed, beyond those involving content regulation. In other words, such standards as concern sign size, height, number, location and lighting remain largely unchanged. The Sign Ordinance has been amended a number of times in recent years. Staff believes this latest amendment will better align the ordinance with the First Amendment to the United States Constitution which protects free speech. The amendments are critical to fending off potential challenges to the Hapeville Sign Ordinance.

For additional information contact the City Manager's Office.

Documents: [HAPEVILLE SIGN ORDINANCE SECOND READING TRACKED CHANGES 2.PDF](#), [SIGN ORD - COVER AND CONTENT 33116.PDF](#)

#### 7.III. Consideration And Action On Ordinance 2016-12 Zoning Map

##### **Background:**

Staff has researched and determined with the assistance of the City Attorney's Office that the most recent adoption of the Official Zoning Map of the City occurred on December 2, 2008. Such maps should be re-adopted annually as standard practice.

The zoning map is an essential element of the zoning ordinance as it is the record of property rights and limitations. As such, this map should reflect recent zoning decisions. Property rezonings that may occur during the course of the year can be noted on the map and designated for individual properties upon re-adoption.

The 2016 map updates all significant actions taken by the City since the last adoption in 2008. The map is attached and available for review. This meeting will serve as a second and final reading for this updated map and is scheduled for a public hearing on April 5, 2016.

For further information and details, please see Bill Johnston, City Planner or William R. Whitson, City Manager.

Documents: [OFFICIAL ZONING MAP 12-02-2008.PDF](#), [ZONING MAP\\_3282016.PDF](#)

#### 8. Consideration And Action On Ordinance 2016-05 Extended Stay Hotels

##### Background:

In 2015 Council passed a moratorium on the development of Extended Stay Hotels in the City. The moratorium was for the purpose of clarifying rules and standards for new development of extended stay hotel projects. First reading was held on February 16, 2016 on the new rules.

The Moratorium was subsequently re-established on March 5, 2016.

After receiving public comment, staff has modified the ordinance to take into account the comments made at first reading. The major changes made were to have a minimum size of at least 100 rooms, a minimum standard of 400 sq. feet per room and upgrade the requirements for amenities provided to include hot breakfast and larger screen TV's in each room. Council also desired to have a Special Use Permit requirement for such uses in all RMU Zones and protection of residential properties abutting such uses in the U-V zone.

In summary, the proposed ordinance would (1) continue to allow extended stay hotels in the C-2, General Commercial Zone, (2) eliminate extended stay hotels as a permitted use in the C-R, Commercial Residential Zone, (3) render the use subject to a Special Use Permit process in the RMU Zone, and (4) prohibit extended stay hotels in the U-V Zone when abutting a residential lot.

Staff is now satisfied that all zoning allowances have been considered and that little to no impacts will occur to neighborhoods in the City while accommodating this important market segment. We recommend approval of this Ordinance and the lifting of the moratorium.

Should you have any additional questions, please feel free to contact the City Manager or City Planner.

Documents: [EXTENDED STAY HOTELS ORDINANCE.PDF](#), [EXTENDED STAY COMPARISON CHART 33116.PDF](#)

#### 9. Public Comments On Agenda Items

The public is encouraged to communicate their questions, concerns, and suggestions during Public Comments, however, State Statute prohibits the City Council from discussing an item that is not on the agenda. The Council does listen to your concerns and will have Staff follow-up on any questions you raise. Any and all comments should be addressed to the Governing Body, not to the general public and delivered in a civil manner in keeping with common courtesy and decorum.

#### 10. Old Business

##### 10.I. Consideration And Action On Ordinance 2016-11 Budget Amendment Fire Truck

##### Background:

Council authorized staff on March 1, 2016 to proceed with the lease purchase of the new Fire Ladder vehicle from E-1. The attached budget amendment moves the funding for this lease purchase from the Special District account (that has been collecting these dollars) to operating accounts to pay for the new Fire Ladder equipment. All contracts have now been signed and approved.

For further information, please contact Jim Schuster, Finance Director or William R. Whitson, City Manager

Documents: [ORDINANCE TO AMEND BUDGET 2016 FIRE TRUCK.PDF](#)

#### 10.II. Board Appointments

- Design Review Committee

#### 11. New Business

- 11.I. Consideration And Action To Enter Into An Memorandum Of Understanding With St. John The Evangelist Catholic School To Use The Tom E. Morris Sports Complex Parking Lot For Evacuation Of Students.

**Background:**

The City has entered into agreements with Hapeville Middle School and Hapeville Elementary School to use the Hoyt Gym as a coordination and shelter facility in case of an emergency. This is a routine request and staff has incorporated this issue into our emergency planning process.

For further information, please contact Tod Nichols, Recreation Director or William R. Whitson, City Manager

Documents: [ST JOHN THE EVANGELIST CATHOLIC SCHOOL EVACUTATION MOU 3-2016.PDF](#)

#### 12. Public Comments

At this time, the Chairperson opens the floor to comments from the audience. Comments should relate to a specific agenda item, not listed on the agenda for a Public Hearing, or to a concern within the jurisdiction of the City. Mayor and Council meetings serve the purpose of conducting city business and are not a forum for the unlimited expression of opinion. The Chairperson reserves the right to limit comments to matters germane to city business and may refer speakers to the City Manager or other staff for resolution.

#### 13. Mayor And Council Comments

#### 14. Adjourn

Public involvement and citizen engagement is welcome as Hapeville operates a very open, accessible and transparent government. We do however remind our attendees/residents that there are times allocated for public comments on the agenda. In order for council to conduct their necessary business at each meeting, we respectfully ask that side-bar conversations and comments be reserved for the appropriate time during the meeting. This will allow the City Council to conduct the business at hand and afford our meeting attendees ample time for comments at the appropriate time during the meeting.

